

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-24.002      Methods of Taking Fur-Bearing Animals; Possession; Open Season

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is revise regulations on the taking of fur-bearing animals. The effect of the proposed rule amendment will be to enable the agency to better manage these wildlife resources.

SUMMARY: The proposed rule amendment would provide a non-substantive technical change necessitated by proposed amendments to Rules 68A-1.004, 4.001, and 12.002.

**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.

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-24.002 Methods of Taking Fur-Bearing Animals; Possession; Open Season.

(1) Certain furbearers ~~and those non-protected mammals as listed in subsection 68A-12.002(9), F.A.C.,~~ may be taken by guns, live traps and snares during specified open seasons. Live traps and snares shall be visited at intervals not exceeding 24 hours.

(2) Fur-bearing animals may be taken in accordance with the following:

(a) Raccoon, coyote, opossum, skunk, nutria, and beaver ~~and non-protected mammals~~ may be taken throughout the year by the use of guns, dogs, live traps or snares, and may be possessed or transported alive only as authorized by Chapter 68A-6, F.A.C.

(b) through (d) No change.

(3) No change.

*Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-1-79, Amended 6-22-80, 6-4-81, 6-21-82, 7-1-83, 7-5-84, 7-1-85, Formerly 39-24.02, Amended 10-8-87, 4-11-90, Formerly 39-24.002, Amended 5-13-02, 7-1-08, 10-5-10, 3-25-12, 7-1-14,\_\_\_\_\_.*

**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