

Consent Agenda Item 1
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 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.

(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.~~

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