

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-15.065       Specific Regulations for Wildlife Management Areas - Northeast Region

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to revise specific area regulations on Wildlife Management Areas (WMAs) in the Northeast 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 Etoniah Creek, Jumper Creek, Marshall Swamp, Ocala - Church Lake Unit, Rock Springs Run, and Seminole Forest WMAs only during those portions of any season when deer are legal to take on these areas that coincide with the bear season for the Central BMU; establish a bear season and add bear as legal to take only during the bear season on Lake Monroe, Ocala (except the Church Lake Unit), and Tiger Bay WMAs; and revise the quail season framework and establishment process and remove quota permit requirements for the quail enhancement area on Three Lakes WMA.

**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 n; Sections 379.2223, 375.313, Florida Statutes.

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

DATE AND TIME: 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-15.065 Specific Regulations for Wildlife Management Areas – Northeast Region.

(1) No change.

(2) Ocala Wildlife Management Area.

(a) Open season:

1. through 13. No change.

14. Bear - During the open season established for the Central BMU in Rule 68A-13.004, F.A.C., except in the Church Lake Unit during the muzzleloading gun season.

(b) Legal to take:

1. All legal game, bear (only during the bear season and that portion of the muzzleloading gun season in the Church Lake Unit that coincides with the bear season), fish, frogs and furbearers. During the spring turkey season, one gobbler (or bearded turkey) may be taken per person, but not more than two per 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. Antlered deer may only be taken in the Church Lake Unit during the archery season, muzzleloading gun season the first 9 days of the general gun season and the general gun still season. Deer daily bag one per person. Antlerless deer may not be taken during the archery season.

2. No change.

(c) through (d) No change.

(3) through (4) No change.

(5) Three Lakes Wildlife Management Area.

(a) Open season:

1. through 9. No change.

10. Quail (quail enhancement area) – Up to ~~16~~ ~~eight (8)~~ days (Saturdays and Wednesdays only) of quail hunting may be allowed in January and February, combined.

11. through 12. No change.

(b) Legal to take: All legal game, fish, alligators as specified in Rule 68A-25.042, F.A.C., frogs and furbearers. The take of wild hog is prohibited during small game season and general-gun dog season. ~~Taking Killing~~ quail is prohibited on the quail enhancement area (that portion of the area lying east of the Florida Turnpike) ~~except by quail permit~~ during the quail season as established annually by order of the Executive Director, based on annual fall quail surveys. The daily bag limit for quail on the quail enhancement area is six (6) per person 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. During the general gun for mobility-impaired season, the bag limit for antlerless deer is one per certified mobility-impaired hunter and only certified mobility-impaired hunters are allowed to take antlerless deer.

(c) No change.

(d) General regulations:

1. through 9. No change.

~~10. A quota permit, as established annually by Order of the Executive Director or designee, shall be required for each group entering the quail enhancement area to hunt quail. Up to ten (10) permits may be issued per day and up to two (2) hunters will be allowed per permit. The number of Saturdays open for quail hunting will be adjusted each year as necessary so as not to exceed a harvest of 15% of the fall population, based on annual fall quail surveys.~~

(6) No change.

(7) Tiger Bay Wildlife Management Area.

(a) Open season:

1. through 7. No change.

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

(b) Legal to take:

1. All legal game, bear (only during the bear season), fish, except as provided below, frogs and furbearers. 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.

2. No change.

(c) through (d) No change.

(8) through (10) No change.

(11) Jumper Creek Wildlife Management Area.

(a) No change.

(b) Legal to take: All legal game, bear (only during those portions of the muzzleloading gun season that coincide with the open season established for the Central BMU in Rule 68A-13.004, F.A.C.), fish, frogs and furbearers. 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. The take of antlerless

deer is prohibited during the archery season.

(c) through (d) No change.

(12) Rock Springs Run Wildlife Management Area.

(a) No change.

(b) Legal to take: Only deer and wild hog may be taken during the archery, general gun and muzzleloading gun seasons, except bear may be taken during those portions of the muzzleloading gun season that coincide with the open season established for the Central BMU in Rule 68A-13.004, F.A.C. 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. Only rabbit, gray squirrel, wild hog and bobwhite quail may be taken during the small game season. The bag limit for deer shall be one antlered and one antlerless deer per quota permit. During the muzzleloading gun and general gun seasons, antlerless deer may be taken only by antlerless deer permit.

(c) through (d) No change.

(13) through (17) No change.

(18) Seminole Forest Wildlife Management Area.

(a) No change.

(b) Legal to take: All legal game, bear (only during those portions of the general gun for mobility impaired season and the muzzleloading gun season that coincide with the open season established for the Central BMU in Rule 68A-13.004, F.A.C.), fish, except as provided below, frogs and furbearers except otter and bobcat. One antlered and one antlerless deer may be taken per quota permit during the archery season. One antlered deer may be taken per quota permit during the muzzleloading gun and general gun seasons. 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. The take of wild hog is prohibited during small game season.

1. through 2. No change.

(c) through (d) No change.

(19) No change.

(20) Etoniah Creek Wildlife Management Area.

(a) No change.

(b) Legal to take: All legal game, bear (only during those portions of the muzzleloading gun season that coincide with the open season established for the Central BMU in Rule 68A-13.004, F.A.C.), fish, frogs and furbearers. 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. The bag limit for deer shall be one per person, but not more than 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.

(c) through (d) No change.

(21) through (31) No change.

(32) Lake Monroe Wildlife Management Area.

(a) Open season:

1. through 4. No change.

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

(b) Legal to take: All legal game (except wild turkey may only be taken during archery and spring turkey seasons), bear (only during the bear season), furbearers, fish and frogs. 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. Antlerless deer may only be taken during the archery season.

(c) through (d) No change.

(33) No change.

(34) Marshall Swamp Wildlife Management Area.

(a) No change.

(b) Legal to take: All legal game, bear (only during those portions of the archery season that coincide with the open season established for the Central BMU in Rule 68A-13.004, F.A.C.), fish, frogs and furbearers. 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. The bag limit for deer shall be one per

person, but not more than two deer 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.

(c) through (d) No change.

*Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.2223, 375.313 FS. History—New 6-21-82, Amended 6-29-82, 7-1-83, 7-5-84, 10-1-84, 7-1-85, 5-7-86, 5-10-87, 5-1-88, 7-1-89, 12-19-89, 7-1-90, 7-1-91, 7-2-91, 7-2-92, 7-1-93, 7-1-94, 7-1-95, 7-1-96, 9-15-96, 6-1-97, 7-1-98, 7-2-98, 8-11-98, 12-28-98, 7-1-99, Formerly 39-15.065, Amended 12-20-99, 7-1-00, 12-26-00, 7-1-01, 6-2-02, 7-28-02, 5-1-03, 7-1-03, 10-12-03, 7-1-04, 7-1-05, 1-4-06, 7-1-06, 8-22-06, 7-1-07, 7-1-08, 7-1-09, 7-1-10, 7-1-11, 8-11-11, 7-1-12, 7-26-12, 7-1-13, 9-9-13, 7-1-14, 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:

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