

Agenda Item 11. A.  
June 24, 2015  
Notice of Proposed Rule

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NO.:       RULE TITLE:

68A-15.064       Specific Regulations for Wildlife Management Areas - South Region

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to revise specific area regulations on Wildlife Management Areas (WMAs) in the South Region. The effect of the proposed rule amendment will be to enable the agency to better manage fish and wildlife resources and public use on WMAs.

SUMMARY: The proposed rule amendment would add bear as legal to take on Picayune Strand WMA only during those portions of the general gun season that coincide with the bear season for the South BMU, and establish a bear season and add bear as legal to take only during the bear season on Okaloacoochee Slough and Spirit-of-the-Wild WMAs.

**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; Sections 379.2223, 375.313, Florida Statutes.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATES AND TIMES: During the Commission's regular meeting June 23-25, 2015, 1:30 p.m. on the first day and 8:30 a.m. each day thereafter.

PLACE: Hyatt Regency, 1000 Boulevard of the Arts, Sarasota, FL 34236.

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-15.064 Specific Regulations for Wildlife Management Areas – South Region.

(1) through (5) No change.

(6) Okaloacoochee Slough Wildlife Management Area.

(a) Open season:

1. through 8. No change.

9. Bear - During the open season established for the South BMU in Rule 68A-13.004, F.A.C.

(b) Legal to take: All legal game, bear (only during the bear season), fish, frogs and furbearers. During the archery, muzzleloading gun, family and general gun seasons, the bag limit for deer shall be one per quota permit. The taking of antlerless deer is prohibited during archery season. One gobbler or bearded turkey may be taken per

spring turkey quota permit. Taking of antlered deer not having at least one antler with three or more points or one antler with a main beam of ten inches or more in length is prohibited, except by persons less than 16 years of age.

(c) through (d) No change.

(7) No change.

(8) Picayune Strand Wildlife Management Area.

(a) No change.

(b) Legal to take: All legal game, bear (only during those portions of the general gun season that coincide with the open season established for the South BMU in Rule 68A-13.004, F.A.C.), fish, frogs and furbearers. Taking of antlered deer not having at least one antler with two or more points is prohibited, except by persons less than 16 years of age. During the archery season, the bag limit for deer and wild hog shall be one each. During the muzzleloading gun and general gun seasons, the bag limit for deer shall be one per person, two per quota permit and the bag limit for wild hog shall be one per permit. Wild hog: daily bag, 1; possession limit, 2. The take of wild hog with a shoulder height of less than 15 inches is prohibited. The take of wild hog is prohibited during small game season. The taking of antlerless deer and turkey is prohibited during archery season. One gobbler (or bearded turkey) may be taken per spring turkey quota permit.

(c) through (d) No change.

(9) No change.

(10) Spirit-of-the-Wild Wildlife Management Area.

(a) Open season:

1. through 8. No change.

9. Bear - During the open season established for the South BMU in Rule 68A-13.004, F.A.C.

(b) Legal to take: All legal game, bear (only during the bear season), fish, frogs and furbearers. The bag limit for deer shall be one per person, two per quota permit. During the spring turkey season, one gobbler (or bearded turkey) may be taken per person, but not more than two per quota permit. The taking of antlerless deer and turkey is prohibited during archery season. Taking of antlered deer not having at least one antler with three or more points or one antler with a main beam of ten inches or more in length is prohibited, except by persons less than 16 years of age. Wild hog: daily bag one; possession limit two.

(c) through (d) No change.

(11) No change.

*Rulemaking Authority Art. IV, Sec. 9, Fla. Const., 379.2223, 375.313 FS. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.2223, 375.313 FS. History—New 6-21-82, Amended 7-1-83, 7-27-83, 9-27-83, 7-5-84, 7-1-85, 5-7-86, 8-5-86, 5-10-87, 8-24-87, 5-1-88, 6-7-88, 7-1-89, 7-1-90, 9-1-90, 7-1-91, 7-1-92, 7-1-93, 7-1-94, 7-1-95, 8-15-95, 7-1-96, 9-15-96, 10-20-96, 6-1-97, 8-7-97, 7-1-98, 7-2-98, 7-1-99, Formerly 39-15.064, Amended 11-17-99, 7-1-00, 7-1-01, 6-2-02, 2-27-03, 5-1-03, 7-1-04, 7-1-05, 7-1-06, 7-1-07, 7-1-08, 7-1-09, 7-20-09, 1-19-10, 7-1-10, 8-26-10, 7-1-11, 7-1-12, 7-1-13, 7-1-14, 9-18-14, 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: April 15, 2015

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