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THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

Section II Proposed Rules

DEPARTMENT OF STATE

Division of Cultural Affairs

RULE NO.: IT-1.036 RULE TITLE: Arts and Cultural Grants

PURPOSE AND EFFECT: The purpose of this rule amendment is to establish in rule the most recent guidelines and grant report form for the General Program Support Program and the Specific Cultural Project Program. The guidelines for both programs updates eligibility criteria, match requirements, application submission criteria, panel review and evaluation criteria, amend materials incorporated by reference, and update the application form. The General Program Support Program funding formula is revised to provide for a minimum grant award for eligible applicants.

SUMMARY: The proposed rule incorporates the latest General Program Support Program and Specific Cultural Project Program guidelines and administrative forms. Amendments to the guidelines include eligibility criteria, allowable costs, application procedures, matching funds, reporting requirements, and a minimum award for the General Program Support Program.

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:

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: 265.284(3)(j), 265.286(1), (11) FS.

LAW IMPLEMENTED: 265.284, 265.286, 286.011, 286.012 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: Monday, January 30, 2012, 9:30 a.m.

PLACE: Division of Cultural Affairs, R. A. Gray Building, 3rd Floor, Room 307, 500 South Bronough Street, Tallahassee, Florida 32399-0250

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Donald R. Blancett, Division of Cultural Affairs, R. A. Gray Building, 3rd Floor, 500 South Bronough Street, Tallahassee, Florida 32399-0250

THE FULL TEXT OF THE PROPOSED RULE IS:

IT-1.036 Arts and Cultural Grants.

(1) This rule provides the requirements for grant programs administered by the Division of Cultural Affairs (Division). Each program is governed by guidelines which contain eligibility requirements, application review procedures, evaluation and funding criteria, grant administration procedures, and application forms. All grant awards are subject to the approval of the Secretary of State.

(2) All grant applicants must meet the requirements set forth in the 2013-2014 ~~2011-2012~~ guidelines for the following programs, which are available from the Division at www.Florida-arts.org and are hereby incorporated by reference:

(a) Cultural and Museum Grants Program. Provides general program support for local arts agencies, state service organizations, and organizations that have general program activity in any of the art and cultural disciplines in Section 265.283(7), F.S.

(b) Specific Cultural Projects Program. Provides funding for arts in education, underserved cultural community development, culture builds Florida, and other nonprofit public or private organizations having specific cultural project activity in any of the arts and cultural disciplines in Section 265.283(7), F.S.

(3) The following application form is available from the Division at www.Florida-arts.org and is hereby incorporated by reference: Cultural and Museums Grants Program and Specific Cultural Projects Program Application (Form CA2E145), effective 4/2012 ~~6/10~~;

(4) The following forms are used in the administration of all grant programs in this rule and are hereby incorporated by reference and available at www.Florida-arts.org:

(a) Grant Report Form and State Funds Expenditure Log (Form CA2E004), effective 4/2012 ~~6/10~~;

(b) Grant Amendment Request (Form CA2E002), effective 4/2012 ~~6/10~~;

(c) Grant Award Agreement (Form CA2E142), effective 4/2012 ~~6/10~~;

Rulemaking Authority 265.286(11) FS. Law Implemented 265.286 FS. History—New 10-27-09, Amended 6-1-10_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Donald R. Blancett

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Sandy Shaughnessy, Director

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 21, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol. 37, No. 45, November 10, 2011

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-1.099821
RULE TITLE: Voluntary Prekindergarten (VPK) Provider Kindergarten Readiness Rate

PURPOSE AND EFFECT: The purpose of the rule amendment is to adopt procedures for the Department to calculate each Voluntary Prekindergarten Provider’s annual Readiness Rate to align with changes in Section 1002.69, Florida Statutes. VPK providers receive readiness rates to determine the success of their program in preparing children for kindergarten.

SUMMARY: Readiness rates must be based exclusively upon the results of the statewide kindergarten screening for students completing the VPK Education Program and who are administered both instruments of the Florida Kindergarten Readiness Screener (FLKRS).

Kindergarten students scores on the Florida Assessments for Instruction in Reading (FAIR) assessment administered within the first 30 days of the school year must demonstrate a probability of reading success of .67 or higher to be considered “ready for kindergarten.” Kindergarten students scores on the Early Childhood Observation System™ (ECHOS) must indicate that the student is either “emerging/progressing” or “demonstrating” to be considered “ready for kindergarten.”

In order for a provider to be considered to have successfully administered the VPK Education Program, the provider must have 70% of children score ready for kindergarten based upon FLKRS scores. Based upon the increased accountability standards, it is anticipated that the number of providers on probation will increase.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will 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 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.

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: 1002.79 FS.

LAW IMPLEMENTED: 1002.69 FS.

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

DATE AND TIME: February 28, 2012, 8:00 a.m.

PLACE: Tallahassee, Florida (The physical location will be posted on the Department’s website no later than 14 days prior to the meeting at <http://www.fldoe.org>)

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Stuart Greenberg, Executive Director, Just Read, Florida! and the Office of Early Learning, Department of Education, Suite 514, 325 West Gaines Street, Tallahassee, Florida 32399, (850)245-0445

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.099821 Voluntary Prekindergarten (VPK) Provider Kindergarten Readiness Rate.

(1) Purpose. The purpose of this rule is to implement the requirements of Section 1002.69, F.S.

(2) Accuracy of Data.

(a) Prior to the calculation of the final VPK Provider Kindergarten Readiness Rate, as described in subsection ~~(3)~~(4) of this rule, private and public school VPK providers shall have the opportunity to review a preliminary readiness rate which includes a cumulative list of all of the children served in their program and the total number of hours they attended.

(b) If a private or public provider disputes the accuracy of the cumulative list of VPK participants or the total number of hours the VPK participants they attended when such change would result in their inclusion or exclusion in the calculation of the VPK Provider Kindergarten Readiness Rate, as measured by the threshold of seventy (70) percent, as described in subparagraph (3)(a)1., of this rule, the provider may submit corrective information to the ~~Office of Early Learning of the~~ Department of Education within the review period described below ~~14 days~~ after publication of the cumulative list on the Department’s website (vpk.fldoe.org). The Department, in collaboration with Florida’s Office of Early Learning ~~the Agency for Workforce Innovation~~ and the respective Early Learning Coalition, shall review the corrective information and accept or reject the requested corrective information within the review period described below ~~21 days after publication of the cumulative list on the Department’s website~~. ~~Upon completion of the corrective process, the Department shall calculate a~~

~~preliminary VPK Provider Kindergarten Readiness Rate in accordance with the method described in subsection (4) of this rule.~~

~~(c) If a private or public school provider disputes the accuracy of the preliminary VPK Provider Kindergarten Readiness Rate as published on the Department’s web site or if a private provider disputes ownership at the time of the 2009-10 VPK program, the provider may file a dispute on the Department’s web site and submit documentation to the Department for its review and consideration within 21 days after publication of the preliminary rate. This review period shall be no less than twenty-one (21) days following publication of the preliminary readiness rate. The Department shall review and accept or reject any changes to the data within fourteen (14) days after the close of the review period publication. The VPK Provider Kindergarten Readiness Rate will be recalculated in accordance with the method described in subsection (3)(4) of this rule and submitted to the State Board of Education for the purpose of adopting a minimum readiness rate, as required by Section 1002.69(6), F.S.~~

~~(3) Criteria for Inclusion and Calculations of the VPK Readiness Rate in the VPK Provider Kindergarten Readiness Rate for 2009-10.~~

~~(a) After the conclusion of the review of the data described in subsection (2) of this rule, the Department shall calculate the Kindergarten Readiness Rate for each private or public school VPK provider of either the school year (five hundred forty (540) hour) or summer (three hundred (300) hour) program that served at least four (4) children who:~~

- ~~1. Attended in the VPK program for seventy (70) percent or more of the total number of instructional hours; and~~
- ~~2. Are matched to a valid score on both Participated in each of the kindergarten screening measures.~~

~~(b) Calculation of the VPK readiness rate: If a private or public school provider does not meet the criteria described above, information as to why the provider was not included in the VPK Provider Readiness Rate calculation shall be displayed on the VPK Provider Profile required by Section 1002.53(5), F.S.~~

~~1. Kindergarten student scores on the FAIR assessment administered during the first thirty (30) days of the school year must demonstrate probability of reading success of .67 or higher to be considered “ready for kindergarten.” Kindergarten student scores on the ECHOS must indicate that the student is either “emerging/progressing” or “demonstrating” to be considered “ready for kindergarten.” In order for a provider to be considered to have successfully administered the VPK program, the provider must have seventy (70) percent of children ready using the calculation in this section. A provider failing to meet this standard will be placed on probation.~~

~~2. The “Percent of Children Ready for Kindergarten” shall be calculated as the number of “Children Ready for Kindergarten” on both screening measures divided by the total~~

~~number of “Children Screened” meeting the requirements set by the State Board of Education in subparagraphs (3)(a)1. and (3)(a)2., of this rule.~~

~~(c) If a private or public school provider does not meet the criteria described above, information as to why the provider was not included in the VPK Provider Readiness Rate calculation shall be displayed on the VPK Provider Profile required by Section 1002.53(5), Florida Statutes.~~

~~(d) The Department shall publish each VPK program provider’s readiness rate.~~

~~(4) Procedures for Calculating the VPK Provider Kindergarten Readiness Rate for 2009-10.~~

~~(a) The “Percent of Children Ready for Kindergarten” shall be calculated as the number of “Children Ready for Kindergarten” on each screening measure divided by the total number of “Children Screened” on that measure.~~

~~(b) One point is assigned for each percent of “Children Ready for Kindergarten” on each screening measure.~~

~~(c) The VPK Provider Kindergarten Readiness Rate shall be the sum of the “Percent of Children Ready for Kindergarten” on each screening measure with a maximum of two hundred (200) points.~~

~~(d) The Kindergarten Readiness Rate for private and public school VPK Providers will be displayed as follows:-~~

	Screening Measure #1	Screening Measure #2	
Children Ready for Kindergarten	22	15	
Children Screened	22	20	
Percent of Children Ready for Kindergarten	100	75	
VPK Provider Readiness Rate	175		

~~(e) All providers shall be ranked according to their final score.~~

~~(4)(5) VPK Provider Kindergarten Readiness Rates. VPK Provider Kindergarten Readiness Rates shall be binding on new private VPK owners if the change of ownership occurred at a point in time in which seventy (70) percent or more of the VPK school-year or summer program remained. For the purpose of this rule, a change of ownership does not include the sale or transfer to family members or persons with a pre-existing ownership interest in the business.~~

~~(5)(6) Low Performing VPK Providers Placed on Probation. If the readiness rate of a private or public VPK provider falls below the minimum rate adopted by the State Board, the provider shall be placed on probation designated as a low performing VPK provider, notified of each designation~~

by the Department, and acknowledge such designation on the Department's web site within twenty-one (21) days of the State Board of Education's adoption of the minimum readiness rate.

Rulemaking Authority 1002.69(5), (6), 1002.73(2)(c) FS. Law Implemented 1002.69(5), (6) FS. History--New 6-3-07, Amended 1-16-08, 1-5-09, 12-15-09, 10-25-10, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Pam Stewart, Chancellor, K-12 Public Schools

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Gerard Robinson, Commissioner, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 22, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 7, 2011

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-1.099824
RULE TITLE: Voluntary Prekindergarten (VPK) Provider Placed on Probation Good Cause Exemption

PURPOSE AND EFFECT: Pursuant to Section 1002.69, Florida Statutes, the State Board of Education, upon request of a private prekindergarten provider or public school that remains on probation for 2 consecutive years or more and subsequently fails to meet the minimum rate adopted under Section 1002.69(6), F.S. and for good cause shown may grant to the provider or school an exemption from being determined ineligible to deliver the Voluntary Prekindergarten Education Program and receive state funds for the program. The purpose of the rule revision is to revise procedures and criteria for submission of a Voluntary Prekindergarten (VPK) provider's request for a good cause exemption and describe the Department's review process before making a recommendation to the State Board of Education for approval or denial of the good cause exemption request.

SUMMARY: The proposed rule amendment establishes the criteria and process for a VPK provider placed on probation to request for a good cause exemption Section 1002.69, Florida Statutes.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will 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 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.

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: 1002.69(7), 1002.79, 1002.73(2) FS.

LAW IMPLEMENTED: 1002.67(3), 1002.69 FS.

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

DATE AND TIME: February 28, 2012, 8:00 a.m.

PLACE: Tallahassee, Florida (The physical location will be posted on the Department's website no later than 14 days prior to the meeting at <http://www.fldoe.org>)

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Stuart Greenberg, Executive Director, Just Read, Florida! and the Office of Early Learning, Department of Education, Suite 514, 325 West Gaines Street, Tallahassee, Florida 32399, (850)245-0445

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.099824 Voluntary Prekindergarten (VPK) ~~Low Performing~~ Provider Placed on Probation Good Cause Exemption.

Pursuant to Section 1002.69, F.S., the State Board of Education, upon request of a private prekindergarten provider or public school that remains on probation for two (2) consecutive years or more and subsequently fails to meet the minimum rate adopted under Section 1002.69(6)(a), F.S., and for good cause shown may grant to the provider or school an exemption from being determined ineligible to deliver the Voluntary Prekindergarten Education Program and receive state funds for the program.

(1) The following process must be followed in order for a provider to be eligible to receive a good cause exemption:

(a) The provider must acknowledge being placed on probation and provide a notice that they intend to apply for a good cause exemption immediately following the first occurrence of failing to meet the readiness rate adopted by the State Board of Education A provider that has been placed on probation upon issuance of the final readiness rates by the Department will remain on probation until such time that the provider has been issued a VPK readiness rate that meets the minimum rate set by the State Board of Education in Rule 6A-1.099821, F.A.C.

(b) The provider must adhere to all requirements of probation associated with having not met the readiness rate.

(c) The provider must assess each child enrolled in their program in accordance with paragraph (2)(a) of this rule.

(2)(+) Criteria for Granting Good Cause Exemptions. Each of the following criteria must be met to be granted a good cause exemption:

(a) Learning Gains. The private prekindergarten provider or public school must demonstrate learning gains on a standardized assessment approved by the Department that tracks the achievement and progress over time of the children having completed the provider's VPK program. The ratio of students making learning gains to the total number of students assessed must be proportional to the ratio of students ready for kindergarten reflected in the ~~current year's~~ readiness rate. The documentation of learning gains shall meet the following criteria:

1. Providers ~~must may~~ utilize an assessment approved by the Department from a list of Department approved assessments which may be accessed on the Department's website at <https://vpk.fl DOE.org/Downloads/ProviderAcknowledgement.pdf>. A provider seeking a good cause exemption shall have the early learning coalition or a Department-approved second party administer the state-approved prekindergarten enrollment screening to each child in the prekindergarten provider's program within the first thirty (30) instructional days of each school year program or the first ten (10) instructional days of a summer program and the provider shall administer the standardized post-assessment approved by the Department to measure the student's learning gains for the year or summer, as appropriate. All costs associated with the assessments shall be borne by the VPK program provider. A provider using an assessment which does not appear on the list of approved assessments must include technical documentation supporting the standardized assessment as evidence of the reliability standard of the assessment and must address VPK standards incorporated in Rule 6A 1.099823, F.A.C., not limited to, but including emergent literacy. The standardized assessment must have an internal consistency reliability coefficient of 0.70 or greater as documented in the publisher's technical manual.

2. Testing procedures for the each assessment shall be performed according to the publisher's guidelines and assessment results shall be tabulated according to the publisher's guidelines. The provider shall take appropriate measures to ensure the integrity of the testing process. Individual student test results must be submitted to the Department in an electronic format such as provided by the Department. All data must be submitted to the Department within thirty (30) days after the administration of each assessment. The resulting data from the standardized assessment must be presented in a manner that is clear, concise and easily allows the reviewers to determine the achievement and progress made by the children who completed the VPK program. Applicant must submit a summary of the data using the Department's VPK Good Cause Exemption Data Form VPK-GCE-01, March 2011, (<http://www.flrules.com/Gateway/reference.asp?No=Ref-00031>) which is incorporated by reference herein.

3. At a minimum, data must be provided for all years following the third year of a provider having been placed on probation designated a low performing provider. Additional data may be included. Assessment results for all program completers who were assessed shall be included ~~in the documentation provided.~~ An explanation shall be included for any program completers who were not assessed.

4. The results of the assessment shall demonstrate substantial and appropriate learning gains by program completers. Learning gains are substantial and appropriate if the ratio of students making learning gains to the total number of students assessed is seventy (70) percent or greater proportional to the ratio of students ready for kindergarten reflected in the current year's readiness rate.

~~(b) Student Population. The private prekindergarten provider or public school must have served at least twice the statewide percentage of children with disabilities as defined in Section 1003.01(3)(a), F.S., or children identified as limited English proficient as defined in Section 1003.56, F.S.~~

~~(b)(e) Health and Safety Requirements. Pursuant to Section 1002.69(7)(d), F.S., a good cause exemption may not be granted to any private prekindergarten provider that has any Class I violations or two or more Class II violations within the two (2) years preceding the provider's or school's application for the exemption. For purposes of this rule, Class I violations and Class II violations have the same meaning as provided in Section 402.281(3), F.S. The good cause exemption application must include copies of all Department of Children and Families Childcare Inspection Checklists for all inspections performed by the Department of Children and Families under authority of Sections 402.301-402.319, F.S., during the two-year time period prior to application for good cause exemption.~~

~~(c)(d) Individual Circumstances. Extraordinary or unique circumstances under which the provider should be allowed to continue to deliver the Voluntary Prekindergarten Education Program after remaining on probation for two (2) consecutive years and failing to meet the minimum readiness rate adopted by the State Board of Education as satisfactory under Section 1002.69, Florida Statutes having been designated as low performing for at least four (4) consecutive years.~~

~~(d)(e) Adherence to an approved provider improvement plan under Section 1002.67(3)(c), F.S., following all steps towards improvement specified in the plan including the use of a Department-approved curriculum or a staff development plan approved by the Department.~~

~~(2) Calculation of Percentages:~~

~~(a) The statewide percentage of kindergarten children with disabilities or limited English proficient students shall be calculated based on the October FTE enrollment survey.~~

~~(b) A provider's percentage of children with disabilities shall be calculated based on the number of children with disabilities who were included in the provider's last readiness rate divided by the total number of students included in the provider's last readiness rate.~~

~~(c) A provider's percentage of limited English proficient students shall be calculated based on the number of limited English proficient students who were included in the provider's last readiness rate divided by the total number of students included in the provider's last readiness rate.~~

(3) Application. A provider seeking a good cause exemption shall complete the Department's VPK Good Cause Exemption Application Form VPK-GCE-02, February 2012 March 2011, (<http://www.flrules.com/Gateway/reference.asp?No=Ref-00032>) which is incorporated by reference herein. The sole method of submitting this form will be through the Department's web site at: <https://vpk.fldoe.org>. The submission of an application for a good cause exemption must adhere to the following:

~~(a) In addition to the application form, the provider must submit with the application supporting documentation meeting the criteria described in subsection (1) of this rule. The provider may submit additional documentation in support of its application. The Department may request additional documentation for verification of eligibility.~~

~~(b) A fourth year low performing provider who fails to meet the minimum readiness rate after having been placed on probation for two (2) consecutive years may submit a good cause exemption application at any time after the release of the annual preliminary VPK Readiness Rates. Supporting documentation submitted with the application must include a review of adherence to the provider improvement plan, fidelity of implementation of the required curriculum or staff development plan pursuant to Section 1002.67(3)(c)2., F.S., and feedback from the previous year Department's site visits. The good cause exemption application and all supporting documentation must be received by the Department no later than fourteen (14) days after the timely filed provider acknowledgment of failing to receive the minimum readiness rate being a low performing provider submitted pursuant to Rule 6A-1.099821, F.A.C.~~

(c) through (5)(d) No change.

(e) The Department shall notify Florida's Office of Early Learning the Agency for Workforce Innovation of all good cause exemptions granted by the State Board of Education. Any provider granted a good cause exemption shall continue to implement its improvement plan and continue the corrective actions required under Section 1002.67(3)(c)2., F.S. Any exemption granted by the State Board of Education is valid for one (1) year and may be renewed through the same application process.

(f) No change.

Rulemaking Authority 1002.73(2), 1002.69(7) FS. Law Implemented 1002.67(3), 1002.69(7) FS. History—New 3-24-11, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Pam Stewart, Chancellor, K-12 Public Schools
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Gerard Robinson, Commissioner, Department of Education
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 22, 2011
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 7, 2011

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.:	RULE TITLE:
6A-5.0411	Calculations of Student Learning Growth Using Statewide Assessment Data for Use in School Personnel Evaluations

PURPOSE AND EFFECT: The purpose and effect of this proposed rule is to provide the formula for measuring student learning growth for use in school personnel evaluations.

SUMMARY: This proposed rule addresses the formula for measuring student learning growth for use in school personnel evaluations into rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The agency has determined that the proposed rule 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 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 cost or if no SERC is required, the information expressly relied upon and described herein:

1) no requirement for a SERC was triggered under Section 120.541(1), F.S. and 2) based upon the nature of the proposal, the adverse impact or regulatory cost, if any, do not exceed nor would be expected to exceed any one of the economic analysis criteria set forth in Section. 120.541(2)(a), F.S. It is anticipated that the proposed rule will not have any economic impact.

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

RULEMAKING AUTHORITY: 1012.34 FS.

LAW IMPLEMENTED: 1012.34 FS.

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

DATE AND TIME: February 28, 2012, 8:00 a.m.

PLACE: Tallahassee, Florida (The physical location will be posted on the Department’s website no later than 14 days prior to the meeting at <http://www.fldoe.org>)

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Juan Copa, Director of Research and Analysis in Educator Performance (850)245-0509 or Juan.Copa@fldoe.org.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-5.0411 Calculations of Student Learning Growth Using Statewide Assessment Data for Use in School Personnel Evaluations.

(1) Purpose. The purpose of this rule is to provide the formulas for measuring student learning growth and procedures associated with implementing the formulas.

(2) Formulas for measuring student learning growth.

(a) For each formula adopted under this rule, the Department shall publish on its website (www.fldoe.org) a document that includes the formula’s class, the mathematical equation, a description of the variables or components in the formula, and a description of the process for developing the formula. The Department shall also publish on its website a report that includes the full statistical description of the formula, the methods of calculation used with the formula and the results of calculations used to develop the model.

(b) Student learning growth formula for use with Florida Comprehensive Assessment Test (FCAT).

1. The formula for measuring student learning growth beginning in the 2011-12 school year using student FCAT Reading and Mathematics results is a value-added model from the class of covariate adjustment models. A value-added model is a statistical calculation employed for the purpose of determining an individual teacher’s or principal’s contribution to student learning. Mathematically, the formula for this model

is $y_i = \mu + \sum_{g=1}^G \delta_g x_{gi} + \sum_{j=1}^J \beta_j x_{ji} + \theta_{(i)i} + \omega_{(m)i} + \varepsilon_i$, where y_i

denotes the test score for student i , δ_g is the coefficient associated with g^{th} prior test score, β_j is the coefficient associated with variable j , θ is the common school component of school k assumed $\theta \sim N(0, \sigma_\theta^2)$, ω is the effect of teacher m in school k assumed $\omega \sim N(0, \sigma_\omega^2)$, and ε is the random error term assumed $\varepsilon \sim N(0, \sigma_\varepsilon^2)$.

2. The value-added model estimates a student’s performance based on variables, which represent student, classroom, and school characteristics. The variables included in the value-added model are:

a. The number of subject-relevant courses in which the student is enrolled. This variable counts, for each student, the number of courses he or she is enrolled in that are associated with FCAT Reading and Mathematics. The courses associated with the subjects of the state assessment will be published by the Department on its website at <http://www.fldoe.org/committees/sg.asp>.

b. Up to two (2) prior years of achievement scores for each student. This variable captures each student’s most immediate prior scale score on FCAT, as well as the student’s scale score from two (2) years prior, if available.

c. The student’s primary disability. This is a series of variables, each which identifies a student’s primary disability.

d. The student’s English Language Learner (ELL) status. This variable indicates if the student has been identified as an ELL and is enrolled in a program or receiving services that are specifically designed to meet the instructional needs of ELL students for two (2) years or less.

e. Gifted status. This variable indicates if the student has been identified as Gifted or not.

f. Student attendance. This variable is an indicator of the days the student was present during the school year.

g. Student mobility. This variable is an indicator of the number of transitions a student experienced across schools within a school year.

h. Difference from modal age in grade. This variable indicates the difference in a student’s age from the common age for students enrolled in the same grade across the state and is included as an indicator of retention.

i. Class size. This variable is a count of the number of students assigned to the teacher.

j. Homogeneity of students’ entering test scores in the class. This variable indicates the variation within a classroom in terms of students’ prior test performance.

3. The formula produces a value-added score for a teacher. A teacher’s value-added score reflects the average amount of learning growth of the teacher’s students above or below the expected learning growth of similar students in the state, using the variables accounted for in the model and listed above in subparagraph (2)(b)2. of this rule. The teacher’s value-added score is expressed as the sum of two (2) components: one that reflects how much the school’s students on average gained above or below similar students in the state (a common school component), and another that reflects how much the teacher’s students on average gained above or below similar students within the school (a teacher component). Fifty (50) percent of the common school component is included in the teacher’s value-added score.

(c) When student performance data from each statewide assessment for which a formula has been adopted are received by the Department, the Department shall calculate the results of each student growth formula and provide the results to each district for the district’s instructional and school administrator personnel. Results provided to districts shall include the following information for each state assessment for which a formula has been adopted:

1. A value-added score for each instructional personnel employee for the current school year for each grade and subject of the state assessment based on any courses that the employee taught which are associated with that state assessment.

2. An aggregate value-added score for each instructional personnel employee and school administrator in the district, which combines all value added results from all courses and assigned students. An employee’s aggregated value-added score will include data for that employee from the current school year and each of the two (2) prior years for which data are available.

3. The standard error for each value-added score.

4. For each employee, the number and percentage of students assigned to the employee who met or exceeded their expected growth as calculated by the value-added model.

(3) Performance Level Standards. In accordance with Section 1012.34, Florida Statutes, standards must be set for the Performance of Students criterion for use in instructional and school administrator personnel evaluations. Specifically, for each of the performance levels of highly effective and effective, a student growth standard must be set for each statewide assessment that an individual who is being evaluated must at least achieve to be considered by the district as earning that performance level as a summative evaluation rating. In addition, a student growth standard must be set for each statewide assessment that, if not exceeded, will cause an individual who is being evaluated to earn from the district a summative rating of unsatisfactory.

(a) Beginning in the 2012-13 school year, each district school board will implement the performance level standards for each statewide assessment adopted under this rule.

(b) The Department must make recommendations to the State Board of Education for performance standards applicable to a statewide assessment no later than August 1 of the school year during which those standards must be used by each school district.

Rulemaking Authority 1012.34 FS. Law Implemented 1012.34 FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Pam Stewart, Chancellor, K-12 Public Schools

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Gerard Robinson, Commissioner, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 20, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 16, 2011

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-6.0782
 RULE TITLE: Florida Schools of Excellence Commission Cosponsor Application

PURPOSE AND EFFECT: The purpose is to repeal the rule as the statutory authority for the Florida Schools of Excellence Commission (Section 1002.335, Florida Statutes) was declared unconstitutional in December of 2008 and the statute was subsequently repealed during the 2010 Legislative Session.

SUMMARY: This rule is to be repealed.

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 statutory authority for this rule was repealed in 2010.

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: 1002.335 FS.

LAW IMPLEMENTED: 1002.335 FS.

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

DATE AND TIME: February 28, 2012, 8:00 a.m.

PLACE: Tallahassee, Florida (The physical location will be posted on the Department’s website no later than 14 days prior to the meeting at <http://www.fldoe.org>)

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mike Kooi, Executive Director, Office of Independent Education and Parental Choice, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399-0400, (850)245-0502

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-6.0782 Florida Schools of Excellence Commission Cosponsor Application.

Rulemaking Specific Authority 1002.335 FS. Law Implemented 1002.335 FS. History–New 3-1-07, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mike Kooi, Executive Director, Office of Independent Education and Parental Choice

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Gerard Robinson, Commissioner, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 20, 2011

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-6.0783
 RULE TITLE: District School Board Exclusive Authority to Sponsor Charter Schools

PURPOSE AND EFFECT: The purpose is to repeal the rule as the statutory authority for the Florida Schools of Excellence Commission (Section 1002.335, Florida Statutes) was declared unconstitutional in December of 2008 and the statute was subsequently repealed during the 2010 Legislative Session.

SUMMARY: This rule is to be repealed.

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 statutory authority for this rule was repealed in 2010.

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: 1002.335 FS.

LAW IMPLEMENTED: 1002.335 FS.

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

DATE AND TIME: February 28, 2012, 8:00 a.m.

PLACE: Tallahassee, Florida (The physical location will be posted on the Department’s website no later than 14 days prior to the meeting at <http://www.fldoe.org>)

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mike Kooi, Executive Director, Office of Independent Education and Parental Choice, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399-0400; (850) 245-0502

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-6.0783 District School Board Exclusive Authority to Sponsor Charter Schools.

Rulemaking Specific Authority 1002.335(14) FS. Law Implemented 1002.335 FS. History–New 7-25-07, Amended 5-22-08, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mike Kooi, Executive Director, Office of Independent Education and Parental Choice

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Gerard Robinson, Commissioner, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 20, 2011

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-10.0318
 RULE TITLE: Postsecondary Preparatory Instruction Curriculum and Postsecondary Readiness Competencies

PURPOSE AND EFFECT: The purpose of this new rule is to identify the Florida Postsecondary Readiness Competencies which will serve as the basis for postsecondary preparatory instruction curriculum in public high schools. The effect is a rule that will add the Florida Postsecondary Readiness Competencies as the basis for the postsecondary preparatory instruction curriculum.

SUMMARY: Section 1008.30(3), Florida Statutes, requires the State Board of Education to identify the curriculum for the postsecondary preparatory instruction provided in public high schools; the curriculum must encompass the Florida Postsecondary Readiness Competencies. The Florida Postsecondary Readiness Competencies are currently not outlined in rule so that they may serve as the basis for the postsecondary preparatory instruction curriculum. This rule identifies the Florida Postsecondary Readiness Competencies for reading, writing and mathematics that shall serve as the basis for the postsecondary preparatory instruction curriculum provided in public high schools.

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 Agency has determined that the proposed rule is not expected to require legislative ratification based on past Agency experiences with the development of definitions and standards and rules of this nature. The adverse impact or regulatory cost, if any, do not exceed, nor would be expected to exceed, any one of the economic analysis criteria set forth in Section 120.541(2)(a), F.S.

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: 1008.30(3) FS.

LAW IMPLEMENTED: 1008.30(3) FS.

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

DATE AND TIME: February 28, 2012, 8:00 a.m.

PLACE: Tallahassee, Florida (Please contact the State Board of Education Office at (850)245-9661 for the exact location)

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Randy Hanna, Chancellor, The Florida College System, (850)245-0407

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-10.0318 Postsecondary Preparatory Instruction Curriculum and Postsecondary Readiness Competencies.

The postsecondary preparatory instruction curriculum provided in public high schools, required for students who do not meet established scores on an approved assessment in accordance with the provisions of Rule 6A-10.0315, F.A.C., shall encompass the outlined postsecondary readiness competencies for the appropriate subject.

(1) The Florida reading Postsecondary Readiness Competencies are:

- (a) Determine what the text says explicitly.
- (b) Distinguish between facts and opinions.
- (c) Extract key information efficiently in print and online using text features and search Techniques.
- (d) Determine the author's purpose.
- (e) Delineate the main ideas or themes in the text and the details that elaborate and support Them.
- (f) Discern the most important ideas, events, or information, and summarize them accurately and concisely.

(g) Determine what is meant by words and phrases in context, including connotative meanings and figurative language.

(h) Draw upon relevant prior knowledge to enhance comprehension, and note when the text expands on or challenges that knowledge.

(i) Analyze how specific details and larger portions of the text contribute to the meaning of the text.

(j) Analyze the traits, motivations, and thoughts of individuals in fiction and nonfiction based on how they are described, what they say and do, and how they interact.

(k) Determine when, where, and why events unfold in the text, and explain how they relate to one another.

(l) Ascertain the origin, credibility, and accuracy of print and online sources.

(m) Recognize relationships within a sentence and between sentences.

(n) Identify interrelationships between and among ideas and concepts within a text, such as cause-and-effect relationships.

(o) Analyze how the text's organizational structure presents the argument, explanation, or Narrative.

(p) Recognize tone.

(q) Analyze how specific word choices shape the meaning and tone of the text.

(r) Detect bias.

(s) Support or challenge assertions about the text by citing evidence in the text explicitly and determine what can be inferred logically from the text.

(t) Analyze how two or more texts with different styles, points of view, or arguments address similar topics or themes.

(u) Demonstrate facility with the specific reading demands of texts drawn from different disciplines, including history, literature, science, and mathematics.

(v) Apply knowledge and concepts gained through reading to build a more coherent understanding of a subject, inform reading of additional texts, and solve problems.

(w) Evaluate the reasoning and rhetoric that support an argument or explanation, including assessing whether the evidence provided is relevant and sufficient.

(2) The Florida writing Postsecondary Readiness Competencies are:

- (a) Sustain focus on a specific topic or argument.
- (b) Demonstrate command of the conventions of standard written English, including grammar, usage, and mechanics.
- (c) Support and illustrate arguments and explanations with relevant details, examples, and evidence.
- (d) Create a logical progression of ideas or events, and convey the relationships among them.
- (e) Establish and refine a topic or thesis that addresses the specific task and audience.

(f) Develop and maintain a style and tone appropriate to the task, purpose, and Audience.

(g) Choose words and phrases to express ideas precisely and concisely.

(h) Assess the quality of one's own writing, and, when necessary, strengthen it through revision.

(i) Use varied sentence structures to engage the reader and achieve cohesion between Sentences.

(j) When writing to inform or explain, synthesize information from multiple relevant sources, including graphics and quantitative information when appropriate, to provide an accurate picture of that information.

(k) When writing to inform or explain, convey complex information clearly and coherently to the audience through purposeful selection and organization of content.

(l) When writing to inform or explain, demonstrate understanding of content by reporting facts accurately and anticipating reader misconceptions.

(m) Represent and cite accurately the data, conclusions, and opinions of others, effectively incorporating them into one's own work while avoiding plagiarism.

(n) When writing arguments, establish a substantive claim, distinguishing it from alternate or opposing claims.

(o) When writing arguments, link claims and evidence with clear reasons, and ensure that the evidence is relevant and sufficient to support the claims.

(p) When writing arguments, acknowledge competing arguments or information, defending or qualifying the initial claim as appropriate.

(q) Gather the information needed to build an argument, provide an explanation, or address a research question.

(r) Recognize effective transitional devices within the context of a passage.

(s) Recognize commonly confused or misused words or phrases.

(t) Place modifiers correctly.

(u) Use coordination and subordination effectively.

(v) Recognize parallel structure.

(w) Avoid fragments, comma splices, and fused sentences.

(x) Avoid inappropriate shifts in verb tense.

(y) Maintain agreement between pronoun and antecedent.

(z) Avoid inappropriate pronoun shifts.

(aa) Maintain clear pronoun references.

(bb) Use proper case forms.

(cc) Use adjectives and adverbs correctly.

(dd) Use appropriate degree forms.

(ee) Use standard verb forms.

(ff) Maintain agreement between subject and verb.

(gg) Use standard spelling, punctuation, capitalization.

(3) The Florida mathematics Postsecondary Readiness Competencies are:

(a) Understand that to solve certain problems and equations, number systems need to be extended from whole numbers to the set of all integers (positive, negative and zero), from integers to rational numbers, and from rational numbers to real numbers (rational and irrational numbers); define and give examples of each of these types of numbers.

(b) Know when and how to apply standard algorithms or concepts, and perform them flexibly, accurately and efficiently.

(c) Explain and apply basic number theory concepts such as prime number, factor divisibility, least common multiple, and greatest common divisor.

(d) Add, subtract, multiply and divide integers, fractions and decimals.

(e) Solve multi-step problems involving fractions and percentages.

(f) Locate the position of a number on the number line, know that its distance from the origin is its absolute value, and know that the distance between two numbers on the number line is the absolute value of their difference.

(g) Simplify sums and differences of absolute values.

(h) Use mental strategies to formulate, represent and solve problems.

(i) Use estimation and approximation to solve problems.

(j) Use calculators appropriately and make estimations without a calculator regularly to detect potential errors.

(k) Distinguish relevant from irrelevant information, identify missing information, and either find what is needed or make appropriate estimates.

(l) Calculate and apply ratios, proportions, rates and percentages to solve problems.

(m) Recognize proportional relationships and solve problems involving rates and ratios.

(n) Translate word problems into proportions.

(o) Use and interpret quantities and units correctly in algebraic formulas.

(p) Use the symbols of mathematics correctly and precisely.

(q) Interpret an expression that represents a quantity in terms of the context.

(r) Define variables and write an expression to represent a quantity in a problem.

(s) Evaluate algebraic expressions.

(t) Simplify algebraic expressions.

(u) Apply the order-of-operations to evaluate algebraic expressions, including those with parentheses and exponents.

(v) Solve linear equations in one variable using manipulations guided by the rules of arithmetic and the properties of equality.

(w) Understand a problem and formulate an equation to solve it.

(x) Use mathematical strategies to formulate a problem in mathematical terms, reach a solution, and interpret the solution in the context of the original problem.

(y) Translate word problems.

(z) Solve word problems.

(aa) Recognize and solve problems that can be modeled using a linear equation in one variable, such as time/rate/distance problems, percentage increase or decrease problems, and ratio and proportion problems.

(bb) Solve literal equations for a specified variable.

(cc) Solve linear inequalities in one variable and graph the solution set on a number line.

(dd) Identify the intercepts of a linear equation.

(ee) Match given linear equations to their graphs, tables, or ordered pairs.

(ff) Understand the relationship between the coefficients of a linear equation and the slope and x- and y-intercepts of its graph.

(gg) Use the families of linear functions to solve problems.

(hh) Simplify an expression with integer exponents.

(ii) Use scientific notation.

(jj) Determine the relative position on the number line of numbers and the relative magnitude of numbers expressed in fractional form, in decimal form, as roots or in scientific notation.

(kk) Compare numbers and make sense of their magnitude.

(ll) Add, subtract, multiply, and divide polynomials; Divide by monomials and binomials.

(mm) Simplify radical expressions.

(nn) Add, subtract, or multiply square roots of monomials.

(oo) Factor polynomial expressions.

(pp) Manipulate simple expressions.

(qq) Solve quadratic equations in one variable by factoring.

(rr) Simplify rational expressions.

(ss) Translate fluently between lines in the coordinate plane and their equations.

(tt) Solve systems of equations.

Rulemaking authority 1008.30(3) FS. Law Implemented 1008.30 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Randy Hanna, Chancellor, The Florida College System

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Gerard Robinson, Commissioner of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 20, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 9, 2011

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.:

RULE TITLE:

6A-10.0319

Developmental Education Competencies

PURPOSE AND EFFECT: The purpose of this new rule is to identify the Florida College System Developmental Education Competencies which will serve as the basis for developmental education curriculum in Florida College System institutions. The effect is a rule that will add the Florida Developmental Education Competencies as the base for the developmental education curriculum.

SUMMARY: Section 1008.30(4)(a), Florida Statutes, indicates students who have been identified as requiring additional preparation pursuant to subsection (1) shall enroll in college-preparatory or other adult education pursuant to Section 1004.93, F.S., in Florida College System institutions to develop needed college-entry skills and requires the State Board of Education to identify the curriculum for the developmental education instruction provided in the Florida College System institutions; the curriculum must encompass the Florida Developmental Education Competencies. The Florida Developmental Education Competencies are currently not outlined in rule so that they may serve as the basis for the developmental education curriculum. This rule identifies the Florida Developmental Education Competencies for upper and lower level reading, writing and mathematics that shall serve as the basis for the developmental education curriculum provided in Florida College System institutions.

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 Agency has determined that the proposed rule is not expected to require legislative ratification based on past Agency experiences with the development of definitions and standards and rules of this nature. The adverse impact or regulatory cost, if any, do not exceed, nor would be expected to exceed, any one of the economic analysis criteria set forth in Section 120.541(2)(a), F.S.

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: 1008.30(4)(a) FS.

LAW IMPLEMENTED: 1008.30(4)(a) FS.

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

DATE AND TIME: February 28, 2012, 8:00 a.m.

PLACE: Tallahassee, Florida (For the exact location please contact the State Board of Education Office at (850)245-9661.)

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Shanna Autry, Coordinator of Academic Program Support, Division of Florida Colleges, Department of Education, 325 West Gaines Street, Tallahassee, Florida, (850)245-9472

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-10.0319 Developmental Education Competencies.

Pursuant to Section 1008.30(3), F.S., the State Board of Education must identify the Florida Developmental Education Competencies that will serve as the basis for developmental education curriculum provided in Florida College System institutions. A student must demonstrate successful mastery of the required developmental education competencies before the student is considered to have met basic computation and communication skills requirements.

(1) Students who place into the highest level of developmental education in the Florida College System must demonstrate the following competencies before the student is considered to have met basic computation and communication skills requirements:

(a) Reading.

1. Evaluate the author's use of facts and opinions.

2. Analyze the author's primary purpose.

3. Identify the topic and stated/implied main idea in a multi-paragraph selection in print and online.

4. Use contextual clues and structural analysis to clarify meanings and broaden academic vocabulary.

5. Identify and use contextual clues to determine the meaning of words in multiple sentences.

6. Identify specific information in a multi-paragraph selection.

7. Distinguish between major and minor details in a multi-paragraph selection.

8. Identify relationships between and/or within sentences.

9. Determine the primary and secondary patterns of organization for a paragraph and multi-paragraph selection.

10. Identify the transition words that are associated with each pattern.

11. Analyze the author's tone and support with examples, including denotative, connotative meaning, and figurative language.

12. Detect bias.

13. Synthesize the information in a text in order to make inferences and draw logical conclusions.

14. Analyze the details to infer what the author is implying and draw logical conclusions in a paragraph and multi-paragraph selection.

15. Determine whether an argument is logical, relevant, and adequate based on the evidence provided in a passage.

(b) Writing.

1. Sustain focus on a specific topic or argument.

2. Demonstrate command of the conventions of standard written English, including grammar, usage, and mechanics.

3. Support and illustrate arguments and explanations with relevant details, and examples.

4. Create a logical progression of ideas or events, and convey the relationships among them.

5. Establish a thesis that addresses the specific task and audience.

6. Develop and maintain a style and tone appropriate to the task, purpose, and audience.

7. Choose words and phrases to express ideas precisely and concisely.

8. Assess the quality of one's own writing, and, when necessary, strengthen it through revision.

9. Use varied sentence structures to achieve cohesion between sentences.

10. When writing to inform or explain, students must convey information clearly and coherently.

11. When writing to inform or explain, students must demonstrate understanding of content by reporting facts accurately.

12. Accurately incorporate source material into one's own work while avoiding plagiarism.

13. When writing arguments, students must establish a substantive claim.

14. When writing arguments, students must link claims and evidence with clear reasons, and ensure that the evidence is relevant and sufficient to support the claims.

15. When writing arguments, students must acknowledge competing arguments or information, defending or qualifying the initial claim as appropriate.

16. Gather the information needed to build an argument, provide an explanation, or address a research question.

17. Recognize effective transitional devices within the context of a passage.

18. Recognize commonly confused or misused words or phrases.

19. Place modifiers correctly.

20. Use coordination and subordination effectively.

21. Recognize parallel structure.

22. Avoid inappropriate shifts in verb tense.

23. Maintain agreement between pronoun and antecedent.

24. Avoid inappropriate pronoun shifts.
25. Maintain clear pronoun references.
26. Use proper case forms.
27. Use adjectives and adverbs correctly.
28. Use appropriate degree forms.
29. Avoid fragments, comma splices, and fused sentences.
30. Use standard verb forms.
31. Maintain agreement between subject and verb.
32. Use standard spelling.
33. Use standard punctuation.
34. Use standard capitalization.
35. Use technology as a tool to produce, edit, and distribute writing.

(c) Mathematics.

1. Solve multi-step problems involving fractions and percentages (include situations such as simple interest, tax, markups/markdowns, gratuities and commissions, fees, percent increase or decrease, percent error, expressing rent as a percentage of take-home pay).
2. Recognize proportional relationships and solve problems involving rates and ratios.
3. Apply the order of operations to evaluate algebraic expressions, including those with parentheses and exponents.
4. Solve application problems involving geometry (Pythagorean Theorem).
5. Solve application problems involving geometry (perimeter and area with algebraic expressions).
6. Convert units of measurement across measurement systems.
7. Identify the slope of a line (from slope formula, graph, and equation).
8. Solve literal equations for a given variable with applications (geometry, motion [$d=rt$], simple interest [$i=prt$]).
9. Solve linear inequalities in one variable and graph the solution set on a number line.
10. Graph linear equations using table of values, intercepts, slope intercept form.
11. Solve linear equations in one variable using manipulations guided by the rules of arithmetic and the properties of equality.
12. Simplify an expression with integer exponents.
13. Convert between scientific notation and standard notation.
14. Identify the intercepts of a linear equation.
15. Add, subtract, multiply, and divide polynomials. Division by monomials only (Does not include division by binomials).
16. Simplify radical expressions – square roots only.
17. Add, subtract and multiply square roots of monomials.
18. Factor polynomial expressions (GCF, grouping, trinomials, difference of squares).

19. Solve quadratic equations in one variable by factoring.
20. Rationalize the denominator (monomials only).
21. Simplify, multiply, and divide rational expressions.
22. Add and subtract rational expressions with monomial denominators.

(2) Students who place into the lower level of Developmental Education in the Florida College System must demonstrate the following competencies before the student is considered to have met basic computation and communication skills requirements:

(a) Reading.

1. Distinguish between facts and opinions.
2. Identify the author's primary purpose as persuade, inform, or entertain.
3. Identify specific information in a paragraph.
4. Distinguish between major and minor details in a paragraph.
5. Identify the topic and stated/implied main idea in a paragraph in print and online.
6. Identify and use context clues to determine the meaning of words in simple sentences.
7. Identify logical inferences and conclusions based on the evidence provided in a paragraph.
8. Identify the following primary patterns of organization in a paragraph such as time order, simple listing, and generalization/definition and example.
9. Identify the transition words that are associated with each pattern.
10. Recognize the point and support of an argument.
11. Recognize relationships within/between sentences.
12. Recognize the author's tone.

(b) Writing.

1. Use prewriting, drafting, revision, and editing techniques.
2. Sustain focus on a specific main idea for a single paragraph.
3. Use syntax appropriate to standard written English.
4. Demonstrate a basic command of the conventions of standard written English, including grammar, usage, and mechanics.
5. Provide supporting details for main idea with relevant explanations and examples, in a single paragraph.
6. Create a logical progression of ideas or events.
7. Select and narrow a topic that addresses the specific task.
8. Demonstrate a basic awareness of purpose and audience.
9. Choose appropriate words and phrases.
10. Express ideas effectively.
11. Use varied sentence structures.
12. Recognize commonly confused words.

- 13. Use coordination effectively.
 - 14. Use subordination effectively.
 - 15. When writing, use complete sentences.
 - 16. Recognize fragments.
 - 17. Recognize comma splices.
 - 18. Recognize fused sentences.
 - 19. Use correct pronouns.
 - 20. Use adjectives and adverbs correctly.
 - 21. Use appropriate degree forms.
 - 22. Use standard verb forms.
 - 23. Maintain agreement between subjects and verbs.
 - 24. Use standard spelling.
 - 25. Use end punctuation correctly.
 - 26. Use standard capitalization.
- (c) Mathematics.

- 1. Classify sets of numbers.
- 2. Identify and apply the properties of real numbers.
- 3. Write the prime factorization of a number.
- 4. Perform operations with integers (with applications).
- 5. Perform operations with fractions (with applications).
- 6. Perform operations with decimals (with applications).
- 7. Convert among percents, fractions, and decimals.
- 8. Solve percent equations with applications.
- 9. Evaluate absolute value expressions.
- 10. Identify place value and round decimals.
- 11. Identify place value and round whole numbers.
- 12. Simplify fractions.
- 13. Perform operations on whole numbers (with applications, including area and perimeter).
- 14. Solve application problems involving geometry (circumference of circle, perimeter of polygons, area of triangle, parallelograms, circle).
- 15. Solve formulas with given values.
- 16. Set up and solve ratios and proportions with simple algebraic expressions.
- 17. Convert units of measurement within same measurement system.
- 18. Define variables and write an expression to represent a quantity in a problem.
- 19. Evaluate algebraic expressions (e.g., find value of $3x$ when $x=2$).
- 20. Simplify algebraic expressions involving one variable ($2x + 5x$).
- 21. Perform order of operations including absolute values.
- 22. Solve linear equations involving the addition and multiplication property of equalities.
- 23. Graph an inequality on a number line.
- 24. Evaluate exponents with integers.
- 25. Evaluate exponents with whole numbers.
- 26. Compare magnitude of real numbers.

Rulemaking Authority 1008.30(4)(a) FS. Law Implemented 1008.30(4)(a) FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Randy Hanna, Chancellor, The Florida College System
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Gerard Robinson, Commissioner of Education
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 20, 2011
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 9, 2011

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-102.101
RULE TITLE: Public Information and Inspection of Records

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify Form DC1-201, Invoice for Production of Records, to update what is exempt from disclosure.

SUMMARY: The proposed rule updates Form DC1-201, Invoice for Production of Records, to include additional statutory exemptions to public records disclosure.

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.

Based on legal analysis provided by the Office of the General Counsel, the amendments only reflect statutory changes to public records laws and will not have a negative economic impact or affect small business. The rule is therefore not expected to require legislative ratification.

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: 944.09 FS.

LAW IMPLEMENTED: 119.07, 120.53 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kendra Jowers, 501 South Calhoun Street, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-102.101 Public Information and Inspection of Records.
 (1) through (4) No change.

(5) When copies requested pursuant to this rule are available to be picked up or for mailing, the requestor shall be notified of the costs of reproduction as specified in subsections (2) and (3) on Form DC1-201, Invoice for Production of Records. Form DC1-201. Form DC1-201 shall also indicate if any information is redacted from the copies provided as required by state law. Form DC1-201 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500. The effective date of Form DC1-201 is February, 2011 8-18-09.

Rulemaking Authority 944.09 FS. Law Implemented 119.07, 120.53 FS. History—New 10-8-76, Amended 2-24-81, Formerly 33-1.04, Amended 6-9-86, 2-9-88, Formerly 33-1.004, Amended 10-29-01, 12-5-05, 4-16-08, 12-25-08, 8-18-09.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Jennifer Parker, General Counsel
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Kenneth S. Tucker, Secretary
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 17, 2011
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 2, 2011

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.:	RULE TITLE:
40D-8.624	Guidance and Minimum Levels for Lakes

PURPOSE AND EFFECT: Section 373.042, F.S., requires the District to establish minimum flows and levels for surface watercourses, aquifers, and surface waters within the District. That section also requires the District to prepare and update annually a priority list and schedule for the establishment of minimum flows and levels. The District’s priority list and schedule includes the establishment of minimum levels for Lake Carroll in Hillsborough County. The amendments to Rule 40D-8.624, F.A.C., establish minimum levels.

SUMMARY: The proposed amendments to Rule 40D-8.624, F.A.C., establish minimum levels for Lake Crystal and North Lake Wales and establish current guidance levels for these lakes based on current methodologies. The proposed amendments also repeal the previously adopted guidance levels.

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: There are no costs to the regulated public as a result of the proposed amendments. Therefore, this rulemaking will not result in any adverse economic impacts or regulatory cost increases that require legislative ratification.

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: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.036, 373.042, 373.0421, 373.086, 373.709 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

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 Southwest Florida Water Management District Human Resources Director, 2379 Broad Street, Brooksville, Florida 34604-6899; telephone (352)796-7211, ext. 4702 or 1(800)423-1476 (FL only), ext. 4702; TDD (FL only) 1(800)231-6103 or email to ADACoordinator@swfwmd.state.fl.us. 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: Barbara Martinez, Office of General Counsel, 2379 Broad St., Brooksville, FL 34604-6899, (352)796-7211 (4660) (OGC #2011048)

THE FULL TEXT OF THE PROPOSED RULE IS:

40D-8.624 Guidance and Minimum Levels for Lakes.
 (1) through (11) No change.

(12) Levels for lakes established during or after August 7, 2000, are set forth in the following table. After the High Minimum Lake Level and Minimum Lake Level elevation for each lake is a designation indicating the Method used, as described in subsection 40D-8.624(8), F.A.C., to establish the level. Compliance with the High Minimum and Minimum

Lake Levels is determined pursuant to paragraphs (6)(b) and (7)(b) above. Guidance Levels established prior to August 7, 2000, are set forth in Table 8-3 in subsection 40D-8.624(13), F.A.C., below.

Table 8-2 Minimum and Guidance Levels Established During or After August 7, 2000. Levels are elevations, in feet above the National Geodetic Vertical Datum of 1929.					
Location by County and Basin	Name of Lake and Section, Township and Range Information	High Guidance Level	High Minimum Lake Level	Minimum Lake Level	Low Guidance Level
(a)-(k) No change.					
(l) In Hillsborough County Within the Northwest Hillsborough Basin	Alice, Lake S-16, T-27, R-17	40.9'	40.9' (CAT 2)	39.9' (CAT 2)	38.8'
	Allen, Lake S-10, T-27S, R-18E	61.8'	61.8' (CAT 1)	60.7' (CAT 1)	59.7'
	Barbara, Lake S-19, T-27, R-18	53.15'	53.15' (CAT 3)	52.15' (CAT 3)	51.05'
	Bird, Lake S-26, T-27, R-18	49.6'	49.6' (CAT 2)	48.6' (CAT 2)	47.5'
	Brant, Lake S-23, T-27, R-18	58.0'	58.0' (CAT 2)	57.0' (CAT 2)	55.9'
	Calm, Lake S-14, T-27, R-17	49.41'	49.41' (CAT 3)	48.41' (CAT 3)	47.31'
	Carroll, Lake S -10, 11, 14, 15, T-28, R-18	36.8'	36.8' (CAT 3)	35.4' (CAT 3)	33.9'
	Charles, Lake S-23, T-27, R-18	54.2'	53.8' (CAT 1)	52.4' (CAT 1)	52.1'
	Church, Lake S-28, T-27, R-17	35.64'	35.64' (CAT 3)	34.64' (CAT 3)	33.54'
	Crenshaw, Lake S-22, T-27, R-18	55.5'	54.45' (CAT 3)	53.45' (CAT 3)	53.4'
	Crescent, Lake S-10, T-27S, R-17E	41.9'	41.3' (CAT 3)	40.3' (CAT 3)	39.8'
	Crystal, Lake S-14, T-27, R-18	59.8'	59.8' (CAT 2)	58.8' (CAT 2)	57.7'
	Cypress, Lake S-24, T-27, R-17	48.89'	48.89' (CAT 3)	47.89' (CAT 3)	46.79'
	Dan, Lake S-6, T-27, R-17	32.5'	31.9' (CAT 3)	30.9' (CAT 3)	30.4'
	Deer, Lake S-1, T-27, R-18	66.5'	66.5' (CAT 2)	65.5' (CAT 2)	64.4'
	Dosson, Lake S-20, T-27, R-18	53.4'	53.4' (CAT 2)	52.4' (CAT 2)	51.3'
	Echo, Lake S-28, T-27, R-17	35.64'	35.64' (CAT 3)	34.64' (CAT 3)	33.54'
	Ellen, Lake S-19, T-27, R-18	53.15'	53.15' (CAT 3)	52.15' (CAT 3)	51.05'
	Fairy (Maurine), Lake S-34, T-27, R-17	33.41'	33.41' (CAT 3)	32.41' (CAT 3)	31.31'
	Garden, Lake S-17, T-27, R-17	31.5'	30.5' (CAT 3)	29.5' (CAT 3)	29.4'
	Halfmoon, Lake S-31, T-27, R-18	43.3'	43.3' (CAT 2)	42.3' (CAT 2)	41.2'

Harvey, Lake S-3, T-27S, R-18E	61.8'	61.8' (CAT 1)	60.7' (CAT 1)	59.7'
Helen, Lake S-19, T-27, R-18	53.15'	53.15' (CAT 3)	52.15' (CAT 3)	51.05'
Hobbs, Lake S-1, T-27, R-18	65.46'	65.46' (CAT 2)	64.46' (CAT 2)	63.36'
Horse, Lake S-26, T-27, R-17	46.9'	45.8' (CAT 3)	44.8' (CAT 3)	44.8'
Jackson, Lake S-17, T-27, R-17	33.0'	33.0' (CAT 2)	32.0' (CAT 2)	30.9'
Juanita, Lake S-22, T-27, R-17	41.7'	41.7' (CAT 2)	40.7' (CAT 2)	39.6'
Little Moon, Lake S-28, T-27, R-17	39.1'	39.1' (CAT 2)	38.1' (CAT 2)	37.0'
Merrywater, Lake S-22, T-27, R-18	55.8'	55.8' (CAT 2)	54.8' (CAT 2)	53.7'
Mound, Lake S-11, T-27, R-17	50.2'	50.7' (CAT 1)	49.3' (CAT 1)	48.3'
Platt, Lake S-35, T-27, R-18	49.7'	49.5' (CAT 1)	48.1' (CAT 1)	45.5'
Pretty, Lake S-26, T-27S, R-17E	44.3'	43.9' (CAT 1)	42.5' (CAT 1)	42.2'
Rainbow, Lake S-22, T-27, R-17	39.1'	39.1' (CAT 2)	38.1' (CAT 2)	37.0'
Raleigh, Lake S-27, T-27, R-17	RESERVED	RESERVED (CAT 3)	RESERVED (CAT 3)	RESERVED
Reinheimer, Lake S-15, T-27, R-18	58.6'	58.9' (CAT 1)	57.5' (CAT 1)	56.5'
Rogers, Lake S-27, T-27, R-17	RESERVED	RESERVED (CAT 3)	RESERVED (CAT 3)	RESERVED
Round, Lake S-22, T-27, R-18	55.6'	54.5' (CAT 3)	53.5' (CAT 3)	53.5'
Saddleback, Lake S-22, T-27, R-18	54.58'	54.58' (CAT 2)	53.58' (CAT 2)	52.48'
Sapphire, Lake S-14, T-27, R-18	63.4'	63.0' (CAT 1)	61.6' (CAT 1)	61.3'
Starvation, Lake S-21, T-27, R-18	RESERVED	RESERVED (CAT 3)	RESERVED (CAT 3)	RESERVED
Strawberry (North Crystal), Lake S-14, T-27, R-18	60.1'	60.1' (CAT 3)	59.1' (CAT 3)	58.0'
Sunset, Lake S-17, T-27, R-17	34.8'	34.4' (CAT 1)	33.0' (CAT 1)	32.7'
Sunshine, Lake S-20, T-27, R-18	53.4'	53.4' (CAT 2)	52.4' (CAT 2)	51.3'
Taylor, Lake S-16, T-27S, R-17E	38.2'	38.2' (CAT 2)	37.2' (CAT 2)	36.1'
Virginia, Lake S-3, T-27S, R-18E	61.8'	61.8' (CAT 1)	60.7' (CAT 1)	59.7'
(m)-(cc) No change.				

(13) Guidance Levels established for lakes prior to August 7, 2000, are set forth in the following table:

Location of Impoundment by County and Basin	High Level in Feet Above Mean Sea Level (msl)	Low Level in Feet Above Mean Sea Level (msl)	Extreme Low Level in Feet Above Mean Sea Level (msl)
(a)-(k) No change.			

(l) In Hillsborough County Within the Northwest Hillsborough Basin LAKES Sec. Twsp. Rng.			
SWEETWATER CREEK WATERSHED			
Avis, Lake 15, 28S, 18E	37.00'	34.50'	32.50'
Bay, Lake	46.75'	44.00'	42.50'
Boat, Lake	35.50'	33.75'	31.25'
Brooker, Lake	64.25'	61.00'	59.00'
Carroll, Lake	37.00'	34.50'	32.50'
Chapman, Lake	52.25'	49.50'	48.00'
Cooper, Lake	61.75'	59.75'	57.00'
Elaine, Lake 15, 28S, 18E	37.00'	34.50'	32.50'
Gass, Lake	49.50'	46.25'	44.50'
George, Lake	48.00'	45.00'	42.00'
Geraci, Lake	63.50'	61.50'	59.50'
Halls, Lake 3, 28S, 18E	50.00'	47.50'	46.00'
Lipsey, Lake	41.50'	39.00'	37.00'
Magdalene, Lake	50.00'	47.50'	46.00'
Thomas, Lake	63.50'	61.25'	59.25'
Twin, Lake	32.00'	30.00'	27.75'
White Trout, Lake	36.50'	34.00'	32.50'
ROCKY CREEK WATERSHED			
Armistead, Lake	44.00'	40.50'	39.00'
Browns, Lake	63.50'	60.75'	59.00'
Josephine, Lake	46.00'	42.75'	40.00'
LeClare, Lake	52.00'	49.50'	47.00'
Rock, Lake	46.00'	42.75'	40.00'
Starvation, Lake	53.00'	50.00'	48.00'
Turkey Ford, Lake	54.00'	51.50'	50.00'
DOUBLEBRANCH CREEK WATERSHED			
Hixon, Lake	36.50'	33.25'	31.00'
Unnamed Lake #1 2, 28S, 17E	37.50'	35.00'	34.50'
Unnamed Lake #2 2, 28S, 17E	37.50'	35.00'	34.50'
BROOKER CREEK WATERSHED			
Artillery, Lake 3, 27S, 17E	44.00'	40.50'	39.00'
Buck, Lake	35.00'	32.00'	29.50'
Elizabeth, Lake	53.00'	51.00'	49.00'
Fern, Lake	46.00'	43.00'	41.50'
Frances, Lake	40.50'	38.00'	36.00'
Island Ford, Lake	41.50'	39.00'	37.00'
James, Lake 23, 27S, 17E	46.50'	43.50'	42.00'
Keystone, Lake	42.00'	39.75'	39.00'
Little, Lake 23, 27S, 17E	46.50'	43.50'	42.00'
Raleigh, Lake	42.50'	38.00'	35.00'
Rogers, Lake	NO LEVELS RECOMMENDED		
Velburton, Lake	40.00'	37.25'	35.00'
ANCLOTE RIVER WATERSHED			
Hiawatha, Lake	50.50'	48.00'	45.00'
Osceola, Lake	46.50'	44.50'	42.50'
(m) through (cc) No change.			

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.036, 373.042, 373.0421, 373.086, 373.709 FS. History—New 6-7-78, Amended 1-22-79, 4-27-80, 10-21-80, 12-22-80, 3-23-81, 4-14-81, 6-4-81, 10-15-81, 11-23-81, 1-5-82, 3-11-82, 5-10-82, 7-4-82, 9-2-82, 11-8-82, 1-10-83, 4-3-83, 7-5-83, 9-5-83, 10-16-83, 12-12-83, 5-8-84, 7-8-84, 12-16-84, 2-7-85, 5-13-85, 6-26-85, 11-3-85, 3-5-86, 6-16-86, Formerly 16J-8.678, Amended 9-7-86, 2-12-87, 9-2-87, 2-18-88, 6-27-88, 2-22-89, 3-23-89, 9-26-89, 7-26-90, 10-30-90, 3-3-91, 9-30-91, 10-7-91, 7-26-92, 3-1-93, 5-11-94, 6-6-96, 2-23-97, 8-7-00, 1-8-04, 12-21-04(13), 12-21-04(13), 6-5-05, 5-2-06, 1-1-07, 2-12-07, 1-10-08, 2-18-08, 4-7-08, 5-20-08, 5-10-09, 4-13-11_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Keith Kolasa, Sr. Environmental Scientist
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Southwest Florida Water Management District Governing Board
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 21, 2011
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 28, 2011

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: 40D-8.624
RULE TITLE: Guidance and Minimum Levels for Lakes

PURPOSE AND EFFECT: Section 373.042, F.S., requires the District to establish minimum flows and levels for surface watercourses, aquifers, and surface waters within the District. That section also requires the District to prepare and update annually a priority list and schedule for the establishment of minimum flows and levels. The District’s priority list and schedule includes the establishment of minimum levels for Lake Wimauma in Hillsborough County. The amendments to Rule 40D-8.624, F.A.C., establish minimum levels.

SUMMARY: The proposed amendments to Rule 40D-8.624, F.A.C., establish minimum levels for Lake Wimauma and establish current guidance levels for these lakes based on current methodologies. The proposed amendments also repeal the previously adopted guidance levels.

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: There are no costs to the regulated public as a result of the proposed amendments. Therefore, this rulemaking will not result in any adverse economic impacts or regulatory cost increases that require legislative ratification.

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: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.036, 373.042, 373.0421, 373.086, 373.709 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

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 Southwest Florida Water Management District Human Resources Director, 2379 Broad Street, Brooksville, Florida 34604-6899, telephone (352)796-7211, ext. 4702 or 1(800)423-1476 (FL only), ext. 4702; TDD (FL only) 1(800)231-6103; or email to ADACoordinator@swfwmd.state.fl.us. 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: Barbara Martinez, Office of General Counsel, 2379 Broad St., Brooksville, FL 34604-6899, (352)796-7211 (4660) (OGC #2011036)

THE FULL TEXT OF THE PROPOSED RULE IS:

- 40D-8.624 Guidance and Minimum Levels for Lakes.
- (1) through (11) No change.
- (12) Levels for lakes established during or after August 7, 2000, are set forth in the following table. After the High Minimum Lake Level and Minimum Lake Level elevation for each lake is a designation indicating the Method used, as described in subsection 40D-8.624(8), F.A.C., to establish the level. Compliance with the High Minimum and Minimum Lake Levels is determined pursuant to paragraphs (6)(b) and (7)(b) above. Guidance Levels established prior to August 7, 2000, are set forth in Table 8-3 in subsection 40D-8.624(13), F.A.C., below.

Table 8-2 Minimum and Guidance Levels Established During or After August 7, 2000. Levels are elevations, in feet above the National Geodetic Vertical Datum of 1929.

Location by County and Basin	Name of Lake and Section, Township and Range Information	High Guidance Level	High Minimum Lake Level	Minimum Lake Level	Low Guidance Level
(a) through (i) No change.					
(j) In Hillsborough County Within the Alafia River Basin RESERVED	<u>Wimauma, Lake S-9 and 16, T-32S, R-20E</u>	<u>83.9'</u>	<u>83.9'</u> <u>(CAT 3)</u>	<u>79.2'</u> <u>(CAT 3)</u>	<u>74.0'</u>
(k) through (cc) No change.					

(13) Guidance Levels established for lakes prior to August 7, 2000, are set forth in the following table:

Table 8-3 Guidance Water Levels adopted prior to August 7, 2000

Location of Impoundment by County and Basin	High Level in Feet Above Mean Sea Level (msl)	Low Level in Feet Above Mean Sea Level (msl)	Extreme Low Level in Feet Above Mean Sea Level (msl)
(a) – (i) No change.			
(j) In Hillsborough County Within the Alafia River Basin LAKES			
Carlton, Lake	93.50'	90.50'	88.00'
Edward Medard Reservoir	62.75'	57.50'	56.00'
Grady, Lake	39.00'	36.00'	34.00'
Hickory Hammock, Lake	32.25'	30.50'	29.00'
Unnamed Lake #2	56.00'	NO RECOMMENDATION	
Wimauma, Lake	86.75'	83.00'	81.00'
(k) through (cc) No change.			

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.036, 373.042, 373.0421, 373.086, 373.709 FS. History—New 6-7-78, Amended 1-22-79, 4-27-80, 10-21-80, 12-22-80, 3-23-81, 4-14-81, 6-4-81, 10-15-81, 11-23-81, 1-5-82, 3-11-82, 5-10-82, 7-4-82, 9-2-82, 11-8-82, 1-10-83, 4-3-83, 7-5-83, 9-5-83, 10-16-83, 12-12-83, 5-8-84, 7-8-84, 12-16-84, 2-7-85, 5-13-85, 6-26-85, 11-3-85, 3-5-86, 6-16-86, Formerly 16J-8.678, Amended 9-7-86, 2-12-87, 9-2-87, 2-18-88, 6-27-88, 2-22-89, 3-23-89, 9-26-89, 7-26-90, 10-30-90, 3-3-91, 9-30-91, 10-7-91, 7-26-92, 3-1-93, 5-11-94, 6-6-96, 2-23-97, 8-7-00, 1-8-04, 12-21-04(13), 12-21-04(13), 6-5-05, 5-2-06, 1-1-07, 2-12-07, 1-10-08, 2-18-08, 4-7-08, 5-20-08, 5-10-09, 4-13-11.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Keith Kolasa, Senior Environmental Scientist
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Southwest Florida Water Management District Governing Board
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 29, 2011
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 2, 2011

AGENCY FOR HEALTH CARE ADMINISTRATION

Cost Management and Control

RULE NOS.: 59B-16.001
59B-16.002
RULE TITLES: Definitions
Universal Patient Authorization Forms

PURPOSE AND EFFECT: The purpose and effect of the rule development is to revise the Universal Patient Authorization Form for Full Disclosure of Health Information for Treatment and Quality of Care incorporated by reference as AHCA Form FC4200-004 and the Universal Patient Authorization Form for Limited Disclosure of Health Information incorporated by reference as AHCA Form FC4200-005 to provide that the effective period of authorization ends at withdrawal of permission or date of death, to adopt Spanish versions of the forms incorporated by reference as AHCA Form FC4200-006 and AHCA Form 4200-007 under the provisions of Section 408.051(4), Fla. Stat., clarify in the authorization forms that permission is for use and disclosure, clarify the statement that permissions will not affect medical treatment, payment for treatment or insurance coverage, clarify in the authorization

forms that authorization is for medical products in addition to medical services, clarify that permission may be revoked rather than withdrawn, remove an incorrect reference to Rule 59B-16.003, F.A.C., clarify the definition of health care provider in Rule 59B-16.001, F.A.C., and add specific rulemaking authority citations under Rules 59B-16.001 and 59B-16.002, F.A.C. The Universal Patient Authorization forms need to be amended due to Federal guidance issued on June 16, 2010, by U.S. Health and Human Services (HHS), Substance Abuse and Mental Health Services Administration. This federal guidance requires a change to the form to comply with HHS's interpretation of the federal law governing patient consent for the release of patient records from federally funded substance abuse treatment programs that are subject to 42 CFR Part 2, Confidentiality of alcohol and drug abuse patient records.

SUMMARY: The Agency is proposing to revise the English version of the Universal Patient Authorization Form for Full Disclosure of Health Information for Treatment and Quality of Care and the English version of the Universal Patient Authorization Form for Limited Disclosure of Health Information incorporated by reference in Rule 59B-16.002, amend Rule 59B-16.002, F.A.C., to incorporate by reference a Spanish version of the Universal Patient Authorization Form for Full Disclosure of Health Information for Treatment and Quality of Care and a Spanish version of the Universal Patient Authorization Form for Limited Disclosure of Health Information, clarify in the authorization forms that permission is for use and disclosure, clarify the statement that permissions will not affect medical treatment, payment for treatment or insurance coverage, clarify in the authorization forms that authorization is for medical products in addition to medical services, clarify that permission may be revoked rather than withdrawn, revise Rule 59B-16.001, F.A.C., to remove an incorrect rule reference, revise Rule 59B-16.001, F.A.C., to clarify the definition of health care provider and add specific rulemaking authority citations under Rules 59B-16.001 and 59B-16.002, F.A.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.

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: 408.15(8) FS.

LAW IMPLEMENTED: 408.051(4) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: February 3, 2012, 11:00 a.m.

PLACE: Agency for Health Care Administration, First Floor Conference Room B, Building 3, 2727 Mahan Drive, Tallahassee, Florida 32308

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: Milly Hardin at (850)412-3790. 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 RULES IS: Carolyn Turner, Florida Center for Health Information and Policy Analysis, Division of Health Quality Assurance, Agency for Health Care Administration, Building 3, 2727 Mahan Drive, Tallahassee, Florida 32308

THE FULL TEXT OF THE PROPOSED RULES IS:

59B-16.001 Definitions.

As used in Rules 59B-16.001 through 59B-16.002 ~~59B-16.003~~, F.A.C.:

(1) "Health care provider" means any ~~other~~ person or organization that furnishes, bills, or is paid for health care services in the normal course of business.

(2) "Electronic format" means an electronic copy of the forms provided in Rule 59B-16.002, F.A.C., in a Portable Document Format (PDF).

Rulemaking Authority 408.051(4)(b), 408.15(8) FS. Law Implemented 408.051(4) FS. History—New 7-28-10, Amended _____.

59B-16.002 Universal Patient Authorization Forms.

(1) The Universal Patient Authorization Form for Full Disclosure of Health Information for Treatment and Quality of Care including instructions for completing the form is posted at: www.FHIN.net. The form may be printed, completed, signed and scanned into an electronic format as provided in subsection 59B-16.001(2), F.A.C. The Universal Patient Authorization Form for Full Disclosure of Health Information for Treatment and Quality of Care, Form Florida AHCA FC4200-004 7.1.2011 ~~dated 3.1.10~~ is incorporated by reference and the Spanish language version, Formulario de Autorización Universal para Dar a Conocer Información Médica Completa para Tratamiento & Calidad de Cuidado, Form Florida AHCA FC4200-006 7.1.2011 is incorporated by reference as AHCA Form FC4200-004.

(2) The Universal Patient Authorization Form for Limited Disclosure of Health Information including instructions for completing the form is posted at: www.FHIN.net. The form may be printed, completed, signed and scanned into an electronic format as provided in subsection 59B-16.001(2), F.A.C. The Universal Patient Authorization Form for Limited Disclosure of Health Information, Form Florida AHCA FC4200-005 7.1.2011 ~~dated 3.1.10~~ is incorporated by reference and the Spanish language version, Formulario de Autorización Universal para Dar a Conocer Información Médica Limitada, Form Florida AHCA FC4200-007 7.1.2011 is incorporated by reference as AHCA Form FC4200-005.

Rulemaking Authority ~~408.051(4)(b)~~, 408.15(8) FS. Law Implemented 408.051(4) FS. History—New 7-28-10, Amended

NAME OF PERSON ORIGINATING PROPOSED RULE: Jeff Gregg, Bureau Chief, Division of Health Quality Assurance, Agency for Health Care Administration, Building 3, 2727 Mahan Drive, Tallahassee Florida 32308
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Elizabeth Dudek, Secretary, Agency for Health Care Administration
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 23, 2011
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 27, 2011

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Employee Leasing Companies

RULE NO.: 61G7-5.002
 RULE TITLE: Annual Assessment on Gross Florida Payroll

PURPOSE AND EFFECT: The Board proposes the rule amendment to reduce the annual assessment fee.

SUMMARY: The annual assessment fee will be reduced.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST AND LEGISLATIVE RATIFICATION:

During discussion of the economic impact of the rules at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary and that the rule amendment will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time. The Board has determined that the rules will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule.

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

RULEMAKING AUTHORITY: 468.522 FS.

LAW IMPLEMENTED: 468.526 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Richard Morrison, Executive Director, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

THE FULL TEXT OF THE PROPOSED RULE IS:

61G7-5.002 Annual Assessment on Gross Florida Payroll.

(1) The Department of Business and Professional Regulation shall assess each Employee Leasing Company and each Employee Leasing Company Group an annual assessment fee based upon the preceding calendar year’s gross Florida payroll of the company or group. The assessment shall be due on April 1 of each year and shall become delinquent after April 30. For new applicants the initial assessment shall be due with the licensure application. Funds collected under this assessment are to be made payable to the Board and to be deposited into the Professional Regulation Trust Fund as created within the Department. The annual assessment fee shall be calculated in accordance with the following table:

Amount of Gross Florida Payroll	Assessment Fee Due	
less than \$250,000	<u>\$36.00</u>	72.00
250,000 – \$500,000	<u>\$64.00</u>	127.00
\$500,001 – \$1,000,000	<u>\$95.00</u>	190.00
\$1,000,001 – \$2,500,000	<u>\$134.00</u>	267.50
\$2,500,001 – \$5,000,000	<u>\$172.00</u>	344.50
\$5,000,001 – \$7,500,000	<u>\$211.00</u>	422.00
\$7,500,001 – \$10,000,000	<u>\$250.00</u>	499.00
\$10,000,001 – \$15,000,000	<u>\$289.00</u>	577.00
\$15,000,001 – \$20,000,000	<u>\$327.00</u>	654.00
\$20,000,001 – \$30,000,000	<u>\$366.00</u>	731.00
\$30,000,001 – \$40,000,000	<u>\$404.00</u>	808.50
\$40,000,001 – \$50,000,000	<u>\$457.00</u>	914.50
greater than \$50,000,000	<u>\$510.00</u>	1019.50

(2) through (3) No change.

Rulemaking Specific Authority 468.522 FS. Law Implemented 468.526(3) FS. History—New 7-15-92, Formerly 21EE-5.002, Amended 4-25-94, 6-10-96, 6-22-98, 7-11-00, 9-5-04, 3-27-05, 7-6-05, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Employee Leasing Companies
NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: Board of Employee Leasing Companies
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: September 21, 2011
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: October 21, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-344.100	Purpose, Intent and Scope
62-344.200	Definitions
62-344.300	Procedures for Requesting Delegation
62-344.400	Content of Petition for Delegation
62-344.500	Criteria for Review
62-344.600	Procedures for Identifying and Reconciling Duplicative Permitting and Incorporating Stricter Local Standards
62-344.700	Delegation Agreements
62-344.900	Forms

PURPOSE AND EFFECT: Existing Department rule governing delegation of the Environmental Resource Permit (ERP) program under Part IV of Chapter 373, F.S., to a county, municipality, or local pollution control program (local governments) are being amended to address changes made to Section 373.441, F.S., by Chapter 2010-147, Laws of Florida, effective July 1, 2010. Those amendments: (1) provide that the Department, and no longer a water management district, is the sole agency that can delegate ERP program responsibilities in whole or in part to a local government; (2) provide the process for a local government to petition the Governor and Cabinet for review of a request for a delegation that is not approved or denied within one year of being initiated; (3) require the Department to detail the statutory and rule provisions that were not met in any denial of a local government’s petition for delegation; and (4) require approval of a petition that meets the requirements of Chapter 62-344, F.A.C. Changes to each rule section of Chapter 62-344, F.A.C., are required to address the above.

In addition, changes have been made regarding the content of the petition for delegation and the criteria for its review. Substantively, a local government implementing a delegated ERP will be limited to using the ERP rules of the Department and the applicable water management district, which must be adopted verbatim either within the body of the local government’s controlling regulations or by incorporating those rules by reference within their regulations. They will no longer be able to use rules, ordinances, or regulations adopted under the local government’s own regulatory program, which, at a minimum, incorporate directly or by reference, the relevant

portions of the reviewing agency’s environmental resource permit program rules. However, the local government may continue to apply its stricter local standards that are not in conflict with Part IV of Chapter 373, F.S. In so doing, the local government will be required to act on the application or notice under Part IV of Chapter 373, F.S., together with any applicable stricter standards, within the time frames under Chapter 120, F.S., Part IV of Chapter 373, F.S., and the rules adopted thereunder, as applicable. These changes will simplify the evaluation of a requested delegation and will significantly improve consistency between the Department, water management districts, and delegated local government in implementing the ERP rules. This also will benefit the public by reducing differences between the rules that must be followed when designing projects, submitting applications, and going through the review process.

At the request of some regulated interests, the Department also narrowed the types of activities that can be delegated to not allowing delegations for activities proposed by inland navigation districts or that occur within deepwater ports. This will ensure entities having activities spanning multiple jurisdictions and with broad financial implications will receive a more consistent review of their ERP applications by a single entity (typically the Department).

The proposed rule does not substantively change the ability of a local government to petition for delegation of the ERP program, the required content of a petition, the criteria used in the review of the petition, or the criteria that will be used by the Department to approve or deny the petition. The proposed changes also do not increase costs to the regulated community, and in fact can be expected to reduce regulatory costs.

SUMMARY: The proposed rule amends each section of Chapter 62-344, F.A.C., to comply with the amendments to Section 373.441, F.S., required by Chapter 2010-147, Laws of Florida. Additional changes are made to correct some outdated language, make some clarifications, repeal a rule section containing an unnecessary form, restrict the ability of local governments to use alternative variations of rules analogous to those adopted under Part IV of Chapter 373, F.S., and remove two types of activities that can be delegated to a local government. These changes do not restrict the local government’s ability to continue to apply stricter standards that are not in conflict with the ERP rules.

OTHER RULES INCORPORATING THIS RULE: There are no other chapters or rules that incorporate any rules of Chapter 62-344, F.A.C.

EFFECT ON THOSE OTHER RULES: None of these rules are incorporated by other chapters; therefore, this repeal will have no effect on other rules.

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 rule amendments are required by statute.

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: 373.441 FS.

LAW IMPLEMENTED: 373.441 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: For a copy of the draft rule and draft Delegation Agreement, contact Mary Van Tassel, Florida Department of Environmental Protection, Bureau of Submerged Lands and Environmental Resources, MS 2500, 2600 Blair Stone Road, Tallahassee, FL 32399-2400, telephone (850)245-8486, or e-mail: Mary.VanTassel@dep.state.fl.us. For questions about the rule and delegation, contact Douglas Fry at (850)245-8480 or Doug.Fry@dep.state.fl.us. Further information and updates on this rule development also may be obtained from the Department's web site at: http://www.dep.state.fl.us/water/rules_dr.htm#erp. (OGC No. 10-2686).

THE FULL TEXT OF THE PROPOSED RULES IS:

62-344.100 Purpose, Intent and Scope.

(1) This chapter guides the participation of counties, municipalities and local pollution control programs ("local governments") in an efficient, streamlined permitting system by setting forth the procedures and requirements for delegations of all or a part of the environmental resource permit program under Part IV of Chapter 373, F.S., from the Department ~~and water management districts~~ to local governments in accordance with Section the provisions of Sections 373.103(8) and 373.441, F.S. This chapter also reflects that constitutes the Department has the authority under Section 373.441, F.S., to delegate all or part of Department's authorization, in accordance with Section 373.103(8), F.S., for delegations of the environmental resource permit program under Part IV of Chapter 373, F.S., from the Northwest Florida, Suwannee River, St. Johns River, Southwest Florida, and South Florida Water Management Districts ("Districts") water management districts to local governments, without any further rulemaking required by the Districts, provided that the

procedures for delegation contained in this chapter are followed ~~by the Districts~~. Delegations from the Department ~~and Districts~~ shall be for the respective environmental resource permit program responsibilities of the Department and the applicable District Suwannee River, St. Johns River, Southwest Florida and South Florida Water Management Districts, as set forth in operating agreements between the Department and local governments listed in Chapter 62-113, F.A.C. ~~Delegation agreements between the Department and local governments shall be listed in Chapter 62-113, F.A.C., and delegation agreements between the Districts and local governments shall be listed in Chapters 40B-1, 40C-1, 40D-1, and 40E-1, F.A.C.~~

(2) through (3) No change.

(4) It is an objective of the Department and Districts to protect the functions of entire ecological systems, as defined and developed in the programs, rules and plans of the Department and Districts water management districts. It is the intent of the Department ~~and Districts~~ that any local government receiving delegation of all or a portion of the environmental resource program carry out that program in a manner consistent with this objective. This paragraph shall not be construed or applied as additional permitting criteria beyond those adopted by the Department, District, reviewing agency or the local government.

Rulemaking Specific Authority 373.441(1) FS. Law Implemented 373.441 FS. History-New 8-29-95, Amended _____.

62-344.200 Definitions.

Words ~~The following words~~ and phrases ~~when~~ used in this chapter shall, unless context clearly indicates otherwise, have the following meanings:

(1) through (3) No change.

(4) "Environmental Resource Permit" means a permit issued pursuant to Part IV of Chapter 373, F.S., (except those subject to the provisions of subsections 373.414(11) through (16), F.S., Section 373.4145(6) 373.4145, F.S., and Section 18 of Chapter 94-122, Laws of Florida) after September 21, 1995.

(5) No change.

(6) ~~"Local Government" means a county, municipality or local pollution control program.~~

(6)(7) No change.

(8) ~~"Reviewing agency" means the Department or a District, depending upon which agency is reviewing a petition for delegation pursuant to subsection 62-344.300, F.A.C.~~

(7)(9) No change.

(10) "Water Management District" or "District" means a ~~water management district established under Section 373.069, F.S.~~

Rulemaking Specific Authority 373.441(1) FS. Law Implemented 373.441 FS. History-New 8-29-95, Amended _____.

62-344.300 Procedures for Requesting Delegation.

(1) Any local government may petition the Department or a District to receive delegation of all or a portion of the Department or District's responsibilities under the environmental resource permit program. The petition shall be filed with either the Department's Agency Clerk ~~Secretary of the Department or the District Clerk of the District~~ with jurisdiction over the geographical area in which delegation is requested, depending upon which agency is responsible for the portions of the environmental resource permit program for which the local government is submitting a petition, in accordance with the division of responsibilities contained in the operating agreements between the Department and the Districts listed in Chapter 62-113, F.A.C.

(2) The petition as initially submitted shall contain the items required by subsection 62-344.400(1), F.A.C.

~~(3) Within 5 days of receipt by the Department of a petition or supporting information required by subsection 62-344.300(2), F.A.C., the Department shall forward a copy of the petition or supporting information to the headquarters office of the District with jurisdiction over the area for which the delegation is sought. Within 5 days of receipt of a petition or supporting information required by subsection 62-344.300(2), F.A.C., by a District, the District shall forward a copy of the petition or supporting information to the Department Bureau of Submerged Lands and Environmental Resources.~~

~~(3)(4) Within 30 days of receipt of the petition, the Department reviewing agency shall request submittal of any additional information needed to review the petition under subsections 62-344.500(2) and (4)(5), F.A.C.~~

~~(4)(5) Within 30 days of receipt of timely requested additional information, the Department reviewing agency shall review such information and shall request only that information needed to clarify or to answer new questions raised by or directly related to such additional information.~~

~~(5)(6) The For petitions filed with the Department, the Department, within 90 days of receipt of all information requested pursuant to subsections (3)(4) and (4)(5) above, shall first determine whether granting the petition would further the goal of providing an efficient, effective, and streamlined environmental resource permit program pursuant to the provisions of subsection subsections 62-344.500(2), F.A.C. If not, the Department shall notice the petition for denial pursuant to the provisions of this section. If it will further these goals, the Department shall review the petition in accordance with subsection 62-344.300(6) 62-344.300(8), F.A.C., and the other applicable provisions of this chapter.~~

~~(7) For petitions filed with the District, within 45 days of receipt by the District of the information requested pursuant to subsections (4) and (5) above, the Department will notify the District of the Department's determination of whether granting the petition would further the goal of providing an efficient,~~

~~effective, and streamlined environmental resource permit program pursuant to the provisions of subsection 62-344.500(2), F.A.C. If the Department finds and the District concurs that it will further these goals, the District shall review the petition in accordance with subsection 62-344.300(8), F.A.C., and the other applicable provisions of this chapter. If the Department finds, and the District concurs that granting the petition would not further the goal of providing an efficient, effective, and streamlined environmental resource permit program pursuant to the provisions of subsection 62-344.500(2), F.A.C., the District shall notice the petition for denial pursuant to the provisions of this section. If the District does not concur with the Department's determination that the delegation will not further the goals of an efficient, effective, and streamlined environmental resource permit program pursuant to the provisions of subsections 62-344.500(2), F.A.C., the District shall transfer the petition to the Department within 10 days of receipt of the Department's notification, and the Department shall deny the petition using the noticing procedures of this section. If the Department fails to notify the District of its determination under this subsection within 45 days of the receipt of all the information requested pursuant to subsections (4) and (5) above, the Department shall be deemed to have waived its right to make a determination under this subsection.~~

~~(6)(8) If a petition is found to further the goal of providing an efficient, effective, and streamlined environmental resource permit program pursuant to the provisions of subsection 62-344.500(2), F.A.C., the Department reviewing agency shall, within 90 days after receipt of all information requested pursuant to subsections (3)(4) and (4)(5) above, request the information required by subsection 62-344.400(2), F.A.C.~~

~~(7)(9) Within 90 days of receipt of the information required by subsection (6)(8) above, the Department reviewing agency shall review such information and shall further request only that information needed to complete such information or to clarify or answer new questions raised by or directly related to such information. Within 30 days of receipt of timely requested additional information, the Department reviewing agency shall review such information and shall request only that information needed to clarify or to answer new questions raised by or directly related to such additional information.~~

~~(8)(10) Within 180 days of receipt of all the information requested in accordance with subsections (6)(8) and (7)(9) above, unless waived by the local government, the Department reviewing agency shall provide either a written notice of intent to deny the petition, or a written notice of intent to grant the petition and enter into a proposed delegation agreement attached to the notice of intent. Delegation of authority shall be approved if the local government meets the requirements of this chapter.~~

~~(9)(11)~~ A failure by the Department reviewing agency to meet any of the time frames in this section shall not be deemed to constitute approval of a delegation by default.

~~(10)(12)~~ If the Department intends to grant the petition for delegation, the local government The reviewing agency shall publish ~~cause~~ the notice of intent ~~to be published~~ in a newspaper having general circulation in the local government's territory.

~~(13)~~ ~~Where a District's notice of intent proposes to grant the petition and enter into a delegation agreement, the District shall publish such notice in the Florida Administrative Weekly at least 21 days in advance of governing board action.~~

~~(11)(14)~~ Where the Department's reviewing agency's notice of intent proposes to deny the petition, the notice shall include the specific details of the statutory or rule provisions that were not satisfied ~~state the reasons for the denial~~ and specify any steps the local government must take ~~in order~~ to obtain the requested delegation.

~~(12)(15)~~ Any substantially affected person may, pursuant to Section 120.57, F.S., seek an administrative hearing on a notice of intent to grant or deny the petition. The time frames for requesting an administrative hearing on a notice of intent to grant or deny the petition shall be those set forth in the Department's reviewing agency's rules governing points of entry into proceedings.

~~(13)~~ In the event a delegation under this chapter is not approved or denied within one year after being initiated, the local government seeking the delegation may petition the Governor and Cabinet for review of the request for delegation. The date the local government submits its petition for delegation to the Department shall be considered the date the delegation was initiated. The Governor and Cabinet may reverse the decision of the Department and may provide any necessary conditions to allow the delegation of authority to occur.

(a) The petition to the Governor and Cabinet shall be filed with the Department's Agency Clerk at the Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 35, Tallahassee, FL 32399-3900, and the Department shall forward the petition to the Governor and Cabinet within 7 days of receipt.

(b) The petition shall be placed on the agenda for review at the next available Governor and Cabinet meeting.

(c) The standard for approval or denial of the delegation by the Governor and Cabinet shall include the requirements of Section 373.441(3), F.S., and Rule 62-344.500, F.A.C.

(d) The petition shall include the following:

1. Identification that the Department is the agency affected, and identification of the local government, including any subdivision of the local government, that is responsible for filing the petition for delegation and, if different, the petition to the Governor and Cabinet for review;

2. The address, e-mail address, telephone number, and facsimile number of the primary contact person in the local government;

3. The date the local government officially approved filing of the petition for review of the delegation with the Governor and Cabinet, together with a copy of the documentation of that approval;

4. A statement of the facts or issues that are in dispute, including any reasons the local government believes the Department has not acted properly on the petition for delegation under Section 373.441, F.S., or Chapter 62-344, F.A.C.;

5. A detailed statement of the efforts made by the local government to address the facts in dispute or resolve the issues identified in subparagraph (d)4. above; and

6. A statement of the relief requested by the local government, including a proposal to resolve the facts in dispute or issues raised by the local government.

~~(14)(16)~~ The local government may at any time during the review ~~or appeal~~ process; voluntarily withdraw its petition for delegation without prejudice.

~~(15)(17)~~ If required to do so by Section 373.046(1), F.S., where ~~Where the Department's reviewing agency's~~ notice of intent proposes to grant the petition and enter into a delegation agreement, the Department reviewing agency shall publish a notice of rulemaking to adopt the delegation agreement by reference in accordance with Section 120.54, F.S. ~~the Florida Administrative Weekly proposing to adopt the delegation agreement by reference.~~ To the extent possible, this notice of rulemaking shall be published at the same time as the notice of intent is published.

~~(16)(18)~~ Any delegation agreement entered into in accordance with this procedure shall become effective when the delegation agreement is fully executed by both parties, and, if required by Section 373.046(1), F.S., is adopted by reference by the Department reviewing agency as a rule.

~~(17)(19)~~ Any order issued by a local government which is exercising delegated authority pursuant to this chapter is reviewable by the Governor and Cabinet sitting as the Land and Water Adjudicatory Adjudication Commission as provided in Section 373.114(1), F.S.

Rulemaking Specific Authority 373.441(1) FS. Law Implemented 373.441 FS. History--New 8-29-95, Amended _____.

62-344.400 Content of Petition for Delegation.

(1) Petitions for delegation shall include information sufficient to enable the Department to evaluate the proposal under the provisions of this chapter and, Section 373.441 and subsection 373.103(8), F.S. The petition for requests for delegations from a District, and shall initially include, at a minimum, all of the following information in paragraphs (a)

through (d), below. The local government may supplement the initial petition with any other information required in this chapter.:

(a) The name, address, and title of the local government contact person.;

(b) A map clearly depicting the legal boundaries of the geographic area subject to the petition.;

(c) Documentation that the local government seeking delegation has or will have the authority to implement the environmental resource permit program within the area for which delegation is sought.;

(d) A list description of the particular portion of the environmental resource permit program rules of the Department, and District as applicable, that will be used to implement the requested delegation, requested; and whether the local government will carry out the delegated authority under:

1. The rules of the Department or the District, and including, where appropriate, rules of the local government that are stricter than but not in conflict with Part IV of Chapter 373, F.S., and the reviewing agency's environmental resource permit program rules; or

2. The rules, ordinances, or regulations adopted under the local government's own regulatory program, which, at a minimum, incorporate directly or by reference, the relevant portions of the reviewing agency's environmental resource permit program rules, and the local government's rules that are stricter than, but do not conflict with Part IV of Chapter 373, F.S., and the reviewing agency's environmental resource permit program rules.

(2) Pursuant ~~to~~ requested by the reviewing agency pursuant to subsection 62-344.300(6) 62-344.300(8), F.A.C., the local government shall supplement the petition with the following information as requested by the Department:

(a) through (b) No change.

(c) A description of existing and proposed administrative, technical, legal and financial capabilities necessary to implement the portions of the environmental resource permit program requested, including:

1. through 2. No change.

3. An identification of the technical resources, such as A tabular listing of the type, condition, and amount of equipment available for use in implementing the portions of the environmental resource permit program requested, including vehicles, sampling, and laboratory, and computer equipment, computer and telecommunications capabilities it has or proposes to obtain to implement the program.;

4. Documentation of existing and projected funding, including an approved budget for the past year, showing the fiscal resources available for implementation of the requested environmental resource permit program. The approved budget

must clearly show the financial status of the division of the local government which will implement the requested environmental resource permit program.;

5. Demonstration that the local government will comply with ~~can meet~~ the specific quality assurance requirements of Chapter ~~62-160 62-120, F.A.C.~~; by:

a. ~~Identifying the specific quality assurance requirements from Chapter 62-160, F.A.C., that are relevant to the activities for which delegation is sought;~~

b. ~~Providing documentation which supports the requirements identified in a. for the local government or any organization that might be contracted to perform sample collection or laboratory analyses in support of the delegated activity. Such documentation shall consist of current letters of approval or signed title pages of applicable Quality Assurance Plans that the local government or contracted organization is following Department specified standard operating procedures; and~~

e. ~~Proposing a mechanism to assure that all permits issued under the delegated responsibilities meet the quality assurance requirements of Chapter 62-160, F.A.C.~~

6. Copies of any ordinances or other legal authority by which the local government will implement the requested environmental resource permit program, including the proposed revisions to such ordinances if applicable, or other legal authority for complying with subsection subsections 62-344.500(3), F.A.C.;

7. Citation to the statute, Laws of Florida, or constitutional provisions creating the local government, including an identification as to whether the local government is a charter or a non-charter government.;

8. Identification and copies of all local standards relating to the same subject area as the environmental resource permit program, and, if applicable, for delegations under subparagraph 62-344.400(1)(d)1., F.A.C., specifically identifying in a tabular format those standards which are stricter than and not conflicting with, and stricter than and conflicting with, the Department's and District's reviewing agency's environmental resource permit program rules.;

9. Information required for the Department reviewing agency to prepare a Statement of Estimated Regulatory Cost an economic impact statement for the requested delegation, prepared in accordance with Sections Section 120.54 and 120.541, F.S., if required.

(3) One original, and one electronic copy, and three copies of the information requested in subsection 62-344.400(1) and (2), F.A.C., must be submitted in bound volumes on 8-1/2 inch by 11 inch sized paper with each category of information requested above clearly labeled.

(4) No change.

Rulemaking Specific Authority 373.441(1) FS. Law Implemented 373.441 FS. History-New 8-29-95, Amended _____.

62-344.500 Criteria for Review.

(1) The environmental resource permit program requested by the local government shall be delegated only if the ~~Department reviewing agency~~ determines that delegation would further the goal of providing an efficient, effective and streamlined permitting system; the local government has the financial, technical, and administrative capabilities ~~and desire~~ to effectively and efficiently implement and enforce the program; and protection of environmental resources will be maintained. This determination shall be made using the provisions of subsections 62-344.500(2) through (6), F.A.C.

(2) In determining whether delegation would further the goal of providing an efficient, effective and streamlined permitting system as required by subsection 62-344.500(1), F.A.C., ~~the Department reviewing agency, and the Department pursuant to the provisions of subsection 62-344.300(7), F.A.C., when applicable,~~ shall determine all of the following:

(a) through (d) No change.

(e) For petitions requesting delegation of environmental resource permitting responsibility for hazardous waste facilities required to obtain a permit pursuant to Chapter 62-730, F.A.C., except when the storage of hazardous waste is merely an incidental component of a project for which the Department does not review and take final action on permit applications under the terms of the Operating Agreement Delegation Agreements between the Department and the applicable District Suwannee River, St. Johns River, Southwest Florida, and South Florida Water Management Districts which are referenced in subsection 62-344.100(1), F.A.C., whether the local government has received delegation of corresponding hazardous waste permitting responsibilities or will receive delegation of corresponding hazardous waste permitting responsibilities at the time of delegation.

(f) For petitions requesting delegation of environmental resource permitting responsibility for domestic wastewater treatment facilities, including effluent disposal sites, whether the local government has received delegation of corresponding domestic wastewater permitting responsibilities or will receive delegation of corresponding domestic wastewater permitting responsibilities, ~~except for:~~

~~1. That part of a facility which constitutes the application of reclaimed water to irrigate crops, golf courses, or other landscapes;~~

~~2. That part of a facility which constitutes the application of reclaimed water to rehydrate wetlands or to provide artificial recharge to reduce or mitigate drawdown impacts due to well withdrawals; and~~

~~3. Those facilities which address any of the requirements of Chapter 40B-4, 40C-4, 40D-4, 40E-4, 40B-40, 40C-40, 40D-40, or 40E-40, F.A.C., through a system or activity which is not fully contained on the domestic wastewater facility site;~~

~~but which is part of a larger project for which the Department does not review and take final action on environmental resource permit applications.~~

(g) For petitions requesting delegation of environmental resource permitting responsibility for industrial wastewater treatment facilities required to obtain a permit pursuant to Chapter 62-660 or 62-670, F.A.C., except those facilities that qualify for a general permit pursuant to Rules 62-660.801 (Laundromat Wastewater Disposal Systems), 62-660.802 (Pesticide Waste Degradation Systems), 62-660.803 (Car Wash Recycle Systems), 62-660.805 (Tomato Wash Water Disposal), or 62-660.820 (Fish Farms), F.A.C., whether the local government has received delegation of corresponding industrial wastewater treatment permitting responsibilities, or will receive delegation of corresponding industrial wastewater treatment permitting responsibilities, ~~except for:~~

~~1. Those facilities in which the industrial wastewater component is merely an HVAC (heating, ventilation, and air conditioning) cooling tower discharge, or other industrial wastewater treatment facility which is merely an incidental component of a project for which the Department does not review and take final action on permit applications under any other paragraph in subsection 62-344.100(4), F.A.C.;~~

~~2. That part of a facility which constitutes the application of treated industrial wastewater to irrigate crops or landscapes; or~~

~~3. Freshwater aquaculture facilities in which alligators are not grown or held.~~

(h) For petitions requesting delegation of environmental resource permitting responsibility for mining projects, ~~including phosphate, heavy minerals, fuller's earth, peat, limerock, sand, gravel, and shell, except for permit applications for borrow pits which have no on-site material grading or sorting facilities;~~ whether the local government has received delegation of corresponding mine reclamation approval responsibilities or will receive delegation of corresponding mine reclamation approval responsibilities at the time of delegation.

(i) Whether the delegation would impair the effective operation of any regulatory, resource planning, land management or land acquisition program which the Department or District is authorized or required to administer.

(3) To ensure that ~~determine whether~~ the local government has the financial, technical, and administrative capabilities ~~and desire~~ to effectively and efficiently implement and enforce the portion of the environmental resource permit program for which delegation is requested, and whether protection of environmental resources will be maintained, as required by subsection 62-344.500(1), F.A.C., the local government shall provide reasonable assurances that:

(a) Adopt verbatim the rules of the Department, and District as applicable, that will be used to implement the requested delegation. Such rules may be adopted either within

the body of the local government's controlling regulations or by incorporating those rules by reference within their regulations. For delegations under subparagraph 62-344.400(1)(d)1., F.A.C., the environmental resource permit program for which delegation is requested shall be governed by Part IV, Chapter 373, F.S., and the applicable rules of the reviewing agency. For delegations under subparagraph 62-344.400(1)(d)2., F.A.C., the environmental permitting program for which delegation is requested will be governed by local standards and rules which, at a minimum, incorporate directly or by reference, the relevant portions of the reviewing agency's environmental resource permit program rules. Under a delegation of either subparagraph 62-344.400(1)(d)1. or 2., F.A.C., Stricter ~~stricter~~ standards of the local government, if any, shall also apply in addition to the applicable environmental resource permit program rules of the reviewing agency, as provided for in Rule 62-344.600, F.A.C. Delegated local governments shall not apply local standards that are less protective than the corresponding standards in the environmental resource permit program of the Department and District reviewing agency.

(b) ~~For delegations under subparagraph 62-344.400(1)(d)1., F.A.C., the delegated environmental resource permit program shall~~ Be ~~be~~ governed by the provisions of Sections 120.52, 120.53, 120.532, 120.533, 120.565, 120.57, 120.58, 120.59, 120.60, 120.61, 120.62, 120.66, 120.68, 120.69, 120.71, 373.114(1), and 373.413(3), F.S., and any notice or other procedural requirements that apply to activities reviewed under Part IV, Chapter 373, F.S. ~~For delegations under subparagraph 62-344.400(1)(d)2., F.A.C., the local government shall use procedural requirements that are substantially equivalent, as determined by the reviewing agency, to the provisions of Chapters 120 and 373, F.S., cited above.~~

(c) Have and maintain ~~It will have~~ administrative organization, adequate staff, financial and technical resources, and equipment to effectively and efficiently implement the requested portion of the environmental resource permit program.

(d) Have and maintain ~~It will have~~ sufficient equipment and procedures to effectively and efficiently track permit, compliance, and enforcement data, exchange such data with the Department and District, as applicable reviewing agency, to enable and ensure effective oversight by the Department reviewing agency. At a minimum, the local government shall either utilize the existing telecommunications systems of the Department and District, as applicable, reviewing agency to enter data directly into the existing tracking system of the Department and District, as applicable reviewing agency, or the local government shall use an alternate data exchange procedure using a standardized format developed and agreed upon by the Department and District, as applicable reviewing agency.

(e) Operate ~~Where applicable, it will operate~~ in accordance with the quality assurance rule of plan approved by the Department, under Chapter 62-160, F.A.C.

(f) Establish ~~It will establish~~ procedures by which the local government shall not deem an application for an environmental resource permit complete until the permit applicant has documented that the proposed activity is consistent with the land use designation or classification contained in the local government's approved future land use map. ~~This documentation can be provided through the use of form number 62-344.900(1), F.A.C., completed by the appropriate local governmental entity with authority to determine compliance with land use designations or classifications, or through the use of an alternate mechanism that provides the same documentation.~~

(4) ~~A local government can provide for administrative organization, staff, equipment, and technical resources comparable to the Department or District for the portion of the environmental resource permit program requested, to meet the requirements of paragraphs 62-344.500(3)(e), and (d), F.A.C.~~

(4)(5) The Department reviewing agency shall not delegate the environmental resource program for the following activities:-

(a) through (c) No change.

(d) Activities proposed by the Florida Department of Transportation, inland navigation districts as established and authorized by Chapters 12026 (1927), 14723 (1931), 23370 (1947) and 65-900, Laws of Florida, and Chapter 374, F.S., or occurring within the deepwater ports listed in Section 403.061(26)(b), F.S.

(e) through (f) No change.

(g) Electrical distribution and transmission lines and other facilities related to the production, transmission and distribution of electricity that which do not require certification under Sections 403.501 403-52 through 403.539 403-5365, F.S. This shall not preclude the delegation of review and agency action on electrical distribution lines that are serving and located within a larger plan of development for which review and agency action is otherwise delegated to the local government.

(h) Natural gas or petroleum exploration, production, transmission, or distribution activities, including pipelines, associated facilities, and product pipelines, except those natural gas distribution lines serving and located within a larger plan of development for which review and agency action is otherwise delegated to the local government.

(i) No change.

(5)(6) Notwithstanding the provisions of subsection 62-344.500(5), F.A.C., the Department reviewing agency may delegate to a local government the responsibility and authority to: perform formal determinations of wetlands and surface waters; perform compliance inspections and monitoring for activities subject to regulation under Part IV of Chapter 373,

F.S.; and enforce orders and rules, including environmental resource permits issued or adopted by the Department or District reviewing agency pursuant to the authority of Part IV of Chapter 373, F.S., ~~on or after the effective date of the rules adopted pursuant to subsection 373.414(9), F.S., for the activities listed in paragraphs 62-344.500(5)(d) and (e), F.A.C.~~

~~(6)(7)~~ Department approval of a local government pursuant to Section 403.182, F.S., shall not constitute authorization to, or be used to determine whether a local government can, receive delegation under this chapter, or Section Sections 373.441 or 373.103(8), F.S.

Rulemaking Specific Authority 373.441(1) FS. Law Implemented 373.441 FS. History–New 8-29-95, Amended _____.

62-344.600 Procedures for Identifying and Reconciling Duplicative Permitting and Incorporating Incorporation of Stricter Local Standards.

If the Department reviewing agency determines to delegate all or a portion of the environmental resource permit program to a local government ~~under subparagraph 62-344.400(1)(d)1., F.A.C.~~, the following procedures shall be followed to identify and reconcile duplicative permitting and incorporate stricter local standards.:

(1) The Department reviewing agency shall determine, with assistance from the local government, which local standards are stricter than, or conflicting with, the Department’s and District’s reviewing agency’s environmental resource permit program rules. The Department reviewing agency shall determine which of these stricter standards are conflicting standards. The local government may continue to use stricter standards that ~~Stricter standards which~~ are not conflicting standards ~~shall be incorporated into the local government’s delegated environmental resource permit program.~~

(2) Any person applying for an environmental resource permit from the local government pursuant to the delegated environmental resource permit program, must meet the permitting criteria of the ~~reviewing agency’s~~ environmental resource permit program rules and the local stricter standards to receive an environmental resource permit.

(3) The local government shall act on the application or notice under Part IV of Chapter 373, F.S., and its stricter standards within the time frames requiring agency action under Chapter 120, F.S., Part IV of Chapter 373, F.S., and the rules adopted thereunder, as applicable.

~~(4)(3)~~ A local government ~~that~~ which receives delegation of all or a portion of the environmental resource permit program shall not require an applicant to obtain a any corresponding separate local permit for those activities which ~~require an environmental resource permit under the delegated environmental resource permit program~~ during the period the delegation is in effect, ~~except. However,~~ when any of the following exist:

(a) A decision on the local permit cannot be made within the timeframes required for issuance or denial of the delegated environmental resource permit under Chapter 120, F.S.;

~~(b) The the~~ local government otherwise would have required a permit for an activity that does not require a permit under Part IV of Chapter 373, F.S.; ~~or the environmental resource permit program rules of the reviewing agency adopted thereunder, the delegated local government may require, as a stricter standard, an individual permit under the delegated environmental resource permit program for those activities which do not require a permit or~~

(c) The local government requires an individually-issued separate local permit for an activity that is otherwise which are authorized by a noticed general permit under the rules of the Department or District reviewing agency.

Rulemaking Specific Authority 373.441(1) FS. Law Implemented 373.441 FS. History–New 8-29-95, Amended _____.

62-344.700 Delegation Agreements.

(1) No change.

(2) At a minimum, delegation agreements shall contain all of the following information:

(a) The geographic area in which the delegated portion of the environmental resource permit program is effective, and any area within the local government’s jurisdiction in which the Department or District reviewing agency retains, or another local government has been delegated, environmental resource permitting responsibilities.

(b) The relative regulatory responsibilities of the Department, District, reviewing agency and the local government.

(c) No change.

(d) A description of the data reporting requirements from the local government to the Department, and District if applicable reviewing agency.

(e) No change.

(f) A description of staff training programs the local government will undertake. At a minimum, the local government shall participate in training programs mandated by the Department and District reviewing agency.

(g) through (j) No change.

(k) Provisions for the Department’s reviewing agency’s oversight.

(l) Provisions for the deposition of all monetary penalties and damages recovered by a local government as a result of the local government’s enforcement of the delegated portion of the environmental resource permit program into the Ecosystem Management and Restoration Water Management Lands Trust Fund pursuant to paragraph 373.129(5)(a), F.S., or a local water pollution control program trust fund, which fund shall be used to fund surface water improvement or pollution control activities, pursuant to subsection 373.430(7), F.S.

(m) Provisions detailing how by which the local governments will use or adopt; the rules of the Department or the District with jurisdiction over the territory covered by the proposed delegation that which are applicable to the delegated portion of the environmental resource permit program.

(n) Provisions detailing how by which a delegated local government will comply with Rule 62-344.600, F.A.C.

(o) Provisions for establishing procedures requiring local governments to not issue an environmental resource permit until the permit applicant has documented that the proposed activity is consistent with the future land use element of the local comprehensive plan in the area where the proposed activity will take place using the procedures specified in paragraph 62-344.500(3)(f) 62-344.500(3)(g), F.A.C.

(p) Provisions by which the local government will assume the enforcement lead role for violations of the delegated environmental resource permit program, and by which the local government will coordinate with the Department or District if applicable, reviewing agency on enforcement matters. Such provision shall provide that the Department or District reviewing agency will not file a separate enforcement action when the local government has resolved a violation under its delegated authority through a final order or judgement. However, the Department and District reviewing agency shall retain the right to become a party to an enforcement action when requested by the local government, and the right to initiate enforcement action when a delegated local government is not resolving violations in a timely or appropriate manner as prescribed in the delegation agreement. In such cases, a joint or consolidated enforcement action will be considered as a preferred alternative to a unilateral enforcement action by the Department or District reviewing agency.

(q) No change.

Rulemaking Specific Authority 373.441(1) FS. Law Implemented 373.441 FS. History-New 8-29-95, Amended _____.

62-344.900 Forms.

(1) The following form is hereby adopted and incorporated by reference. The form is listed by rule number, which is also the form number, and with the subject title and effective date. A copy of the form can be obtained by contacting the Department of Environmental Protection, Bureau of Submerged Lands and Environmental Resources, M.S. 2505, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400 or an office of a water management district.

(2) Verification of Comprehensive Plan Land Use Designation Consistency, Form 62-344.900(1), F.A.C.

Rulemaking Specific Authority 373.441(1) FS. Law Implemented 373.441 FS. History-New 8-29-95, Repealed _____.

Form # 62-344.900(1)
Form Title: Verification of Comprehensive Plan Consistency
Effective Date: August 29, 1995
VERIFICATION OF COMPREHENSIVE PLAN LAND USE DESIGNATION CONSISTENCY _____, hereby provides (Branch of Local Government Responsible for Comprehensive Plan Review) notification that the development proposal, submitted to the _____, (Branch of Local Government Responsible for ERP Review) known as _____ and being proposed by _____ (Project Name) _____, which is located in Section _____ (Applicant) _____, Township _____, Range _____, and which consists of _____ acres has been reviewed by the local government entity responsible for evaluating consistency with the land use designation or classification contained in the local government's approved future land use map. After such review, all necessary final action has been taken by the governmental entity to determine, and such determination has been made, that the proposed activity complies with the land use designation or classification contained in the local government's approved future land use map as of the date below. The execution of this form by the local government does not constitute approval under the local government comprehensive plan.

Name and Title of Officer or Employee of Local Government Authorized to Execute Notification

Signature of above Officer or Employee

Date
NAME OF PERSON ORIGINATING PROPOSED RULE:
Mark Thomasson, Director, Division of Water Resource Management
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 13, 2011
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 23, 2010

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: 64B5-2.0144
 RULE TITLE: Licensure Requirements for Dental Hygiene Applicants from Unaccredited Dental Schools or Colleges

PURPOSE AND EFFECT: The Board proposes the rule amendment to incorporate by reference form DH-MQA 1253, and to delete and add language to update the rule to comply with the current dental hygiene examination being administered and accepted.

SUMMARY: The proposed changes will incorporate by reference form DH-MQA 1253, and delete and add language to update the rule to comply with the current dental hygiene examination being administered and accepted.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST:

During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary and that these rule amendments will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time. The Board has determined that this will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule.

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

RULEMAKING AUTHORITY: 456.067, 466.004, 466.007 FS.

LAW IMPLEMENTED: 466.007 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susan Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-2.0144 Licensure Requirements for Dental Hygiene Applicants from Unaccredited Dental Schools or Colleges.

Applicants for licensure as dental hygienists who have graduated from an unaccredited dental school or college may seek licensure in the following manner shall submit the following:

(1) ~~Submit the following at least 60 days prior to the examination:~~ A completed credentials application, Application for Credentials Review for Graduates of Non-Accredited Dental Schools or Colleges, Form DH-MQA 1253, 10/11, Dental Hygiene Application, Form DH-MQA 1210 (Rev. 10/09), and incorporated herein by reference. Application for Credentials Review for Graduates of Non-Accredited Dental Schools or Colleges, Form DH-MQA 1253, 10/11 Dental Hygiene Application, Form DH-MQA 1210 (Rev. 10/09), can be obtained at the Board of Dentistry website at <http://www.doh.state.fl.us/mqa/dentistry>.

(2) ~~An initial credential evaluation is not an approval for licensure; rather, the applicant must comply with all provisions of Chapter 466, Florida Statutes. The application fees specified in Rule 64B5-15.002, F.A.C.;~~

(3) through (9) No change.

(10)(a) The Applicants applying for licensure under Section 466.007(2)(b)2., F.S., whose applications do not indicate they have obtained Dental Hygiene clinical education to the level of the clinical experience required by an American Dental Association (ADA) accredited Dental Hygiene program in the areas set forth in paragraph (10)(b) below, who have failed the initial examination, shall be required to obtain remedial coursework in those designated areas that the applicant has not successfully completed that would meet the ADA clinical requirements at an ADA accredited dental or dental hygiene school, before being permitted to re-take the dental hygiene examination. Such additional coursework shall be obtained from a program accredited by the ADA, only after the applicant satisfies and the Board approves the education and testing requirements of subsections (3) through (9) above. Such additional coursework must be obtained by the applicant and approved by the Board prior to the applicant being allowed to sit for the ~~Florida~~ Dental Hygiene examination.

(b) No change.

(c) The additional coursework required by paragraphs (10)(a) and (10)(b) of this rule must be obtained and approved by the Board prior to the applicant being allowed to sit for the ~~Florida~~ Dental Hygiene examination.

(11) Upon approval of the credentials, the applicant shall apply for licensure in the following manner:

(a) Successfully complete the Florida practical or clinical examination developed by the American Board of Dental Examiners, Inc., (ADEX), as specified in rule 64B5-2.0135, F.A.C., through the North East Regional Board of Dental Examiners, Inc. (NERB); and

(b) Submit a complete application, Dental Hygiene Application, Form DH-MQA 1210 (Rev. 10/11), incorporated herein by reference. Dental Hygiene Application, Form DH-MQA 1210 (Rev. 10/11), is available at the Board of Dentistry website at <http://www.doh.state.fl.us/mqa/dentistry>. An applicant is eligible for licensure upon receipt of a completed application, passing scores from the ADEX dental

hygiene examination, the National Board Dental Hygiene or National Board Dental Examination, and successful completion of the written laws and rules of Florida regulating the practice of dentistry and dental hygiene. Applicants must comply with all time requirements for passing the examinations as specified in Rule 64B5-2.0135, F.A.C.

Rulemaking Authority 466.004, 466.007, 456.067 FS. Law Implemented 466.007 FS. History--New 1-18-95, Formerly 59Q-2.0144, Amended 8-19-97, 8-20-97, 5-20-01, 12-21-06, 5-8-08, 4-26-10, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Council of Dental Hygiene
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Dentistry
DATES PROPOSED RULE APPROVED BY AGENCY HEAD: October 17, 2011 and October 28, 2011
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 2, 2011

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: 64B5-2.0148
RULE TITLE: Credentials Requirements for Applicants from Non-Accredited Schools or Colleges, Whose Records Are Unavailable

PURPOSE AND EFFECT: The Board proposes the rule amendment to delete that the National Board must be completed within 10 years and to delete the time frame in which the applicant's credentials must be submitted before the exam to comply with legislative changes made to Chapter 466, F.S.

SUMMARY: The proposed changes will implement changes made to Chapter 466, Florida Statutes during the 2011 legislative session.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST:

During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary and that these rule amendments will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time. The Board has determined that this will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule.

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

RULEMAKING AUTHORITY: 466.004(4) FS.

LAW IMPLEMENTED: 466.006 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susan Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-2.0148 Credentials Requirements for Applicants from Non-Accredited Schools or Colleges, Whose Records Are Unavailable.

Any person who seeks licensure as a dentist but is unable to supply proper educational credentials due to the political conditions of the country in which the education was received shall submit any and all documents which would tend to support the applicant's claim of proper credentials and shall submit ~~at least 60 days~~ prior to the examination:

(1) Proof received directly from the American Dental Association, that the National Board of Dental Examiners Written Examination has been successfully completed ~~within 10 years and~~ in no more than three attempts to successfully complete it, prior to application.

(2) through (5) No change.

Rulemaking Specific Authority 466.004(4) FS. Law Implemented 466.006 FS. History--New 11-16-89, Amended 10-18-90, Formerly 21G-2.0148, 61F5-2.0148, 59Q-2.0148, Amended 7-29-97, 12-26-06, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Dentistry

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Dentistry

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 28, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 2, 2011

DEPARTMENT OF HEALTH

Board of Occupational Therapy

RULE NO.: 64B11-2.003
RULE TITLE: Fees; Application

PURPOSE AND EFFECT: The Board proposes the rule amendment to notify applicants of the new website to apply online for licensure at www.flhealthsource.com.

SUMMARY: The rule amendment will notify applicants of the new online website for applicants to apply online for licensure. 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: During discussion of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary. No person or interested party submitted additional information regarding the economic impact at that time. The Board has determined that this will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule. These rule amendment will not require ratification by the Legislature.

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: 456.013, 468.221, 468.204 FS.

LAW IMPLEMENTED: 468.209(1), 468.221 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allen Hall, Executive Director, Board of Occupational Therapy/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B11-2.003 Fees; Application.

Each applicant for licensure shall pay an application fee in the amount of \$100.00 in the form of a check or money order payable to the Department of Health. This application fee is nonrefundable and may not be used for more than one year from the original submission of the application. After one year from the date of the original submission of an application, a new application and new fee shall be required from any applicant who desires to be considered for licensure. The fee for any reapplication shall be the sum of \$100.00 payable in the same manner as above. The application shall be made on Form Occupational Therapy Application, DH-MQA 1152

(revised ~~10-10 08-09~~), hereby adopted and incorporated by reference, and can be obtained from the Board of Occupational Therapy's website at <http://www.doh.state.fl.us/mqa/occupational/> or you may qualify to apply through the on-line application located at <https://ww2.doh.state.fl.us/DOHInitialApp/login.aspx>.

Rulemaking Authority 456.013, 468.221, 468.204 FS. Law Implemented 468.209(1), 468.221 FS. History--New 4-28-76, Amended 9-9-85, Formerly 21M-13.07, Amended 6-29-89, Formerly 21M-13.007, 61F6-13.007, 59R-61.007, Amended 1-12-09, 5-19-10, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Occupational Therapy

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Occupational Therapy

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 11, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 23, 2011

DEPARTMENT OF HEALTH

Board of Occupational Therapy

RULE NO.: RULE TITLE:

64B11-3.001 Fees; Application

PURPOSE AND EFFECT: The Board proposes the rule amendment to notify applicants of the new website to apply online for licensure at www.flhealthsource.com.

SUMMARY: The rule amendment will notify applicants of the new online website for applicants to apply online for licensure. 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: During discussion of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary. No person or interested party submitted additional information regarding the economic impact at that time. The Board has determined that this will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule. These rule amendment will not require ratification by the Legislature.

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: 456.013, 468.221, 468.204 FS.

LAW IMPLEMENTED: 468.221, 468.209(1) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allen Hall, Executive Director, Board of Occupational Therapy/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B11-3.001 Fees; Application.

Each applicant for licensure shall pay an application fee in the amount of \$100.00 in the form of a check or money order payable to the Department of Health. The application fee is nonrefundable and may not be used for more than one year from the original submission of the application. After one year from the date of the original submission of an application, a new application and new fee shall be required from any applicant who desires to be considered for licensure. The fee for any reapplication shall be the sum of \$100.00 payable in the same manner as above. The application shall be made on Form Occupational Therapy Application, DH-MQA 1152 (revised ~~10-10 08-09~~), hereby adopted and incorporated by reference, and can be obtained from the Board of Occupational Therapy's website at <http://www.doh.state.fl.us/mqa/occupational/> or you may qualify to apply through the on-line application located at <https://ww2.doh.state.fl.us/DOHInitialApp/login.aspx>.

Rulemaking Authority 456.013, 468.221, 468.204 FS. Law Implemented 468.221, 468.209(1) FS. History--New 4-28-76, Amended 9-9-85, Formerly 21M-14.06, Amended 6-29-89, Formerly 21M-14.006, 61F6-14.006, 59R-62.006, Amended 1-12-09, 5-19-10, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Occupational Therapy

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Occupational Therapy

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 11, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 23, 2011

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NO.: 64E-28.006 RULE TITLE: Education Course Requirements

PURPOSE AND EFFECT: The purpose of the proposed rule is to implement the educational course requirements for tattoo artists as specified in section 381.00775, F.S., which passed during the 2010 Legislative Session.

SUMMARY: This rule addresses the requirements for educational course approval and curriculum content.

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: This proposed rulemaking will not have an adverse impact or effect regulatory costs in excess of \$1 million within five years as established in Section 120.541(2)(a)1.2. and 3., F.S.

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: 381.006, FS, 381.00789 FS.

LAW IMPLEMENTED: 381.00775 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: January 23, 2012, 1:00 p.m.

PLACE: Division of Environmental Health, Capital Circle Office Complex, 4042 Bald Cypress Way, Room 225Q, Tallahassee, FL

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 72 hours before the workshop/meeting by contacting: Laura Wehunt, Bureau of Community Environmental Public Health, 4052 Bald Cypress Way, Bin #A08, Tallahassee, Florida 32399-1710. 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: Gina Vallone-Hood, Environmental Manager, Bureau of Community Environmental Health, 4052 Bald Cypress Way, Bin #A08, Tallahassee, Florida 32399-1710

THE FULL TEXT OF THE PROPOSED RULE IS:

64E-28.006 Education Course Requirements.

(1) Effective January 1, 2012, all educational courses per subparagraph 381.00775(2)(b)4., F.S., shall be approved by the department. Any person seeking approval of an education course shall submit a request for determination of compliance with the requirements of this rule to the Department of Health, Bureau of Community Environmental Health, 4052 Bald Cypress Way, Bin #A08, Tallahassee, FL 32399. All requests for course approval shall be handled in accordance with Section 120.60, F.S. Requests for course approval shall include submission of the following documentation:

(a) A copy of the credentials of trainers and persons compiling the curriculum.

(b) A copy of the curriculum.

(c) Copies of training materials.

(d) A copy of the test to be given.

(e) A copy of the answers to the test questions.

(f) A copy of the certificate of training to be issued.

(2) The course shall meet the following criteria:

(a) Utilize a classroom-based or internet-based delivery method.

(b) Be specific to the tattoo industry.

(c) Be a minimum of three (3) hours in length, excluding the examination.

(d) Include an opportunity for interactive questions and answers with the person conducting the training.

(e) Include, at a minimum, education and training on blood-borne pathogens, such as human immunodeficiency virus and hepatitis A, B, and C, and communicable diseases, such as *Staphylococcus aureus* including methicillin-resistant *Staphylococcus aureus*, tuberculosis, impetigo, scabies, ringworm, molluscum contagiosum, herpes simplex, and herpes zoster, and the prevention of such transmission. This information shall include:

1. Identification of the disease;

2. Identification of the infectious agent;

3. Mode of transmission;

4. Incubation period;

5. Period of communicability; and

6. Prevention of transmission in a tattoo setting.

(f) Be followed by a written examination covering the materials in the course. The examination shall contain a minimum of fifty (50) questions with a passing score of at least seventy percent (70%).

(g) Ensure identity verification and validation for each student taking the internet or classroom course and test.

(3) In addition to that specified in paragraphs (2)(b)-(g) above, internet-based courses shall meet the following criteria:

(a) Each course section shall have a minimum time to finish that section before it is possible to move on to the next section.

(b) Identity verification and validation shall occur prior to the initiation of the internet course, using an identity verifying technology that seeks verification using credit bureau contacts. Following initial identity verification, validation shall occur at least every hour during the course and prior to completing the test.

(c) The course shall automatically terminate when a student fails to answer an identity validation question during a 60-second response time period or a student provides more than one incorrect answer to a validation question. Upon termination, a one-hour waiting period is required before the student is allowed to register again.

(d) At a minimum, the course provider shall include on the internet registration form, initial blocks in which the student indicates agreement with the following information:

1. That the student who registers for the course is the person taking the course.

2. That the student will be asked time-limited identity validation questions during the internet course. The validation questions will ask the student questions about themselves based on information provided by them and obtained through credit bureaus. Failure by a student to answer an identity validation question during a 60-second response time period or a student providing more than one incorrect answer to an identity validation question will cause the course to automatically terminate. Upon termination, a 1-hour waiting period is required before the student is allowed to register again.

(e) A student shall be prevented from proceeding with the internet course should they fail to indicate agreement with each stipulation listed in paragraph (d) above.

(f) A subject matter expert representing the course provider shall be available by telephone or via electronic means during normal business hours to assist students.

(4) In order to ensure that the requirements of this section are met, the department may annually register and take the course, as any interested student would. In order to allow such inspection, the course provider shall reimburse the department the cost of the course.

(5) The course provider shall notify the department in writing within 30 days of determining that a student has attempted or acquired certification by committing fraud, deceit, false statements, or perjury. When this is determined, the course provider shall revoke the certificate.

(6) Any reference to department approval shall state no more than: "This course is approved by the Florida Department of Health for tattoo artist licensure under Section 381.0775, Florida Statutes, and Chapter 64E-28, Florida Administrative Code."

(7) Course approval is not transferrable from person to person.

Rulemaking Authority 381.00789 FS. Law Implemented 381.00775 FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Gina Vallone-Hood, Bureau of Community Environmental Health

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: H. Frank Farmer, Jr., M.D., Ph.D., FACP
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 19, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 2, 2011

DEPARTMENT OF HEALTH

Office of Statewide Research

RULE NO.: 64H-2.001 RULE TITLE: Institutional Review Board
PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: Rule 64H-2.001, F.A.C., was identified during the comprehensive rule review as containing requirements that are unnecessary based on statutory language, and thus appropriate for repeal. There are no other rules incorporating this rule.

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 department does not anticipate the need for ratification as the repeal of this rule will not have the adverse impact or regulatory costs established in Section 120.541(2)(a), F.S.

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: 381.86 FS.

LAW IMPLEMENTED: 381.86 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Meghan Kennedy, Institutional Review Board Administrator, 4052 Bald Cypress Way, Bin #A-24, Tallahassee, Florida 32399-1708, Telephone: (850)245-4610

THE FULL TEXT OF THE PROPOSED RULE IS:

64H-2.001 Institutional Review Board.

Rulemaking Specific Authority 381.86 FS. Law Implemented 381.86(1) FS. History--New 1-24-06, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Meghan Kennedy, Institutional Review Board Administrator

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: H. Frank Farmer, Jr., M.D., Ph.D., F.A.C.P., State Surgeon General

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 13, 2011

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NO.: 65A-4.221 RULE TITLE: Drug Testing for Temporary Cash Assistance Applicants

PURPOSE AND EFFECT: The proposed new rule implements drug testing under Section 414.0652, F.S., in the Temporary Cash Assistance (TCA) Program. The Department will notify individuals subject to drug testing, who test positive, of licensed substance abuse treatment providers available in their area to facilitate treatment for substance abuse. Positive drug test results will not be shared with the Florida Abuse Hotline or law enforcement entities.

SUMMARY: The proposed new rule implements drug testing in the Temporary Cash Assistance Program.

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 Department considered the factors in Section 120.541, F.S. The proposed rule is not expected to exceed the criteria in paragraph 120.541(2)(a), F.S., therefore, legislative ratification is not required under subsection 120.541(3), F.S.

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: 414.0652, 414.45 FS.

LAW IMPLEMENTED: 414.0652 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Cindy Keil, ACCESS Florida Program Policy, 1317 Winewood Boulevard, Building 3, Tallahassee, Florida 32399-0700, cindy_keil@dcf.state.fl.us, (850)717-4113

THE FULL TEXT OF THE PROPOSED RULE IS:

65A-4.221 Drug Testing for Temporary Cash Assistance Applicants

An individual subject to drug testing under Section 414.0652, F.S., who tests positive for controlled substances on a drug test required by such law, will be notified by the Department of a list of licensed substance abuse treatment providers available in the area in which the individual resides. The substance abuse treatment provider must meet the requirements of Section 397.401, F.S., and be licensed by the Department. Positive drug test results obtained by the Department pursuant to Section 414.0652, F.S., will not be reported to the Florida Abuse Hotline or to law enforcement entities or officers.

Rulemaking Authority 414.0652, 414.45 FS. Law Implemented 414.06 FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jeri Flora

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: David E. Wilkins

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 27, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 10, 2011

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-4.002
RULE TITLE: Take of Wildlife and Freshwater Fish with a Gun at Night; Exceptions

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to revise prohibitions relating to hunting at night. The effect of the proposed rule amendment will be to enable the agency to better manage fish and wildlife resources.

SUMMARY: The proposed rule amendment would revise prohibitions relating to hunting at night to clearly prohibit the take of wildlife or freshwater fish at night, except when specifically authorized by Commission rule or permit, and on privately owned lands, allow the landowner or designee to take wild hog, coyote and non-protected mammals with a gun and light.

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, TIME AND PLACE SHOWN BELOW:

DATES AND TIME: During the regular meeting of the Commission, February 8-9, 2012, 8:30 a.m. – 5:00 p.m., each day.

PLACE: Florida Public Safety Institute, 215 Academy Drive, Havana, FL 32333

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-4.002 Take of Wildlife and Freshwater Fish with a Possession of Gun at Night: Exceptions While Using a Light Prohibited.

~~(1) Except when Commission rule or permit specifically authorizes take of wildlife or freshwater fish with a gun during non-daylight hours and except to the extent allowed by subsection (2) below, the take of wildlife or freshwater fish with a gun between one-half hour after sunset and one-half hour before sunrise is prohibited while engaging in activities provided for in Rules 68A-9.012, 68A-23.002, 68A-24.002, 68A-25.003, 68A-25.032, and 68A-25.042, F.A.C., the displaying or use of a light at night in a place where wildlife or freshwater fish might be found and in a manner capable of disclosing the presence of wildlife or freshwater fish, together with the possession of a gun by one or more persons then and there in the presence of each other is prohibited.~~

~~(2) On privately owned lands, the land owner or designee may take wild hog, coyote, and non-protected mammals with a gun and light during non-daylight hours. The possession of a gun by one or more persons then and there in the presence of each other while displaying or using a light at night shall constitute prima facie evidence of possession by such persons for the purpose of taking wildlife or freshwater fish in violation of this section.~~

~~(3) Notwithstanding the provisions above, a person in possession of a valid Concealed Weapon or Firearm License may possess concealed handguns under the provisions of Section 790.06, F.S., unless preempted pursuant to state or federal law. This shall not be construed to allow the use of handguns as a legal method of take unless specifically provided for in rule.~~

PROPOSED EFFECTIVE DATE: AS SOON AS POSSIBLE FOLLOWING COMMISSION ACTION

Rulemaking Authority Art. IV, Sec. 9, Fla. Const., 379.1025 FS. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.3015, 379.404(2) FS. History—New 8-1-79, Amended 6-21-82, Formerly 39-4.02, 39-4.002, Amended 4-3-08, 7-27-10, _____.

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.W.

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 17, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 22, 2011

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-4.008
 RULE TITLE: Taking Wildlife on Roads and Rights-of-Way Prohibited

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to remove unnecessary language which prohibits the display of a gun on federal, state or county-maintained roads. The effect of the proposed rule amendment will be to enable the agency to better manage fish and wildlife resources.

SUMMARY: The proposed rule amendment would remove language prohibiting the display of a gun on federal, state or county maintained roads.

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; 379.1025 FS.

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

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

DATES AND TIME: During the regular meeting of the Commission, February 8-9, 2012, 8:30 a.m. – 5:00 p.m., each day.

PLACE: Florida Public Safety Institute, 215 Academy Drive, Havana, FL 32333

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-4.008 Taking Wildlife on Roads and Rights-of-Way Prohibited.

(1) No change.

~~(2) The display or use of a gun on, or upon the right-of-way of any federal, state or county-maintained road in a manner capable of taking wildlife is prohibited.~~

(3) through (4) renumbered (2) through (3) No change.

PROPOSED EFFECTIVE DATE: AS SOON AS POSSIBLE FOLLOWING COMMISSION ACTION.

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const., 379.1025 FS. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 7-1-83, Formerly 39-4.08, Amended 6-11-87, 6-7-88, 6-15-89, Formerly 39-4.008, Amended 5-1-03,_____.

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.W.

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 17, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 22, 2011

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.:	RULE TITLE:
68A-9.004	Permits for Hunting or Other Recreational Use on Wildlife Management Areas

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to revise the cost of Recreational Use Permits (RUPs) for Twelve Mile Swamp Wildlife Management Area (WMA). The proposed rule amendment will increase the cost per permit from \$525 to \$625.

SUMMARY: The proposed rule amendment would increase the cost of Recreational Use Permits for Twelve Mile Swamp WMA from \$525 to \$625 per permit.

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; 379.354 FS.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution; 379.1025, 379.2223, 375.313, 375.591 FS.

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

DATES AND TIME: During the regular meeting of the Commission, February 8-9, 2012, 8:30 a.m. – 5:00 p.m., each day.

PLACE: Florida Public Safety Institute, 215 Academy Drive, Havana, FL 32333

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-9.004 Permits for Hunting or Other Recreational Use on Wildlife Management Areas.

(1) In addition to other licenses, permits and stamps required by law, stamp requirements for hunting, camping, fishing, or other recreational uses on lands owned, leased or managed by the Commission or the State of Florida for the use and benefit of the Commission shall be as provided by Sections 379.354(8)(g) and (h), F.S.

(a) No change.

(b) The cost of recreational user permits as required for hunting on the following privately owned wildlife management areas as provided by Section 379.354(8)(h)1., F.S., shall be:

- 1. through 2. No change.
- 3. Twelve Mile Swamp – ~~\$625~~ ~~\$525~~
- 4. through 6. No change.

(c) through (f) No change.

(2) No change.

PROPOSED EFFECTIVE DATE: April 1, 2012.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const., 379.354 FS. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.1025, 379.2223, 375.313, 375.591 FS. History–New 8-1-79, Amended 6-4-81, 6-21-82, Formerly 39-9.04, Amended 6-2-86, 11-1-89, 7-16-98, 5-13-99, Formerly 39-9.004, Amended 7-1-00, 5-29-01, 7-22-01, 6-2-02, 7-28-02, 5-1-03, 7-7-03, 10-12-03, 5-12-04, 7-15-04, 6-1-05, 4-3-08, 4-1-09, 7-20-09, 7-1-10, 5-5-11, 8-11-11, 4-1-12.

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.W.

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 17, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 22, 2011

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-11.003
 RULE TITLE: Use of Motorboats on Certain Waters; Permits

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to remove the prohibition on the operation of any boat propelled by an internal-combustion engine on Lake Iamonia and Carr Lake in Leon County during the duck, light goose and coot season. The effect of the proposed amendment would allow the operation of any boat propelled by an internal-combustion engine of 10 horsepower or less.

SUMMARY: The rule amends the boat motor restrictions on Lake Iamonia and Carr Lake in Leon County during the duck, light goose and coot season.

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; Chapters 65-1841 and 85-361, Laws of Florida.

LAW IMPLEMENTED: Chapters 65-1841 and 85-361, Laws of Florida.

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

DATES AND TIME: During the regular meeting of the Commission, February 8-9, 2012, 8:30 a.m. – 5:00 p.m., each day.

PLACE: Florida Public Safety Institute, 215 Academy Drive, Havana, FL 32333

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-11.003 Use of Motorboats on Certain Waters; Permits.

(1)(a) No person shall operate any boat propelled by an internal-combustion engine of more than ten horsepower on Lake Iamonia or Carr Lake in Leon County at any time during the regular open season for taking ducks and coots established in paragraph 68A-13.003(1)(a), F.A.C., except as authorized by permit from the executive director.

(b) No change.

(2) No person shall operate any boat propelled by an internal combustion engine of more than ten horsepower on Carr Lake in Leon County or Lake Miccosukee in Leon or Jefferson counties at any time during the regular open season for taking ducks and coots established in paragraph 68A-13.003(1)(a), F.A.C.

(3) No change.

PROPOSED EFFECTIVE DATE: July 1, 2012.

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const., ch. 65-1841, ch. 85-361, Laws of Florida. Law Implemented ch. 65-1841, ch. 85-361, Laws of Florida. History—New 6-21-82, Amended 10-1-85, 11-27-85, Formerly 39-11.03, Amended 7-1-94, Formerly 39-11.003, Amended 7-1-08, 7-1-12.

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.W.

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 17, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 22, 2011

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-12.008 RULE TITLE: Use of Pen-raised Quail for Training Bird Dogs

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to provide an alternative requirement for banding pen-raised quail that are released on private lands for training bird dogs. Provided the quail are banded or a proof of purchase (dated within the past 90 days) is in the possession of the individual using them, quail may be taken by shotgun for the purpose of dog training. The banding requirement will still apply if the user will attempt to recapture the quail with a trap. The effect would be to reduce handling mortality of pen-raised quail and provide more flexibility in requirements for bird dog trainers on private land.

SUMMARY: The proposed rule amendment would provide an alternative to the requirement for banding pen-raised quail that are released on private lands. Provided pen-raised quail are banded or proof of purchase (dated within the past 90 days) is in the possession of the individual using them, quail may be taken by shotgun for the purpose of dog training. The banding requirement will still apply if the user will attempt to recapture the quail with a trap.

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, TIME AND PLACE SHOWN BELOW:

DATES AND TIME: During the regular meeting of the Commission, February 8-9, 2012, 8:30 a.m. – 5:00 p.m., each day.

PLACE: Florida Public Safety Institute, 215 Academy Drive, Havana, FL 32333

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-12.008 Use of Pen-raised Quail for Training Bird Dogs.

(1) Pen-raised quail may be released and taken by shotgun on private lands for the purpose of dog training provided that such quail are banded before release or a proof of purchase, including the name and address of the vendor and date of purchase within the past 90 days, is in the possession of the individual using them.

(2)(a) Released pPen-raised quail may be trapped provided that the quail are identified before release with a band showing the name of a game farm, private hunting preserve or individual using them and each trap so used shall be tagged with the name and address of the user.

~~(b) All quail used for this purpose shall be identified with bands showing the name of a game farm, private hunting preserve, or the individual using them.~~

~~(b)(e)~~ Any un-banded wild quail that may be trapped in this process shall be immediately released.

PROPOSED EFFECTIVE DATE: July 1, 2012.

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 8-1-79, Amended 6-21-82, Formerly 39-12.08, 39-12.008, Amended 7-1-12.

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.W.

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 17, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 22, 2011

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-13.003
 RULE TITLE: Hunting Regulations for Ducks, Geese, and Coots

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to amend rule language which prohibits the possession of shotshells loaded with lead shot while hunting waterfowl. The effect of the proposed rule amendment will prohibit the take of waterfowl with shotshells loaded with lead shot.

SUMMARY: The proposed rule amendment would clarify that the use of shotshells loaded with lead shot is prohibited for hunting waterfowl.

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, TIME AND PLACE SHOWN BELOW:

DATES AND TIME: During the regular meeting of the Commission, February 8-9, 2012, 8:30 a.m. – 5:00 p.m., each day.

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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-13.003 Hunting Regulations for Ducks, Geese, and Coots.

The Commission has approved the following regulations and bag limits for taking ducks, geese, and coots:

- (1) No change.
- (2) General restrictions:
 - (a) No change.
 - (b) It shall be illegal to take ducks, geese or coots with ~~possess~~ shotshells loaded with any type of shot other than steel or other nontoxic shot approved for use by the Fish and Wildlife Service, U.S. Department of the Interior, ~~when hunting ducks, geese, or coots.~~
- (3) through (5) No change.

PROPOSED EFFECTIVE DATE: AS SOON AS POSSIBLE FOLLOWING COMMISSION ACTION

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-1-79, Amended 10-23-79, 8-19-80, 9-29-81, 8-30-82, 7-27-83, 8-13-84, 8-13-85, 10-1-85, Formerly 39-13.03, Amended 8-5-86, 8-24-87, 8-18-88, 12-12-88, 8-17-89, 10-30-89, 8-9-90, 10-31-90, 8-22-91, 10-31-91, 8-23-92, 10-22-92, 9-2-93, 10-28-93, 11-6-94, 10-23-95, 10-20-96, 8-7-97, 10-28-97, 11-12-98, 6-23-99, Formerly 39-13.003, Amended 11-7-00, 5-13-02, 5-1-03, 7-1-04, 7-1-05, 2-1-06, 7-1-06, 1-9-07, 1-8-08, 7-1-08, 1-6-09, 1-19-10, 7-1-10, 1-5-11, _____.

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.W.

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 17, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 22, 2011

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-15.004
 RULE TITLE: General Regulations Relating to Wildlife Management Areas

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to revise rule language related to possession or use of guns on wildlife management areas (WMAs); and to clarify that the Executive Director or designee may issue permits allowing a sanctioned fox hunting organization to chase fox during otherwise closed seasons and at the time and place designated by permit. 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 rule language related to possession or use of guns on wildlife management areas (WMAs); and allow the Executive Director or designee to issue permits allowing a sanctioned fox hunting organization to chase fox during otherwise closed seasons at the time and place designated by permit.

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; 379.2223, 379.354 FS.

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

DATES AND TIME: During the regular meeting of the Commission, February 8-9, 2012, 8:30 a.m. – 5:00 p.m., each day.

PLACE: Florida Public Safety Institute, 215 Academy Drive, Havana, FL 32333

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-15.004 General Regulations Relating to Wildlife Management Areas.

(1) No change.

(2) Permits required:

(a) No change.

(b) A short-term use permit or special-use permit is mandatory on those wildlife management areas where required by regulations for that area. On areas where short-term use permits (daily or multi-day permits) are authorized, holders of such permits shall possess or display a valid short-term use permit receipt in the manner specified on the receipt. Access to areas open to special-opportunity deer, wild hog (still hunt only), and wild turkey hunting is prohibited by persons not in possession of the appropriate special-opportunity hunt permit except that a non-permitted individual may accompany a permittee. While hunting or scouting, a non-permitted individual may accompany a permittee and participate in the hunt but shall not occupy a vehicle separate from the permittee or ~~take wildlife with~~ possess a gun, and shall be in the immediate vicinity (25 feet or less) of the permittee. Persons using the Florida Trail for through-hiking are exempt from the permit requirements of this paragraph.

(c) through (d) No change.

(3) through (5) No change.

(6) Guns:

~~(a) Possession of guns or firearms is allowed on wildlife management areas pursuant to the provisions of Florida Statutes, unless as otherwise prohibited under the legal authority of the landowner, lead managing agency, military installation commander, or pursuant to federal law. During~~

~~periods closed to hunting or when the firearm is not a legal method of take, firearms shall be securely encased in a vehicle, vessel, camper, or tent, except those persons in possession of a valid Concealed Weapon or Firearm License may possess concealed handguns. No person shall discharge any gun for testing or target practice, except on a Commission shooting range or at Commission sponsored events.~~

~~(a)~~(b) No change.

~~(e) No person shall have any gun under his control while under the influence of alcohol or drugs.~~

(d) through (f) renumbered (b) through (d) No change.

~~(g) Notwithstanding the provisions of paragraph (a) or specific area regulations in this chapter generally prohibiting possession of a gun, persons meeting the following requirements are allowed to possess and transport guns within a vehicle or vessel provided the guns are securely encased as defined under Chapter 790, F.S.:~~

~~1. Persons and guests of such persons who own or lease private lands within the boundaries of a wildlife management area, provided they are transporting guns directly to or from said private lands, and~~

~~2. Persons and guests of such persons who own or lease private lands that are located adjacent or proximal to a wildlife management area and the only legal means of vehicular access is through the wildlife management area, provided they are transporting guns directly to or from said private lands.~~

(7) Dogs:

(a) Dogs may be used for hunting during open seasons unless prohibited by regulations for the particular management area. The Executive Director or designee ~~may~~ shall issue permits to raccoon or fox hunting organizations that are sanctioned by the United Kennel Club, American Kennel Club, Professional Kennel Club, or similar sanctioning entity to allow raccoon or fox hunting during otherwise closed seasons and at times and places designated in the permit. Permits may be issued only in areas where this activity will not negatively impact wildlife, where adjoining landowner conflicts will be minimal, where cooperating landowners are in agreement with the permit conditions, and when not in conflict with other user groups.

(b) through (d) No change.

(8) through (12) No change.

(13) Alligators: Notwithstanding any other provision in Chapter 15, F.A.C., the harvest of alligators, their eggs or hatchlings may be conducted on wildlife management areas in accordance with Commission order(s) and Rules 68A-25.031, 68A-25.032 and 68A-25.042, F.A.C. Guns and bait may be ~~possessed and~~ used for taking alligators by alligator hunt participants as specified in Rule 68A-25.042 or 68A-25.032, F.A.C., whichever is applicable, and persons taking alligators pursuant to those rules on wildlife management areas shall not be required to check in and out at a check station, or check any alligators taken. A private landowner making his lands

available for use in the wildlife management area system may participate in an alligator management program on such lands in accordance with Rule 68A-25.032, F.A.C.

- (14) No change.
- (15) Fishing and Frogging:
 - (a) No change.

(b) Shooting frogs is permitted only during hunting seasons established for the particular wildlife management area and only with guns that are legal methods of take ~~to use~~ during each particular open hunting season.

PROPOSED EFFECTIVE DATE: AS SOON AS POSSIBLE FOLLOWING COMMISSION ACTION

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.2223, 379.354 FS. History—New 8-1-79, Amended 6-4-81, 6-21-82, 6-9-83, 9-27-83, 7-5-84, 7-1-85, Formerly 39-15.04, Amended 5-7-86, 5-10-87, 4-13-88, 8-18-88, 4-19-90, 4-4-91, 4-14-92, 10-22-92, 7-26-94, 11-6-94, 3-30-95, 10-23-95, 9-15-96, 6-1-97, 7-1-98, 12-28-98, 4-15-99, Formerly 39-15.004, Amended 7-1-00, 6-2-02, 5-1-03, 7-1-04, 7-1-05, 7-1-06, 7-29-07, 7-1-08, 7-1-09, 7-1-10, 1-1-11, _____.

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.W.

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 17, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 22, 2011

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-15.006
 RULE TITLE: Regulations Relating to Miscellaneous Areas

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to better manage fish and wildlife resources and public hunting on miscellaneous areas; clarify rule language related to the take of wildlife with guns; and conform to calendar year date changes. The effect of the proposed rule amendment will be to enable the agency to better manage fish and wildlife resources and public use on miscellaneous areas.

SUMMARY: The proposed rule amendment would adjust season dates to conform to calendar year changes; amend or clarify rule language related to guns used for taking wildlife on miscellaneous areas; and clarify hunter access rules for Babcock Ranch Preserve. Additional proposed rule amendments would provide non-substantive technical changes, such as grammatical corrections, language standardization or clarification of an existing rule.

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, TIME AND PLACE SHOWN BELOW:

DATES AND TIME: During the regular meeting of the Commission, February 8-9, 2012, 8:30 a.m. – 5:00 p.m., each day

PLACE: Florida Public Safety Institute, 215 Academy Drive, Havana, FL 32333

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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-15.006 Regulations Relating to Miscellaneous Areas.

- (1) No change.
- (2) Kissimmee River Public Use Area.

(a) Open season:

- 1. through 2. No change.

3. Furbearers – During the zonal antlered deer season only except that bobcat, and otter may be taken only after November 30.

- 4. No change.

(b) No change.

(c) General regulations:

1. Taking wildlife with guns shall be prohibited in the marshes and uplands except during the period beginning on the opening day of rail season established in Rule 68A-13.008, F.A.C., and ending on the closing day of spring turkey season established in Rule 68A-13.004, F.A.C. Taking wildlife with centerfire rifles is prohibited. The marshes shall be those lands outside the Kissimmee River channel, the C-38 canal, and the Istokpoga canal. In posted archery/muzzleloading gun areas, only bows may be used to take wildlife during the zonal archery season, only muzzleloading guns may be used to take wildlife during the zonal muzzleloading gun season, only bows may be used to take wildlife during the antlered deer season, and only bows and muzzleloading guns may be used to take wildlife during other established seasons. The take of wildlife with possession of guns shall be prohibited in the marshes and uplands in the northern portion of Bluff Hammock lying in the west 1/2 of Section 26 and the east 1/2 of Section 27, Township 34 South, Range 31 East, which are posted as closed to hunting or fishing possession of guns.

2. Shooting frogs shall be permitted only during hunting seasons established for this area and only with guns that are legal methods of take ~~to use~~ during each particular open hunting season.

- 3. through 8. No change.

~~9. Possession of guns or firearms is allowed pursuant to the provisions of Florida Statutes, except as prohibited in subparagraph 1. and as otherwise prohibited under the legal authority of the landowner, lead managing agency, or pursuant to federal law. During periods closed to hunting or when the firearm is not a legal method of take, firearms shall be encased and properly secured in a vehicle, vessel, travel trailer, camper, or tent, except those persons in possession of a valid Concealed Weapon or Firearm License may possess concealed handguns. No person shall discharge any gun for testing or target practice, except on a Commission shooting range or at Commission sponsored events.~~

- ~~9.10.~~ No change.

(3) Babcock Ranch Preserve.

(a) Open season (in the FWC designated hunting area):

1. Archery – July ~~28-31~~ 30 through August 2 and August ~~4-7~~ 6-9.

2. Muzzleloading gun – September ~~1-3~~ 3-5.

3. Family – September ~~15-16~~ 17-18 and December ~~15-16~~ 17-18.

4. General gun for mobility-impaired – November 30 through December 2 ~~2-4~~.

5. General gun – September ~~21-23~~ 23-25, September ~~28-30~~ 30 through October 2 and December ~~7-9~~ 9-11.

6. Small game – January ~~5-20~~ 7-22 and February ~~2-3~~ 4-5 (Saturdays and Sundays only).

7. Spring turkey – March ~~2-4~~ 3-5 and ~~9-11~~ 10-12.

8. No change.

(b) The following are the only species of wildlife legal to take within the FWC designated hunting area: All legal game (except quail) and wild hog. One antlered and one antlerless deer may be taken per quota permit during the archery season, family and general gun for mobility-impaired hunts. Only mobility-impaired hunters may take antlerless deer during the general gun for mobility-impaired hunt. One antlered deer may be taken ~~per person~~ and per quota permit during the muzzleloading gun and general gun hunts. One turkey per quota permit may be taken during spring turkey season. Turkey may only be taken during the spring turkey season.

(c) Regulations controlling activities within the FWC designated hunting area:

- 1. through 7. No change.

8. During periods open to hunting, access is allowed only by those individuals with a valid quota permit or guest permit ~~and~~ only from 1.5 hours before sunrise to 1.5 hours after sunset.

9. Scouting is allowed one day prior to each hunt from 8 a.m. to sunset by individuals in possession of a valid quota permit for that hunt and guest hunters and assistants may accompany them. There are no scout days for small game season.

- 10. through 14. No change.

(d) No change.

(4) Kissimmee Chain of Lakes Area.

(a) through (b) No change.

(c) General regulations:

- 1. through 3. No change.

4. Shooting frogs shall be allowed only during hunting seasons established for this area and only with guns that are legal methods of take ~~to use~~ during each open hunting season.

- 5. through 7. No change.

8. Wild hog may be taken in accordance with the following provisions:

a. No change.

b. Wild hog may only be taken with a gun from one-half hour before sunrise to one-half hour after sunset. Wild hog may not be taken with ~~hunted without~~ a gun at night.

c. No change.

9. No change.

~~10. Possession of guns or firearms is allowed pursuant to the provisions of Florida Statutes, except as prohibited under the legal authority of the landowner, lead managing agency or pursuant to federal law. During periods closed to hunting or when the firearm is not a legal method of take, firearms shall be encased and properly secured in a vehicle, vessel, travel trailer, camper or tent, except those persons in possession of a valid Concealed Weapon or Firearm License may possess concealed handguns. No person shall discharge any gun for testing or target practice, except on a Commission shooting range or at Commission-sponsored events.~~

11. through 14. renumbered 10. through 13. No change.

PROPOSED EFFECTIVE DATE: July 1, 2012.

Rulemaking Authority Art. IV, Sec 9, Fla. Const. Law Implemented Art IV, Sec 9, Fla. Const. History--New 12-9-99, Amended 5-13-02, 5-1-03, 5-23-04, 7-1-06, 7-1-08, 7-1-09, 7-1-10, 11-9-10, 7-1-11, 7-1-12.

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.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: Diane R. Eggegan, 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 17, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 22, 2011

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.:	RULE TITLE:
68A-15.061	Specific Regulations for Wildlife Management Areas – Southwest Region

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to revise specific area regulations on Wildlife Management Areas (WMAs) in the Southwest Region and conform to calendar year date changes. 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 adjust season dates to conform to calendar year changes and revise specific area regulations on Wildlife Management Areas (WMAs) in the Southwest Region as follows:

Arbuckle WMA – increase the spring turkey season quota from 10 to 15 for each of two hunts (10 permits issued through Total Licensing System and five permits issued first-come, first-served, each day at the check station); increase the weekday muzzleloading gun season quota from 50 to 75 (each day at the check station).

Fred C. Babcock/Cecil M. Webb WMA – add three days to the archery season (total of five days); open the archery season one week earlier to eliminate the overlap with the bird dog training season; prohibit the harvest of antlerless deer after the first two days of the archery season; allow wild hog hunting during the entire general gun season; adjust hunt days for quail from Wednesdays, Thursdays, Saturdays and Sundays to Wednesdays and Saturdays only; and reduce quail harvest from 30% to 15% of fall population estimates.

Fred C. Babcock/Cecil M. Webb WMA, Yucca Pens Unit – allow vehicle access year round from 1.5 hours before sunrise until 1.5 hours after sunset.

Green Swamp WMA – adjust the season dates for the wild hog-dog hunts to eliminate overlap with small game hunts; allow for two wild hog-dog hunts of four consecutive days each (Thurs.-Sun.); allow dogs on the entire area during wild hog-dog hunts; increase the quota for the first wild hog-dog hunt from 135 to 160; allow only wild hog to be hunted during wild hog-dog hunts; and increase the quota for small game hunts from 150 to 300 (each day at check station).

Hickory Hammock WMA – remove the requirements for hunters to check in and check harvested game at the check station.

Hilochee WMA – increase raccoon season from four weeks to eight weeks with hunting allowed from 1.5 hours before sunset on Thursdays until 1.5 hours after sunrise on Sundays.

KICCO WMA – remove the requirements for hunters to check in and check harvested game at the check station; and require all persons to enter and exit the area at a designated entrance or any location along the Kissimmee River.

Lake Marion Creek WMA – remove the requirements for hunters to check in and check harvested game at the check station.

Walk-in-the-Water WMA – change the current 9-day muzzleloading gun season to three hunts, with a 2-day hunt (Sat.-Sun.), 4-day hunt (Mon.-Thurs.) and 3-day hunt (Fri.-Sun.) (quota of 25 each hunt, no exemptions); begin the muzzleloading gun season seven days earlier; and establish a 3-day spring turkey season with a bag limit of one gobbler or bearded turkey per quota permit (quota 5, no exemptions).

Proposed rule amendments would also amend or clarify language related to the use of guns for taking wildlife. Additionally, the proposed rule amendments would provide non-substantive technical changes, such as grammatical corrections and language standardization.

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; 375.313 FS.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution; 379.2223, 375.313 FS.

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

DATES AND TIME: During the regular meeting of the Commission, February 8-9, 2012, 8:30 a.m. – 5:00 p.m., each day

PLACE: Florida Public Safety Institute, 215 Academy Drive, Havana, FL 32333

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-15.061 Specific Regulations for Wildlife Management Areas – Southwest Region.

(1) Green Swamp Wildlife Management Area.

(a) Open season:

1. General gun – November ~~17~~ ¹⁴ through January ~~13~~ ¹⁵.
2. Archery – October ~~13~~ ¹⁵ through November ~~11~~ ¹³, Fridays, Saturdays and Sundays only.
3. Small game – January ~~19~~ ²⁴ through February ~~17~~ ¹⁹, Saturdays and Sundays only.
4. Wild hog-dog – February ~~21-24~~ and February ~~28~~ through March ~~3~~ ¹¹ ~~19~~ and February ~~25~~ through March ~~4~~, Saturdays and Sundays only.
5. Spring turkey – March ~~16~~ ¹⁷ through April ~~21~~ ²².
6. No change.

(b) Legal to take: All legal game, fish, frogs and furbearers. During the wild hog-dog season, only wild hog may be taken ~~the take of deer is prohibited~~.

(c) Camping: Allowed by permit only and only within the designated campsites at the Rock Ridge Road and 471 campgrounds. Camping is allowed at both campgrounds during archery, general gun and spring turkey seasons. Camping is allowed only at the Rock Ridge Road campground during the wild hog-dog and fishing and frogging ~~seasons~~ ~~season~~ and only at the 471 campground during the small game season. Camping permits are non-transferable. Camping along the Green Swamp Hiking Trail (Florida Trail) is prohibited except by written permission from the Southwest Florida Water Management District. Kitchen stoves, refrigerators and freezers, unless contained in mobile campers are prohibited. Lumber, sheet metal or other building materials is prohibited. The alteration, defacing, moving or tampering in any way with official markings of campsites is prohibited. The use or operation of electrical generators powered by an internal combustion engine is prohibited within the campgrounds ~~from beginning each night at~~ 10 p.m. until 4 a.m. A legible copy of the camping permit or the permittee’s name and permit number must be visibly affixed to camping shelters. Camping equipment must be removed by 8 p.m. on the last date listed on the camping permit. Only tents, trailers or self-propelled camping vehicles may be used for camping.

(d) General regulations:

1. No change.
- ~~2. Only tents, trailers or self-propelled camping vehicles may be used for camping.~~
- ~~2.3.~~ No deer or wild hog shall be ~~quartered or otherwise~~ dismembered until checked at a designated check station.
4. through 5. renumbered 3. through 4. No change.
- ~~5.6.~~ Vehicles may be operated from 1.5 hours before sunrise until 1.5 hours after sunset during established open seasons, except during the designated fishing and frogging season when vehicles may be operated during daylight hours only. Vehicles may be operated after 8 a.m. until 1.5 hours after sunset one day prior to each archery hunt, general gun season and spring turkey season for scouting. Vehicle access to the designated campsites is allowed at any time after 8 a.m. one day prior to archery hunts, general gun season and spring

turkey season until 1.5 hours after sunset on the last day of the hunt or season, after 4 p.m. on Wednesday until 1.5 hours after sunset on Sunday during wild hog-dog season, and after 4 p.m. on Friday until 1.5 hours after sunset on Sunday during the small game, ~~wild hog-dog~~ and fishing and frogging seasons. Motorized vehicles may be operated only on named or numbered roads, except Stanley Fish Hole, Orange Lake and Tillman Lake roads shall be open only during the designated fishing and frogging season. Bicycles may be operated only on named or numbered roads and designated bicycle trails. During the designated fishing and frogging season Tanic Grade, Powder Grade and Levee Road north of Main Grade will be closed to vehicle traffic.

~~6.7.~~ No change.

~~8. During the first four days of wild hog-dog season hunting wild hog with dogs is prohibited in that portion of the area located in T24S, R23E, Sections 7, 8, 17, 18, 19, 20, 29, 30 and 32 and those portions of Sections 16, 21, 28 and 33 south of Bull Barn and west of Levee Roads; and T25S, R23E, Section 5 and those portions of Sections 4 and 9 south of Main, west of Levee and north of Tram Grades and those portions of Sections 7, 8 and 18 along the Withlacoochee River and bounded by state fence.~~

9. through 11. renumbered 7. through 9. No change.

(2) Green Swamp Wildlife Management Area – West Unit.

(a) Open season:

1. Special-opportunity turkey – March ~~16-19 17-20, 25-28 26-29~~, March ~~30 31~~ through April ~~2 3~~, April ~~8-11 9-12~~ and ~~13-16 14-17~~.

2. Special-opportunity archery – November ~~3-6 5-8~~ and ~~15-18 17-20~~.

3. Special-opportunity general gun – January ~~24-27 26-29~~, February ~~4-7 6-9~~ and ~~13-16 15-18~~.

4. Wild hog-still – December ~~14-16 16-18~~.

5. Wild hog-dog – January ~~9-11 11-13~~.

6. Small game – February ~~22-24 24-26~~ and March ~~1-3 2-4~~.

7. through 8. No change.

(b) through (c) No change.

(d) General regulations:

1. through 5. No change.

6. Only shotguns may be used to take turkey during the special-opportunity turkey hunts.

7. through 11. No change.

(3) Fred C. Babcock/Cecil M. Webb Wildlife Management Area.

(a) Open season:

1. Archery – September ~~8-12 17-18~~.

2. Bird dog training – Bird dogs may be trained in the recreation area September ~~15 17~~ through February ~~10 12~~ and bird dogs may be trained in the remainder of the area zones A, B, C and D during the small game season except the field trial

and Boy Scout areas on those days when daily quail permits are not issued, which shall include the day that the season quota for daily quail permits is attained.

3. General gun – November ~~3-11 5-13~~.

4. Small game – November ~~12-25 14-27~~ and Wednesdays, Thursdays, Saturdays and Sundays only November ~~28 30~~ through January ~~13 15~~.

5. Field trial quail – January ~~26-27 28-29~~.

6. No change.

(b) Legal to take: All legal game, fish, frogs and furbearers. During the archery season the take of turkey is prohibited. After the first two days of archery season, the take of antlerless deer is prohibited. Wild hog may only be taken during archery season and the first day of general gun seasons season. Wild hog: Daily bag, 1 per quota permit or 1 per exempt hunter; possession limit, 2. The take of wild hog with a shoulder height of less than 15 inches is prohibited. Quail shall be taken by daily quail or field trial quail quota permit only with a bag limit of 6 per day.

(c) Camping: Allowed at a designated campground only. Camping is allowed after 8 a.m. one day prior to archery season until 6 p.m. one day after archery season and continuously after 8 a.m. eight (8) days prior to the opening of general gun season until the last day of the small game season. During the remainder of the year, camping is allowed from 5 p.m. Friday to 9 p.m. Sunday and on Memorial Day, Independence Day, Martin Luther King Jr. Day, and Labor Day. Camping equipment shall be allowed on the area only when camping is allowed. The name, address and telephone number of the person responsible for each campsite shall be visibly affixed to camping shelters.

(d) General regulations:

1. through 8. No change.

9. During the small game and field trial quail seasons season, shotguns used to take wildlife shall be plugged to a three-shell capacity with a one-piece filler that cannot be removed without disassembling the gun.

10. through 12. No change.

13. During the archery, general gun, and Wednesdays and Thursdays of small game seasons, hunting is allowed within the field trial and Boy Scout areas provided the take of quail is prohibited and access shall be on foot (pedestrian) only.

14. During the small game season only persons in possession of a daily quail permit shall kill or be in possession of quail. Daily quail permits will be issued on Wednesdays and, Thursdays, Saturdays and Sundays only, beginning eight days prior to Thanksgiving Day and may continue up to 39 days thereafter. Quail shall be taken by daily quail permit within the zone assigned on the daily quail permit only.

15. The season quota for daily quail permits and the specific procedures for issuing the permits shall be as established by Order of the Executive Director or his designee. The season quota for daily quail permits will be adjusted each

year, as necessary ~~so as not to exceed a harvest of 15% to achieve an annual quail harvest rate at approximately 30%~~ of the estimated population. Quotas for daily quail permits will be based on estimates of ~~fall~~ population levels relative to a ~~15%~~ 30% harvest rate and daily hunter success rates. Procedures for issuing daily quail permits will be established in the Order of the Executive Director and will result in distributing quail hunting pressure as evenly as possible among the daily quail permit zones A, B, C and D.

16. No change.

(4) Fred C. Babcock/Cecil M. Webb Wildlife Management Area – Yucca Pens Unit.

(a) Open season:

1. Muzzleloading gun – October ~~12-14~~ 14-16.

2. General gun – November ~~3-11~~ 5-13.

3. Small game – November ~~14~~ 16 through January ~~13~~ 15 on Wednesdays, Thursdays, Saturdays and Sundays only and the Friday after Thanksgiving Day.

4. No change.

(b) through (c) No change.

(d) General regulations:

1. through 5. No change.

6. Motorized vehicular access is allowed only from 1.5 hours before sunrise until 1.5 hours after sunset on hunt days, the day prior to each hunt and the weekend (Saturday and Sunday) prior to each hunt, except during the small game season when it is allowed only on hunt days.

7. ~~When motorized vehicles are not allowed, public access other than by foot, bicycle, or horse is prohibited.~~

8. through 10. renumbered 7. through 9. No change.

(5) Upper Hillsborough Wildlife Management Area.

(a) Open season:

1. Wild hog-dog – November ~~6-8~~ 8-10.

2. Archery – December ~~8-9~~ 10-11, 15-16 ~~17-18~~, January ~~5-6~~ 7-8 and 12-13 ~~14-15~~.

3. Muzzleloading gun – January 19-20 ~~21-22~~, 26-27 ~~28-29~~, February 2-3 ~~4-5~~ and 9-10 ~~11-12~~.

4. Small game – February 16-17 ~~18-19~~, 23-24 ~~25-26~~ and March 2-3 ~~3-4~~.

5. Spring turkey – March 20-21 ~~21-22~~, 27-28 ~~28-29~~, April 3-4 ~~4-5~~, 10-11 ~~11-12~~, and 17-18 ~~18-19~~.

6. No change.

(b) through (c) No change.

(d) General regulations:

1. No deer, turkey or wild hog may be dismembered ~~or quartered~~ until checked at a designated check station.

2. through 12. No change.

(6) Arbuckle Wildlife Management Area.

(a) Open season:

1. Archery – October 13 ~~15~~ through November 2 ~~4~~.

2. Muzzleloading gun – December 8-16 ~~10-18~~.

3. Small game – January 5-6 ~~7-8~~ and 26-27 ~~28-29~~.

4. Spring turkey – March 19-21 ~~20-22~~ and April 2-4 ~~3-5~~.

5. No change.

(b) No change.

(c) Camping is permitted at the designated campground located off Rucks Dairy Road; at designated campsites along the Florida Trail; and at other sites by Special-Use Permit issued by the Florida Forest Service Division of Forestry. Only tents, trailers or self-propelled camping vehicles may be used for camping.

(d) General regulations:

1. through 5. No change.

6. ~~Only tents, trailers or self-propelled camping vehicles may be used for camping.~~

6-7. No change.

(7) KICCO Wildlife Management Area.

(a) Open season:

1. Archery – September 15 ~~17~~ through October 14 ~~16~~, Saturdays and Sundays only.

2. Muzzleloading gun – October 20-21 ~~22-23~~ and 27-28 ~~29-30~~.

3. Wild hog-still – November 10 ~~12~~ through December 9 ~~11~~, Saturdays and Sundays only.

4. Small game – December 15 ~~17~~ through January 20 ~~22~~.

5. Spring turkey – March 16 ~~17~~ through April 14 ~~15~~, Saturdays and Sundays only.

6. No change.

(b) No change.

(c) Camping: Prohibited except at designated hunt campsites during periods when hunting is allowed or by persons possessing a special-use license issued by the South Florida Water Management District. Only tents may be used for camping at designated hunt campsites.

(d) General regulations:

1. through 3. No change.

4. ~~Hunters shall check in and out at the check station when entering or exiting the area and shall check all game taken.~~

5. ~~Only tents may be used for camping at designated hunt campsites.~~

6. ~~No deer, turkey, or wild hog may be dismembered or quartered until checked and tagged at the check station.~~

7. through 9. renumbered 4. through 6. No change.

7. All persons shall enter and exit the area at a designated entrance or via the Kissimmee River.

(8) Hickory Hammock Wildlife Management Area.

(a) Open season:

1. Wild hog-still – September 14-16 ~~16-18~~, 21-23 ~~23-25~~ and January 11-13 ~~13-15~~.

2. Archery – October 12-14 ~~14-16~~.

3. Muzzleloading gun – October 20-22 ~~22-24~~ and 24-26 ~~26-28~~.

4. General gun – November ~~3-5~~ 5-7.
5. Small game – November ~~12-25~~ 14-27 and January ~~21~~ 23 through March ~~3~~ 4.
6. General gun for mobility-impaired – December ~~1-2~~ 3-4.
7. No change.
8. Spring turkey – March ~~21-23~~ 22-24 and April ~~11-13~~ 12-14.
9. No change.
- (b) through (c) No change.
- (d) General regulations:
 1. through 4. No change.
- ~~5. Hunters shall check in at a designated check station when entering and exiting the area, and check all game taken.~~
- ~~6. No deer, wild hog, or turkey shall be dismembered until checked at the station.~~
- ~~5.7. No change.~~
- (9) Walk-in-the-Water Wildlife Management Area.
- (a) Open season:
 1. Archery – ~~September 29-30~~ ~~October 1-2~~, October 1-4 ~~3-6~~, ~~5-7~~ ~~7-9~~, ~~8-11~~ ~~10-13~~ and ~~12-14~~ 14-16.
 2. Muzzleloading gun – December ~~1-2~~, ~~3-6~~ ~~10-13~~ and ~~7-9~~ 14-18.
 3. Wild hog-still – January ~~12-15~~ 14-17 and ~~16-20~~ 18-22.
 4. Small game – February ~~2-10~~ 4-12 and February ~~23~~ 25 through March ~~3~~ 4.
 5. Spring turkey – March ~~26-28~~.
 - ~~6.5. No change.~~
- (b) Legal to take: All legal game (~~except turkey~~), furbearers and fish. Deer bag limit – one per day. During the ~~general~~ wild hog-still season only wild hog may be taken. The take of turkey is prohibited during the archery season. During the spring turkey season, the bag limit shall be one gobbler (or bearded turkey) per quota permit.
- (c) Camping: Permitted at designated campgrounds. Permitted at other sites by special-use permit from the Florida Forest Service Division of Forestry. Only tents, trailers or self-propelled camping vehicles may be used for camping.
- (d) General regulations:
 1. through 5. No change.
- ~~6. Only tents, trailers or self-propelled camping vehicles may be used for camping.~~
- ~~6.7. No change.~~
- (10) Hilochee Wildlife Management Area.
- (a) Open season:
 1. Youth turkey hunt – March ~~9-10~~ 10-11.
 2. Spring turkey – March ~~22-24~~ 23-25 and April ~~5-7~~ 6-8.
 3. Muzzleloading gun – February ~~15-17~~ 17-19.
 4. Wild hog-still – November 30 through December ~~2~~ 2-4, January ~~11-13~~ 13-15 and ~~18-20~~ 20-22.
 5. Small game – January ~~25~~ 27 through February ~~3~~ 5.
 6. Archery – February ~~8-10~~ 10-12.

7. No change.
8. Raccoon – August 2 through September ~~23~~ 1-25 (from 1.5 hours before sunset on Thursday until 1.5 hours after sunrise on Sunday).
- (b) through (c) No change.
- (d) General regulations:
 1. through 5. No change.
 6. No deer, or turkey shall be dismembered until checked at a check station.
 7. through 9. No change.
- (11) Lake Marion Creek Wildlife Management Area.
- (a) Open season:
 1. Archery – October ~~13-15~~ 15-17 and ~~19-21~~ 21-23.
 2. Muzzleloading gun – November ~~23-25~~ 25-27.
 3. General gun – January ~~18-20~~ 20-22 and February ~~1-3~~ 3-5.
 4. Small game – December ~~28-30~~ 30 through January ~~1~~ and January ~~4-6~~ 6-8.
 5. Wild hog-still – December ~~7-9~~ 9-11 and ~~21-23~~ 23-25.
 6. Youth turkey hunt – March ~~9-10~~ 10-11.
 7. Spring turkey – March ~~16-18~~ 17-19, March ~~29-31~~ 30 through April ~~1~~ and April ~~12-14~~ 13-15.
 8. No change.
 - (b) through (c) No change.
 - (d) General regulations:
 1. No change.
 - ~~2. Hunters shall check in and out at a designated check station when entering and exiting the area and shall check all game taken, except during the small game season.~~
 - ~~2.3. No change.~~
 - ~~4. No deer or wild turkey shall be dismembered until checked at a check station.~~
 5. through 6. renumbered 3. through 4. No change.
- (12) Avon Park Air Force Range Wildlife Management Area.
- (a) Open season:
 1. Archery – September ~~15~~ 17 through October ~~14~~ 16 in areas and during days specified by the Installation Commander or a designee.
 2. Muzzleloading gun – October ~~20~~ 22 through November ~~2~~ 4 in areas and during days specified by the Installation Commander or a designee.
 3. General gun – November ~~3~~ 5 through January ~~20~~ 22 in areas and during days specified by the Installation Commander or a designee.
 4. Small game – November ~~10~~ 12 through March ~~3~~ 4 in areas and during days specified by the Installation Commander or a designee.
 5. Youth turkey hunt – March ~~9-10~~ 10-11 in areas and during days specified by the Installation Commander or a designee.

6. Spring turkey – March ~~16~~ ~~17~~ through April ~~21~~ ~~22~~ in areas and during days specified by the Installation Commander or a designee.

7. Antlerless deer – November ~~17-23~~ ~~19-25~~ in areas and during days specified by the Installation Commander or a designee.

8. through 9. No change.

(b) through (c) No change.

(d) General regulations:

1. No change.

~~2. Loaded, capped, or primed guns are prohibited and ammunition must be physically separated from guns at check stations, public campsites, the Outdoor Recreation Office, within 50 feet of Kissimmee Road, while being transported through the Main Base, or in vehicles being driven on designated roads. The only exception is that loaded, un-capped muzzleloading guns may be possessed in the aforementioned areas and muzzleloading guns may be cleared in the muzzleloading gun pits located at Willingham and Morgan Hole campgrounds.~~

~~3. Handguns with barrels longer than nine inches are prohibited, unless authorized by the Installation Commander or a designee.~~

~~4. The possession or use of centerfire rifles for taking wildlife is prohibited, unless authorized by the Installation Commander or a designee.~~

~~5. Shotguns are prohibited for taking wildlife during the archery season.~~

6. through 8. renumbered 4. through 6. No change.

~~9. Taking wildlife is hunting and the possession of guns are prohibited in the Sandy Point Wildlife Refuge, unless authorized by the Installation Commander or a designee.~~

10. through 16. renumbered 8. through 14. No change.

(13) Croom Wildlife Management Area.

(a) Open season:

1. Muzzleloading gun – October ~~20-22~~ ~~22-24~~.

2. General gun – November ~~3-25~~ ~~5-27~~.

3. Small game – December ~~3~~ ~~5~~ through March ~~3~~ ~~4~~.

4. Spring turkey – March ~~19-21~~ ~~20-22~~, April ~~2-4~~ ~~3-5~~ and ~~16-18~~ ~~17-19~~.

5. Fox, raccoon and bobcat – December ~~13~~ ~~15~~ through March ~~10~~ ~~11~~. Hunting is allowed from 5 p.m. Thursday to sunrise Sunday with dogs only. Taking wildlife with guns is prohibited during this season.

6. through 7. No change.

(b) No change.

(c) Camping: Prohibited unless authorized by the Florida Forest Service Division of Forestry.

(d) General regulations:

1. No change.

2. Motorcycles and all-terrain vehicles may be operated off roads in Sections 17, 18, 19, 30, 31 and those parts of Sections 7 and 8 lying south of the old railroad right-of-way, Township 22 South, Range 21 East (Croom Motorcycle Area) only. Operation of motorcycles and all-terrain vehicles in this area is permitted throughout the year but all such vehicles shall be permitted by the Florida Forest Service ~~state Division of Forestry~~. Vehicles may be operated only on named or numbered roads in that portion of the area lying outside the Croom Motorcycle Area, but such vehicles must be properly licensed under Chapter 320, F.S., or otherwise legal to operate on public roads.

3. through 6. No change.

(14) Chassahowitzka Wildlife Management Area.

(a) Open season:

1. Archery – September ~~15~~ ~~17~~ through October ~~14~~ ~~16~~.

2. Muzzleloading gun – October ~~20-22~~ ~~22-24~~.

3. General gun – November ~~3~~ ~~5~~ through December 30 ~~January 1~~.

4. Wild hog-dog – January ~~11-13~~ ~~13-15~~ and ~~18-20~~ ~~20-22~~.

5. through 6. No change.

7. Youth turkey hunt – March ~~9-10~~ ~~10-11~~.

8. Spring turkey – March ~~22-24~~ ~~23-25~~, April ~~5-7~~ ~~6-8~~ and ~~19-21~~ ~~20-22~~.

9. Raccoon – January 31 through February ~~24~~ ~~2-26~~ and May ~~2-26~~ ~~3-27~~ (from 1.5 hours before sunset on Thursday until 1.5 hours after sunrise on Sunday).

(b) through (d) No change.

(15) Hilochee Wildlife Management Area – Osprey Unit.

(a) Open season:

1. Archery – October ~~6-7~~ ~~8-9~~ and ~~13-14~~ ~~15-16~~.

2. Family hunt – November ~~10-11~~ ~~12-13~~.

3. Wild hog-still – November ~~24-25~~ ~~26-27~~.

4. Wild hog-dog – January ~~5-6~~ ~~7-8~~ and ~~26-27~~ ~~28-29~~.

5. Small game – January 31 through February ~~11~~ ~~2-13~~.

6. Youth turkey hunt – March ~~9-10~~ ~~10-11~~.

7. Spring turkey – April ~~12-13~~ ~~13-14~~ and ~~19-20~~ ~~20-21~~.

8. through 9. No change.

(b) through (d) No change.

PROPOSED EFFECTIVE DATE: July 1, 2012.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const., 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, 11-17-83, 7-5-84, 10-1-84, 7-1-85, 9-19-85, 5-7-86, 5-10-87, 6-8-87, 10-8-87, 5-1-88, 7-1-89, 7-1-90, 7-1-91, 7-2-91, 7-1-92, 8-23-92, 7-1-93, 7-1-94, 7-1-95, 7-1-96, 9-15-96, 6-1-97, 8-7-97, 7-1-98, 10-20-98, 12-28-98, 7-1-99, Formerly 39-15.061, Amended 12-9-99, 3-30-00, 7-1-00, 7-1-01, 5-13-02, 5-25-03, 7-1-04, 7-1-05, 7-1-06, 7-1-07, 7-1-08, 7-1-09, 7-1-10, 7-1-11, 7-1-12.

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.W.

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 17, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 22, 2011

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.:	RULE TITLE:
68A-15.062	Specific Regulations for Wildlife Management Areas – North Central Region

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to revise specific area regulations on Wildlife Management Areas (WMAs) in the North Central Region and conform to calendar year date changes. 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 amendments would adjust season dates to conform to calendar year changes and revise specific area regulations on Wildlife Management Areas (WMAs) in the North Central Region as follows:

- Bayard WMA – remove the requirement for hunters to check in and check game at the check station.
- Belmore WMA – add a 2-day family hunt with a bag limit of one antlered and one antlerless deer per quota permit (quota 20, no exemptions).
- Big Bend WMA, Jena Unit – establish a 30-day archery season (take of antlerless deer and turkeys other than gobblers or bearded turkeys prohibited, no quota permit required).
- Cary WMA – establish two 3-day wild hog-still hunts (quota 100, no exemptions).
- Citrus WMA – Add one day to each muzzleloading gun hunt to establish two 3-day hunts; add one day to each general gun hunt to establish two 3-day hunts; add 1 day to each spring turkey hunt to establish three 4-day hunts; and add four days of quail hunting in the field trial area.

- Four Creeks WMA – establish a 4-day wild hog-still hunt (quota 75, no exemptions).
- Goethe WMA – begin the muzzleloading gun season six days later; add a 4-day general gun still hunt (quota 300); add a 4-day general gun dog hunt (quota 125); add a 7-day spring turkey hunt (quota 130); and remove the requirement for hunters to check game taken at the check station.
- Gulf Hammock WMA – allow the take of wild hog with no size or bag limit.
- Hatchet Creek WMA – remove the requirement for hunters to check in and check game at the check station.
- Homosassa WMA – add one day to each archery hunt to establish three 4-day hunts; and convert the wild hog-still hunts to small game hunts with wild hog legal to take (quota 30 each day at check station, no exemptions).
- Jennings Forest WMA – establish a 28-day bird dog training season in the quail enhancement area; establish a 2-day family hunt with a bag limit of one antlered and one antlerless deer per quota permit (quota 25, no exemptions); prohibit the take of wild hog during small game season; establish five 3-day wild hog-still hunts (quota 60, no exemptions); and prohibit the take of wild hog in the quail enhancement area during the February wild hog-still hunt.
- Little River WMA – allow nighttime raccoon and opossum hunting during small game season with access by permit from the Suwannee River Water Management District; and expand small game season from 10 to 44 days (take of quail after the first 16 days is prohibited).
- Log Landing WMA – allow the use of motorized vehicles at designated parking areas; expand period open to hunting from 56 to 83 days (no quota permits required); reduce the archery season from 25 to 20 days (Fridays, Saturdays, and Sundays only; take of antlerless deer, gobblers or bearded turkeys allowed only during the first 14 days); expand the muzzleloading gun season from 3 to 17 days (Fridays, Saturdays, and Sundays only); expand the small game season from 17 to 27 days (Fridays, Saturdays, and Sundays only); expand the spring turkey season from 11 to 19 days (Fridays, Saturdays, and Sundays only).
- Lower Econfina River WMA – allow nighttime raccoon and opossum hunting during small game season with access by permit from the Suwannee River Water Management District.
- Middle Aucilla WMA – allow nighttime raccoon and opossum hunting during the last 30 days of the small game season with access by permit from the Suwannee River Water Management District.
- Ralph E. Simmons Memorial WMA – remove the requirement for hunters to check in and check game at the check station; and establish a 2-day family hunt with a bag limit of one antlered and one antlerless deer per quota permit (quota 15, no exemptions).

Steinhatchee Springs WMA – allow nighttime raccoon and opossum hunting during small game season with access by permit from the Suwannee River Water Management District; increase the muzzleloading gun season quota from 200 to 220; increase the general gun season quota (first 9 days) from 200 to 220; increase each of two spring turkey hunt quotas from 80 to 88; and increase the wild hog-dog hunt quota from 50 to 55.

Proposed rule amendments would also amend or clarify language related to the use of guns for taking wildlife. Additionally, the proposed rule amendments would provide non-substantive technical changes, such as grammatical corrections and language standardization.

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; 379.2223, 375.313 FS.

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

DATES AND TIME: During the regular meeting of the Commission, February 8-9, 2012, 8:30 a.m. – 5:00 p.m., each day

PLACE: Florida Public Safety Institute, 215 Academy Drive, Havana, FL 32333

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. Eggegan, 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-15.062 Specific Regulations for Wildlife Management Areas – North Central Region.

(1) Camp Blanding Wildlife Management Area.

(a) Open season:

1. through 4. No change.

5. Archery – September ~~25-27~~ ~~27-29~~ and October ~~2-4~~ ~~4-6~~, only in the still hunt areas; and the Monday before Thanksgiving and continuing for 55 days thereafter in the archery-only area, which is within the area described by a line beginning at the intersection of County Road 225 and Woodbury Road, then southeast on County Road 225 to State Road 16, then south on State Road 16 and County Road 230 to the Camp Blanding boundary on the east side of County Road 230, then east along the Camp Blanding boundary to Duval Road, then south on Duval Road to Yerkes Road, then west on Yerkes Road to Treat Road, then north on Treat Road to Lightning Strike Road, then west and north on Lightning Strike Road to State Road 230, then west on State Road 230 to the Camp Blanding boundary, then north along the Camp Blanding boundary to State Road 16, then east on the south side of State Road 16 to Lightning Strike Road, then north on Lightning Strike Road to Bessent Road, then north on Bessent Road to the starting point. A disjunct portion of the archery-only area is south of County Road 215, east of Rifle Range Road, north of State Road 16 and west of the Camp Blanding boundary.

6. No change.

7. Muzzleloading gun – October ~~9-11~~ ~~11-13~~ and ~~16-18~~ ~~18-20~~, only in the still hunt areas.

8. No change.

9. Trapping – December 1 through January ~~6~~ ~~8~~, only in the still hunt areas.

(b) through (c) No change.

(d) General regulations:

1. through 12. No change.

13. The use of all-terrain vehicles (~~ATVs~~) is prohibited, except as authorized by written permit from the Post Commander.

14. through 15. No change.

(2) Cypress Creek Wildlife Management Area.

(a) Open season:

1. Youth turkey hunt – March ~~9-10~~ ~~10-11~~.

2. Spring turkey – March ~~16-24~~ ~~17-25~~.

3. Archery – September ~~22~~ ~~24~~ through October ~~7~~ ~~9~~.

4. Muzzleloading gun – October ~~20-22~~ ~~22-24~~.

- 5. through 6. No change.
- (b) through (d) No change.
- (3) Gulf Hammock Wildlife Management Area.
 - (a) Open season:
 - 1. General gun – November ~~3~~ ~~5~~ through January ~~20~~ ~~22~~.
 - 2. Youth turkey hunt – March ~~9-10~~ ~~10-11~~.
 - 3. Spring turkey – March ~~16~~ ~~17~~ through April ~~21~~ ~~22~~.
 - 4. Archery – September ~~15~~ ~~17~~ through October ~~14~~ ~~16~~.
 - 5. Muzzleloading gun – October ~~20~~ ~~22~~ through November ~~2~~ ~~4~~.
 - 6. No change.
 - (b) Legal to take: All legal game, fish, frogs and furbearers. ~~Taking wild hog with a shoulder height of less than 15 inches is prohibited. Wild hog: daily bag, 1; possession limit, 2.~~
 - (c) No change.
 - (d) General regulations:
 - 1. through 3. No change.
 - 4. Fires ~~other than campfires~~ are prohibited.
 - 5. through 7. No change.
- (4) Lochloosa Wildlife Management Area.
 - (a) Open season:
 - 1. General gun – November ~~3-16~~ ~~5-18~~, November ~~17~~ ~~19~~ through December ~~2~~ ~~4~~ and December ~~3-30~~ ~~5~~ through January ~~1~~.
 - 2. Youth turkey hunt – March ~~9-10~~ ~~10-11~~.
 - 3. Spring turkey – March ~~16~~ ~~17~~ through April ~~21~~ ~~22~~.
 - 4. Archery – September ~~22~~ ~~24~~ through October ~~21~~ ~~23~~.
 - 5. Muzzleloading gun – October ~~26-28~~ ~~28-30~~.
 - 6. No change.
 - 7. Small game – ~~December 31~~ ~~January 2~~ through March ~~3~~ ~~4~~.
 - 8. No change.
 - (b) No change.
 - (c) Camping: Camping allowed only by permit from the St. Johns River Water Management District and only at ~~the~~ designated ~~campsites~~ ~~campsite~~.
 - (d) General regulations:
 - 1. No change.
 - 2. Vehicles are restricted to established roads. Tracked vehicles, all-terrain vehicles (ATVs) and unlicensed vehicles are prohibited. Non-motorized bicycles are allowed, but may be ridden only on established roads.
 - 3. through 6. No change.
- (5) Osceola Wildlife Management Area.
 - (a) Open season:
 - 1. General gun – November ~~10~~ ~~12~~ through January ~~6~~ ~~8~~.
 - 2. Small game – January ~~7~~ ~~9~~ through March ~~3~~ ~~4~~.
 - 3. Youth turkey hunt – March ~~9-10~~ ~~10-11~~.
 - 4. Spring turkey – March ~~16~~ ~~17~~ through April ~~21~~ ~~22~~.
 - 5. Archery – September ~~22~~ ~~24~~ through October ~~14~~ ~~16~~.

- 6. Muzzleloading gun – October ~~20-27~~ ~~22-29~~ in the still hunt area and Big Gum Swamp Wilderness only.
- 7. Fox, raccoon, opossum and bobcat – July ~~28~~ ~~30~~ through September ~~18~~ ~~20~~ in the dog hunt portion of the area only from sunset to sunrise.
- 8. Special September duck – ~~During~~ ~~in~~ the special September duck season established by Rule 68A-13.003, F.A.C.
- 9. No change.
- 10. Trapping – January ~~7~~ ~~9~~ through March 1.
 - (b) No change.
 - (c) Camping: Throughout the year but only on designated campsites during general gun season on that portion of the area designated and posted as National Forest lands. On that portion of the area designated and posted as State Forest lands, camping is allowed throughout the year only at designated sites and only by permit from the ~~Florida Forest Service~~ ~~Division of Forestry~~.
 - (d) General regulations:
 - 1. No change.
 - 2. Deer dogs may be trained from October ~~27~~ ~~29~~ through November ~~5~~ ~~7~~, except in the still hunt area.
 - 3. through 8. No change.
- (6) Big Bend Wildlife Management Area – Tide Swamp Unit.
 - (a) Open season:
 - 1. General gun – November ~~3~~ ~~5~~ through ~~December 30~~ ~~January 1~~.
 - 2. Archery – September ~~22~~ ~~24~~ through October ~~21~~ ~~23~~.
 - 3. Muzzleloading gun – October ~~26-28~~ ~~28-30~~.
 - 4. Small game – ~~December 31~~ ~~January 2~~ through February ~~24~~ ~~26~~.
 - 5. through 6. No change.
 - 7. Youth turkey hunt – March ~~9-10~~ ~~10-11~~.
 - 8. Spring turkey – March ~~16~~ ~~17~~ through April ~~21~~ ~~22~~.
 - 9. Trapping – January ~~7~~ ~~9~~ through March 1.
 - (b) through (c) No change.
 - (d) General regulations:
 - 1. through 2. No change.
 - 3. During the muzzleloading gun season, the youth turkey hunt, and the first 16 days of the archery, general gun and spring turkey seasons, hunters shall check in and out at a check station when entering or exiting the area, ~~obtain a daily permit, which they shall keep on their person,~~ and check all game taken.
 - 4. through 6. No change.
 - 7. The use of all-terrain vehicles (ATVs) is prohibited.
 - 8. No change.
- (7) Big Bend Wildlife Management Area – Spring Creek Unit.
 - (a) Open season:

1. General gun – November ~~3-11 5-13~~ and November 12 14 through December 30 ~~January 1~~.
2. Archery – September 22 24 through October 21 23.
3. Muzzleloading gun – October ~~26-28 28-30~~.
4. Small game – December 31 ~~January 2~~ through March 3 4.
5. Youth turkey hunt – March ~~9-10 10-11~~.
6. Spring turkey – March 16 17 through April 21 22.
7. Trapping – January 7 9 through March 1.
8. through 9. No change.
- (b) through (d) No change.
- (8) Big Bend Wildlife Management Area – Hickory Mound Unit.
 - (a) Open season:
 1. General gun – November ~~3-11 5-13~~, 12-18 14-20 and November 19 21 through December 30 ~~January 1~~.
 2. Small game – December 31 ~~January 2~~ through February 24 26.
 3. Spring turkey – March 16 17 through April 21 22.
 4. Archery – September 29 through October 28 1-30.
 5. through 7. No change.
 8. Trapping – January 7 9 through March 1.
 - (b) through (c) No change.
 - (d) General regulations:
 1. through 4. No change.
 5. The take of wildlife with discharge of any firearm from the Hickory Mound Impoundment dikes is prohibited.
 6. During the first 16 days of the archery, general gun and spring turkey seasons, hunters shall check in and out at a check station when entering or exiting the area, ~~obtain a daily permit which they shall keep on their person~~, and check all game taken. Waterfowl hunters using the Hickory Mound Impoundment must check in and out at the check station whenever it is manned and check all game taken.
 7. through 13. No change.
- (9) Big Bend Wildlife Management Area – Jena Unit.
 - (a) Open season:
 1. Archery – September 22 through October 21.
 - ~~2. General gun – November 3-11 5-13 and November 12 14 through December 30 January 1.~~
 - ~~3. Spring turkey – March 16 17 through April 21 22.~~
 - ~~4. Small game – December 31 January 2 through February 24 26.~~
 4. through 5. renumbered 5. through 6. No change.
 - ~~7. Trapping – January 7 9 through March 1.~~
 - (b) Legal to take: All legal game, fish, frogs and furbearers except that during archery season, taking antlerless deer or turkey other than bearded turkey or grouse is prohibited.
 - (c) No change.
 - (d) General regulations:
 1. No change.

2. On that portion of the area south of County Road 358, west of Gentle Woods Road (north of Rocky Creek) and west of County Road 361 (south of Rocky Creek) motorized vehicles may be operated only on named or numbered roads from two days before the opening of archery season ~~November 1~~ through April 30; and only on Sand Ridge Road, Road No. 2, Sink Creek Road and Rocky Creek Landing Road during the remainder of the year. On the remainder of the area vehicles may be operated only on established roads.

3. through 6. No change.

(10) Big Bend Wildlife Management Area – Snipe Island Unit.

(a) Open season:

1. Archery – September 22 24 through October 21 23.
2. Muzzleloading gun – October ~~26-28 28-30~~.
3. General gun – November ~~3-11 5-13~~ and November 12-25 14-27.
4. Small game – December ~~29 31~~ through January 27 29.
5. Youth turkey hunt – March ~~9-10 10-11~~.
6. Spring turkey – March ~~16-24 17-25~~, ~~March 25-31 26~~ through ~~April 1~~ and April 1-7 2-8.
7. Trapping – January 5 7 through March 1.
8. No change.

(b) through (c) No change.

(d) General regulations:

1. through 6. No change.
7. During the trapping season, taking trapped furbearers with a .22 caliber rimfire firearm is allowed; ~~however, the firearm may only be loaded immediately prior to the shooting of a trapped furbearer.~~
8. No change.

(11) PotashCorp – White Springs Wildlife Management Area.

(a) through (c) No change.

(d) General regulations:

1. through 4. No change.
5. The take of wildlife with Discharge of firearms from dikes is prohibited.
- ~~6. The possession of lead shot is prohibited while in a boat or blind.~~

7. through 8. renumbered 6. through 7. No change.

(12) Raiford Wildlife Management Area.

(a) Open season:

1. Archery – September 22 24 through October 7 9.
2. Muzzleloading gun – October ~~20-22 22-24~~.
3. Archery and muzzleloading gun – November ~~3-11 5-13~~.
4. Youth turkey hunt – March ~~9-10 10-11~~.
5. Spring turkey – March ~~16-24 17-25~~.
6. No change.

(b) through (d) No change.

(13) Cedar Key Scrub Wildlife Management Area.

(a) Open season:

1. General gun – November ~~3-11~~ ~~5-13~~.
2. Archery – September ~~22-24~~ through October ~~7-9~~.
3. Muzzleloading gun – October ~~20-22~~ ~~22-24~~.

(b) Legal to take: Antlered deer, antlerless deer (during archery season only), wild hog and gray squirrel. Taking any other animal is prohibited.

(c) No change.

(d) General regulations:

1. through 3. No change.

~~4. Hunters shall check in and out at the self-service check station when entering or exiting the area and shall record all game taken.~~

5. through 6. renumbered 4. through 5. No change.

(14) Andrews Wildlife Management Area.

(a) Open season:

1. Archery – September ~~21-23~~ ~~23-25~~ and ~~September 28-30~~ ~~30 through October 2~~.

2. Muzzleloading gun – November ~~2-4~~ ~~4-6~~ and ~~9-11~~ ~~11-13~~.

3. General gun – November ~~16-18~~ ~~18-20~~.

4. Small game – December ~~28-30~~ ~~30 through January 1~~, January ~~4-6~~ ~~6-8~~, and ~~11-13~~ ~~13-15~~.

5. Family hunt – December ~~1-2~~ ~~3-4~~ and ~~8-9~~ ~~10-11~~.

6. Youth turkey hunt – March ~~9-10~~ ~~10-11~~.

7. Spring turkey – March ~~22-24~~ ~~23-25~~ and April ~~12-14~~ ~~13-15~~.

8. Supervised deer/hog youth hunt – October ~~20-21~~ ~~22-23~~ and ~~27-28~~ ~~29-30~~.

9. No change.

(b) through (d) No change.

(15) Big Shoals Wildlife Management Area.

(a) Open season:

1. Archery – September ~~24-29~~ ~~26 through October 1~~, October ~~1-6~~ ~~3-8~~ and ~~8-13~~ ~~10-15~~.

2. Muzzleloading gun – October ~~26-28~~ ~~28-30~~ and November ~~2-4~~ ~~4-6~~.

3. Small game – December ~~17-22~~ ~~19-24~~ and ~~24-29~~ ~~26-31~~.

4. Youth turkey hunt – March ~~9-10~~ ~~10-11~~.

5. Spring turkey – March ~~21-23~~ ~~22-24~~ and April ~~11-13~~ ~~12-14~~.

6. No change.

(b) through (d) No change.

(16) Twin Rivers Wildlife Management Area.

(a) Open season:

1. Archery – September ~~22-28~~ ~~24-30~~ and ~~September 29~~ ~~through October 7~~ ~~1-9~~.

2. Muzzleloading gun – October ~~20-22~~ ~~22-24~~.

3. General gun – November ~~3-6~~ ~~5-8~~ and ~~7-13~~ ~~9-15~~.

4. Small game – November ~~24~~ ~~26~~ through December ~~16~~ ~~18~~.

5. Youth turkey hunt – March ~~9-10~~ ~~10-11~~.

6. Spring turkey – March ~~22-24~~ ~~23-25~~ and April ~~12-14~~ ~~13-15~~.

7. No change.

(b) Legal to take: Antlered deer, turkey (archery and spring turkey seasons only), gray squirrel, quail, rabbit and fish. The bag limit for deer is one per person per hunt season for each of the following seasons: archery, muzzleloading gun and general gun. The bag limit for turkey is one per person per hunt during the archery and spring turkey seasons except that the bag limit is only one per quota permit during the youth turkey hunt.

(c) Camping: Prohibited unless authorized by the Florida Forest Service Division of Forestry.

(d) No change.

(17) No change.

(18) Jennings Forest Wildlife Management Area.

(a) Open season:

1. Archery – September ~~22-25~~ ~~24-27~~, ~~and 26-29~~ ~~September 28 through October 1~~, ~~September 30 through October 3~~ ~~2-5~~ and ~~October 4-7~~ ~~6-9~~.

2. Supervised small game – October ~~13-21~~ ~~15-23~~, east of Yellow Water Creek, and east of the North Fork Black Creek but only south of its convergence with Yellow Water Creek.

3. Muzzleloading gun – October ~~26-28~~ ~~28-30~~.

4. Bird dog training – November 19 through December 16 in the quail enhancement area Only in the Normandy Unit and in the Normandy Unit only on Wednesdays, Saturdays and Sundays from October through January; except that bird dog training is prohibited during the archery season.

5. General gun – November ~~3-6~~ ~~5-8~~, ~~7-10~~ ~~9-12~~, ~~11-14~~ ~~13-16~~ and ~~15-18~~ ~~17-20~~.

6. Family hunt – December 22-23.

~~7.6.~~ Small game – January ~~4~~ ~~6~~ through February ~~3~~ ~~5~~, Fridays, Saturdays and Sundays only.

~~8.~~ Wild hog-still – February 8-10, 15-17, May 3-5, 17-19 and June 7-9.

~~9.7.~~ No change.

~~10.8.~~ Youth turkey hunt – March ~~9-10~~ ~~10-11~~.

~~11.9.~~ Spring turkey – March ~~16-18~~ ~~17-19~~, ~~19-21~~ ~~20-22~~ and ~~22-24~~ ~~23-25~~.

10. through 11. renumbered 12. through 13. No change.

(b) Legal to take: All legal game, fish and furbearers (except bobcat and otter). Taking antlered deer not having at least one antler with three or more points, each point one inch or more in length, is prohibited. The bag limit for deer During the archery, muzzleloading gun and general gun seasons, the bag limit for deer shall be one per quota permit during the archery, muzzleloading gun and general gun seasons and one antlered and one antlerless deer per quota permit during the family hunt. The take of wild hog is prohibited during small game season and in the quail enhancement area in February

during the wild hog-still season. Only wild hog may be taken during the wild hog-still season. During the spring turkey season, the bag limit for turkeys shall be one gobbler or bearded turkey per quota permit. Killing quail is prohibited on the quail enhancement area (that portion of the area lying north of the North Fork Black Creek, east of County Road 217 and west of the Yellow Water Creek) except during quail season. The bag limit for quail on the quail enhancement area is six per quota permit.

(c) Camping: Primitive camping allowed year-round at designated sites, by permit from the Florida Forest Service Division of Forestry.

(d) General regulations:

1. through 2. No change.

3. Taking wildlife with dogs is prohibited except that bird dogs are allowed during the bird dog training, small game and quail seasons and waterfowl retrievers are allowed during the duck, geese and coot season. In the Normandy Unit, bird dogs are allowed only during the bird dog training season.

4. through 12. No change.

(19) Holton Creek Wildlife Management Area.

(a) Open season:

1. Mobility-impaired general gun – October 12-14 14-16, 26-28 28-30, November 2-4 4-6 and December 14-16 16-18.

2. Mobility-impaired spring turkey – March 22-24 23-25 and April 12-14 13-15.

3. No change.

(b) through (d) No change.

(20) Goethe Wildlife Management Area.

(a) Open season:

1. Archery – September 22 24 through October 14 16.

2. Muzzleloading gun – October 26-28 22-24.

3. General gun (still hunt) – November 3-5, 6-8 5-7 and 9-12 8-10.

4. General gun (dog hunt) – November 16-18, 19-22 11-13 and 23-26 14-17.

5. Small game – January 5-27 7-29.

6. Spring turkey – March 16-22, 23-31 17-23 and March 24 through April 1-7 1.

7. No change.

(b) No change.

(c) Camping is allowed by permit only, from the Florida Forest Service Division of Forestry.

(d) General regulations:

1. through 2. No change.

3. Fires are allowed only at locations specified by the Florida Forest Service Division of Forestry.

4. through 8. No change.

~~9. Hunters shall check all deer, wild hog, and turkey at one of the area check stations before leaving the area.~~

~~9.10. No change.~~

~~10.11. Public access is prohibited from 1.5 hours after sunset until 1.5 hours before sunrise, except by persons in possession of a camping or special use permit from the Florida Forest Service Division of Forestry.~~

(21) Citrus Wildlife Management Area.

(a) Open season:

1. General gun – December 7-9 10-11 and December 28-30 31 through January 1.

2. Small game – December 31 January 2 through February 24 26.

3. Muzzleloading gun – November 30 through December 2 and December 14-16 3-4 and 17-18.

4. Archery – November 3-25 5-27.

5. Youth turkey hunt – March 9-10 10-11.

6. Spring turkey – March 19-22 20-22, April 2-5 3-5 and 16-19 17-19.

7. No change.

(b) No change.

(c) Camping: Prohibited unless authorized by the Florida Forest Service Division of Forestry.

(d) General regulations:

1. through 5. No change.

6. The take of quail is prohibited east of County Road 491 between Forest Road Trail 16 and County Road 480, except for the second and third consecutive Tuesdays and Wednesdays in February.

7. No change.

8. Bird dogs may be trained in the area east of County Road 491 between Forest Road Trail 16 and Forest Road Trail 20 October 1 through 31. Scheduled bird dog trial events are authorized only in the area east of County Road 491 between Forest Road Trail 16 and County Road 480.

9. through 11. No change.

(22) Flying Eagle Wildlife Management Area.

(a) Open season:

1. Archery – September 29 through October 2 1-4 and October 5-9 7-11.

2. Muzzleloading gun – October 20-22 22-24.

3. General gun – November 3-6 5-8 and 9-13 11-15.

4. Small game – November 23-25 25-27 and December 14-16 16-18.

5. Spring turkey – March 16-19 17-20 and 22-26 23-27.

6. through 7. No change.

(b) through (d) No change.

(23) Potts Wildlife Management Area.

(a) Open season:

1. Spring turkey – March 16-19 17-20 and 22-26 23-27.

2. Archery – October 4-7 6-9 and 10-14 12-16.

3. Muzzleloading gun – October 26-28 28-30.

4. Wild hog-dog – November 16-18 18-20.

5. Small game – December ~~7-9~~ 9-11, January ~~4-6~~ 6-8, and February ~~1-3~~ 3-5.

6. through 7. No change.

(b) No change.

(c) Camping: Camping and camping equipment is allowed at designated campsites ~~no earlier than beginning~~ no earlier than beginning 8 a.m. the day preceding each hunt and ending the last day of each hunt ~~except during the small game season when camping and camping equipment is allowed no earlier than 8 a.m. on the first day of each hunt.~~ Camping is allowed at other times by permit from the Southwest Florida Water Management District. Kitchen stoves, refrigerators, and freezers, unless contained in mobile campers are prohibited. Lumber, sheet metal or other building materials is prohibited. Each camper shall assure that their campsite is clean at all times. The altering, defacing, moving, or tampering in any way with official markings of campsites is prohibited. Only tents, trailers, or self-propelled camping vehicles may be used for camping. The name, address and telephone number of the person responsible for each campsite shall be visibly affixed to the camping shelter.

(d) General regulations:

1. through 5. No change.

~~6. Only tents, trailers or self-propelled camping vehicles may be used for camping.~~

~~7. The name and address and telephone number of the person responsible for each campsite shall be visibly affixed to the camping shelter.~~

8. through 9. renumbered 6. through 7. No change.

~~8,10. Authorized hunting equipment, and dogs and camping equipment~~ may be taken onto the area no earlier than beginning 8 a.m. the day preceding each hunt and shall be removed from the area the last day of each hunt. During spring turkey season, hunting equipment is allowed on the area no earlier than beginning 1.5 hours before sunrise the day preceding each hunt.

(24) Homosassa Wildlife Management Area.

(a) Open season:

1. Archery – October ~~11-14~~ 14-16, ~~25-28~~ 28-30, and November ~~1-4~~ 4-6.

2. Small game – November ~~10~~ 12 through December ~~2, 4~~ and December 22 24 through January ~~6, January 31~~ through February 3 and February 14-17 ~~8~~.

~~3. Wild hog still – February 2-5 and 16-19.~~

~~3,4. Special-opportunity spring turkey – March 16-22 17-23 and March 30 31~~ through April ~~5~~ 6.

~~4,5. No change.~~

(b) Legal to take: All legal game, fish, frogs and furbearers. Taking antlered deer not having at least one antler with three or more points, each point one inch or more in length, is prohibited. During the archery season the bag limit for deer shall be one antlered and one antlerless deer per quota

permit. ~~Only wild hog may be taken during the wild hog still season.~~ Wild turkey may only be taken during the special-opportunity spring turkey season. The bag limit for turkeys shall be one gobbler or bearded turkey per special-opportunity permit.

(c) through (d) No change.

(25) Devil’s Hammock Wildlife Management Area.

(a) Open season:

1. Archery – September ~~15-18~~ 17-20, ~~19-23~~ 21-25 and ~~24-28~~ 26-30.

2. Family hunt – October ~~6-7~~ 8-9 and ~~13-14~~ 15-16.

3. Muzzleloading gun – October ~~20-22~~ 22-24.

4. General gun – November ~~3-6~~ 5-8 and ~~7-11~~ 9-13.

5. Small game – November ~~17~~ 19 through December ~~16~~ 18.

6. Wild hog-still – January ~~14~~ 16 through February ~~10~~ 12.

7. Youth turkey hunt – March ~~9-10~~ 10-11.

8. Spring turkey – March ~~16-19~~ 17-20 and ~~20-24~~ 21-25.

9. through 10. No change.

(b) through (d) No change.

(26) Mallory Swamp Wildlife Management Area.

(a) Open season:

1. Archery – September ~~15~~ 17 through October ~~14~~ 16.

2. Muzzleloading gun – October ~~20-28~~ 22-30 (still hunt area only).

3. General gun – November ~~10~~ 12 through January ~~6~~ 8.

4. Small game – January ~~7~~ 9 through February ~~17~~ 19.

5. Wild hog-dog – February ~~22-24~~ 24-26.

6. Spring turkey – March ~~16-31~~ 17 through April ~~1~~.

7. No change.

8. Trapping – January ~~7~~ 9 through March 1.

9. No change.

(b) through (c) No change.

(d) General regulations:

1. through 4. No change.

5. During the trapping season, taking trapped furbearers with a .22 caliber rimfire firearm is allowed; ~~however, the firearm may only be loaded immediately prior to the shooting of a trapped furbearer.~~

6. through 8. No change.

(27) Middle Aucilla Wildlife Management Area.

(a) Open season:

1. General gun – November ~~3-29~~ 5 through December ~~1~~ and November 30 through December ~~30~~ 2 through January ~~1~~.

2. Muzzleloading gun – October ~~20-28~~ 22-30.

3. Small game – ~~December 31~~ January 2 through March ~~3~~ 4.

4. Archery – September ~~15~~ 17 through October ~~14~~ 16.

5. Youth turkey hunt – March ~~9-10~~ 10-11.

6. Spring turkey – March ~~16~~ 17 through April ~~21~~ 22.

7. through 8. No change.

(b) through (c) No change.

(d) General regulations:

1. through 3. No change.

4. The possession or use of dogs, other than bird dogs or waterfowl retrievers, is prohibited, except as provided by ~~paragraphs~~ paragraph 68A-24.002(2)(b) and 68A-15.004(7)(c) or (d), F.A.C.

5. through 6. No change.

7. Hunting as specified in paragraph 68A-24.002(2)(b), F.A.C., is allowed only during the last 30 days of the small game season by persons possessing a Special Use Authorization from the Suwannee River Water Management District.

(28) Little River Wildlife Management Area.

(a) Open season:

1. Archery – September ~~22-24~~ 24-26, ~~September 29 through October 1~~ October 1-3 and ~~October 6-8~~ 8-10.

2. Muzzleloading gun – October ~~20-22~~ 22-24.

3. Small game – November ~~24 through January 6~~ 26-30 and ~~December 17-21~~.

4. through 5. No change.

(b) Legal to take: Antlered deer, rabbit, gray squirrel, quail (only during the first ~~16 days~~ hunt of the small game season) and fish.

(c) No change.

(d) General regulations:

1. Vehicles may be operated only on Little River Road, Road 33-2 and Road 33-3 ~~Powerline Roads~~.

2. No change.

3. Persons shall enter and exit at designated entrances or via the Suwannee River.

4. Taking wildlife with dogs is prohibited, except as provided by paragraph 68A-24.002(2)(b), F.A.C., and except that bird dogs may be used for hunting quail during the first ~~16 days~~ hunt of the small game season.

5. through 6. No change.

7. During the small game season, hunting as specified in paragraph 68A-24.002(2)(b), F.A.C., is allowed by persons possessing a Special Use Authorization from the Suwannee River Water Management District.

(29) Troy Springs Wildlife Management Area.

(a) Open season:

1. Small game – November ~~10-12~~ through January ~~6~~ 8, except on Sundays, and only in that portion of the area known as the Adams Tract located northeast of US 27, east and south of County Road 251, and southwest of the Suwannee River.

2. No change.

(b) through (d) No change.

(30) Bayard Wildlife Management Area.

(a) Open season:

1. Archery – September ~~22-24~~ through October ~~7~~ 9 and November ~~10-18~~ 12-20.

2. Muzzleloading gun – October ~~20-28~~ 22-30.

3. Youth turkey hunt – March ~~9-10~~ 10-11.

4. through 6. No change.

(b) through (c) No change.

(d) General regulations:

1. through 5. No change.

6. ~~Hunters must check in and out at the check station and check all game taken.~~

7. through 11. renumbered 6. through 10. No change.

(31) Grove Park Wildlife Management Area.

(a) Open season:

1. Archery – September ~~15-17~~ through October ~~14~~ 16.

2. Muzzleloading gun – October ~~20-22~~ through November ~~2~~ 4.

3. General gun – November ~~10-12~~ through January ~~6~~ 8.

4. Small game – January ~~7~~ 9 through March ~~3~~ 4.

5. No change.

6. Trapping – December 1 through January ~~6~~ 8.

7. Youth turkey hunt – March ~~9-10~~ 10-11.

8. Spring turkey – March ~~16-17~~ through April ~~21~~ 22.

9. No change.

(b) through (d) No change.

(32) Steinhatchee Springs Wildlife Management Area.

(a) Open season:

1. Archery – September ~~22-24~~ through October ~~21~~ 23.

2. Muzzleloading gun – October ~~26-28~~ 28-30.

3. General gun – November ~~3-11~~ 5-13 and November ~~12-14~~ through December ~~2~~ 4.

4. Small game – January ~~12-14~~ through February ~~10~~ 12.

5. Wild hog-dog – February ~~15-17~~ 17-19 and ~~22-24~~ 24-26.

6. Youth turkey hunt – March ~~9-10~~ 10-11.

7. Spring turkey – March ~~16-19~~ 17-20, ~~20-24~~ 21-25 and March ~~25-26~~ through April ~~7~~ 8.

8. through 9. No change.

(b) through (c) No change.

(d) General regulations:

1. The possession or use of dogs, other than waterfowl retrievers or bird dogs is prohibited, except as provided by paragraphs 68A-24.002(2)(b) and paragraph 68A-15.004(7)(c) or (d), F.A.C., and during the wild hog-dog season.

2. through 5. No change.

6. The taking or attempt to take wildlife with or the display or use of a gun on or from the rights-of-way of U.S. Highway 19, State Road 51 or County Road 357 is prohibited as provided by Rule 68A-4.008, F.A.C.

7. through 9. No change.

10. During the small game season, hunting as specified in paragraph 68A-24.002(2)(b), F.A.C., is allowed by persons possessing a Special Use Authorization from the Suwannee River Water Management District.

(33) Nassau Wildlife Management Area.

(a) Open season:

1. General gun – November ~~3-5~~ through December 30 January 1.
2. Small game – December 31 January 2 through March 3 4.
3. Youth turkey hunt – March 9-10 ~~10-11~~.
4. Spring turkey – March 16 ~~17~~ through April 21 ~~22~~.
5. Archery – September 21 ~~23~~ through October 19 ~~21~~.
6. Muzzleloading gun – October 20 ~~22~~ through November 24 ~~24~~.
7. No change.
8. Trapping – January 7 ~~9~~ through March 1.

(b) through (d) No change.

(34) Cary Wildlife Management Area.

(a) Open season:

1. Archery – September 22-24 ~~24-26~~ and 28-30 ~~September 30 through October 2~~.
2. Muzzleloading gun – October 20-22 ~~22-24~~ and 26-28 ~~28-30~~.
3. Family hunt – November 3-4 ~~5-6~~.
4. General gun – November 9-11 ~~11-13~~ and 23-25 ~~25-27~~.
5. Small game – November 30 ~~December 2~~ through January 6 ~~8~~ (Fridays, Saturdays and Sundays only).
6. Wild hog-still – January 25-27 and February 15-17.
- ~~7.6~~ Spring turkey – March 16-18 ~~17-19~~, 22-24 ~~23-25~~ and 29-31 ~~March 30 through April 1~~.
- ~~8.7~~ No change.

(b) Legal to take: All legal game except that only wild hog, ~~antlered~~ deer and waterfowl may be taken during the family hunt, and the muzzleloading gun and general gun seasons. During the archery season the bag limit for deer shall be one antlered or one antlerless deer per quota permit. During the family hunt the bag limit shall be one antlered and one antlerless deer per quota permit. During the muzzleloading gun and general gun seasons the bag limit shall be one antlered deer per quota permit. Only wild hog may be taken during the wild hog-still season. During the spring turkey season the bag limit for turkey shall be one gobbler or bearded turkey per quota permit.

(c) Camping is allowed by permit only from the Florida Forest Service ~~Division of Forestry~~.

(d) General regulations:

1. through 3. No change.
4. The use of all-terrain vehicles (ATVs) is prohibited.
5. through 7. No change.

8. Public access is prohibited from 1.5 hours after sunset until 1.5 hours before sunrise, except by persons in possession of a camping or special use permit from the Florida Forest Service ~~Division of Forestry~~.

(35) Ralph E. Simmons Memorial Wildlife Management Area.

(a) Open season:

1. General gun – November 17-25 ~~19-27~~.
2. Archery – September 15-23 ~~24~~ through October 2.
3. Muzzleloading gun – October 20-28 ~~22-30~~.
4. General gun for mobility-impaired – October 6-9 ~~15-18~~.
5. Family hunt – November 3-4.
- ~~6.5~~ Small game – December 10-23 ~~12-25~~ and January 26 ~~28~~ through February 3 ~~5~~.
- ~~7.6~~ No change.
- ~~8.7~~ Youth turkey hunt – March 9-10 ~~10-11~~.
8. through 9. renumbered 9. through 10. No change.

(b) Legal to take: All legal game, fish, frogs and furbearers. During the archery and general gun for mobility-impaired seasons and the family hunt, the bag limit for deer shall be one antlered and one antlerless deer per quota permit. During the muzzleloading gun and general gun seasons, the bag limit for deer shall be one antlered deer per quota permit. The bag limit for deer shall be one antlered and one antlerless deer per quota permit. Antlerless deer (except spotted fawns) may be taken only during the archery and general gun for mobility-impaired seasons. During the mobility-impaired hunt only certified mobility-impaired hunters may take antlerless deer. Only one quota permit may be utilized per individual, per season.

(c) Camping: During quota hunt periods, camping is allowed only in the Scotts Landing Road campground and only by hunters in possession of a valid quota permit. During the small game season and periods closed to hunting, camping in the Scotts Landing Road campground is allowed only by permit from the Florida Forest Service ~~Division of Forestry~~. During periods closed to hunting, camping at primitive campsites along the St. Mary's River is allowed on a first-come first-served basis.

(d) General regulations:

1. No change.
2. Vehicles may be operated only on named or numbered roads except that mobility-impaired hunters may use tracked vehicles, all-terrain vehicles, and horses throughout the area during the general gun for mobility-impaired season and the weekend and day before the season.
3. Vehicles may be parked only at designated parking areas, except during the general gun for ~~the~~ mobility-impaired season and the weekend and day before the season.
4. Vehicular access is allowed on all hunt days plus the weekend and day before all hunts except the family hunt and spring turkey; and small game seasons, when it shall be

allowed only on hunt days and the day before each hunt. The use of all-terrain vehicles, tracked vehicles and unlicensed or unregistered motorcycles is prohibited.

5. No change.

~~6. Hunters must check in and out at the designated check station and check all game taken.~~

~~6.7.~~ Horses are prohibited during periods open to hunting except when used by mobility-impaired hunters during the general gun for mobility-impaired season. During periods closed to hunting, horses may be used only on named or numbered roads and designated trails except that mobility-impaired hunters may use horses throughout the area during the weekend and day before the general gun for mobility-impaired season.

~~7.8.~~ No change.

(36) Lower Econfina River Wildlife Management Area.

(a) Open season:

1. Archery – October ~~6-21~~ 8-23.
2. Muzzleloading gun – October ~~27-29~~ 29-31.
3. Small game – January ~~14-16~~ through February ~~24~~ 26.
4. Youth turkey hunt – March ~~9-10~~ 10-11.
5. Spring turkey – March ~~16-24~~ 17-25.

6. No change.

(b) No change.

(c) General regulations:

1. The possession or use of dogs, other than bird dogs or dogs with a shoulder height of 15 inches or less is prohibited, except as provided by ~~paragraphs~~ paragraph 68A-24.002(2)(b) and 68A-15.004(7)(c) or (d), F.A.C.

2. through 6. No change.

7. During the small game season, hunting as specified in paragraph 68A-24.002(2)(b), F.A.C., is allowed by persons possessing a Special Use Authorization from the Suwannee River Water Management District.

(37) Belmore Wildlife Management Area.

(a) Open season:

1. Archery – September ~~22-24~~ 24-26, ~~28-30~~ September 30 through October 2 and October ~~5-7~~ 7-9.
2. Muzzleloading gun – October ~~20-22~~ 22-24.
3. Family hunt – November ~~3-4~~ and ~~17-18~~ 5-6.
4. General gun – November ~~8-11~~ 10-13 and ~~21-25~~ 23-27.
5. Small game – November 30 ~~December 2~~ through January ~~6~~ 8 (Fridays, Saturdays and Sundays only).
6. No change.
7. Youth turkey hunt – March ~~9-10~~ 10-11.
8. Spring turkey – March ~~16-18~~ 17-19, ~~22-24~~ 23-25 and ~~29-31~~ March 30 through April 1.

9. through 10. No change.

(b) Legal to take: All legal game, fish, frogs and furbearers. During the archery season the bag limit for deer shall be one antlered or one antlerless deer per quota permit.

During the family ~~hunts~~ hunt the bag limit for deer shall be one antlered and one antlerless deer per quota permit. During the muzzleloading gun and general gun seasons the bag limit for deer shall be one antlered deer per quota permit. Taking antlered deer not having at least one antler with three or more points, each point one inch or more in length, is prohibited. During the spring turkey season the bag limit for wild turkey shall be one gobbler or bearded turkey per quota permit.

(c) through (d) No change.

(38) Four Creeks Wildlife Management Area.

(a) Open season:

1. Archery – September ~~22-24~~ 24-26, ~~28-30~~ September 30 through October 2 and October ~~5-7~~ 7-9.
2. Muzzleloading gun – October ~~20-22~~ 22-24.
3. Family hunt – November ~~3-4~~ 5-6.
4. General gun – November ~~9-11~~ 11-13, ~~16-18~~ 18-20 and ~~23-25~~ 25-27.
5. Small game – November 30 ~~December 2~~ through January ~~6~~ 8 (Fridays, Saturdays and Sundays only).
6. Wild hog-still – February 7-10.
- ~~7.6.~~ No change.
- ~~8.7.~~ Youth turkey hunt – March ~~9-10~~ 10-11.
- ~~9.8.~~ Spring turkey – March ~~16-18~~ 17-19, ~~22-24~~ 23-25 and ~~29-31~~ March 30 through April 1.
9. through 10. renumbered 10. through 11. No change.

(b) Legal to take: All legal game, fish, frogs and furbearers. During the archery season the bag limit for deer shall be one antlered or one antlerless deer per quota permit. During the family hunt the bag limit for deer shall be one antlered and one antlerless deer per quota permit. During the muzzleloading gun and general gun seasons the bag limit for deer shall be one antlered deer per quota permit. Taking antlered deer not having at least one antler with three or more points, each point one inch or more in length, is prohibited. During the spring turkey season the bag limit for turkey shall be one gobbler or bearded turkey per quota permit. Only wild hog may be taken during the wild hog-still season.

(c) through (d) No change.

(39) Hatchet Creek Wildlife Management Area.

(a) Open season:

1. Archery – September ~~21-23~~ 24-26, ~~28-30~~ September 30 through October 2 and October ~~5-7~~ 7-9.
2. Muzzleloading gun – October ~~20-22~~ 22-24.
3. Family hunt – November ~~3-4~~ 5-6.
4. General gun – November ~~9-11~~ 11-13 and ~~23-25~~ 25-27.
5. No change.
6. Youth turkey hunt – March ~~9-10~~ 10-11.
7. Spring turkey – March ~~16-18~~ 17-19, ~~22-24~~ 23-25 and ~~29-31~~ March 30 through April 1.
8. No change.
- (b) through (c) No change.

(d) General regulations:

1. through 4. No change.

5. Hunters shall enter and exit at the designated entrance; ~~check in and out at the check station and check all game taken.~~

6. through 8. No change.

(40) Log Landing Wildlife Management Area.

(a) Open season:

1. Archery – September ~~15~~ 24 through October ~~14~~ 9 and November 2-11 (Fridays, Saturdays and Sundays only) ~~October 29 through November 6.~~

2. Muzzleloading gun – October ~~20-28~~, November ~~16-25~~ and December 21-30 (Fridays, Saturdays and Sundays only) ~~22-24.~~

3. Small game – November ~~30~~ 25 through ~~December 16~~ and January ~~4~~ through February ~~10~~ † (Fridays, Saturdays and Sundays only).

4. No change.

5. Youth turkey hunt – March ~~9-10~~ ~~10-11.~~

6. Spring turkey – March ~~16~~ through April 21 (Fridays, Saturdays and Sundays only) ~~17-25.~~

7. No change.

(b) Legal to take: All legal game, fish, frogs and furbearers, except that the take of turkey other than bearded turkey or grouse is prohibited during the archery season. The take of antlerless deer, grouse or bearded turkey during the archery season is allowed only during the first 14 days.

(c) No change.

(d) General regulations:

1. Motorized vehicles are prohibited except at designated parking areas.

2. through 6. No change.

7. ~~Taking wildlife with center fire rifles is prohibited.~~

(41) Thomas Creek Wildlife Management Area – Kings Road Unit.

(a) Open season:

1. Archery – September ~~22-24~~ ~~24-26~~, October ~~1-3~~ ~~3-5~~ and ~~8-10~~ ~~10-12.~~

2. Muzzleloading gun – October ~~20-22~~ ~~22-24.~~

3. Family hunt – November ~~3-4~~ ~~5-6.~~

4. General gun – November ~~16-18~~ ~~18-20~~ and ~~23-25~~ ~~25-27.~~

5. Small game – November 30 through December 5 ~~2-7, December 10-12, 21-23, 28-30~~ ~~12-14, 23-25, December 30 through January 1~~ and January ~~7-9~~ ~~9-11.~~

6. No change.

7. Youth turkey hunt – March ~~9-10~~ ~~10-11.~~

8. Spring turkey – March ~~16-18~~ ~~17-19~~, ~~25-27~~ ~~26-28~~ and April ~~1-3~~ ~~2-4.~~

9. No change.

(b) through (d) No change.

PROPOSED EFFECTIVE DATE: July 1, 2012.

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 7-1-83, 11-17-83, 7-5-84, 7-1-85, 2-16-86, 5-7-86, 6-10-86, 11-27-86, 5-10-87, 5-1-88, 6-7-88, 7-1-89, 8-17-89, 7-1-90, 9-1-90, 7-1-91, 7-2-91, 7-1-92, 7-2-92, 8-23-92, 10-22-92, 7-1-93, 7-1-94, 2-9-95, 7-1-95, 7-1-96, 9-15-96, 6-1-97, 7-1-98, 7-2-98, 7-1-99, Formerly 39-15.062, Amended 12-9-99, 7-1-00, 7-1-01, 11-11-01, 6-2-02, 10-16-02, 5-25-03, 7-7-03, 9-29-03, 7-1-04, 8-1-04, 7-1-05, 8-1-05, 7-1-06, 7-2-06, 7-1-07, 7-5-07, 7-1-08, 7-1-09, 7-20-09, 7-1-10, 7-1-11, 7-1-12.

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.W.

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 17, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 22, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 22, 2011

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-15.063

RULE TITLE: Specific Regulations for Wildlife Management Areas – Northwest Region

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to revise specific area regulations on Wildlife Management Areas (WMAs) in the Northwest Region and conform to calendar year date changes. 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 adjust season dates to conform to calendar year changes and revise specific area regulations on Wildlife Management Areas (WMAs) in the Northwest Region as follows:

Apalachicola WMA, Bradwell Unit – establish three 3-day family hunts (quota of 5 per hunt, no exemptions, in December, January and February) with a bag limit of one antlered and one antlerless deer per quota permit; and move a week of small game hunting from December to November.

Econfina Creek WMA – allow raccoon hunting at night during the raccoon season without a quota permit in the dog hunt and still hunt areas (excluding the mobility-impaired, Cat Creek and Fitzhugh Carter areas); clarify that vehicles are allowed to be operated only on named or numbered roads throughout the year; and prohibit the take of bobcat and otter in the Fitzhugh Carter area.

Joe Budd WMA – prohibit the take of antlerless deer during the last two archery hunts (total of five 3-day hunts).

Lafayette Creek WMA – allow persons to through-hike on the Florida National Scenic Trail year round.

Pine Log WMA – extend the archery and spring turkey seasons by seven days each (16 to 23 days each, no quota permit required).

Proposed rule amendments would also amend or clarify language related to the use of guns for taking wildlife. Additionally, the proposed rule amendments would provide non-substantive technical changes, such as grammatical corrections and language standardization.

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; 379.2223, 375.313 FS.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution; 379.2223, 375.313 FS.

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

DATES AND TIME: During the regular meeting of the Commission, February 8-9, 2012, 8:30 a.m. – 5:00 p.m., each day

PLACE: Florida Public Safety Institute, 215 Academy Drive, Havana, FL 32333

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-15.063 Specific Regulations for Wildlife Management Areas – Northwest Region.

(1) Apalachee Wildlife Management Area.

(a) Open season:

1. General gun – November ~~22-25~~ ~~24-27~~ and December 8 ~~10~~ through February ~~10~~ ~~12~~ (Mondays, Wednesdays and Fridays closed to hunting in Zones A and B, except hunting is allowed the Friday after Thanksgiving).

2. Archery – October ~~20~~ ~~22~~ through November ~~18~~ ~~20~~.

3. No change.

4. Muzzleloading gun – December ~~1-3~~ ~~3-5~~.

5. through 7. No change.

8. Quail (Zone A) – December ~~18~~ ~~20~~ through January ~~27~~ ~~29~~ (Mondays, Wednesdays and Fridays closed to hunting).

9. Spring turkey (Zones B and C) – March ~~16~~ ~~17~~ through April ~~21~~ ~~22~~ (Fridays, Saturdays and Sundays only).

(b) through (d) No change.

(2) Apalachicola Wildlife Management Area.

(a) Open seasons:

1. General gun – November ~~22-25~~ ~~24-27~~ and December 8 ~~10~~ through ~~January 30~~ ~~February 1~~.

2. Small game – November ~~10-21~~ ~~12-23~~, November ~~26~~ ~~28~~ through December ~~7~~ ~~9~~ and ~~January 31~~ ~~February 2~~ through March ~~3~~ ~~4~~.

3. No change.

4. Youth turkey hunt – March ~~9-10~~ ~~10-11~~.

5. Spring turkey – March ~~16~~ ~~17~~ through April ~~21~~ ~~22~~.

6. Archery – October ~~20~~ ~~22~~ through November ~~18~~ ~~20~~.

7. Muzzleloading gun – December ~~1-3~~ ~~3-5~~.

8. Muzzleloading gun and archery – January 31 through February 10 ~~2-12~~.

9. No change.

10. Fox, raccoon, opossum and bobcat – October 1 through March ~~3~~ ~~4~~ in that portion of the area in Liberty County lying west of State Road 65 (except in that portion of the area lying north and east of the Florida River and Larkins Slough) and in that portion in Leon County and Wakulla County south of State Road 267 bounded on the east by Forest Roads 313, F.H. 13 and 356, on the south by Forest Roads 349 and 357, on the west by Forest Roads 348 and F.H. 13, 309, 314 and 344.

11. Trapping – January 31 ~~February 2~~ through March 1.

12. No change.

(b) Legal to take: All legal game, fish, frogs and furbearers. Bearded turkeys or gobblers may be taken from November ~~22-25~~ 24-27 and from December ~~8-19~~ 10-21. Killing quail is prohibited on the quail enhancement area (that portion of the area lying north of Oak Ridge Road, east of State Road 61 and U.S. Highway 319, south of State Road 263 and west of State Road 363) except by quail permit during the quail season. The bag limit for quail on the quail enhancement area is six (6) per quota permit.

(c) No change.

(d) General regulations:

1. Bird dogs may be trained from June 1 through March ~~3~~ 4, except on the quail enhancement area where bird dogs may be trained November 1 through December 31. Deer dogs may be trained from October ~~27~~ 29 through November ~~15~~ 17 in that portion of the area open to hunting fox, raccoon, opossum and bobcats.

2. No change.

3. Taking wildlife by use of a gun on or from rights-of-way of County Road 67, 260, 299, 368, 375; State Road ~~267, 67, 375~~, 65, 299, 368, 369, 260, 373, 263, 379, 12; U.S. Highway 319; or that portion of County Road 22 east of the Ochlockonee River is prohibited as provided by Rule 68A-4.008, F.A.C.

4. Taking wildlife with dogs, other than bird dogs and retrievers, is prohibited in that portion of the area lying west and south of County State Road 375 and east of the Ochlockonee River; also those lands lying north and east of the Florida River and Larkins Slough.

5. Taking deer is prohibited on or from the rights-of-way of County State Road 375 and 50 yards outward from the rights-of-way.

6. No change.

~~7. Guns being transported to and from the shooting range shall be unloaded and cased.~~

8. through 9. renumbered 7. through 8. No change.

(3) Apalachicola Wildlife Management Area – Bradwell Unit.

(a) Open season:

1. General gun – November ~~22-25~~ 24-27 and December ~~8-12~~ 10-14.

2. Archery – October ~~20-26~~ 22-28 and October ~~27~~ 29 through November ~~4~~ 6.

3. Muzzleloading gun – December ~~1-3~~ 3-5.

4. Family hunt – December ~~22-24~~, January ~~18-20~~ and February ~~1-3~~.

~~5.4.~~ Small game – November ~~10-18~~ 12-13 and December ~~29~~ 24 through January ~~6~~ 8.

~~6.5.~~ Spring turkey – March ~~16-17~~ and ~~29-31~~ 17-18 and ~~March 30~~ through April ~~1~~.

~~7.6.~~ Wild hog-dog – July ~~6-8~~ 1-3, August ~~3-5~~ 5-7 and September ~~7-9, 2012~~ 2-4, 2011, and May ~~3-5~~ 4-6 and June ~~7-9, 2013~~ 1-3, 2012.

~~8.7.~~ Wild hog-still – July ~~20-22~~ 15-17, August ~~17-19~~ 19-21 and September ~~21-23, 2012~~ 16-18, 2011, and May ~~17-19~~ 18-20 and June ~~21-23, 2013~~ 15-17, 2012.

8. through 9. renumbered 9. through 10. No change.

(b) Legal to take: All legal game, fish, frogs and furbearers. The bag limit for antlered deer shall be one per quota permit except that during the family hunt, the bag limit shall be one antlered and one antlerless deer per quota permit. During spring turkey season, the bag limit for turkey shall be one gobbler or bearded turkey per quota permit. During the wild hog seasons, only wild hog may be taken.

(c) No change.

(d) General regulations:

1. through 5. No change.

6. During the wild hog-dog season, wild hog may be taken by the aid of a light with a firearm ~~provided that no such firearm shall be loaded at any time except immediately prior to the shooting of a bayed hog.~~ The hunting of wild hog under this provision by display or use of a light from a moving vehicle, boat or animal is prohibited.

(4) Blackwater Wildlife Management Area.

(a) Open seasons in the still hunt area (which includes that portion of the area south of State Road Highway 4, except for the field trial area, and that portion of the area north of State Road 4, except for the dog hunt area).

1. General gun – November ~~22-25~~ 24-27 and December ~~15~~ 17 through February ~~6~~ 8.

2. Family still hunt (only in that portion of the still hunt area north of State Road Highway 4 and east of County Road Highway 191) – December ~~8-9~~ 10-11.

3. Small game – November ~~10-21~~ 12-23, November ~~26~~ 28 through December ~~14~~ 16 and February ~~7~~ 9 through March ~~3~~ 4.

4. Youth turkey hunt – March ~~9-10~~ 10-11.

5. Spring turkey – March ~~16~~ 17 through April ~~21~~ 22.

6. Archery – October ~~20~~ 22 through November ~~18~~ 20.

7. Muzzleloading gun – December ~~1-3~~ 3-5.

8. Muzzleloading gun and archery – February ~~14-24~~ 16-26.

9. through 13. No change.

(b) Open seasons in the dog hunt area (which includes that portion of the area north of State Road 4 and west of Three Notch Road, east of Mason West Road, and north of Camp Henderson Road; and that portion of the area north of State Road 4, west of Beaver Creek Highway and Hurricane Lake Road, and east of Belandville Road; and that portion of the area north of Forest Road R47 ~~Break Fork Fire Line~~, north of Eadie Cotton Road and Peaden Bridge Road, west of Sherman

Kennedy Road, south of Mattie Kennedy Road and Kennedy Bridge Road, west of Bullard Church Road, and east of Beaver Creek Highway and Hurricane Lake Road):

1. General gun dog – November ~~22-25~~ 24-27, December 15-30 ~~17 through January 4~~ and January 14 ~~16~~ through February 6 ~~8~~.

2. General gun still – December 31 through January 13 ~~2-15~~.

3. Family still hunt (only in that portion of the dog hunt area north of State Road Highway 4 and east of County Road Highway 191) – December ~~8-9~~ 10-11.

4. Small game – November ~~10-21~~ 12-23, November ~~26~~ 28 through December ~~14~~ 16 and February ~~7~~ 9 through March ~~3~~ 4.

5. Youth turkey hunt – March ~~9-10~~ 10-11.

6. Spring turkey – March ~~16~~ 17 through April ~~21~~ 22.

7. Archery – October ~~20~~ 22 through November ~~18~~ 20.

8. Muzzleloading gun – December ~~1-3~~ 3-5.

9. Muzzleloading gun and archery – February 14-24 ~~16-26~~.

10. Fox, raccoon, opossum and bobcat – May 1 through March ~~3~~ 4, in that portion of the dog hunt area east of Belandville Road.

11. through 14. No change.

(c) Open seasons in the field trial area (which includes that portion of the area bounded by Coldwater Creek on the northwest, the western boundary of Blackwater State Forest to the west and south, County State Road 191 on the southeast, and on a line running west 3/4 mile from the intersection of County State Road 191 and Coldwater Horse Trail Forest Road 64 (Spanish Trail), then north one mile and then three miles west to Coldwater Creek at a point 1/2 mile northeast of the Coldwater Recreation Area):

1. Archery – October ~~20~~ 22 through November ~~18~~ 20.

2. Muzzleloading gun and archery – January 18-20 ~~20-22~~.

3. through 5. No change.

6. Quail – February 4-5, 6-7, 18-19 and 20-21 ~~6-7, 8-9, 20-21 and 22-23~~.

7. No change.

(d) Legal to take: All legal game, fish, frogs and furbearers. During the muzzleloading gun and archery season on the field trial portion of the area any deer (daily bag limit one) except spotted fawns may be taken. During the family still hunt, any deer (bag limit of three per quota permit) may be taken except spotted fawns. Taking quail is prohibited on the field trial area and the quail enhancement area (that portion of the area lying north of Bryant Bridge Road, east of Sandy Forest Road, east of County Road 191 between Sandy Forest Road and State Road Highway 4, south of State Road Highway 4 and west of Old Martin Road and Norman Riley Road) except by quail permit during the quail seasons. The bag limit for quail on the field trial area is 12 per hunting group each day. A group for the purpose of quail hunting on the field trial

area shall include up to 2 persons. Taking quail after 3 p.m. Central Time is prohibited during the quail season on the field trial area. The bag limit for quail on the quail enhancement area is six (6) per quota permit. During the fox, raccoon, opossum and bobcat season, rabbit may be chased by the use of free-running dogs but may not be harvested except as allowed during other open seasons.

(e) No change.

(f) General regulations:

1. through 3. No change.

4. The ~~take of wildlife with a discharge of any~~ gun within 300 yards of a public campsite is prohibited.

5. Taking of wildlife by use of a gun on, upon or from rights-of-way of State Road ~~4, 191, and 189 and 2~~; US Highway 90; County Road 2, Highway 180 and 191; Beaver Creek Highway; Bryant Bridge, Norman Riley, Sandy Forest, ~~and Pleasant Home, Bob Pitts, Deaton Bridge, Indian Ford, Red Rock, Shockley Springs, State Line, Sherman Kennedy, Hurricane Lake, Belandville and Sellersville roads~~; paved portions of Camp Lowery Road; ~~roads~~; and Carpenter Road from County Road 191 to Juniper Creek; ~~Forest Road 31, 47, 25, 86, 23, 72, 48, 6 and the paved portions of Forest Roads 57, 2 and 9~~ is prohibited as provided by Rule 68A-4.008, F.A.C.

6. The use of airboats, tracked vehicles or all-terrain vehicles on the area is prohibited, except by permit from the Florida Forest Service Division of Forestry.

7. through 9. No change.

(5) Blackwater Wildlife Management Area – Hutton Unit.

(a) Open season:

1. Archery – October ~~20-23 and 24-28~~ 22-25 and 26-30.

2. Muzzleloading gun – December ~~1-3~~ 3-5.

3. Quail – November 10-11, 17-18, 21-22 ~~12-13, 19-20, 23-24~~, December 10-11, 15-16, 24-25 and 29-30 ~~12-13, 17-18, 26-27 and December 31 through January 1~~.

4. General gun – January 12-15 and 16-20 ~~14-17 and 18-22~~.

5. Mobility-impaired general gun – January 25-27 ~~27-29~~ and February ~~1-3~~ 3-5.

6. Youth turkey hunt – March ~~9-10~~ 10-11.

7. Spring turkey – March 16-18, 29-31 ~~17-19, March 30 through April 1~~ and April 12-14 ~~13-15~~.

8. Wild hog-dog – July ~~20-22~~ 15-17, August 17-19 ~~19-21~~ and September 21-23, 2012 ~~16-18, 2011~~, and May 17-19 ~~18-20~~ and June 21-23, 2013 ~~15-17, 2012~~.

9. through 10. No change.

(b) through (c) No change.

(d) General regulations:

1. through 7. No change.

8. During the wild hog-dog season, wild hog may be taken during the day or at night by the aid of a light with a firearm ~~provided that no such firearm shall be loaded at any time~~

except immediately prior to the shooting of a bayed hog. The hunting of wild hog under this provision by display or use of a light from a moving vehicle, boat or animal is prohibited.

(6) Blackwater Wildlife Management Area – Carr Unit.

(a) Open season: Special-opportunity released quail – November ~~10-16, 17-23, 24-30~~ ~~12-18, 19-25, November 26 through December 2~~, December ~~1-7, 8-14, 15-21, 22-28~~ ~~3-9, 10-16, 17-23, 24-30~~, December ~~29-31~~ through January ~~4-6, 5-11, 12-18, 19-25~~ ~~7-13, 14-20, 21-27~~, January ~~26-28~~ through February ~~1-3, 2-8, 9-15, 16-22~~ ~~4-10, 11-17, 18-24~~ and February ~~23-25~~ through March ~~1-2~~.

(b) through (d) No change.

(7) Joe Budd Wildlife Management Area.

(a) Open season:

1. Archery – December ~~7-9~~ through January ~~6-8~~ (Fridays, Saturdays and Sundays only).

2. Archery and muzzleloading gun – January ~~11-27~~ ~~13-29~~ (Fridays, Saturdays and Sundays only).

3. Small game – October ~~6-8~~ through December ~~2-4~~ (Saturdays and Sundays only).

4. Youth turkey hunt – March ~~9-10~~ ~~10-11~~.

5. Spring turkey – March ~~16-17~~ through April ~~21-22~~ (Saturdays and Sundays only).

6. No change.

(b) Legal to take: All legal game, turkey of either sex, fish, frogs and furbearers. During small game season, dove (Saturdays only, during phases established by Rule 68A-13.008, F.A.C.), quail and squirrel may be taken. Antlerless deer is any deer, except a spotted fawn, that is without antlers or whose antlers are less than one inch in length visible above the hairline. Taking of antlered deer not having at least one antler with three or more points, one inch or more in length, is prohibited. During the last two 3-day hunts of archery season, the take of antlerless deer is prohibited. During the youth turkey hunt, the bag limit shall be one gobbler or bearded turkey per quota permit.

(c) Camping: Prohibited, except at the High Bluff campground by permit from the Florida Forest Service Division of Forestry.

(d) No change.

(8) Point Washington Wildlife Management Area.

(a) Open season:

1. General gun – November ~~22-25~~ ~~24-27~~ and December ~~8-10~~ through January 30 ~~February 1~~.

2. Small game – November ~~10-21~~ ~~12-23~~, November ~~26-28~~ through December ~~7-9~~ and January 31 ~~February 2~~ through March ~~3-4~~.

3. Spring turkey – March ~~16-17~~ through April ~~21-22~~.

4. Archery – October ~~20-22~~ through November ~~18-20~~.

5. Muzzleloading gun – December ~~1-3~~ ~~3-5~~.

6. Archery and muzzleloading gun – January 31 through February 10 ~~2-12~~.

7. through 9. No change.

(b) through (d) No change.

(9) Talquin Wildlife Management Area.

(a) Open season:

1. General gun – November ~~23-25~~ ~~25-27~~ and December ~~8-30~~ ~~10~~ through January 1 (Fridays, Saturdays and Sundays only).

2. Small game – January ~~4-6~~ through March ~~3-4~~ (Fridays, Saturdays and Sundays only).

3. Archery – October ~~20-22~~ through November ~~18-20~~ (Fridays, Saturdays and Sundays only).

4. Youth turkey hunt – March ~~9-10~~ ~~10-11~~.

5. Spring turkey – March ~~16-17~~ through April ~~21-22~~ (Saturdays and Sundays only).

6. through 7. No change.

(b) through (d) No change.

(10) Ochlockonee River Wildlife Management Area.

(a) Open season:

1. Archery and muzzleloading gun – November ~~23-25~~ ~~25-27~~ and December ~~8-30~~ ~~10~~ through January 1 (Fridays, Saturdays and Sundays only).

2. Small game – January ~~4-6~~ through March ~~3-4~~ (Fridays, Saturdays and Sundays only).

3. Archery – October ~~20-22~~ through November ~~18-20~~ (Fridays, Saturdays and Sundays only).

4. Youth turkey hunt – March ~~9-10~~ ~~10-11~~.

5. Spring turkey – March ~~16-17~~ through April ~~21-22~~ (Saturdays and Sundays only).

6. No change.

(b) through (d) No change.

(11) Tate's Hell Wildlife Management Area.

(a) Open season:

2. Small game – November ~~10-21~~ ~~12-23~~, November ~~26-28~~ through December ~~7-9~~ and January 31 ~~February 2~~ through March ~~3-4~~. General gun – November ~~22-25~~ ~~24-27~~ and December ~~8-10~~ through January 30 ~~February 1~~.

3. Archery – October ~~20-22~~ through November ~~18-20~~.

4. Muzzleloading gun – December ~~1-3~~ ~~3-5~~.

5. Muzzleloading gun and archery – January 31 through February 10 ~~2-12~~.

6. through 7. No change.

8. Spring turkey – March ~~16-17~~ through April ~~21-22~~.

9. through 11. No change.

(b) No change.

(c) Camping: Prohibited, except at designated sites by permit from the Florida Forest Service Division of Forestry.

(d) General regulations:

1. Deer dogs may be trained from October ~~27-29~~ through November ~~15-17~~.

2. No change.

3. Vehicles may be operated only on designated roads. Off-Highway Vehicles (all-terrain vehicles and off-highway motorcycles) are prohibited except by permit from the Florida Forest Service Division of Forestry. Airboats and tracked vehicles are prohibited.

4. No change.

5. Taking of wildlife by use of a gun on or from the rights-of-way of County State Road 67 is prohibited as provided by Rule 68A-4.008, F.A.C.

6. No change.

(12) Tate's Hell Wildlife Management Area – Womack Creek Unit.

(a) Open season:

1. Archery – October 20-28 ~~22-30~~.

2. Muzzleloading gun – December 1-3 ~~3-5~~.

3. Small game – November 10-21 ~~12-23~~, November 26 ~~28~~ through December 7 ~~9~~, December 17-23 ~~19-23~~ and January 6-30 ~~6 through February 1~~.

4. General gun still – November 22-25 ~~24-27~~ and December 8-16 ~~10-18~~.

5. through 6. No change.

7. Youth turkey hunt – March 9-10 ~~10-11~~.

8. Spring turkey – March 16-19, 28-31 ~~17-20, March 29 through April 1~~ and April 4-7 ~~5-8~~.

9. through 10. No change.

(b) No change.

(c) Camping: Prohibited, except at designated sites by permit from the Florida Forest Service Division of Forestry.

(d) General regulations:

1. through 3. No change.

4. Taking wildlife by use of a gun on or from the rights-of-way of County State Road 67 and Jeff Sanders Road from Rock Landing Road south 1/2 mile to SFR 174 is prohibited as provided by Rule 68A-4.008, F.A.C.

(13) Aucilla Wildlife Management Area.

(a) Open season:

1. General gun – November 3 ~~5~~ through December 30 ~~January 1~~, except in the Pinhook still hunt area. November 3-9, 10-16 ~~and 17-25~~ ~~5-11, 12-18, and 19-27~~ in the Pinhook still hunt area.

2. Small game – December 31 ~~January 2~~ through March 3 ~~4~~.

3. Youth turkey hunt – March 9-10 ~~10-11~~.

4. Spring turkey – March 16 ~~17~~ through April 21 ~~22~~.

5. Archery – September 15 ~~17~~ through October 14 ~~16~~, except in the Pinhook still hunt area. September 15-23 ~~17-25~~ and October 6-14 ~~8-16~~ in the Pinhook still hunt area.

6. Muzzleloading gun – October 20-22 ~~22-24~~.

7. Family hunt – October 27-28 ~~29-30~~, in the Pinhook still hunt area only.

8. Wild hog-still – December 15-30 ~~17 through January 1~~, in the Pinhook still hunt area only.

9. through 11. No change.

12. Trapping – December 31 ~~January 2~~ through March 1.

(b) through (d) No change.

(14) Flint Rock Wildlife Management Area.

(a) Open season:

1. Muzzleloading gun – October 20 ~~22~~ through November 2 ~~4~~.

2. General gun – November 3 ~~5~~ through January 20 ~~22~~.

3. Small game – January 21 ~~23~~ through March 3 ~~4~~.

4. Youth turkey hunt – March 9-10 ~~10-11~~.

5. Spring turkey – March 16 ~~17~~ through April 21 ~~22~~.

6. Archery – September 15 ~~17~~ through October 14 ~~16~~.

7. through 9. No change.

10. Trapping – January 21 ~~23~~ through March 1.

(b) through (d) No change.

(15) Pine Log Wildlife Management Area.

(a) Open season:

1. Archery – October 20 ~~22~~ through November 11 ~~6~~.

2. Muzzleloading gun – December 1-3 ~~3-5~~.

3. General gun – November 22-25 ~~24-27~~, January 19-22 ~~and 23-27~~ ~~21-24~~ ~~and 25-29~~.

4. Small game – December 4-31 ~~6-31~~.

5. Youth turkey hunt – March 9-10 ~~10-11~~.

6. Spring turkey – March 16 ~~17~~ through April 7 ~~1~~.

7. through 8. No change.

(b) through (d) No change.

(16) Eglin AFB Wildlife Management Area.

(a) Open season:

1. Archery – October 20 ~~22~~ through November 21 ~~23~~ in areas and during days specified by the Installation Commander.

2. Muzzleloading gun – December 1-7 ~~3-9~~ in areas specified by the Installation Commander.

3. General gun – November 22-25 ~~24-27~~, December 8 ~~10~~ through February 17 ~~19~~ in areas and during days specified by the Installation Commander.

4. Archery and muzzleloading gun – February 18-24 ~~20-26~~ in areas and during days specified by the Installation Commander.

5. Small game – November 10 ~~12~~ through March 3 ~~4~~ in areas and during days specified by the Installation Commander.

6. No change.

7. Youth turkey hunt – March 9-10 ~~10-11~~ in areas specified by the Installation Commander.

8. Spring turkey – March 16 ~~17~~ through April 21 ~~22~~ in areas and during days specified by the Installation Commander.

9. through 11. No change.

(b) through (d) No change.

(17) Escambia River Wildlife Management Area.

(a) Open season:

1. General gun – November ~~22-25~~ ~~24-27~~ and December ~~8~~ ~~10~~ through ~~January 30~~ ~~February 1~~.

2. Archery – October ~~20~~ ~~22~~ through November ~~18~~ ~~20~~.

3. Muzzleloading gun – December ~~1-3~~ ~~3-5~~.

4. Archery and muzzleloading gun – ~~January 31~~ through ~~February 10~~ ~~2-12~~.

5. Small game – November ~~10-21~~ ~~12-23~~, November ~~26~~ ~~28~~ through December ~~7~~ ~~9~~ and ~~January 31~~ ~~February 2~~ through March ~~3~~ ~~4~~.

6. Youth turkey hunt – March ~~9-10~~ ~~10-11~~.

7. Spring turkey – March ~~16~~ ~~17~~ through April ~~21~~ ~~22~~.

8. through 10. No change.

(b) through (c) No change.

(d) General regulations:

1. No change.

2. Taking wildlife with dogs, other than bird dogs or retrievers, is prohibited ~~on Parker and Morgan Islands (except in accordance with paragraph 68A-24.002(2)(b), F.A.C., when hunting raccoon) and~~ in that portion of the area north of State Road 184 in Santa Rosa County, and north of Cedartown Road and Daffin Road in Escambia County, except that dogs may be used on Parker and Morgan islands at night to take raccoon.

3. through 4. No change.

5. Hunting raccoon as specified by paragraph 68A-24.002(2)(b), F.A.C., is allowed. Raccoon may be taken by the use of firearms ~~from only during~~ November 1 through March 1 only.

(18) Tyndall AFB Wildlife Management Area.

(a) Open season:

1. Archery – October ~~20~~ ~~22~~ through November ~~21~~ ~~23~~ during days specified by the Installation Commander.

2. Muzzleloading gun – December ~~1-7~~ ~~3-9~~.

3. General gun – November ~~22-25~~ ~~24-27~~ and December ~~8~~ ~~10~~ through February ~~17~~ ~~19~~ during days specified by the Installation Commander.

4. Supervised youth – October ~~20~~ ~~22~~ through December 31 (only in areas and during days designated by the Installation Commander).

5. Youth turkey hunt – March ~~9-10~~ ~~10-11~~ in areas specified by the Installation Commander.

6. Spring turkey – March ~~16~~ ~~17~~ through April ~~21~~ ~~22~~ during days specified by the Installation Commander.

7. Small game – November ~~10~~ ~~12~~ through March ~~3~~ ~~4~~ during days specified by the Installation Commander.

8. through 9. No change.

(b) through (d) No change.

(19) Choctawhatchee River Wildlife Management Area.

(a) Open season:

1. Archery – October ~~20~~ ~~22~~ through November ~~18~~ ~~20~~.

2. Muzzleloading gun – December ~~1-3~~ ~~3-5~~.

3. General gun – November ~~22-25~~ ~~24-27~~ and December ~~8~~ ~~10~~ through ~~January 30~~ ~~February 1~~ except Holmes Creek Unit and East River Island.

4. Small game – November ~~10-21~~ ~~12-23~~, November ~~26~~ ~~28~~ through December ~~7~~ ~~9~~ and ~~January 31~~ ~~February 2~~ through March ~~3~~ ~~4~~.

5. Archery and muzzleloading gun – ~~January 31~~ through ~~February 10~~ ~~2-12~~. Holmes Creek Unit and East River Island November ~~22-25~~ ~~24-27~~ and December ~~8~~ ~~10~~ through February ~~10~~ ~~12~~.

6. Youth turkey hunt – March ~~9-10~~ ~~10-11~~.

7. Spring turkey – March ~~16~~ ~~17~~ through April ~~21~~ ~~22~~ only in that portion of the area south of the pipeline right-of-way located up river (north) of Cedar Log Landing (Walton County) and Billy Lee Landing (Washington County). March ~~16-18~~ ~~and 29-31~~ ~~17-19~~ ~~and March 30~~ through April ~~1~~ in that portion of the area north of the pipeline right-of-way.

8. through 9. No change.

10. Trapping – December 1 through March 1 in still hunt areas and ~~January 31~~ ~~February 2~~ through March 1 in dog hunt areas.

(b) through (d) No change.

(20) Chipola River Wildlife Management Area.

(a) Open seasons, except in the Altha Tract:

1. Archery – October ~~20~~ ~~22~~ through November ~~18~~ ~~20~~.

2. Muzzleloading gun – December ~~1-3~~ ~~3-5~~.

3. General gun – November ~~22-25~~ ~~24-27~~ and December ~~8~~ ~~10~~ through January 1.

4. Small game – November ~~10-21~~ ~~12-23~~, November ~~26~~ ~~28~~ through December ~~7~~ ~~9~~ and January 2 through March ~~3~~ ~~4~~.

5. Archery and muzzleloading gun – January ~~5-6~~ ~~and 12-13~~ ~~7-8~~ ~~and 14-15~~.

6. Youth turkey hunt – March ~~9-10~~ ~~10-11~~.

7. Spring turkey – March ~~16~~ ~~17~~ through April ~~21~~ ~~22~~.

8. through 10. No change.

(b) Open seasons in the Altha Tract:

1. Archery – October ~~20-26~~ ~~22-28~~ and October ~~27~~ ~~29~~ through November ~~4~~ ~~6~~.

2. Family hunt – November ~~22-25~~ ~~24-27~~.

3. Muzzleloading gun – December ~~1-3~~ ~~3-5~~.

4. Small game – January ~~5~~ ~~7~~ through March ~~3~~ ~~4~~ (Saturdays and Sundays only).

5. Spring turkey – March ~~16-18~~, ~~29-31~~ ~~17-19~~, ~~March 30~~ through April ~~1~~ and April ~~12-14~~ ~~13-15~~.

6. through 7. No change.

(c) through (e) No change.

(21) Yellow River Wildlife Management Area.

(a) Open seasons except in the Grassy Point and Burnt Grocery Creek areas:

1. Archery – October ~~20 22~~ through November ~~18 20~~.
 2. Muzzleloading gun – December ~~1-3 3-5~~.
 3. General gun – November ~~22-25 24-27~~ and December ~~8 10~~ through ~~January 30 February 1~~.
 4. Small game – November ~~10-21 12-23~~, November ~~26 28~~ through December ~~7 9~~ and ~~January 31 February 2~~ through March ~~3 4~~.
 5. Archery and muzzleloading gun – ~~January 31 through February 10 2-12~~.
 6. Spring turkey – March ~~16 17~~ through April ~~21 22~~.
 7. through 9. No change.
- (b) Open seasons in the Grassy Point area (the area south of Weaver River):
1. General gun – November ~~22-25 24-27~~, January ~~19-22 and 23-27 21-24 and 25-29~~.
 2. Archery – October ~~20-26 22-28~~ and October ~~27 29~~ through November ~~4 6~~.
 3. Muzzleloading gun – December ~~1-3 3-5~~.
 4. Spring turkey – March ~~16-18, 29-31 17-19, March 30 through April 1, April 5-7 and 19-21 6-8 and 20-22~~.
 5. Small game – November ~~10-18 12-20~~.
 6. No change.
- (c) Open seasons in the Burnt Grocery Creek area (the area west of Burnt Grocery Creek and north of Bernice Road and Old Fisher Mill Road):
1. Archery – October ~~20 22~~ through November ~~18 20~~, November ~~22-25 24-27~~, and December ~~8 10~~ through ~~January 30 February 1~~.
 2. Muzzleloading gun – December ~~1-3 3-5~~.
 3. Small game – November ~~10-18 12-20~~.
 4. Archery and muzzleloading gun – ~~January 31 through February 10 2-12~~.
 5. Youth turkey hunt – March ~~9-10 10-11~~.
 6. Spring turkey – March ~~16-18, 29-31 17-19, March 30 through April 1, April 5-7 and 19-21 6-8 and 20-22~~.
 7. through 8. No change.
- (d) through (f) No change.
- (22) Econfina Creek Wildlife Management Area.
- (a) Open season except in the mobility-impaired, Cat Creek and Fitzhugh Carter areas.
1. Archery – October ~~20 22~~ through November ~~18 20~~.
 2. Muzzleloading gun – December ~~1-3 3-5~~.
 3. General gun – November ~~22-25 24-27~~ and December ~~8 10~~ through ~~January 30 February 1~~.
 4. Small game – November ~~10-21 12-23~~, November ~~26 28~~ through December ~~7 9~~ and ~~January 31 February 2~~ through March ~~3 4~~.
 5. Archery and muzzleloading gun – ~~January 31 through February 10 2-12~~.
 6. Youth turkey hunt – March ~~9-10 10-11~~.
 7. Spring turkey – March ~~16 17~~ through April ~~21 22~~.

8. Raccoon – November ~~10 12~~ through March ~~8 9~~ and April ~~22 23~~ through July 31.

9. through 10. No change.

(b) Open seasons in the mobility-impaired hunt area (area south of County Road 388):

1. General gun – November ~~23-25 25-27~~, January ~~11-13, 18-20, 25-27 and January 30 through February 1 13-15, 20-22, 27-29 and February 1-3~~.

2. Spring turkey – March ~~16-17, 22-24, 29-31 17-18, 23-25, March 30 through April 1, April 5-7, 12-14 and 19-21 6-8, 13-15 and 20-22~~.

3. No change.

(c) Open seasons in the Cat Creek (area south of State Road 20 and north of County Road 388) and Fitzhugh Carter (area west of State Road 77) areas:

1. Archery – October ~~20-26 22-28~~ and October ~~27 29~~ through November ~~4 6~~.

2. Muzzleloading gun – December ~~1-3 3-5~~.

3. General gun – November ~~22-25 24-27~~, January ~~19-22 and 23-27 21-24 and 25-29~~.

4. Small game – December ~~8-23 10-25~~.

5. Youth turkey hunt – March ~~9-10 10-11~~.

6. Spring turkey – March ~~16-18, 29-31 17-19, March 30 through April 1 and April 12-14 13-15~~.

7. through 8. No change.

(d) Legal to Take: All legal game, fish (except as provided below), frogs and furbearers. Taking bobcat and otter is prohibited in the Fitzhugh Carter area. During the youth turkey hunt, the bag limit shall be one gobbler or bearded turkey per quota permit. In the mobility-impaired hunt area, antlerless deer (bag limit of two per three-day hunt) may be taken during general gun hunts only by persons possessing valid mobility-impaired certificates.

(e) No change.

(f) General regulations:

1. ~~During periods open to hunting, V~~vehicles may be operated only on named or numbered roads ~~except in the mobility-impaired hunt area~~. During periods open to hunting in the mobility-impaired hunt area, vehicles are not restricted to named or numbered roads but may be operated only by persons authorized to participate in the hunt possessing a mobility-impaired quota permit or their guests. During periods closed to hunting, vehicular access is prohibited on Dog Roads 1-8, 10, 13-17, 19, 20-28 and 33-37, Enfinger Road and on numbered roads in the mobility-impaired area.

2. Taking wildlife with dogs, other than bird dogs or retrievers, is prohibited in those portions of the area that are west of State Road 77; south of State Road 20; east of Econfina Creek; east of Ten-mile Creek; west of Econfina Road and south of Greenhead Road; and north of ~~Deadening Duma Jack~~ Road, except that dogs may be used in that portion of the area

in Jackson County and to take raccoons (except in the mobility-impaired, Cat Creek and Fitzhugh Carter areas ~~hunt area~~).

3. through 6. No change.

7. During the raccoon season, hunting as specified by paragraph 68A-24.002(2)(b), F.A.C., is allowed and quota permits are not required from one hour after sunset until one hour before sunrise.

8. through 11. No change.

(23) Box-R Wildlife Management Area.

(a) Open season:

1. Archery – October 20-26 ~~22-28~~ and October 27 ~~29~~ through November 4 ~~6~~.

2. Small game – November 10-18 ~~12-20~~.

3. Muzzleloading gun – December 1-3 ~~3-5~~.

4. General gun – November 22-25 ~~24-27~~, January 3-6, 10-13 ~~and 17-20~~ ~~5-8, 12-15 and 19-22~~.

5. Wild hog-still – December 8-14 ~~10-16~~.

6. Wild hog-dog – July 13-15 ~~8-10~~, August 10-12 ~~12-14~~ and September 14-16, ~~2012 9-11, 2011~~, and May 10-12 ~~11-13~~ and June 14-16, ~~2013 8-10, 2012~~.

7. Spring turkey – March 16-19, ~~28-31~~ ~~17-20~~, ~~March 29~~ ~~through April 1~~ and April 11-14 ~~12-15~~.

8. through 9. No change.

(b) through (c) No change.

(d) General regulations:

1. through 11. No change.

12. During the wild hog-dog season, wild hog may be taken by the aid of a light with a firearm ~~provided that no such firearm shall be loaded at any time except immediately prior to the shooting of a bayed hog~~. The hunting of wild hog under this provision by display or use of a light from a moving vehicle, boat or animal is prohibited.

(24) Lafayette Creek Wildlife Management Area.

(a) Open season:

1. Archery – October 20-26 ~~22-28~~ and October 27 ~~29~~ through November 4 ~~6~~.

2. Muzzleloading gun – December 1-3 ~~3-5~~.

3. Family hunt – November 22-25 ~~24-27~~.

4. General gun – January 19-22 ~~and 23-27~~ ~~21-24~~ ~~and January 25-29~~.

5. Small game – December 7 ~~9~~ through January 13 ~~15~~ (Fridays, Saturdays and Sundays only).

6. Spring turkey – March 16 ~~17~~ through April 21 ~~22~~ (Saturdays and Sundays only).

7. through 9. No change.

(b) through (c) No change.

(d) General regulations:

1. No change.

2. During the archery, muzzleloading gun, family hunt, general gun and spring turkey seasons, access to the area shall be restricted to individuals authorized to participate in the quota hunt and persons hiking through on the Florida Trail.

3. through 4. No change.

5. All persons entering or exiting the area may do so only at a designated entrance, except through hikers may enter via the Florida Trail.

6. No change.

(25) Wakulla Wildlife Management Area.

(a) Open season:

1. Archery – October 13 ~~15~~ through November 11 ~~13~~ (Fridays, Saturdays and Sundays only).

2. Archery and muzzleloading gun – November 23-25 ~~25-27~~, December 7-9, 21-23 ~~9-11, 23-25~~, January 4-6 ~~and 18-20~~ ~~6-8 and 20-22~~.

3. Small game – January 21 ~~23~~ through February 17 ~~19~~.

4. Youth turkey hunt – March 9-10 ~~10-11~~.

5. Spring turkey – March 16 ~~17~~ through April 21 ~~22~~ (Saturdays and Sundays only).

6. No change.

(b) No change.

(c) Camping: Allowed only at designated sites by permit from the Florida Forest Service ~~Division of Forestry~~.

(d) General regulations:

1. through 6. No change.

7. The take of wildlife with ~~Discharge of~~ a firearm on or from the right-of-way of Chattin Road within 1/4 mile of the intersection with McBride Slough Road is prohibited.

(26) Perdido River Wildlife Management Area.

(a) Open season:

1. Archery – October 20 ~~22~~ through November 18 ~~20~~.

2. Muzzleloading gun – December 1-3 ~~3-5~~.

3. Family hunt – November 22-25 ~~24-27~~ and January 4-6 ~~6-8~~.

4. General gun – January 12-18 ~~and 19-27~~ ~~14-20~~ ~~and January 21-29~~.

5. Archery and muzzleloading gun – January 31 through February 10 ~~12~~.

6. Small game – December 4 ~~6~~ through January 2 ~~4~~.

7. Youth turkey hunt – March 9-10 ~~10-11~~.

8. Spring turkey – March 16-24 ~~17-25~~ and March 25 ~~26~~ through April 7 ~~8~~.

9. through 11. No change.

(b) through (d) No change.

(27) Juniper Creek Wildlife Management Area.

(a) Open season:

1. Family hunt – November 23-25 ~~25-27~~, December 24-26, December 31 through January 2, January 18-20 ~~20-22~~ and February 1-3 ~~3-5~~.

2. Youth turkey hunt – March 9-10 ~~10-11~~.

(b) through (d) No change.

PROPOSED EFFECTIVE DATE: July 1, 2012.

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, 7-5-84, 7-1-85, 5-7-86, 5-10-87, 6-8-87, 5-1-88, 7-1-89, 7-1-90, 9-1-90, 7-1-91, 9-1-91, 7-1-92, 7-2-92, 7-1-93, 3-1-94, 7-1-94, 7-1-95, 7-2-95, 8-15-95, 7-1-96, 7-2-96, 6-1-97, 12-3-97, 7-1-98, 7-2-98, 8-11-98, 7-1-99, Formerly 39-15.063, Amended 11-17-99, 7-1-00, 7-1-01, 7-22-01, 6-2-02, 5-1-03, 7-1-03, 7-1-04, 7-2-04, 8-1-04, 7-1-05, 7-1-06, 7-1-07, 7-1-08, 7-1-09, 7-20-09, 7-1-10, 7-1-11, 11-14-11, 7-1-12.

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.W.

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 17, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 22, 2011

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-15.064
 RULE TITLE: 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 and conform to calendar year date changes. 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 adjust season dates to conform to calendar year changes and revise specific area regulations on Wildlife Management Areas (WMAs) in the South Region as follows:

Allapattah Flats WMA – remove the requirement for hunters to check in and check game at the check station.

Dinner Island Ranch WMA – allow hunting in the dove fields without assigned hunt stations.

J.W. Corbett WMA – allow vehicle access only on the portion of the North Grade road lying between the north entrance and the B camp gate beginning at 8 a.m. two days prior to the opening of archery season. Parked vehicles must remain attended by a driver at all times.

Okaloacoochee Slough WMA – add 21 days to small game season (no quota permit required); add a 7-day spring turkey hunt (quota 50, no exemptions); and add a 3-day muzzleloading gun hunt (quota 125, no exemptions).

Picayune Strand WMA – add a 7-day general gun hunt (quota 145, no exemptions); and add a 3-day muzzleloading gun hunt (quota 145, no exemptions).

Spirit-of-the-Wild WMA – remove dove field hunts and associated regulations, because of unsuitable dove field conditions.

The proposed rule amendment would also amend or clarify language related to the use of guns for taking wildlife. Additionally, the proposed rule amendment would provide non-substantive technical changes, such as grammatical corrections and language standardization.

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; 379.2223, 375.313 FS.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution; 379.2223, 375.313 FS.

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

DATES AND TIME: During the regular meeting of the Commission, February 8-9, 2012, 8:30 a.m. – 5:00 p.m., each day.

PLACE: Florida Public Safety Institute, 215 Academy Drive, Havana, FL 32333

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) J. W. Corbett Wildlife Management Area.
 - (a) through (c) No change.
 - (d) General regulations:

1. The take of wildlife with use of rifles is prohibited within the Pratt-Whitney buffer zone and within one-fourth mile of the Seaboard Coastline Railroad and Mecca Farms. The take of wildlife with use of centerfire rifles is prohibited south and east of Stumper’s Grade.

2. through 12. No change.

13. Public access is allowed throughout the year except from the Sunday two weeks prior to the opening of archery season until 8 a.m. the day prior to the archery season when the area shall be closed to public access except on the portion of the North Grade between the north entrance and the B camp gate where access will be allowed starting 8 a.m. two days prior to archery season. Vehicles parked on the North Grade during the closure period shall not be left unattended by a driver. Hiking on the Florida Trail and use of the Hungryland Boardwalk is allowed throughout the year.

14. through 18. No change.

- (2) Holey Land Wildlife Management Area.

(a) Open season:

1. General gun – Walk, September 29 through October 14 ~~1-16~~.

2. General gun – Vehicle, October 20 22 through November 4 6 (tracked vehicles).

3. Archery – August 4-26 6-28.

4. Muzzleloading gun – September 1-9 3-11.

5. Small game – November 5 7 through March 3 4.

6. through 7. No change.

(b) through (c) No change.

(d) General regulations:

1. through 12. No change.

13. The take of wildlife with display or use of a gun on or upon the L-5 or Miami Canal Levees in a manner capable of taking wildlife is prohibited.

14. No change.

~~15. Reptiles of Concern as listed in subsection 68A-6.007(1), F.A.C., and Conditional non-native snakes and lizards as listed in subsection 68A-5.002(4), F.A.C., may be taken after the last day of small game season March 5 through the second Sunday in April 15 and during established seasons for the taking of game animals or alligators and only by persons properly licensed and permitted to take game animals or alligators.~~

16. Guns are a prohibited method of take for ~~Reptiles of Concern and~~ Conditional non-native snakes and lizards, except when the use of guns to take game or alligators is authorized and after the last day of small game season from March 5 through the second Sunday in April 15 when all legal methods of take for game animals or alligators are allowed, except the use of centerfire rifles is prohibited.

17. ~~Reptiles of Concern and~~ Conditional non-native snakes and lizards shall not be removed from the area alive.

18. Persons that take any ~~Reptile of Concern and~~ Conditional non-native snakes and lizards shall report the take within 36 hours, and shall provide all data requested.

19. The day after small game season ends From March 5 through the second Sunday in April 15 shooting hours for ~~Reptiles of Concern and~~ Conditional non-native snakes and lizards shall be 1/2 hour before sunrise and until 1/2 hour after sunset.

(e) No change.

(3) Everglades and Francis S. Taylor Wildlife Management Area.

(a) Open season:

1. General gun – Walk, September 29 through October 14 ~~1-16~~, Conservation Areas 3A North and 2 only.

2. General gun – Vehicle (airboats and tracked vehicles only), October 20 22 through November 4 6, in Conservation Areas 3A North, 3A South, 2, and the Francis S. Taylor Wildlife Management Area.

3. Archery – August 4-26 6-28, Conservation Area 3A North only.

4. Muzzleloading gun –September 1-9 3-11, in Conservation Area 3A North only.

5. Small game – November 5 7 though March 3 4.

6. through 7. No change.

(b) through (c) No change.

(d) General regulations:

1. through 4. No change.

5. During archery, muzzleloading gun and general gun-walk seasons, the operation of airboats is prohibited in Conservation Area 3A North and Conservation Area 2 during legal shooting hours. ~~Archery equipment, muzzleloading guns, and guns may be transported on boats and all-terrain vehicles in Conservation Area 3A North and Conservation Area 2 during the archery and muzzleloading gun seasons and general gun-walk season, respectively.~~

6. through 17. No change.

18. The take of wildlife with display or use of a gun on or upon the L-4 or L-5 Levees in a manner capable of taking wildlife is prohibited.

19. through 21. No change.

22. ~~Reptiles of Concern as listed in subsection 68A-6.007(1), F.A.C., and Conditional non-native snakes and lizards as listed in subsection 68A-5.002(4), F.A.C., may be taken after the last day of small game season March 5 through the second Sunday in April 15 and during established seasons for the taking of game animals or alligators and only by persons properly licensed and permitted to take game animals or alligators.~~

23. Guns are a prohibited method of take for ~~Reptiles of Concern and~~ Conditional non-native snakes and lizards, except when the use of guns to take game or alligators is authorized and after the last day of small game season from March 5 through the second Sunday in April 15 when all legal methods of take for game animals or alligators are allowed, except the use of centerfire rifles is prohibited.

24. ~~Reptiles of Concern and~~ Conditional non-native snakes and lizards shall not be removed from the area alive.

25. Persons that take any ~~Reptile of Concern or~~ Conditional non-native snakes and lizards shall report the take within 36 hours, and shall provide all data requested.

26. The day after small game season ends From March 5 through the second Sunday in April 15 shooting hours for ~~Reptiles of Concern and~~ Conditional non-native snakes and lizards shall be 1/2 hour before sunrise until 1/2 hour after sunset.

(e) Notwithstanding any other provisions of this subsection, alligator hunt participants may operate airboats and tracked vehicles throughout the area when taking alligators.

~~1. May operate airboats and tracked vehicles throughout the area when taking alligators, and~~

~~2. May transport guns specified in Rule 68A-15.004, F.A.C., by airboat for the purpose of taking alligators.~~

(4) Rotenberger Wildlife Management Area.

(a) Open season:

1. General gun – Walk, September 29 through October 14 1-16.

2. General gun – Vehicle (tracked vehicles only), October 20 22 through November 4 6 (tracked vehicles).

3. Archery – August ~~4-26~~ 6-28.

4. Muzzleloading gun – September ~~1-9~~ 3-11.

5. Small game – November 5 7 through March 3 4.

6. through 7. No change.

(b) through (c) No change.

(d) General regulations:

1. through 12. No change.

13. The take of wildlife with display or use of a gun on or upon the L-4, Powerline, Manley Ditch or Miami Canal levees in a manner capable of taking wildlife is prohibited.

14. No change.

15. ~~Reptiles of Concern as listed in subsection 68A-6.007(1), F.A.C., and~~ Conditional non-native snakes and lizards as listed in subsection 68A-5.002(4), F.A.C., may be taken after the last day of small game season March 5 through the second Sunday in April 15 and during established seasons for the taking of game animals or alligators and only by persons properly licensed and permitted to take game animals or alligators.

16. Guns are a prohibited method of take for ~~Reptiles of Concern, and~~ Conditional non-native snakes and lizards, except when the use of guns to take game or alligators is authorized and after the last day of small game season from March 5 through the second Sunday in April 15 when all legal methods of take for game animals or alligators are allowed, except the use of centerfire rifles is prohibited.

17. ~~Reptiles of Concern and~~ Conditional non-native snakes and lizards shall not be removed from the area alive.

18. Persons that take any ~~Reptile of Concern or~~ Conditional non-native snakes and lizards shall report the take within 36 hours, and shall provide all data requested.

19. The day after small game season ends From March 5 through the second Sunday in April 15 shooting hours for ~~Reptiles of Concern and~~ Conditional non-native snakes and lizards shall be 1/2 hour before sunrise until 1/2 hours after sunset.

(e) No change.

(5) Big Cypress Wildlife Management Area.

(a) Open season:

1. through 2. No change.

3. Archery – September ~~1-30~~ 3 through October 2 in all units and twelve days prior to Thanksgiving day through January 1, except during those years when January 1 falls on a Thursday, Friday or Saturday, in which case the season would close on the following Sunday in the Deep Lake Unit only.

4. Muzzleloading gun – October ~~6-21~~ 8-23, except in the Deep Lake Unit.

5. Spring turkey – March 2 3 through April 7 8.

6. through 7. No change.

(b) through (c) No change.

(d) General regulations:

1. through 14. No change.

15. The take of wildlife with use of guns other than muzzleloading guns or bow and arrow in the Deep Lake Unit is prohibited.

16. ~~Reptiles of Concern as listed in subsection 68A-6.007(1), F.A.C., and~~ Conditional non-native snakes and lizards as listed in subsection 68A-5.002(4), F.A.C., may be

taken during established seasons for the taking of game animals or alligators and only by persons properly licensed and permitted to take game animals or alligators.

17. Guns are a prohibited method of take for ~~Reptiles of Concern~~ and Conditional non-native snakes and lizards, except when the use of guns to take game or alligators is authorized.

18. ~~Reptiles of Concern~~ and Conditional non-native snakes and lizards shall not be removed from the area alive.

19. Persons that take any ~~Reptile of Concern~~ or Conditional non-native snakes and lizards shall report the take within 36 hours, and shall provide all data requested.

(6) Okaloocoochee Slough Wildlife Management Area.

(a) Open season:

1. Archery – August ~~4-10 6-12~~ and ~~11-19 13-21~~.

2. Muzzleloading gun – September ~~1-3~~ and ~~8-10 10-12~~.

3. Family Hunt – September ~~15-16 17-18~~.

4. General gun – September ~~22-25 24-27~~ and September ~~26-30 28~~ through ~~October 2~~.

5. Small game – November ~~17 19~~ through December ~~30 11~~.

6. Spring turkey – March ~~2-5, 6-10 3-6~~ and ~~11-17 7-11~~.

7. through 8. No change.

(b) through (d) No change.

(7) Fisheating Creek Wildlife Management Area.

(a) Open season:

1. Archery – August ~~17-19 19-21~~ and ~~24-26 26-28~~ west of US Highway 27 only.

2. Muzzleloading gun – September ~~7-9 9-11~~ and ~~14-16 16-18~~ west of US Highway 27 only.

3. General gun – September ~~28-30 30~~ through ~~October 2~~ and October ~~12-14 14-16~~ west of US Highway 27 only.

4. Youth Turkey Hunt – February ~~23-24 25-26~~ west of US Highway 27 only.

5. Spring turkey – March ~~2-5 3-6, 8-11 9-12, 15-18 16-19~~ and ~~22-25 23-26~~ and March ~~29 30~~ through April ~~1 2~~ west of US Highway 27 only.

6. Special-opportunity spring turkey – March ~~2-8 3-9~~ and ~~16-22 17-23~~ east of US Highway 27 only.

7. Wild hog-still ~~General gun-hog~~ – November ~~17-18 19-20~~ west of US Highway 27 only.

8. through 9. No change.

(b) Legal to take: All legal game, fish, frogs and furbearers except that turkeys may not be taken during the archery season. The bag limit for deer shall be one per quota hunt permit. During the spring turkey and special-opportunity spring turkey seasons, the bag limit for turkey shall be one gobbler or bearded turkey per permit. During the wild hog-still ~~general gun-hog~~ season, only wild hog may be taken.

(c) through (d) No change.

(8) Picayune Strand Wildlife Management Area.

(a) Open season:

1. Archery – August ~~4-19 6-21~~.

2. Muzzleloading gun – September ~~1-3~~ and ~~8-10 3-5~~.

3. General gun – October ~~6-9, 10-14 8-11~~ and ~~15-21 12-16~~.

4. Small game – November ~~10 12~~ through December ~~23 25~~.

5. Spring turkey – March ~~2-5 3-6~~ and ~~6-10 7-11~~.

6. through 7. No change.

(b) No change.

(c) Camping: Camping is allowed by Special-Use Permit issued by the Florida Forest Service ~~Division of Forestry~~. Only tents, trailers, or self-propelled camping vehicles may be used for camping.

(d) General regulations:

1. No change.

2. The use of tracked vehicles or airboats is prohibited. Off-Highway Vehicles (all-terrain vehicles and off-highway motorcycles) are prohibited except by permit from the Florida Forest Service ~~Division of Forestry~~ only.

3. through 6. No change.

(9) Dinner Island Ranch Wildlife Management Area.

(a) Open season:

1. Archery – August ~~3-6 5-8, 10-13 12-15, 17-20 19-22~~ and ~~24-27 26-29~~.

2. Muzzleloading gun – September ~~7-9 9-11~~.

3. General gun – September ~~15-17 17-19, 21-23 23-25,~~ and ~~28-30 September 30~~ through ~~October 2~~.

4. Small game – November ~~10-30 12~~ through ~~December 2, December 3-7 5-9~~ and December ~~10 12~~ through February ~~22 24~~ and ~~February 27-29~~.

5. Family hunt – December ~~1-2 3-4~~ and ~~8-9 10-11~~.

6. Youth Turkey Hunt – February ~~23-24 25-26~~.

7. Spring turkey – March ~~2-4 3-5, 9-11 10-12~~ and March ~~30 31~~ through April ~~1 2~~.

8. through 10. No change.

(b) through (c) No change.

(d) General regulations:

1. through 8. No change.

9. ~~During dove field hunts, dove hunters shall hunt from assigned stations in the posted field. Hunt station assignments may be transferred at the check station.~~

~~9-10~~ No change.

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

(a) Open season:

1. Archery – August ~~3-6 5-8, 10-13 12-15, 17-20 19-22~~ and ~~24-27 26-29~~.

2. Muzzleloading gun – September ~~7-9 9-11~~.

3. General gun – September ~~15-17 17-19, 21-23 23-25,~~ and September ~~28-30 30~~ through ~~October 2~~.

4. Small game – November ~~10 12~~ through February ~~22 24~~ and ~~February 27-29~~.

- 5. Youth Turkey Hunt – February ~~23-24~~ 25-26.
- 6. Spring turkey – March ~~2-4~~ 3-5, ~~9-11~~ 10-12 and ~~16-18~~ 17-19.
- 7. No change.
- 8. ~~Dove field – Saturdays only during the mourning dove and white-winged dove season established by Rule 68A-13.008, F.A.C.~~
- 8.9. No change.
- (b) through (c) No change.
- (d) General regulations:
 - 1. Hunting with dogs is prohibited except bird dogs or retrievers may be used during small game and migratory bird seasons for taking small game and migratory game ~~birds and on the posted dove field during established dove hunts.~~
 - 2. through 7. No change.
 - 8. ~~Shooting hours for dove hunts shall be from noon until sunset. Hunters may enter the posted field no earlier than one hour before shooting time and shall exit the field within one hour after sunset.~~
 - 9. ~~During the dove field hunts, dove hunters shall hunt from assigned stations in the posted field. Hunt station assignments may be transferred at the check station.~~
 - 10. ~~Dove field permits shall be issued on a first come, first served basis at the check station on the day of each dove hunt.~~
- (11) Allapattah Flats Wildlife Management Area.
 - (a) Open season:
 - 1. Archery – September ~~8-11~~ 10-13, ~~15-18~~ 17-20, ~~22-25~~ 24-27 and ~~September 29 through~~ October 2 ~~1-4~~.
 - 2. Muzzleloading gun – October ~~13-15~~ 15-17.
 - 3. Family hunt – October ~~27-30~~ 29 through November 1.
 - 4. General gun – November ~~3-7~~ 5-9.
 - 5. Small game – November ~~17~~ 19 through the second Sunday in January.
 - 6. Spring turkey – March ~~2-5~~ 3-6 and ~~6-10~~ 7-11.
 - 7. through 8. No change.
 - (b) through (c) No change.
 - (d) General regulations:
 - 1. through 3. No change.
 - 4. ~~Hunters shall check in and out at a check station when entering and exiting the area and shall check all game taken.~~
 - 5. through 9. renumbered 4. through 8. No change.

PROPOSED EFFECTIVE DATE: July 1, 2012.

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.

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.W.

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 17, 2011
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 22, 2011

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 amendments is to revise specific area regulations on Wildlife Management Areas (WMAs) in the Northeast Region and conform to calendar year date changes. The effect of the proposed rule changes will be to enable the agency to better manage fish and wildlife resources and public use on WMAs.

SUMMARY: The proposed rule amendments would adjust season dates to conform to calendar year changes and revise specific area regulations on Wildlife Management Areas (WMAs) in the Northeast Region as follows:

Buck Lake WMA – remove the requirement for hunters to check in and check game at the check station.

Bull Creek WMA – clarify that camping at designated campsites on the Florida National Scenic Trail (FNST) is limited to persons hiking through on the FNST.

Charles H. Bronson WMA – change the bag limit for deer from one deer per quota permit to one antlered and one antlerless deer per quota permit during the archery season and two antlered deer per quota permit during the muzzleloading gun and general gun seasons; add a 7-day archery hunt (quota 30; no exemptions); add a 3-day muzzleloading gun hunt (quota 30; no exemptions); and add one day to each spring turkey hunt (change from 3-day hunts to 4-day hunts).

Dunns Creek WMA – remove the requirement for hunters to check in and check game at the check station.

Etoniah Creek WMA – add a 3-day muzzleloading gun hunt (quota 50; no exemptions); add a 4-day general gun hunt and restructure the other two general gun hunts so that each hunt is four days long and runs from Thurs.-Sun. (currently the first hunt runs four days from Sat.-Tues. and the second hunt runs five days from Wed.-Sun.); and add one day to each spring turkey hunt.

Guana River WMA – establish vehicle access hours for all area users during hunting seasons as 5 a.m. until 9 p.m. during Daylight Savings Time and from 5 a.m. until 8 p.m. during Eastern Standard Time, except during the spring turkey hunts when vehicles are allowed only from 5 a.m. until 2 p.m.

Lake George WMA – add a 3-day muzzleloading gun hunt (quota 250; no exemptions); and add one day to each of the three spring turkey hunts (change from 3-day hunts to 4-day hunts).

Lake Panasoffkee WMA – allow camping only on days that vehicle access is allowed.

Lake Tracy Unit WMA – add one day to the general gun season (change from a 3-day season to a 4-day season); add one day to the muzzleloading gun season (change from a 3-day season to a 4-day season); add one day to each archery hunt (change from two 3-day hunts to two 4-day hunts); and add a small game season (three 3-day hunts in January; no quota permit required).

Little Big Econ WMA – add a 7-day archery hunt (quota 20, no exemptions); add a 3-day muzzleloading gun hunt (quota 20, no exemptions); and add one day to each of three 3-day spring turkey hunts.

Matanzas WMA – add a 7-day hunt to the archery season (no quota); add a 3-day hunt to the muzzleloading gun season (quota 30, no exemptions); add a 7-day hunt to the wild hog-still season (quota 50, no exemptions); and add a 4-day hunt to the spring turkey season (quota 15, no exemptions).

Richloam WMA – move the wild-hog dog hunt from weekdays (Tues.-Thurs.) to the weekend (Fri.-Sun.).

Rock Springs WMA – allow wild hog to be hunted during small game season.

Ross Prairie WMA – add a 3-day archery season (quota 10, no exemptions); and add a 3-day spring turkey season (quota 5, no exemptions).

Salt Lake WMA – allow wild hog to be hunted during small game season and clarify that all persons are allowed vehicle access during the hunting seasons.

Seminole Forest WMA – add one day to the first spring turkey hunt (change from a 4-day hunt to a 5-day hunt) and clarify when vehicle access is allowed.

Three Lakes WMA – add two 3-day raccoon hunts (no quota).

Tiger Bay WMA – add one day to each of three spring turkey hunts (change from 3-day to 4-day hunts).

Triple N WMA – allow vehicle access on scout days for special-opportunity spring turkey hunts to start at 5 a.m.

Proposed rule amendment would also amend or clarify language related to the use of guns for taking wildlife. Additionally, the proposed rule amendment would provide non-substantive technical changes, such as grammatical corrections and language standardization.

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; 379.2223, 375.313 FS.

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

DATES AND TIME: During the regular meeting of the Commission, February 8-9, 2012, 8:30 a.m. – 5:00 p.m., each day

PLACE: Florida Public Safety Institute, 215 Academy Drive, Havana, FL 32333

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 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) Herky Huffman/Bull Creek Wildlife Management Area.

(a) Open season:

1. General gun – November ~~3-4~~ ~~5-6~~ and November ~~5~~ ~~7~~ through ~~December 30~~ ~~January 1~~.

2. Small game – ~~December 31~~ ~~January 2~~ through March ~~3~~ ~~4~~.

3. Spring turkey – March ~~16~~ ~~17~~ through April ~~21~~ ~~22~~.

4. Archery – September ~~15-16~~ ~~17-18~~ and September ~~17~~ ~~19~~ through October ~~14~~ ~~16~~.

5. Muzzleloading gun – October ~~20-22~~ ~~22-24~~.

6. Youth turkey hunt – March ~~9-10~~ ~~10-11~~.

7. No change.

(b) No change.

(c) Camping: Allowed only at designated campgrounds during periods in which hunting is allowed and throughout the year at designated campsites on the Florida National Scenic Trail ~~for persons hiking through on the Florida National Scenic Trail provided that access to area is via the Trail~~. Camping equipment may be taken onto the area no earlier than 8 a.m. seven days prior to the opening of archery season and shall be removed from the area before 6 p.m. seven days following the end of the spring turkey season. Camping shall be allowed from 8 a.m. one day prior to each season through 6 p.m. one day following each season. Only tents, trailers or self-propelled camping vehicles may be used for camping. The name, address and telephone number of the person responsible for each campsite shall be visibly affixed to camping shelters.

(d) General regulations:

1. Hunters shall enter and exit at a designated entrance, check in and out at a check station and check all game taken. During small game season, hunters shall check in and out using self-check boxes located at each designated entrance and record all game taken. Persons hunting on the Crabgrass Creek portion of the area shall have a daily permit issued from the check station in their possession (except during the small game season). Persons engaging in recreational activities other than hunting shall enter and exit at a designated entrance and register at the check station upon entering and exiting the area, except persons hiking through on the Florida National Scenic Trail.

2. through 5. No change.

(2) Ocala Wildlife Management Area.

(a) Open season:

1. General gun – November ~~10~~ ~~12~~ through January ~~6~~ ~~8~~.

2. General gun still – November ~~24~~ ~~26~~ through December ~~24~~ ~~4~~ (Church Lake Unit only).

3. Small game – January ~~7~~ ~~9~~ through March ~~3~~ ~~4~~.

4. Archery – September ~~22~~ ~~24~~ through October ~~21~~ ~~23~~.

5. Muzzleloading gun – October ~~26-28~~ ~~28-30~~, on the Church Lake, Hopkins Prairie and Lake Delancy Management Units only.

6. Fox, opossum, bobcat and raccoon – November ~~10~~ ~~12~~ through April ~~14~~ ~~15~~.

7. No change.

8. Youth turkey hunt – March ~~9-10~~ ~~10-11~~ (Lake Delancy Unit only).

9. Spring turkey – March ~~21-24~~ ~~22-25~~, ~~March 28-31~~ ~~29~~ through April ~~1~~, April ~~4-7~~ ~~5-8~~ and ~~11-14~~ ~~12-15~~.

10. through 12. No change.

(b) Legal to take:

1. No change.

2. Furbearing animals – During the November ~~10~~ ~~12~~ through March 1 period, hunting as specified in paragraph 68A-24.002(2)(b), F.A.C., is allowed only in the Pipeline and Church Lake Management Units. Raccoons may also be hunted, with dogs only, from March ~~4~~ ~~5~~ through April ~~14~~ ~~15~~ only in that portion of the Pipeline Management Unit south of S.R. 40 and west of S.R. 19. The hunting of fox and bobcat by the use of dogs only shall be allowed from January ~~7~~ ~~9~~ through April ~~14~~ ~~15~~, only in that portion of the Pipeline Management Unit south of S.R. 40 and west of S.R. 19.

(c) No change.

(d) General regulations:

1. through 4. No change.

5. Dogs may be used to pursue rabbits from January ~~7~~ ~~9~~ through April ~~14~~ ~~15~~ in that portion of the Pipeline Management Unit south of S.R. 40 and west of S.R. 19.

6. No change.

(e) The Ocala Wildlife Management Area consists of four management units described as follows:

1. through 2. No change.

3. Pipeline Unit – Starting at the junction of N.E. 147th Ave. Rd. and C.R. 314, then northwest ~~and northeast~~ on N.E. 147th Ave. Rd. to its junction with N.E. 86th Ln., then northeast on N.E. 86th Ln. to its junction with N.E. 147 Ct., then north on N.E. 147 Ct. to its junction with N.E. 88 St., then west on N.E. 88 St. to its junction with N.E. 146th Ave., then north on N.E. 146th Ave. to its junction with N.E. 89th Lane, then west on N.E. 89th Lane to its junction with N.E. 144th Terr., then north on N.E. 144th Terr. to its terminus, then north to the wildlife management area boundary, then north along the wildlife management area boundary to its junction with C.R. 316, then east on C.R. 316 to its junction with F.R. 11, then south on F.R. 11 to its junction with S.R. 40, then east on S.R. 40 to its junction with S.R. 19, then north on S.R. 19 to its junction with Juniper Creek, then east along Juniper Creek to its junction with the wildlife management area boundary, then along the wildlife management area boundary southeast, then west to its junction with C.R. 183 AV, then north on C.R. 183 AV to its junction with S.R. 40, then west on S.R. 40 to its

junction with C.R. 314A, then north on C.R. 314A to its junction with C.R. 314, then northeast on C.R. 314 to its junction with N.E. 147th Ave. Rd. and the point of beginning.

4. Church Lake Unit – Starting at the junction of N.E. 147th Ave. Rd. and C.R. 314, then northwest ~~and northeast~~ on N.E. 147th Ave. Rd. to its junction with N.E. 86th Ln., then northeast on N.E. 86th Ln. to its junction with N.E. 147 Ct., then north on N.E. 147 Ct. to its junction with N.E. 88 St., then west on N.E. 88 St. to its junction with N.E. 146th Ave., then north on N.E. 146th Ave. to its junction with N.E. 89th Lane, then west on N.E. 89th Lane to its junction with N.E. 144th Terr., then north on N.E. 144th Terr. to its terminus, then north to the wildlife management area boundary, then south and east along the wildlife management area boundary to its junction with S.E. 183rd Ave. Rd., then north along S.E. 183rd Ave. Rd. to its junction with S.R. 40, then west along S.R. 40 to its junction with C.R. 314A, then north along C.R. 314A to its junction with C.R. 314, then southwest along C.R. 314 to its junction with N.E. 147th Ave. Rd. and the point of beginning.

(3) Richloam Wildlife Management Area.

(a) Open season:

1. General gun – November 17-25 ~~19-27~~ and November 26-28 through January 13-15.
2. Spring turkey – March 16-24 ~~17-25~~ and March 25-26 through April 21-22.
3. Archery – October 13-15 through November 11-13.
4. No change.
5. Trapping – January 14-16 through March 1.
6. Wild hog-dog – January 18-20 ~~17-19~~.
7. Youth turkey hunt – March 9-10 ~~10-11~~.

(b) Legal to take: All legal game (~~except antlerless deer~~), fish, frogs and furbearers. Only wild hog may be taken during the wild hog-dog season. The take of antlerless deer is prohibited during the archery season.

(c) Camping: Prohibited unless authorized by the Florida Forest Service Division of Forestry.

(d) General regulations:

1. through 5. No change.
6. Persons licensed to use trapping devices may take trapped furbearers with ~~possess~~ a .22 caliber rimfire firearm other than .22 magnum during the trapping season ~~provided that no such firearm shall be loaded at any time except immediately prior to the shooting of a trapped furbearer.~~
7. through 8. No change.

(4) Richloam Wildlife Management Area – Baird Unit.

(a) Open season:

1. Archery – October 27-30 ~~29~~ through ~~November 1, October 31 through~~ November 4-6 and ~~November 5-11~~ 7-13.
2. Muzzleloading gun – November 17-19 ~~19-21~~.
3. General gun – January 12-15 ~~14-17~~ and 16-20 ~~18-22~~.
4. Wild hog-still – January 22-24 ~~24-26~~.
5. Youth turkey hunt – March 9-10 ~~10-11~~.

6. Spring turkey – March 16-18 ~~17-19~~, 22-24 ~~23-25~~ and ~~March 29-31~~ 30 through April 1.

7. Small game – January 26-28 through March 3-4.

8. No change.

(b) through (c) No change.

(d) General regulations:

1. through 3. No change.
4. During periods when the area is closed to hunting, public access other than on foot (pedestrian) or bicycle is prohibited except by permit from the Florida Forest Service Division of Forestry.

5. through 6. No change.

7. Taking wildlife with guns is prohibited on the James A. Van Fleet State Trail. ~~Hunters shall transport guns across the State Trail only at designated crossings.~~

8. No change.

(5) Three Lakes Wildlife Management Area.

(a) Open season:

1. General gun – November 3-4 ~~5-6~~ and November 5-7 through December 30 ~~January 1~~.
2. Small game – December 31 ~~January 2~~ through March 3-4.
3. Spring turkey – March 16-17 through April 21-22.
4. Archery – September 15-16 ~~17-18~~ and September 17-19 through October 14-16.
5. No change.
6. Muzzleloading gun – October 20-22 ~~22-24~~.
7. General gun for mobility impaired – October 26-28 ~~28-30~~.
8. General gun-dog – December 6-9 ~~8-11~~ and December 27-30 ~~29~~ through ~~January 1~~.

9. through 10. No change.

11. Raccoon – January 11-13, 18-20 and 25-27 ~~27-29~~ (from 1.5 hours before sunset on Friday until 1.5 hours after sunrise on Sunday) in that area between the Florida Turnpike and US 441 only.

12. Youth turkey hunt – March 9-10 ~~10-11~~.

(b) through (e) No change.

(6) Three Lakes Wildlife Management Area – Prairie Lakes Unit.

(a) Open season:

1. Archery – September 28-30 ~~30~~ through ~~October 2~~ and October 5-7 ~~7-9~~.
2. Muzzleloading gun – October 26-28 ~~28-30~~.
3. General gun – November 16-18 ~~18-20~~ and 23-25 ~~25-27~~.
4. Small game – December 8-30 ~~10~~ through ~~January 1~~.
5. Youth turkey hunt – March 9-10 ~~10-11~~.
6. Spring turkey – March 16-18 ~~17-19~~, ~~March 29-31~~ 30 through ~~April 1~~ and April 12-14 ~~13-15~~.
7. No change.

8. Wild hog-still – November 30 through December 2-4 and January 4-6 6-8.
9. through 10. No change.
- (b) through (d) No change.
- (7) Tiger Bay Wildlife Management Area.
- (a) Open season:
1. General gun – November 3-11 5-13 and November 12-14 through December 30 January 1.
2. Archery – September 15 17 through October 14 16.
3. Muzzleloading gun – October 20-22 22-24.
4. Small game – December 31 January 2 through March 3 4.
5. Youth turkey hunt – March 9-10 10-11.
6. Spring turkey – March 16-19 17-19, March 28-31 30 through April 1 and April 11-14 13-15.
7. No change.
- (b) through (d) No change.
- (8) Tiger Bay Wildlife Management Area – Rima Ridge Unit.
- (a) Open season:
1. General gun – November 10-18 12-20.
2. Archery – September 22 24 through October 7 9.
3. Muzzleloading gun – October 26-28 28-30.
4. Small game – November 22 24 through December 30 January 1.
5. Youth turkey hunt – March 9-10 10-11.
6. Spring turkey – March 16-18 17-19, March 29-31 30 through April 1 and April 12-14 13-15.
7. through 8. No change.
- (b) No change.
- (c) Camping: Allowed only by permit from the Florida Forest Service Division of Forestry.
- (d) No change.
- (9) Relay Wildlife Management Area.
- (a) Open season:
1. General gun – November 3 5 through December 30 January 1.
2. Archery – September 15 17 through October 14 16.
3. Muzzleloading gun – October 20-28 22-30.
4. Small game – December 31 January 2 through March 3 4.
5. Youth turkey hunt – March 9-10 10-11.
6. Spring turkey – March 16 17 through April 21 22.
7. No change.
- (b) through (d) No change.
- (10) Tosohatchee Wildlife Management Area.
- (a) Open season:
1. Archery – October 4-7 6-9 and 11-14 13-16.
2. Muzzleloading gun – October 25-28 27-30 and November 1-4 3-6.
3. General gun – November 15-18 17-20 and 23-25 25-27.
4. Spring turkey – March 16-18 17-19, March 29-31 30 through April 1 and April 12-14 13-15.
5. Wild hog-dog – January 11-17 13-19 and February 8-14 10-16.
6. No change.
- (b) through (d) No change.
- (11) Seminole Ranch Wildlife Management Area.
- (a) Open season:
1. Archery – October 5-7 7-9 and 12-14 14-16.
2. Muzzleloading gun – October 26-28 28-30 and November 2-4 4-6.
3. General gun – November 16-18 18-20.
4. Small game – November 24-25 26-27, December 1-2 3-4, 8-9 10-11 and January 5-6 7-8.
5. Spring turkey – March 16-18 17-19, 22-24 23-25 and March 29-31 30 through April 1.
6. Wild hog-dog – January 26-27 28-29 and January 28 30 through February 1 3.
7. No change.
- (b) through (c) No change.
- (d) General regulations:
1. through 7. No change.
8. Access During the waterfowl and coot seasons as established by Rule 68A-13.003, F.A.C., access for waterfowl hunting on bodies of water connected to the St. Johns River will be by the St. Johns River only.
9. through 10. No change.
- (12) Jumper Creek Wildlife Management Area.
- (a) Open season:
1. Archery – September 15 17 through October 14 16.
2. Muzzleloading gun – October 20-22 22-24.
3. General gun – November 3-11 5-13 and November 12-14 through December 30 January 1.
4. Small game – December 31 through January 20 2-22.
5. Youth turkey hunt – March 9-10 10-11.
6. Spring turkey – March 16 17 through April 21 22.
7. through 8. No change.
- (b) Legal to take: All legal game (except antlerless deer), fish, frogs and furbearers. The take of antlerless deer is prohibited during the archery season.
- (c) through (d) No change.
- (13) Rock Springs Run Wildlife Management Area.
- (a) Open season:
1. Archery – September 28-30 30 through October 2 and October 5-7 7-9.
2. Muzzleloading gun – October 20-22 22-24 and 26-28 28-30.
3. General gun – November 9-11 11-13 and 16-18 18-20.
4. Small game – December 1-2 3-4, 8-9 10-11 and January 5-6 7-8.

5. No change.

(b) Legal to take: Only deer and wild hog may be taken during the archery, general gun and muzzleloading gun seasons. Taking of antlered deer not having at least one antler with three or more points, one inch or more in length, is prohibited. Only rabbit, gray squirrel, wild hog and bobwhite quail may be taken during the small game season. ~~Taking wild hog is prohibited during 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.

(14) Guana River Wildlife Management Area.

(a) Open season:

1. Duck, light goose and coot – Lake Ponte Vedra shall be open in the special September duck season established pursuant to Rule 68A-13.003, F.A.C., and the first day of each phase and on Wednesdays and Saturdays of the duck, light goose and coot season established pursuant to Rule 68A-13.003, F.A.C.

2. General gun – November ~~16-18 18-20~~ and ~~23-25 25-27~~.

3. Muzzleloading gun – October ~~20-22 22-24~~ and ~~26-28 28-30~~.

4. Archery – October ~~5-7 7-9~~ and ~~12-14 14-16~~.

5. Small game – November 30 through December ~~2 2-4, December 7-8 9-10, January 4-6 6-8, 11-13 13-15, 18-20 20-22~~ and ~~25-27 27-29~~.

6. Spring turkey – March ~~22-24 23-25~~ and ~~March 29-31 30 through April 1~~.

7. through 8. No change.

(b) Legal to take: All legal game, fish, frogs and furbearers. One antlered and one antlerless deer may be taken per quota permit or per exempt hunter during the archery season. One antlered deer may be taken per quota permit or per exempt hunter during the muzzleloading gun and general gun seasons. Taking of antlered deer not having at least one antler with three or more points, one inch or more in length, is prohibited. Taking wild hog during the last two weekends of the small game season is prohibited. Legal shooting hours for duck, light goose ~~ducks~~ and coot: From the beginning of legal shooting hours established pursuant to Rule 68A-13.003, F.A.C., until noon. Turkey may only be taken during the spring turkey season. Only one turkey may be taken per quota permit.

(c) No change.

(d) General regulations:

1. Vehicle access for scouting is allowed only one day prior to each 3-day hunt during the archery, muzzleloading gun, general gun, small game and spring turkey hunts from 7 a.m. until 9 p.m. during Eastern Daylight Saving Time and from 7 a.m. until 8 p.m. during Eastern Standard Time. During the hunts, vehicle access is only allowed from 5 a.m. until 9

p.m. during Daylight Savings Time and until 8 p.m. during Eastern Standard Time, except during the spring turkey hunts when vehicles are only allowed until 2 p.m. Waterfowl scouting is allowed on Lake Ponte Vedra from 5 a.m. until 5 p.m. Eastern Standard Time on the Saturday prior to the opening of each phase of the duck, light goose and coot season established in Rule 68A-13.003, F.A.C.

2. through 17. No change.

(e) No change.

(15) Half Moon Wildlife Management Area.

(a) Open season:

1. Archery – October ~~5-7 7-9~~ and ~~12-14 14-16~~.

2. Muzzleloading gun – October ~~26-28 28-30~~.

3. General gun – November ~~3-5 5-7~~ and ~~9-11 11-13~~.

4. Small game – November 30 through December ~~2 2-4, December 7-9 9-11~~ and ~~14-16 16-18~~.

5. Wild hog-still – January ~~11-13 13-15, 18-20 20-22~~ and ~~25-27 27-29~~.

6. Youth turkey hunt – March ~~9-10 10-11~~.

7. Spring turkey – March ~~22-24 23-25, March 29-31 30 through April 1~~ and April ~~5-7 6-8~~.

8. No change.

(b) Legal to take: All legal game, fish, frogs and furbearers. Taking of antlered deer not having at least one antler with three or more points, one inch or more in length, is prohibited. During the archery season, antlerless deer may be taken by antlerless deer permit only. ~~The~~ During the archery, muzzleloading gun and general gun seasons the bag limit for antlered deer shall be one per quota permit. Taking wild hog is prohibited during small game season. During the spring turkey season, the bag limit for turkey shall be one gobbler or bearded turkey per quota permit. Only wild hog may be taken during the wild hog-still season.

(c) No change.

(d) General regulations:

1. No change.

2. Hunting with dogs is prohibited except bird dogs and dogs with a shoulder height of 15 inches or less may be used during the small game season. ~~During non-hunting periods the possession of dogs shall only be as authorized by the Southwest Florida Water Management District on lands managed by the District.~~

3. No change.

4. The use of tracked vehicles, airboats, all-terrain vehicles and unregistered and unlicensed motorcycles is prohibited. The use of horses is prohibited during the archery, muzzleloading gun, general gun, wild hog-still and spring turkey seasons.

5. through 7. No change.

(16) Caravelle Ranch Wildlife Management Area.

(a) Open season:

1. Archery – September ~~22-30 24 through October 2~~.

2. Supervised small game – October ~~6-14 8-16~~.

3. Muzzleloading gun – October ~~26-28~~ 28-30.
4. General gun – November ~~10-13~~ 12-15 and ~~14-18~~ 16-20.
5. No change.
6. Small game – November ~~22~~ 24 through January ~~6~~ 8 (Thursdays, Fridays, Saturdays and Sundays only).
7. Youth turkey hunt – March ~~9-10~~ 10-11 (south of the Cross Florida Barge Canal only).
8. Spring turkey – March ~~16-19~~ 17-20 and ~~20-24~~ 21-25.
9. No change.
- (b) through (d) No change.
- (17) Lake George Wildlife Management Area.
 - (a) Open season:
 1. Archery – September ~~15~~ 17 through October ~~14~~ 16.
 2. Muzzleloading gun – October ~~26-28~~ and November ~~2-4~~ 28-30.
 3. General gun – November ~~10-13~~ 12-15, ~~14-18~~ 16-20 and ~~19-25~~ 21-27.
 4. Small game – November ~~26~~ 28 through March ~~3~~ 4.
 5. Youth turkey hunt – March ~~9-10~~ 10-11.
 6. Spring turkey – March ~~16-19~~ 17-19, ~~March 28-31~~ 30 through April 1 and April ~~11-14~~ 13-15.
 7. No change.
 - (b) through (d) No change.
- (18) Lake George Wildlife Management Area – Dexter/Mary Farms Unit.
 - (a) Open season:
 1. Small game – November ~~24~~ 26 through December ~~9~~ 11 and December ~~22~~ 24 through January ~~6~~ 8.
 2. Special-opportunity spring turkey – March ~~16-22~~ 17-23, March ~~30~~ 31 through April ~~5~~ 6 and April ~~13-19~~ 14-20.
 3. No change.
 4. Archery – September ~~22~~ 24 through October ~~7~~ 9.
 5. Muzzleloading gun – October ~~26-28~~ 28-30.
 6. General gun – November ~~10-18~~ 12-20.
 - (b) No change.
 - (c) Camping: Camping is allowed at designated campsites during special-opportunity spring turkey hunts and at other times by permit from the Florida Forest Service Division of Forestry.
 - (d) General regulations:
 1. through 3. No change.
 4. Vehicular access is allowed from 1.5 hours before sunrise to 1.5 hours after sunset one day prior to each season (except small game), and during periods when the area is open to hunting. Individuals in possession of a special-opportunity spring turkey permit shall also have vehicular access to the area from sunrise to sunset on the Saturday and Sunday preceding each hunt. Vehicular access is allowed only by permit from the Florida Forest Service Division of Forestry at

all other times, except the Bluffton Recreation Area shall be open to vehicular access throughout the year from sunrise to sunset via the St. Johns River Road.

5. through 8. No change.
- (e) No change.
- (19) Seminole Forest Wildlife Management Area.
 - (a) Open season:
 1. Archery – September ~~22-25~~ 24-27 and September ~~26-30~~ 28 through October 2.
 2. Muzzleloading gun – October ~~26-28~~ 28-30.
 3. General gun – December ~~1-4~~ 3-6 and ~~5-9~~ 7-11.
 4. Small game – January ~~12-27~~ 14-29 (Saturdays and Sundays only).
 5. Spring turkey – March ~~16-20~~ 17-20 and ~~23-27~~ 21-25.
 6. General gun for mobility-impaired – October ~~19-21~~ 21-23.
 7. Fishing and frogging – During periods open to hunting and at other times as access is allowed by the Florida Forest Service Division of Forestry and these rules. Fish may be taken only by hook and line or rod and reel. Oaks and Bear Ponds are open to fishing only during daylight hours.
 - (b) No change.
 - (c) Camping: Camping is prohibited during periods open to hunting, except hikers may camp at designated primitive campsites along the Florida Trail throughout the year. During periods closed to hunting, camping is allowed only by permit from the Florida Forest Service Division of Forestry.
 - (d) General regulations:
 1. through 2. No change.
 3. The use of tracked vehicles, airboats, or all-terrain vehicles is prohibited during periods when hunting is allowed, except that all-terrain vehicles may be used one day prior to and during the general gun for mobility-impaired season but only by persons participating in the mobility-impaired hunt. Vehicle access is allowed only during archery, general gun, mobility-impaired, muzzleloading gun, general gun, and spring turkey seasons and one day prior to each of these seasons. During periods when the area is closed to hunting, public access is regulated by the Florida Forest Service Division of Forestry.
 4. through 8. No change.
- (20) Triple N Ranch Wildlife Management Area.
 - (a) Open season:
 1. Wild hog-still – January ~~25-27~~ 27-29, February ~~1-3~~ 3-5, ~~8-10~~ 10-12 and ~~15-17~~ 17-19.
 2. Special-opportunity deer – October ~~13-19~~ 15-21 and October ~~27~~ 29 through November ~~2~~ 4.
 3. Small game – November ~~24~~ 26 through January ~~20~~ 22.
 4. Special-opportunity spring turkey – March ~~16-22~~ 17-23, March ~~30~~ 31 through April ~~5~~ 6 and April ~~13-19~~ 14-20.
 5. through 6. No change.
 - (b) through (c) No change.

(d) General regulations:

1. through 5. No change.

6. Only individuals in possession of a special-opportunity permit may have vehicle access to the area on the Saturday and Sunday preceding the hunt and only from sunrise to sunset on those days, except on the Saturday and Sunday preceding each spring turkey hunt, when vehicle access shall be allowed only from 5 a.m. to 7:30 p.m. Authorized hunting equipment may be taken onto the area during these times.

7. through 8. No change.

(21) Etoniah Creek Wildlife Management Area.

(a) Open season:

1. Archery – September ~~22~~ 24 through October ~~7~~ 9.

2. Muzzleloading gun – October ~~20-22 and 26-28~~ 28-30.

3. General gun – November 8-11, 15-18 and 22-25 ~~12-15 and 16-20~~.

4. Small game – November 26 ~~Thanksgiving Day~~ through the first weekend in January.

5. Spring turkey – March ~~16-19~~ 17-19, 22-25 ~~23-25~~ and March ~~29~~ 30 through April 1.

6. No change.

(b) No change.

(c) Camping: Authorized only by permit from the Florida Forest Service Division of Forestry.

(d) No change.

(22) Little Big Econ Wildlife Management Area.

(a) Open season:

1. Archery – September 28 through October 4 and October ~~5-11~~ 7-13 and ~~12-20~~ 14-22.

2. Muzzleloading gun – November ~~2-4~~ and ~~9-11~~ 4-6.

3. General gun – November ~~16-18~~ 18-20, 23-25 ~~25-27~~ and November 30 through December ~~2~~ 2-4.

4. Small game – December ~~8-23~~ 10-25.

5. Spring turkey – March ~~16-19~~ 17-19, 21-24 ~~23-25~~ and ~~March 28-31~~ 30 through April 1.

6. No change.

(b) through (d) No change.

(23) Lake Panasoffkee Wildlife Management Area.

(a) Open season:

1. Special-opportunity spring turkey – March ~~21-24~~ 22-25, April ~~2-5~~ 3-6 and ~~18-21~~ 19-22.

2. Special-opportunity archery – September ~~20-23~~ 22-25, October ~~2-5~~ 4-7, 11-14 ~~13-16, 23-26~~ 25-28, November ~~1-4~~ 3-6, 13-16 ~~15-18, November 29~~ through December ~~2~~ 1-4 and ~~December 11-14~~ 13-16.

3. Wild hog-still – January ~~11-13~~ 13-15.

4. Wild hog-dog – January ~~23-25~~ 25-27 and February ~~20-22~~ 22-24.

5. Small game – February ~~1-3~~ 3-5 and ~~8-10~~ 10-12.

6. through 7. No change.

(b) No change.

(c) Camping: Camping and camping equipment are is allowed at designated campsites no earlier than beginning at 8 a.m. the day preceding each hunt and ending the last day of each hunt except during the small game season when camping and camping equipment are allowed no earlier than 8 a.m. on the first day of each hunt. Camping is allowed at other times by permit from the Southwest Florida Water Management District. Kitchen stoves, refrigerators, and freezers, unless contained in mobile campers are prohibited. Lumber, sheet metal or other building materials is prohibited. Each camper shall assure that their campsite is clean at all times. The altering alteration, defacing, moving, or tampering in any way with official markings of campsites is prohibited. Only tents, trailers or self-propelled camping vehicles may be used for camping. The name, address and telephone number of the person responsible for each campsite shall be visibly affixed to the camping shelter.

(d) General regulations:

1. through 9. No change.

10. Authorized hunting equipment, and dogs and camping equipment may be taken on the area no earlier than beginning at 8 a.m. the day preceding each hunt and shall be removed from the area the last day of each hunt. During spring turkey season hunting equipment is allowed on the area beginning at 1.5 hours before sunrise the day preceding each hunt.

(24) Ross Prairie Wildlife Management Area.

(a) Open season: ~~Supervised small game—October 15-21, November 19-25, December 17-23 and January 14-20.~~

1. Archery – September 21-23.

2. Supervised small game – October 13-19, November 17-23, December 15-21 and January 12-18.

3. Spring turkey – March 22-24.

(b) Legal to take: All legal ~~small~~ game and furbearers. The take of wild hog is prohibited during the supervised small game season. Antlerless deer may not be taken during the archery season. Wild turkey may only be taken during the spring turkey season. The bag limit for deer is one antlered deer per quota permit. The bag limit for turkey is one bearded turkey or grouse per quota permit.

(c) through (d) No change.

(25) Buck Lake Wildlife Management Area.

(a) Open season:

1. Archery – September ~~22-30~~ 24 through ~~October 2~~ and October ~~6-12~~ 8-14.

2. Muzzleloading gun – October ~~26-28~~ 28-30.

3. General gun – November ~~10-13~~ 12-15 and ~~14-18~~ 16-20.

4. Small game – December ~~1-16~~ 3-18.

5. Spring turkey – March ~~16-19~~ 17-20 and ~~20-24~~ 21-25.

6. Wild hog-still – January ~~3-6~~ 5-8 and ~~17-20~~ 19-22.

7. No change.

(b) through (c) No change.

(d) General regulations:

1. through 4. No change.

~~5. No deer, wild hog or turkey shall be dismembered until checked at a check station.~~

~~5.6. No change.~~

~~7. Hunters shall check in and out at the check station when entering and exiting the area and check all game taken.~~

(26) Fort Drum Wildlife Management Area.

(a) Open season:

1. Special-opportunity deer – October ~~27~~ 29 through November ~~2~~ 4.

2. Small game – December ~~8-23~~ 10-25.

3. Special-opportunity spring turkey – March ~~16-22~~ 17-23, March ~~30~~ 31 through April ~~5~~ 6 and April ~~13-19~~ 14-20.

4. Wild hog-still – October ~~5-7~~ 7-9, ~~12-14~~ 14-16 and ~~19-21~~ 21-23.

5. No change.

(b) through (d) No change.

(27) Ocklawaha River Wildlife Management Area – Gores Landing Unit.

(a) Open season:

1. Archery – September ~~22~~ 24 through October ~~7~~ 9.

2. Muzzleloading gun – October ~~26-28~~ 28-30.

3. General gun – November ~~10-18~~ 12-20.

4. Small game – December ~~1-16~~ 3-18.

5. Youth turkey hunt – March ~~9-10~~ 10-11.

6. Spring turkey – March ~~16-19~~ 17-20 and ~~20-24~~ 21-25.

7. No change.

(b) through (d) No change.

(28) Seminole Forest Wildlife Management Area – Lake Tracy Unit.

(a) Open season:

1. Archery – September ~~20-23~~ 24-26 and September ~~27-30~~ 30 through October 2.

2. Muzzleloading gun – October ~~25-28~~ 28-30.

3. General gun – November ~~8-11~~ 12-14.

4. Wild hog-still – November ~~16-18~~ 18-20, December ~~14-16~~ 16-18 and January ~~11-13~~ 13-15.

~~5. Small game – January 4-6, 18-20 and 25-27.~~

~~6.5. Spring turkey – March 16-18 17-19 and 22-24 23-25.~~

~~7.6. Fishing and frogging – During periods open to hunting and at other times as access is allowed by the Florida Forest Service Division of Forestry and these rules.~~

(b) through (c) No change.

(d) General regulations:

1. through 2. No change.

3. The use of tracked vehicles, airboats, or all-terrain vehicles is prohibited during periods when hunting is allowed. Vehicle access is prohibited except persons participating in a hunt are allowed vehicle access during archery, muzzleloading gun, general gun, wild hog-still and spring turkey seasons and

one day prior to each of these seasons. During periods when the area is closed to hunting, public access is regulated by the Florida Forest Service Division of Forestry.

4. No change.

(29) Twelve Mile Swamp Wildlife Management Area.

(a) Open season:

1. Archery – September ~~15~~ 17 through October ~~14~~ 16.

2. Muzzleloading gun – October ~~20-28~~ 22-30.

3. General gun – November ~~3~~ 5 through ~~December 30~~ January 1.

4. Small game – ~~December 31~~ January 2 through March ~~3~~ 4.

5. Youth turkey hunt – March ~~9-10~~ 10-11.

6. Spring turkey – March ~~16~~ 17 through April ~~21~~ 22.

7. No change.

8. Trapping – ~~December 31~~ January 2 through March 1.

(b) through (d) No change.

(30) Upper St. Johns River Marsh Wildlife Management Area.

(a) Open season:

1. Archery – September ~~15~~ 17 through October ~~14~~ 16.

2. Muzzleloading gun – October ~~20-28~~ 22-30.

3. General gun – November ~~3~~ 5 through January ~~13~~ 15.

4. Small game – January ~~14~~ 16 through March ~~3~~ 4.

5. Youth turkey hunt – March ~~9-10~~ 10-11.

6. Spring turkey – March ~~16~~ 17 through April ~~21~~ 22.

7. through 9. No change.

(b) Legal to take: All legal game, furbearers, fish, and frogs. Antlerless deer may be taken during the period November ~~17-18~~ 19-20. Turkey of either sex may be taken during the muzzleloading gun season. Gobblers or bearded turkey may be taken during the general gun season only from November ~~3~~ 5 through ~~December 30~~ January 1.

(c) No change.

(d) General regulations:

1. through 5. No change.

6. Hunting with dogs is prohibited except bird dogs may be used during the small game, duck and coot seasons, and dogs may be used for wild hog hunting during January ~~16-20~~ 18-22.

7. through 10. No change.

(31) Dunns Creek Wildlife Management Area.

(a) Open season:

1. Archery – September ~~22~~ 24 through October ~~7~~ 9 and November ~~17-25~~ 19-27.

2. Muzzleloading gun – October ~~27~~ 29 through November ~~4~~ 6.

3. Wild hog-still – January ~~19-27~~ 21-29.

4. Spring turkey – March ~~16-18~~ 17-19, ~~March 29-31~~ 30 through April 1 and April ~~12-14~~ 13-15.

5. through 6. No change.

- (b) through (c) No change.
- (d) General regulations:
 - 1. through 5. No change.
 - ~~6. All hunters shall check in and out at the check station and check all game taken.~~
 - 7. through 11. renumbered 6. through 10. No change.
 - (32) Salt Lake Wildlife Management Area.
 - (a) Open season:
 - 1. Archery – September ~~22-30~~ 24 through ~~October 2~~ and October ~~1-7~~ 3-9.
 - 2. Muzzleloading gun – October ~~26-28~~ 28-30.
 - 3. General gun – November ~~10-13~~ 12-15 and ~~14-18~~ 16-20.
 - 4. Small game – December ~~7-9~~ 9-11, 14-16 ~~16-18~~; January ~~4-6~~ 6-8, 11-13 ~~13-15~~; February ~~8-10~~ 10-12, 15-17 ~~17-19~~.
 - 5. Wild hog-dog – January ~~17-20~~ 19-22.
 - 6. Spring turkey – March ~~16-19~~ 17-20 and ~~20-24~~ 21-25.
 - 7. No change.
 - (b) Legal to take: All legal game, fish, frogs and furbearers. During the archery 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, the bag limit for deer shall be one antlered deer per quota permit. ~~Taking wild hog is prohibited during small game season.~~ Only wild hog may be taken during the wild hog-dog season. During the spring turkey season, the bag limit shall be one gobbler or bearded turkey per quota permit.
 - (c) No change.
 - (d) General regulations:
 - 1. through 5. No change.
 - 6. Vehicle access is prohibited except ~~persons participating in a hunt are allowed vehicle access~~ during archery, muzzleloading gun, general gun, wild hog-dog and spring turkey seasons and one day prior to each of these seasons. ~~Vehicle~~ Persons participating in a hunt are also allowed vehicle access is also allowed during small game season. At all other times, public access other than by foot (pedestrian), horseback (equestrian) or bicycle is prohibited.
 - 7. No change.
 - 8. No deer, wild hog or turkey shall be dismembered until checked at a check station, except wild hog during small game season.
 - 9. No change.
 - (33) Matanzas Wildlife Management Area.
 - (a) Open season:
 - 1. Archery – September 22-28, September 29 ~~24~~ through October ~~7~~ 2 and October ~~8-14~~ 3-9.
 - 2. Muzzleloading gun – October ~~26-28~~ and November ~~2-4~~ 28-30.
 - 3. Family hunt – November ~~10-11~~ 12-13.
 - 4. General gun – November ~~12-18~~ 14-20.
 - 5. Wild hog-still – December ~~1-7~~ and ~~8-16~~ 3-11.

- 6. Small game – January ~~7-22~~ 9-24.
- 7. Spring turkey – March ~~16-19~~ 17-20 and ~~28-31~~ 21-25 and April ~~4-7~~.
- 8. No change.
 - (b) No change.
 - (c) Camping: Allowed only by permit from the Florida Forest Service ~~Division of Forestry~~.
 - (d) No change.
- (34) No change.
- (35) Charles H. Bronson Wildlife Management Area.
 - (a) Open season:
 - 1. Archery – September 28 through October 4, October ~~5-11~~ 7-13 and ~~12-20~~ 14-22.
 - 2. Muzzleloading gun – October 26-28 and November ~~2-4~~ 4-6.
 - 3. General gun – November ~~9-11~~ 11-13, 16-18 ~~18-20~~ and November 30 through December 2 ~~2-4~~.
 - 4. Small game – December ~~8-16~~ 10-18 and January ~~5-11~~ 7-13.
 - 5. Youth turkey hunt – March ~~9-10~~ 10-11.
 - 6. Spring turkey – March ~~16-19~~ 17-19, 22-25 ~~23-25~~ and March ~~29~~ 30 through April 1.
 - 7. through 8. No change.
 - (b) Legal to take: All legal game, fish, frogs and furbearers. During the archery 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, the bag limit for deer shall be two antlered deer per quota permit. The bag limit for deer shall be one per quota permit. During the spring turkey season, the bag limit shall be one gobbler or bearded turkey per quota hunt permit.
 - (c) Camping: Prohibited unless authorized by the Florida Forest Service ~~Division of Forestry~~.
 - (d) No change.
- (36) Marshall Swamp Wildlife Management Area.
 - (a) Open season:
 - 1. Archery – September ~~15-21~~ 17-23, 22-28 ~~24-30, September 29~~ through October ~~5~~ 1-7, October 6-12 ~~8-14~~ and ~~13-21~~ 15-23.
 - 2. Muzzleloading gun – November ~~2-4~~ 4-6.
 - 3. General gun – November ~~16-18~~ 18-20, 23-25 ~~25-27~~ and November 30 through December 2 ~~2-4~~.
 - 4. Small game – During the open season for gray squirrel established in Rule 68A-13.004, F.A.C. that does not coincide with the established area general gun season dates.
 - 5. Spring turkey – March ~~16-18~~ 17-19, 22-24 ~~23-25~~ and ~~March 29-31~~ 30 through April 1.
 - 6. through 7. No change.
 - (b) through (d) No change.

PROPOSED EFFECTIVE DATE: July 1, 2012.

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.

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.W.

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 17, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 22, 2011

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-17.004
 RULE TITLE: General Regulations Relating to Wildlife and Environmental Areas

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to clarify that migratory birds may be taken with centerfire shotguns during established area seasons when one or more migratory game birds are legal to take, except when prohibited by specific area rule; revise rule language related to the possession or use of guns for taking freshwater fish and wildlife; and allow the Executive Director or designee to issue permits to sanctioned raccoon or fox hunting organizations to allow raccoon hunting or fox chasing during otherwise closed seasons and at times and places designated in the permit. The effect of the proposed rule amendment would standardize rules on wildlife management areas and wildlife and environmental areas (WEAs) and enable the agency to better manage fish and wildlife resources and public use on WEAs.

SUMMARY: The proposed rule amendment would clarify that migratory birds may be taken with centerfire shotguns during established area seasons when one or more migratory game birds are legal to take, except when prohibited by specific area rule on wildlife and environmental areas (WEAs); revise rule

language related to possession or use of guns for taking freshwater fish and wildlife; and allow the Executive Director or designee to issue permits to sanctioned raccoon or fox hunting organizations to allow raccoon hunting or fox chasing during otherwise closed seasons and at times and places designated in the permit.

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; 379.354, 375.313 FS.

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

DATES AND TIME: During the regular meeting of the Commission, February 8-9, 2012, 8:30 a.m. – 5:00 p.m., each day

PLACE: Florida Public Safety Institute, 215 Academy Drive, Havana, FL 32333

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-17.004 General Regulations Relating to Wildlife and Environmental Areas.

(1) through (5) No change.

(6) Guns:

~~(a) Possession of guns or firearms is allowed on wildlife and environmental areas pursuant to the provisions of Florida Statutes, unless as otherwise prohibited under the legal authority of the landowner, lead managing agency, military installation commander, or pursuant to federal law. During periods closed to hunting or when the firearm is not a legal method of take, firearms shall be securely encased in a vehicle, vessel, travel trailer, camper, or tent, except those persons in possession of a valid Concealed Weapon or Firearm License may possess concealed handguns. No person shall fire any gun for testing or target practice, except on a Commission shooting range or at Commission sponsored shooting events.~~

~~(a)(b) Taking wildlife (except migratory birds during migratory bird season) with a firearm or crossbow is prohibited on any wildlife and environmental area during the established season for archery hunting unless otherwise stipulated in a regulation established for a specific area. Taking wildlife (except migratory birds during migratory bird season) with a gun (except a muzzleloading gun) is prohibited on any wildlife and environmental area during the established season for muzzleloading gun hunting. Taking wildlife with a gun is prohibited on any wildlife and environmental area during any season open only for the taking of fur-bearing animals or frogs unless otherwise stipulated in a regulation established for a specific area.~~

~~(c) No person shall have any gun under his control while under the influence of alcohol or drugs.~~

(d) through (e) renumbered (b) through (c) No change.

~~(f) Notwithstanding the provisions of paragraph (a) or specific area regulations in this chapter generally prohibiting possession of a gun, persons meeting the following requirements are allowed to possess and transport guns within a vehicle or vessel provided the guns are securely encased as defined under Chapter 790, F.S.:~~

~~1. Persons and guests of such persons who own or lease private lands within the boundaries of a wildlife and environmental area, provided they are transporting guns directly to or from said private lands, and~~

~~2. Persons and guests of such persons who own or lease private lands that are located adjacent or proximal to a wildlife and environmental area and the only legal means of vehicular access is through the wildlife and environmental area, provided they are transporting guns directly to or from said private lands.~~

~~(d) Taking migratory birds with centerfire shotguns is allowed during established area seasons when one or more migratory game birds are legal to take except when prohibited by specific area rule.~~

(7) Dogs:

(a) Dogs may be used for hunting during open seasons unless prohibited by regulations for the particular wildlife and environmental area. The Executive Director or designee may issue permits to raccoon or fox hunting organizations that are sanctioned by the United Kennel Club, American Kennel Club, Professional Kennel Club, or similar sanctioning entity to allow raccoon or fox hunting during otherwise closed seasons and at times and places designated in the permit. Permits may be issued only in areas where this activity will not negatively impact wildlife, where adjoining landowner conflicts will be minimal, where cooperating landowners are in agreement with the permit conditions, and when not in conflict with other user groups.

(b) through (c) No change.

(8) through (13) No change.

(14) Alligators: Notwithstanding any other provision in Chapter 68A-17, F.A.C., the harvest of alligators, their eggs or hatchlings may be conducted on wildlife and environmental areas in accordance with Commission order(s) and Rules 68A-25.031, 68A-25.032, and 68A-25.042, F.A.C. Guns and bait may be ~~possessed and~~ used for taking alligators by alligator hunt participants as specified in Rule 68A-25.042 or 68A-25.032, F.A.C., whichever is applicable, and persons taking alligators pursuant to those rules on wildlife and environmental areas shall not be required to check in and out at a check station or check any alligators taken.

(15) through (17) No change.

Proposed Effective Date: As soon as possible following Commission action

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.354, 375.313 FS. History—New 4-12-98, Amended 12-28-98, Formerly 39-17.004, Amended 7-1-00, 7-1-04, 7-1-05, 7-1-06, 7-29-07, 7-1-08, 7-1-09, 7-1-10, 1-1-11,_____.

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.W.

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 17, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 22, 2011

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-17.005
 RULE TITLE: Specific Regulations for Wildlife and Environmental Areas

PURPOSE AND EFFECT: The purpose of the proposed rule amendments is to revise specific area regulations on Wildlife and Environmental Areas (WEAs) and conform to calendar year date changes. The effect of the proposed rule amendments will be to enable the agency to better manage fish and wildlife resources and public use on WEAs.

SUMMARY: The proposed rule amendments would revise or establish specific area regulations on WEAs as follows:
 Southwest Region.

Lake Wales Ridge WEA, Royce Unit – adjust the season dates for the first spring turkey hunt to begin with the opening of the zonal season.

North Central Region.

Santa Fe Swamp WEA – allow the take of game by falconry during established statewide seasons.

Northwest Region.

Apalachicola River WEA – allow wild hog hunting during small game season and allow camping at Butcher Pen Landing in designated sites only.

Proposed rule amendments would also amend or clarify rule language related to the use of guns for taking wildlife on WEAs. Additionally, the proposed rule amendment would provide non-substantive technical changes, such as grammatical corrections and language standardization.

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; 379.2223, 375.313 FS.

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

DATES AND TIME: During the regular meeting of the Commission, February 8-9, 2012, 8:30 a.m. – 5:00 p.m., each day.

PLACE: Florida Public Safety Institute, 215 Academy Drive, Havana, FL 32333.

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-17.005 Specific Regulations for Wildlife and Environmental Areas.

(1) Southwest Region.

(a) through (e) No change.

(f) Lake Wales Ridge Wildlife and Environmental Area – Royce Unit – Highlands County.

1. Open season:

a. Archery – September ~~21-23~~ ~~23-25~~ and October ~~12-14~~ ~~14-16~~.

b. General gun – November ~~16-18~~ ~~18-20~~.

c. Small game – December ~~7-9~~ ~~9-11~~, ~~21-23~~ ~~23-25~~, January ~~18-20~~ ~~20-22~~ and ~~25-27~~ ~~27-29~~.

d. Wild hog-still – May ~~4-5~~ ~~5-6~~ and ~~11-12~~ ~~12-13~~.

e. Youth turkey hunt – March ~~9-10~~ ~~10-11~~.

f. Spring turkey – March 16-18 and March ~~29-31~~ ~~30~~ ~~through April 1~~.

g. No change.

2. through 3. No change.

(g) through (k) No change.

(2) North Central Region.

(a) Santa Fe Swamp – Bradford County.

1. Open season:

a. Archery – September ~~21~~ ~~23~~ through October ~~19~~ ~~21~~.

b. Muzzleloading gun – October ~~20-22~~ ~~22-24~~.

c. Archery and muzzleloading gun – November ~~3~~ ~~5~~ through ~~December 30~~ ~~January 1~~.

d. Spring turkey – March ~~16~~ ~~17~~ through April ~~21~~ ~~22~~.

e. No change.

f. Falconry – Game may be taken by falconry during established statewide seasons that coincide with periods when the area is otherwise open for public use or hunting.

2. No change.

3. General regulations:

a. Persons shall enter and exit the area at designated entrances or via Little Santa Fe Lake. Public access into the area is allowed on Cow Pen Road and Little Santa Fe Lake only.

b. Vehicles are prohibited except in the designated parking areas.

c. through e. No change.

(b) Fort White Mitigation Park – Gilchrist County.

1. Open season:

a. Archery season – October ~~20-24~~ ~~22-26~~, ~~27-31~~ ~~October 29 through November 2~~ and November ~~10-14~~ ~~12-16~~.

b. Small game – November ~~17-30~~ ~~19 through December 2~~.

c. Youth spring turkey – March ~~9-10~~ ~~10-11~~.

d. Spring turkey – March ~~18-22~~ ~~19-23~~ and ~~25-29~~ ~~26-30~~.

e. through g. No change.

2. No change.

3. Camping: Camping is allowed by permit only from the Suwannee River Water Management District.

~~4.3.~~ No change.

(c) Suwannee Ridge – Hamilton County.

1. Open season:

a. Mobility-impaired general gun – October ~~12-14~~ ~~14-16~~, ~~26-28~~ ~~October 28-30~~, November ~~2-4~~ ~~4-6~~ and December ~~14-16~~ ~~16-18~~.

b. Mobility-impaired spring turkey – March ~~22-24~~ ~~23-25~~ and April ~~12-14~~ ~~13-15~~.

2. No change.

3. General regulations:

a. through d. No change.

e. Hunters shall enter and exit through Holton Creek WMA Road 2 only. The area may be accessed during non-hunting periods only by use of the Adams Grade parking area.

f. through i. No change.

(d) through (e) No change.

(f) Lafayette Forest Wildlife and Environmental Area.

1. Open seasons:

a. Archery season – September ~~22-26~~ ~~24-28~~, September ~~28~~ ~~30~~ through October ~~2~~ ~~4~~ and October ~~5-9~~ ~~7-11~~.

b. Muzzleloading gun season – October ~~20-22~~ ~~22-24~~.

c. Family hunt – November ~~3-4~~ ~~5-6~~ and ~~10-11~~ ~~12-13~~.

d. Wild hog-still – January ~~19-23~~ ~~21-25~~ and ~~January 26-30~~ ~~28 through February 1~~.

e. Youth spring turkey – March ~~9-10~~ ~~10-11~~.

f. Spring turkey – March ~~16-18~~ ~~17-19~~ and ~~22-24~~ ~~23-25~~.

g. through i. No change.

2. through 3. No change.

(g) Watermelon Pond Wildlife and Environmental Area.

1. Open seasons:

a. Archery season – October ~~13-21~~ ~~15-23~~.

b. Small game – November ~~16-29~~ ~~18 through December 1~~ and December ~~14-29~~ ~~16-31~~.

c. through e. No change.

2. No change.

3. General regulations:

a. No change.

b. Motorized vehicular access is prohibited, except in designated parking areas.

c. through e. No change.

(3) Northwest Region.

(a) No change.

(b) Apalachicola River – Gulf, Franklin, and Liberty counties.

1. No change.

2. Legal to take: All legal game, fish, frogs and furbearers. Antlerless deer may only be taken during the archery season. Bearded turkey or gobblers may be taken during the spring turkey season and the first 41 days of the general gun season; turkey of either sex may be taken during the archery and muzzleloading gun seasons. During the first phase of dove season, taking dove in posted dove fields is prohibited except on Saturdays. Wild hog may only be taken during the archery, muzzleloading gun, general gun, archery/muzzleloading gun and wild hog-dog seasons and during the open season for gray squirrel established in Rule 68A-13.004, F.A.C.

3. Camping: Throughout the year. Camping is limited to tents, trailers or self-propelled camping vehicles. Camping is allowed throughout the area, except where posted as no camping and only at designated campsites at Butcher Pen Landing. Unless contained in mobile campers, kitchen stoves, refrigerators and freezers are prohibited. Lumber, sheet metal or other building materials are prohibited. Camping more than 14 consecutive days at a time is prohibited in that portion of the area posted as Northwest Florida Water Management District lands.

4. General regulations:

a. through i. No change.

j. During the wild hog-dog season, wild hog may be taken by the aid of a light with a firearm ~~provided that no such firearm shall be loaded at any time except immediately prior to the shooting of a bayed hog.~~ The hunting of wild hog under this provision by display or use of a light from a moving vehicle, boat or animal is prohibited.

(c) No change.

(4) South Region.

(a) Southern Glades – Dade County.

1. Open season:

a. Archery – July ~~28~~ ~~30~~ through August ~~26~~ ~~28~~.

- b. Muzzleloading gun – September ~~7-9 9-11~~.
- c. General gun – September ~~15 17~~ through October ~~14 16~~ and November ~~19-25 21-27~~.
- d. Small game – November ~~10 12~~ through March ~~3 4~~.
- e. through g. No change.
2. No change.
3. General regulations:
- a. No change.
- b. ~~The possession of any firearm containing shells or cartridges or capped or primed muzzleloading guns is prohibited on levees, improved roads, and at check stations. The take of wildlife with discharge of guns is prohibited on, from, or across any check station, levee, or improved road.~~
- c. ~~The take of wildlife with a Hunting or discharge of any firearm east of the C-109 road, within 500 yards of the Dade Work Camp, or any building or structure is prohibited.~~
- d. through e. No change.
- (b) John G. and Susan H. Dupuis Jr. – Palm Beach and Martin counties.
1. Open season:
- a. Archery – September ~~7-9 9-11, 14-16 16-18~~ and ~~21-23 23-25~~.
- b. Muzzleloading gun – October ~~5-7 7-9, 12-14 14-16~~ and ~~19-21 21-23~~.
- c. General gun for mobility-impaired – October ~~27-28 29-30~~.
- d. General gun – November ~~2-4 4-6~~ and ~~9-11 11-13~~.
- e. Wild hog-still – November ~~16-18 18-20, November 30 through December 2 2-4, December 7-9 9-11~~ and ~~14-16 16-18~~.
- f. Spring turkey – March ~~5-7 6-8, 15-17 16-18~~ and ~~22-24 23-25~~.
- g. Small game – December ~~8 10~~ through January ~~27 29~~.
- h. through j. No change.
2. through 3. No change.
4. General regulations:
- a. through k. No change.
1. ~~Taking wildlife Hunting~~ with firearms other than shotguns is prohibited during the small game season.
- m. ~~The take of wildlife with a firearm discharge of firearms~~ within 1/4 mile of the hiking trail campsites is prohibited.
- (c) CREW – Collier and Lee Counties.
1. Open season:
- a. Archery – August ~~4-12 6-14~~.
- b. Muzzleloading gun – September ~~1-3 3-5~~.
- c. General gun – November ~~17-25 19-27~~.
- d. Small game – December ~~1-28 3-30~~.
- e. Spring turkey – March ~~2-5 3-6~~ and ~~6-10 7-11~~.
- f. through g. No change.
2. through 4. No change.
- (d) No change.

(e) John C. and Mariana Jones/Hungryland – Palm Beach and Martin Counties.

1. Open season:

a. Archery – September ~~8-11 10-13, 15-18 17-20, 22-25 24-27~~ and ~~September 29 through October 2 1-4~~.

b. Muzzleloading gun – October ~~13-15 15-17~~.

c. General gun – October ~~27-29 29-31, November 3-5 5-7~~ and ~~10-12 12-14~~.

d. Small game – November ~~17 19~~ through December ~~16 18~~.

e. Spring turkey – March ~~16-31 17 through April 1~~ (Wednesdays, Saturdays and Sundays only).

f. through g. No change.

2. through 4. No change.

(5) No change.

PROPOSED EFFECTIVE DATE: July 1, 2012.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.2223, 375.313 FS. History—New 7-1-83, Amended 11-30-83, 7-1-84, 8-21-85, Formerly 39-17.05, Amended 6-1-86, 8-13-87, 8-18-88, 8-17-89, 4-11-90, 7-1-91, 10-31-91, 4-14-92, 4-20-93, 7-1-94, 9-15-94, 3-30-95, 8-15-95, 7-1-96, 4-3-97, 10-28-97, 7-1-98, 8-11-98, 7-1-99, Formerly 39-17.005, Amended 7-1-00, 5-1-01, 6-2-02, 5-25-03, 7-1-04, 7-1-05, 7-1-06, 7-1-07, 7-1-08, 1-6-09, 7-1-09, 10-29-09, 7-1-10, 7-1-11, 11-14-11, ~~7-1-12~~.

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.W.

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 17, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 22, 2011

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.:
68A-20.004

RULE TITLE:
Regulations in Fish Management Areas

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to amend language related to possession or use of guns on fish management areas (FMAs). The effect of the proposed rule amendments will be to enable the agency to better manage fish and wildlife resources and public use on FMAs.

SUMMARY: The proposed amendment would amend language related to possession or use of guns on fish management areas (FMAs).

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, TIME AND PLACE SHOWN BELOW:

DATES AND TIME: During the regular meeting of the Commission, February 8-9, 2012, 8:30 a.m. – 5:00 p.m., each day.

PLACE: Florida Public Safety Institute, 215 Academy Drive, Havana, FL 32333

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: Tom Champeau, Director, Division of Freshwater Fisheries Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-20.004 Regulations in Fish Management Areas. No person shall take fish in any fish management area except as provided by rules of the Commission.

(1) through (8) No change.

~~(9) Guns:~~

~~Notwithstanding the specific area regulations in Rule 68A 20.005, F.A.C., generally prohibiting possession of a gun, persons meeting the following requirements are allowed to possess and transport guns within a vehicle or vessel provided the guns are securely encased as defined under Chapter 790, F.S.:~~

~~(a) Persons and guests of such persons who own or lease private lands within the boundaries of a fish management area, provided they are transporting guns directly to or from said private lands;~~

~~(b) Persons and guests of such persons who own or lease private lands that are located adjacent or proximal to a fish management area and the only legal means of vehicular access is through the fish management area, provided they are transporting guns directly to or from said private lands.~~

PROPOSED EFFECTIVE DATE: AS SOON AS POSSIBLE FOLLOWING COMMISSION ACTION

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 8-1-79, Amended 6-4-81, 6-21-82, Formerly 39-20.04, Amended 5-10-87, 7-1-92, 7-1-94, 4-1-96, 7-1-97, 7-1-98, Formerly 39-20.004, Amended 7-29-07,_____.

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.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: Tom Champeau, Director, Division of Freshwater Fisheries 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 17, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 22, 2011

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-20.005
RULE TITLE: Specific Fish Management Area Regulations

PURPOSE AND EFFECT: The purpose of the proposed rule for Middle Lake Fish Management Area is to clarify rule language to align with intent of rule. The revised language is more concise and will allow staff and stakeholders to correctly interpret lawful use of Fish Management Area.

SUMMARY: Original intent of present rule was to prohibit swimming, taking of fish or wildlife with firearms, camping or open fires adjacent to boat launching area, but to allow these activities where appropriate on rest of lake. Proposed rule clarifies rule language, by indicating listed activities are prohibited within 150 feet of boat launch site.

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, TIME AND PLACE SHOWN BELOW:

DATES AND TIME: During the Commission’s regular meeting February 8-9, 2012, 8:30 a.m. – 5:00 p.m.

PLACE: Florida Public Safety Institute, 215 Academy Drive, Havana, FL 32333

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: Tom Champeau, Director, Division of Freshwater Fisheries Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-20.005 Specific Fish Management Area Regulations.

(1) through (3) No change.

(4) Southwest Region:

(a) through (o) No change

(p) Middle Lake, Pasco County:

1. No change.

2. The following are prohibited within 150 feet of the boat launch site: ~~s~~Swimming, taking of fish or wildlife with firearms, camping, or open fires ~~at the boat launch site are prohibited.~~

3. through 4. No change.

(q) through (5) No change.

PROPOSED EFFECTIVE DATE: July 1, 2012.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 8-1-79, Amended 2-19-80, 5-19-80, 6-4-81, 9-28-81, 6-21-82, 7-1-83, 11-17-83, 7-1-84, 7-1-85, Formerly 39-20.05, Amended 2-27-86, 6-1-86, 5-10-87, 4-13-88, 7-1-89, 7-1-90, 4-11-91, 7-1-91, 7-2-92, 8-23-92, 4-20-93, 7-1-94, 8-15-95, 10-23-95, 4-1-96, 2-16-97, 6-1-97, 6-29-97, 1-1-98, 7-1-98, 11-2-98, Formerly 39-20.005, Amended 4-30-00, 7-1-00, 10-10-00, 4-1-01, 7-1-01, 10-9-01, 7-1-02, 1-1-03, 7-1-03, 1-1-04, 7-1-04, 7-17-05, 7-1-06, 4-1-07, 7-1-08, 7-1-10, 2-8-11, 7-1-12.

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.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: Tom Champeau, Director, Division of Freshwater Fisheries Management

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 17, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 22, 2011

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.:	RULE TITLE:
68A-20.005	Specific Fish Management Area Regulations

PURPOSE AND EFFECT: The Lake Griffin black crappie population has the potential to support greater harvest of larger black crappie. The proposed 10-inch minimum size regulation should allow greater utilization of the fish population by

anglers and not harm the abundance or size/age structure of the black crappie population. Currently, black crappie rules in Lake Griffin Fish Management Area follow the state rules of no size limit.

The purpose of the proposed rule amendment for Tenoroc Fish Management Area is to amend language related to possession or use of guns on fish management areas (FMAs). The effect of the proposed rule amendments will be to enable the agency to better manage fish and wildlife resources and public use on FMAs.

SUMMARY: A 10-inch minimum size limit could increase the total yield, average size of harvested fish, and provide the opportunity to highlight an outstanding fishery on Lake Griffin potentially increasing fishing effort and boosting the local economy. Stakeholders have indicated their desire to catch larger fish and modeling indicates Lake Griffin has the ability to support a greater harvest rate of black crappie 10 inches and longer while protecting smaller fish.

The proposed rule change for Tenoroc Fish Management Area would amend language related to possession or use of guns on fish management areas (FMAs) to ensure better fish and wildlife management.

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, TIME AND PLACE SHOWN BELOW:

DATES AND TIME: During the Commission’s regular meeting February 8-9, 2012, 8:30 a.m. – 5:00 p.m.

PLACE: Florida Public Safety Institute, 215 Academy Drive, Havana, FL 32333

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 ADAVCoordinator 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: Tom Champeau, Director, Division of Freshwater Fisheries Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-20.005 Specific Fish Management Area Regulations

(1) through (2) No change.

(3) Northeast Region:

(a) through (b) No change.

(c) Lake Griffin, Lake County; including all Emeralda Marsh water bodies open to Lake Griffin, and including all points lakeward of a boundary line delineated by: County Road 44 and Burrell Lock and Dam on Haynes Creek (formerly Haines Creek); County Road 464c at Moss Bluff Lock and Dam.

1. through 2. No change.

3. No person shall kill or possess any black crappie less than 10 inches in total length.

(d) through (w) No change.

(4) Southwest Region:

(a) through (h) No change.

(i) Tenoroc Fish Management Area:

1. General regulations for all Tenoroc lakes, except Lake Crago:

a. through g. No change.

h. Taking of fish with a firearm is prohibited. No person shall discharge any gun for testing or target practice, except on a Commission shooting range or at a Commission sponsored event.

i. No person shall have any gun under his or her control while under the influence of alcohol or drugs.

j. through p. renumbered i. through o. No change.

2. through 4. No change.

(k) through (v) renumbered (j) through (u) No change.

(5) No change.

PROPOSED EFFECTIVE DATE: AS SOON AS POSSIBLE AFTER COMMISSION ACTION

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History--New 8-1-79, Amended 2-19-80, 5-19-80, 6-4-81, 9-28-81, 6-21-82, 7-1-83, 11-17-83, 7-1-84, 7-1-85, Formerly 39-20.05, Amended 2-27-86, 6-1-86, 5-10-87, 4-13-88, 7-1-89, 7-1-90, 4-11-91, 7-1-91, 7-2-92, 8-23-92, 4-20-93, 7-1-94, 8-15-95, 10-23-95, 4-1-96, 2-16-97, 6-1-97, 6-29-97, 1-1-98, 7-1-98, 11-2-98, Formerly 39-20.005, Amended 4-30-00, 7-1-00, 10-10-00, 4-1-01, 7-1-01, 10-9-01, 7-1-02, 1-1-03, 7-1-03, 1-1-04, 7-1-04, 7-17-05, 7-1-06, 4-1-07, 7-1-08, 7-1-10, 2-8-11, _____.

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.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: Tom Champeau, Director, Division of Freshwater Fisheries 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 17, 2011
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 22, 2011

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-23.002
 RULE TITLE: General Methods of Taking Freshwater Fish

PURPOSE AND EFFECT: The purpose of the proposed rule change is to amend rules related to the possession of devices prohibited for the taking of freshwater fish. The effect of the proposed rule changes will be to enable the agency to better manage freshwater fish resources.

SUMMARY: The proposed rule change would clarify which devices prohibited for the taking of freshwater fish may be possessed with freshwater fish.

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, TIME AND PLACE SHOWN BELOW:

DATES AND TIME: During the regular meeting of the Commission, February 8-9, 2012, 8:30 a.m. – 5:00 p.m., each day

PLACE: Florida Public Safety Institute, 215 Academy Drive, Havana, FL 32333

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: Tom Champeau, Director, Division of Freshwater Fisheries Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-23.002 General Methods of Taking Freshwater Fish.

(1) through (2) No change.

(3) Nongame fish may be taken by hook and line, rod and reel or by trotlines, set lines or bush hooks (as specified in Rule 68A-23.004, F.A.C.), or by traps, nets or other devices as specified in Rule 68A-23.003, F.A.C. Nongame fish may be taken for personal use by any person possessing a valid freshwater fishing license by the use of not more than one slat basket or one wire trap, made as specified in Rule 68A-23.003, F.A.C., in those waters where the use of wire traps or slat baskets is permitted for commercial purposes as specified in subsection 68A-23.003(2), F.A.C. Nongame fish may be taken during non-daylight hours with a light and at night by bow and arrow or gigs and during daylight hours by manually operated spears, gigs, snatch hooks, crossbow or bow and arrow from a boat or from shore except at the spillways of the Eureka and

Rodman Dams on the Oklawaha River or on the spillway of the Jim Woodruff Dam on the Apalachicola River or in Dade County canals south of the C-4 and east of the L-31N and L-31W canals inclusively. Nongame fish may be taken by the use of cast nets of any mesh size in the South and Northeast regions, in Citrus County, and in the Southwest Region, except that possession or use of cast nets in waters adjoining Saddle Creek Fish Management Area, Polk County, confined by Morgan Combee Road, U.S. Highway 92 and Fish Hatchery Road are prohibited.

(4) through (8) No change.

(9) Possession of any freshwater fish together with any device (other than a firearm) which is prohibited for taking such freshwater fish is unlawful, except that game fish may be possessed together with the bait catching devices as provided in subsection 68A-23.002(6), F.A.C.

(10) through (11) No change.

PROPOSED EFFECTIVE DATE: AS SOON AS POSSIBLE FOLLOWING COMMISSION ACTION

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 8-1-79, Amended 5-19-80, 6-4-81, 6-21-82, 7-1-84, Formerly 39-23.02, Amended 6-1-86, 4-13-88, 7-1-89, 7-1-90, 4-20-93, 7-1-93, 7-1-94, 7-1-95, 4-1-96, 7-1-98, 4-15-99, Formerly 39-23.002, Amended 7-1-00, 7-1-01, 7-1-04, 7-1-06, 7-1-08, _____.

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.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: Tom Champeau, Director, Division of Freshwater Fisheries 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 17, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 22, 2011

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-24.002 RULE TITLE: Methods of Taking Fur-Bearing Animals; Possession; Open Season

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to amend rules related to the use of firearms when taking raccoons and opossums at night. The effect of the proposed rule amendment will be to enable the agency to better manage fish and wildlife resources.

SUMMARY: The proposed amendment would amend rules related to the use of firearms for taking raccoons and opossums at night.

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 TIME: During the regular meeting of the Commission, February 8-9, 2012, 8:30 a.m. – 5:00 p.m., each day.

PLACE: Florida Public Safety Institute, 215 Academy Drive, Havana, FL 32333

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) No change.

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

(a) No change.

(b) Raccoon or opossum may be taken at night by the aid of a light and dogs, with .22 rimfire firearms other than .22 magnum, or with a single-shot .410 gauge shotgun using shot no larger than No. 6 ~~provided that no such firearm shall be loaded at any time except immediately prior to the shooting of a treeed or bayed raccoon or opossum.~~ The hunting of raccoon or opossum under the provisions of this paragraph by display or use of a light from a moving vehicle, boat or animal is prohibited.

(c) through (d) No change.

(3) No change.

PROPOSED EFFECTIVE DATE: AS SOON AS POSSIBLE FOLLOWING COMMISSION ACTION

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,_____.

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.W.

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 17, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 22, 2011

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-26.002
 RULE TITLE: Regulations Relating to the Taking of Amphibians

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to clarify rule language related to the taking of frogs with firearms during daylight hours only. The effect of the proposed rule amendment will be to enable the agency to better manage fish and wildlife resources.

SUMMARY: The proposed rule amendment would clarify that frogs may be taken year round with a firearm, but only during daylight hours.

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; 379.363 FS.

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

DATES AND TIME: During the regular meeting of the Commission, February 8-9, 2012, 8:30 a.m. – 5:00 p.m., each day

PLACE: Florida Public Safety Institute, 215 Academy Drive, Havana, FL 32333

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-26.002 Regulations Relating to the Taking of Amphibians.

(1) Frogs may be taken ~~throughout the year~~ by gigs, clubs, blow guns, hook and line, firearms or manually; ~~or by shooting during daylight hours.~~ Frogs may be taken throughout the year including non-daylight hours except that they may only be taken by firearm during daylight hours.

(2) through (3) No change.

PROPOSED EFFECTIVE DATE: AS SOON AS POSSIBLE FOLLOWING COMMISSION ACTION

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.363 FS. History—New 8-1-79, Amended 6-4-81, 6-21-82, Formerly 39-26.02, 39-26.002, Amended _____.

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.W.

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 17, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 22, 2011

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

<p>RULE NO.: 68B-12.0046</p>	<p>RULE TITLE: Commercial Fishing Season for King Mackerel in the Gulf-Atlantic Fishery; Commercial Season Segments, Vessel and Landing Limits</p>
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PURPOSE AND EFFECT: The purpose of this rule amendment is to allow king mackerel to be landed in Collier County, a closed area, when they are caught in nearby waters of Monroe County that are open to harvest. This proposed rule amendment was requested by the commercial king mackerel industry because the current king mackerel landing regulations create an economic burden on commercial fishermen who are located in Collier County. These fishermen are currently required to transport their legally harvested king mackerel to

the Keys to land and sell their legally caught king mackerel because there are no wholesale fish dealers in mainland Monroe County near Collier County. The effect of this rule would be to remove an economic burden to commercial king mackerel fishermen based in Collier County by allowing the landing of king mackerel in Collier County when the king mackerel are harvested from open waters adjacent to mainland Monroe County.

SUMMARY: Rule 68B-12.0046, F.A.C., (Commercial Fishing Season for King Mackerel in the Gulf-Atlantic Fishery; Commercial Season Segments, Vessel and Landing Limits.) would be amended to allow the landing of king mackerel in Collier County from April 1 until July 1 by federal commercial king mackerel permit holders and when the transport of the fish is direct and continuous through the closed area to the place of landing.

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, TIME AND PLACE SHOWN BELOW:

DATES AND TIME: During the Commission’s regular meeting February 8-9, 2012, 8:30 a.m. – 5:00 p.m., each day

PLACE: Florida Public Safety Institute, 215 Academy Drive, Havana, FL 32333

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: Jessica McCawley, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301 and (850)487-0554

THE FULL TEXT OF THE PROPOSED RULE IS:

68B-12.0046 Commercial Fishing Season for King Mackerel in the Gulf-Atlantic Fishery; Commercial Season Segments, Vessel and Landing Limits.

(1) through (3) No change.

(4) Western Region – Persons harvesting king mackerel for commercial purposes from waters of the Western Region shall have a season that begins on July 1 of each year and continues through June 30 of the following year, unless closed sooner by operation of this subsection. These persons shall be subject to commercial vessel limits effective during segments of the season as follows:

(a) through (d) No change.

(e) King mackerel may be landed from April 1 through June 30 in Collier County when the Western Region of the Gulf-Atlantic Fishery has been closed, under the following conditions:

1. The king mackerel have been legally harvested from adjacent state or federal waters off Monroe County pursuant to Rule 68B-30, F.A.C. or pursuant to Part 622 of the Code of Federal Regulations (CFR) for Atlantic migratory group king mackerel.

2. The king mackerel have been harvested pursuant to a Florida saltwater products license and restricted species endorsement (Section 379.362, F.S.) and a federal king mackerel permit (Part 622 CFR).

3. The transport of king mackerel through the closed state waters off Collier County is continuous and direct from the area open to harvest to the place of landing, and

4. All fishing gear must be stowed during transit through the closed area.

(5) No change.

PROPOSED EFFECTIVE DATE: April 1, 2012

Rulemaking Specific Authority Art. IV, Sec. 9, Fla Const. Law Implemented Art. IV, Sec. 9, Fla Const. History–New 10-1-90, Amended 12-4-91, 11-29-93, 12-28-95, 1-1-97, 1-1-98, Formerly 46-12.0046, Amended 4-1-12.

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.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jessica McCawley, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850)487-0554

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 8, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 28, 2011

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF EDUCATION

State Board of Education

RULE NOS.:	RULE TITLES:
6A-6.0252	Use of Prescribed Pancreatic Enzyme Supplements
6A-6.0970	John M. McKay Scholarship for Students with Disabilities Program

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 37, No. 51, December 22, 2011 issue of the Florida Administrative Weekly. The public meeting date has been changed from January 25th to January 24, 2012.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NOS.:	RULE TITLES:
6A-20.023	Jose Marti Scholarship Challenge Grant Fund
6A-20.028	Florida Bright Futures Scholarship Program.

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 37, No. 51, December 22, 2011 issue of the Florida Administrative Weekly. The public meeting date has been changed from January 25th to January 24, 2012.

BOARD OF TRUSTEES OF INTERNAL IMPROVEMENT TRUST FUND

RULE NOS.:	RULE TITLES:
18-18.011	Agreements
18-18.016	Enforcement