

Notice of Proposed Rule

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: RULE TITLE:

68A-13.0001 Definitions

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to include new language establishing deer management units (DMUs) for Zones A, B and C. The effect of the proposed rule will be to enable the agency to better manage white-tailed deer based on recent biological and public preference information

SUMMARY: The proposed rule amendment defines deer management units (DMUs) for the purpose of managing white-tailed deer at a smaller geographic scale than is currently possible using larger zones, and establishes DMUs A1, A2 and A3 in Zone A; B1 in Zone B; and C1, C2, C3, C4, C5, and C6 in Zone C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The nature of the rule and the preliminary analysis conducted to determine whether a SERC was required

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution.

A HEARING WILL BE HELD AT THE DATES, TIMES AND PLACE SHOWN BELOW:

DATES AND TIMES: During the Commission's regular meeting February 4 - 5, 2015, 8:30 a.m. – 5:00 p.m., each day

PLACE: Hyatt Regency, 225 E. Coastline Drive, Jacksonville, FL 32202

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-13.0001 Definitions

When used in this rule chapter, the terms and phrases listed below have the meaning provided:

(1) Deer management unit (DMU) – The following geographical portions of the state, less any lands established by the Commission pursuant to Rule 68A-14.001, F.A.C.:

(a) DMU A1 – That portion of Zone A located east and south of County Road 835, east and north of County Road 833/Josie Billie Rd/Snake Road, east of the eastern boundary of Big Cypress National Preserve south of Interstate 75, and east of the western boundary of Dade County south of Big Cypress National Preserve.

(b) DMU A2 – That portion of Zone A located south of County Road 886/Golden Gate Parkway west of Interstate 75, south of Interstate 75 west of the State Road 29, east of State Road 29 south of the northern boundary of Big Cypress National Preserve, west of the eastern boundary of Big Cypress National Preserve, and west of the western boundary of Dade County south of the Big Cypress National Preserve.

(c) DMU A3 – That portion of Zone A located north of County Road 886/Golden Gate Parkway west of Interstate 75, north of Interstate 75 west of State Road 29, east of State Road 29 north of Big Cypress National

Preserve, north of Interstate 75 east of the eastern boundary of Big Cypress National Preserve and west of County Road 833/Josie Billie Rd/Snake Road, west and south of County Road 833/Josie Billie Rd/Snake Road, west and north of County Road 835, and east of Lake Okeechobee.

(d) DMU B1 – Includes all of Zone B.

(e) DMU C1 – That portion of Zone C located west of the eastern boundary of Highlands County north of State Road 70, and west of the eastern boundary of Polk County south of State Road 60.

(f) DMU C2 – That portion of Zone C located east of the eastern boundary of Highlands County north of State Road 70, east of the eastern boundary of Polk County south of State Road 60, south of State Road 50 east of U.S. Highway 441, west of U.S. Highway 1 south of State Road 50, and south of State Road 528/Bennett Causeway and Canaveral Barge Canal east of U.S. Highway 1.

(g) DMU C3 – That portion of Zone C located south of U.S. Highway 27 west of U.S. Highway 41, and west of U.S. Highway 41 north of State Road 50 and south of U.S. Highway 27.

(h) DMU C4 – That portion of Zone C located north of State Road 50 east of U.S. Highway 441; east of U.S. Highway 1 north of State Road 50; north of State Road 528/Bennett Causeway and Canaveral Barge Canal east of U.S. Highway 1; east of U.S. Highway 41 north of State Road 50; south of U.S. Highway 441 east of U.S. Highway 41; west and south of State Road 20, U.S. Highway 17/State Road 20/State Road 100, and State Road 20/State Road 100; and south of State Road 100/Moody Boulevard east of U.S. Highway 1.

(i) DMU C5 – That portion of Zone C located north of U.S. Highway 27 west of U.S. Highway 441, north of U.S. Highway 441 west of Interstate 75, west of Interstate 75 north of U.S. Highway 441.

(j) DMU C6 – That portion of Zone C located east of Interstate 75 north of U.S. Highway 441; north of U.S. Highway 441 east of Interstate 75; north and east of State Road 20, U.S. Highway 17/State Road 20/State Road 100, and State Road 20/State Road 100; and north of State Road 100/Moody Boulevard east of U.S. Highway 1.

(k)(a) DMU D1 – That portion of Zone D located south of Interstate 10.

(l)(b) DMU D2 – That portion of Zone D located north of Interstate 10.

(2) No change.

PROPOSED EFFECTIVE DATE: July 1, 2015

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 7-2-14, Amended, 7-1-15.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.R.

NAME OF PERSON ORIGINATING PROPOSED RULE: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 21, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 8, 2015