

SPECIFIC AUTHORITY: 483.805(4) FS.

LAW IMPLEMENTED: 483.800, 483.813, 483.823, 483.825 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B3-13.001 Responsibilities of Directors.

(1) through (4) No change.

(5) The director can delegate performance of responsibilities to licensed supervisors, with the exception of the approval, signing and dating of procedures. However, the director remains responsible

for ensuring that all duties are properly performed. The delegation of responsibilities must be written and specific.

(6) through (r) No change.

(s) Ensure that a procedure manual approved, signed, and dated by the clinical laboratory director both initially and biennially thereafter is available to all personnel responsible for any aspect of the testing process.

(t) through (y) No change.

(7) No change.

Specific Authority 483.805(4) FS. Law Implemented 483.800, 483.813, 483.823, 483.825 FS. History--New 12-6-94, Amended 3-28-95, Formerly 59O-13.001, Amended 4-7-02,_____.

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.:	RULE TITLE:
69O-138.002	Financial, Rate, and Market Conduct Examination Reimbursement Expenses

PURPOSE AND EFFECT: The amendment establishes the rates for reimbursement for examinations conducted by Office of Insurance Regulation employees.

SUBJECT AREA TO BE ADDRESSED: Examination Reimbursement.

SPECIFIC AUTHORITY: 624.308(1) FS.

LAW IMPLEMENTED: 624.307(1), 624.316, 624.3161, 624.320 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: January 29, 2007, 1:30 p.m.

PLACE: Room 116, Larson Building, 200 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Claude Mueller, Director, Property and Casualty Financial Oversight, Office of Insurance Regulation, E-mail: Claude.Mueller@fldfs.com (Financial Exams); and Sam Binnun, Director, Market Investigations, Office of Insurance Regulation, E-mail: Sam Binnun@fldfs.com (Market Conduct Exams).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Office at least 5 calendar days before the program by contacting the person listed above.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHANGE FROM THE CONTACT PERSON OR ON THE OFFICE'S WEBSITE AT: www.floir.com.

Section II Proposed Rules

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

PUBLIC SERVICE COMMISSION

DOCKET NO. 050108-OT

RULE NO.:	RULE TITLE:
25-40.001	Exceptions to the Uniform Rules of Procedure

PURPOSE AND EFFECT: To revise the list of Commission rules that are exceptions from the Uniform Rules of Procedure.

SUMMARY: Rule 25-40.001, F.A.C., Exceptions to the Uniform Rules of Procedure, is being amended to reflect the new exception for Rule 25-22.0022, F.A.C., Oral Argument, and to reflect the repeal of an existing exception, Rule 25-22.058, F.A.C., Oral Argument.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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 this notice.

SPECIFIC AUTHORITY: 120.54(5)(a)3. FS.

LAW IMPLEMENTED: 120.54(5)(a)3. FS.

WRITTEN COMMENTS OR SUGGESTIONS ON THE PROPOSED RULE MAY BE SUBMITTED TO THE FPSC, DIVISION OF THE COMMISSION CLERK AND ADMINISTRATIVE SERVICES, WITHIN 21 DAYS OF THE DATE OF THIS NOTICE FOR INCLUSION IN THE RECORD OF THE PROCEEDING.

NO HEARING WILL BE HELD BECAUSE THIS RULE RELATES EXCLUSIVELY TO THE COMMISSION'S ORGANIZATION, PROCEDURE, OR PRACTICE.

THE PERSON TO BE CONTACTED REGARDING THESE PROPOSED RULE IS: Larry Harris, Office of the General Counsel, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, Florida 32399-0862, (850)413-6076

THE FULL TEXT OF THE PROPOSED RULE IS:

25-40.001 Exceptions to the Uniform Rules of Procedure. The following provisions of the Commission's rules are exceptions to the uniform rules of procedure:

UNIFORM RULE	COMMISSION RULE THAT IS AN EXCEPTION
CHAPTER 28-102 AGENDA AND SCHEDULING OF MEETINGS AND WORKSHOPS CHAPTER 28-102 – AGENDA AND SCHEDULING OF MEETINGS AND WORKSHOPS AND CHAPTER 28-106 – DECISIONS DETERMINING SUBSTANTIAL INTERESTS	25-22.0021 Agenda Conference Participation.
28-102.001 Notice of Public Meeting, Hearing, or Workshop. 28-102.002(2) Agenda of Meetings, Hearings, and Workshops.	25-22.0022 Oral Argument Rule
CHAPTER 28-103 RULEMAKING	25-22.001 Notice of Meeting or Workshop. 25-22.002 Agenda of Meetings. 25-22.017 Rulemaking Proceeding – Adoption

CHAPTER 28-106
DECISIONS DETERMINING
SUBSTANTIAL INTERESTS

28-106.104
Filing
28-106.205
Intervention
28-106.208
Notice of Hearing

28-106.212
Subpoenas
CHAPTER 28-107 LICENSING

25-22.006
Confidential information
25-22.029
Point of Entry into Proposed Agency Action Proceedings.
25-22.0376
Reconsideration of Non-Final Orders.
25-22.0406(7)-(8)
Notice and Public Information on General Rate Increase Requests by Electric, Gas and Telephone Companies
25-22.0407(8) and (10)
Notice of and Public Information for General Rate Increase Requests by Water and Wastewater Utilities.
25-22.058
Oral Argument
25-22.060
Motion for Reconsideration
25-22.028
Filing, Number of Copies
25-22.039
Intervention.
25-22.029
Point of entry into PAA Proceeding.
25-22.0405
Notices of Hearing
25-22.045
Subpoenas
25-22.075 Transmission Line Permitting Proceedings.
25-22.080 Electrical Power Plant Permitting Proceedings.

Specific Authority 120.54(5)(a)3. FS. Law Implemented 120.54(5)(a)3. FS. History–New 4-28-99, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Larry Harris

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 24, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol. 32, No. 44, November 3, 2006

If any person decides to appeal any decision of the Commission with respect to any matter considered at the rulemaking hearing, if held, a record of the hearing is necessary. The appellant must ensure that a verbatim record, including testimony and evidence forming the basis of the appeal is made. The Commission usually makes a verbatim record of rulemaking hearings.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of the Commission Clerk and Administrative Services at

(850)413-6770 at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Florida Public Service Commission by using the Florida Relay Service, which can be reached at: 1(800)955-8771 (TDD).

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE CHAPTER NO.: RULE CHAPTER TITLE:

62-531	Water Well Contractor Licensing Requirements
RULE NOS.:	RULE TITLES:
62-531.300	Application Requirements for Water Well Contractors
62-531.330	Water Well Contractor License Renewal
62-531.340	Water Well Contractor Fees
62-531.350	Water Well Contractor Examinations
62-531.450	Unlawful Acts, Grounds for Disciplinary Actions, and Penalties

PURPOSE AND EFFECT: To make Chapter 62-531, F.A.C., consistent with recent amendments to Chapter 373, F.S., to address comments from the Joint Administrative Procedures Committee, and to add rule changes to strengthen the licensing requirements for and disciplinary actions against water well contractors.

SUMMARY: The rules address licensing requirements, exemption for contractors on active duty with the U.S Armed Services, increasing administrative fines not to exceed \$5000 and amending the Water Well Contractor Disciplinary Guidelines and Procedures Manual, allowing a licensed well water contractor to facilitate the performance of additional work by an appropriately licensed contractor, allowing administrative fees related to continuing education, adopting by reference the Manual for Coursework and Continuing Education for Water Well Contractors, modifying language for contractors who are employees of a governmental agency engaged in water well contracting, requiring a licensed water well contractor to provide the water management districts with a change of address, and clarifying that examinations are prepared by the Department with assistance by the water management districts and the water well contracting industry.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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.

SPECIFIC AUTHORITY: 373.043, 373.309 FS.

LAW IMPLEMENTED: 373.306, 373.309, 373.316, 373.319, 373.323, 373.324, 373.329, 373.333, 373.335, 373.336 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 2, 2007, 10:00 a.m.

PLACE: Room 609, Twin Towers Office Building, DEP, 2600 Blair Stone Rd., Tallahassee, Florida

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 7 days before the workshop/meeting by contacting: David James, DEP, MS 3580, 2600 Blair Stone Rd., Tallahassee, FL 32399-2400; telephone (850)245-8648. 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: David James, DEP, MS 3580, 2600 Blair Stone Rd., Tallahassee, FL 32399-2400; telephone (850)245-8648

THE FULL TEXT OF THE PROPOSED RULES IS:

62-531.300 Application Requirements for Water Well Contractors.

(1) No change.

(2) Approved coursework shall be governed by the requirements in the Manual for Coursework and Continuing Education for Water Well Contractors, Department of Environmental Protection, November 2006, hereby adopted and incorporated as a reference. Copies may be obtained by writing or calling the Department, 2600 Blair Stone Road, MS 3680, Tallahassee, FL 32399-2400; telephone (850)245-8648.

(2) through (5) renumbered (3) through (6) No change.

(7)(6) Satisfactory proof of two years experience in the water well construction business shall be demonstrated by providing:

(a) ~~a~~ A list of at least ten water wells, together with their locations, major use, and approximate depth and diameter, that the applicant has constructed, repaired, or abandoned. Of the ten wells, at least seven must have been constructed, rather than repaired or abandoned, by the applicant. This list shall provide the name and address of the owner or owners of each well, and the approximate date the construction of each well was completed. For water wells drilled in Florida, a copy of the completion report for each well shall accompany the list. Completion dates of the ten wells needed to demonstrate the two-years of experience shall be within the previous five years from license application distributed over a consecutive 24 month period. In addition, the applicant shall provide letters

from three persons in the water well construction industry, which for the purposes of this requirement are water well contractors, well drillers, vendors of water well parts or equipment, and government-employed well inspectors, attesting to the length of time the applicant has been working in the water well construction business as a major activity.

~~(b) In lieu of the methods described above, satisfactory proof of equivalent experience may be presented to the District and may be accepted on an individual basis.~~

(8) The applicant shall inform the District within 30 days of any change of the applicant's address.

Specific Authority 373.043, 373.309 FS. Law Implemented 373.323, 373.326, 373.329 FS. History--New 8-18-73, Amended 10-9-84, Formerly 17-20.02, Amended 6-16-86, Formerly 17-20.020, Amended 5-25-89, Formerly 17-531.300, Amended 7-17-03,_____.

62-531.330 Water Well Contractor License Renewal.

(1) No change.

(2) Twelve CEUs shall be required for renewal of a license beginning July 31, 2005. Water well contractor licenses shall be renewed only after the license holder has completed twelve CEUs of approved coursework earned in the two-year period directly preceding the request for license renewal for each renewal cycle. However, if a water well contractor has received his or her first license within 180 days before the end of the biennium renewal of licenses, the continuing education requirements shall be waived for the licensee's first renewal cycle.

(3) through (6) No change.

(7) Notwithstanding the renewal requirements of this chapter and Section 373.324(3), F.S., and those in Section 250.4815, F.S., for members of the Florida National Guard and the United States Armed Forces Reserves, any active water well contractor license issued under this chapter to a service member as defined in Section 250.01, F.S., or his or her spouse, both of whom reside in Florida, shall not become inactive while the service member is serving on military orders that take him or her over 35 miles from his or her residence and shall be considered an active license for up to 180 days after the service member returns to his or her Florida residence. If the license renewal requirements are met within the 180-day extension period, the service member or his or her spouse shall not be charged any additional costs, such as, late fees above the normal license fees. This subsection does not waive renewal requirement such as registering, continuing education, and all associated fees. The service member must present to the water management district issuing the license a copy of his or her official military orders or a written verification from the member's commanding officer before the end of the 180-day period in order to qualify for the extension.

~~(8)(7)~~ No change.

(9) The contractor shall inform the District within 30 days of any change of the contractor's address.

Specific Authority 373.043, 373.309 FS. Law Implemented 373.323, 373.324, 373.326, 373.329 FS. History--New 5-25-89, Formerly 17-531.330, Amended 7-17-03,_____.

62-531.340 Water Well Contractor Fees.

(1) The following fees are required for water well contractor license applications, biennial renewals, and late renewals:

(a) through (c) No change.

(d) Administrative Fee for CEUs for License Renewal: A fee of \$14 per CEU shall be submitted to the Administrator with the documentation of course completion.

(2) Regular employees of a political subdivision or governmental entity engaged in water well drilling shall be licensed in accordance with this Chapter, but shall be exempt from paying the fees required in this Chapter, ~~for the drilling done for the political subdivision or governmental entity.~~

Specific Authority 373.043, 373.309 FS. Law Implemented 373.323, 373.324, ~~373.326,~~ 373.329 FS. History--New 5-25-89, Formerly 17-531.340, Amended _____.

62-531.350 Water Well Contractor Examinations.

(1) Water well contractor examinations shall be written, comprehensive examinations that are standardized statewide and may be administered orally. The standardized examinations shall be prepared by the Department, in consultation with ~~through a combined effort of the Districts and representatives of the water well contracting industry; in consultation with the Department.~~ The examinations shall be designed to determine the applicant's knowledge of applicable rules; ability to construct, repair, and abandon a well; and ability to supervise, direct, manage, and control the contracting activities of the water well contracting business.

(2) through (4) No change.

Specific Authority 373.043, 373.309 FS. Law Implemented 373.323, ~~373.326,~~ 373.329 FS. History--New 8-18-73, Amended 10-9-84, Formerly 17-20.03, 17-20.030, Amended 5-25-89, Formerly 17-531.350, Amended _____.

62-531.450 Unlawful Acts, Grounds for Disciplinary Actions, and Penalties.

(1) through (3) No change.

(4) The following acts constitute grounds for which disciplinary actions specified in subsection (5) below may be taken by a District:

(a) through (f) No change.

(g) Practicing water well contracting without a water well contractor's license.

(5) When the District finds a person guilty of any of the grounds for disciplinary action in subsection (4) above, it may enter an order imposing one or more of the following disciplinary actions in accordance with the guidelines

established in the Department's Water Well Contractor Disciplinary Guidelines and Procedures Manual, November 2006 ~~October 2002~~:

(a) through (b) No change.

(c) Imposition of an administrative penalty not to exceed \$5±,000 for each count or separate offense.

(d) through (f) No change.

(6) No change.

Specific Authority 373.043, 373.309 FS. Law Implemented 373.306, 373.309, 373.316, 373.319, 373.333, 373.335, 373.336 FS. History—New 8-18-73, Amended 10-9-84, Formerly 17-20.09, 17-20.090, Amended 5-25-89, 12-02-92, Formerly 17-531.450, Amended 12-25-02,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mimi A. Drew, Director, Division of Water Resource Management

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Michael W. Sole, Deputy Secretary of Regulatory Programs

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 12, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 8, 2006

DEPARTMENT OF JUVENILE JUSTICE

Staff Training

RULE NOS.:

RULE TITLES:

63H-1.002

Definitions

63H-1.004

Authorized Techniques

PURPOSE AND EFFECT: To eliminate the previously authorized physical intervention technique identified as the "wrap-around to a single person takedown."

SUMMARY: The rule amendments eliminate references to the "wrap-around to a single person takedown" technique in text and incorporated forms.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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.

SPECIFIC AUTHORITY: 985.645, 985.64 FS.

LAW IMPLEMENTED: 985.645 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: Tuesday, January 30, 2007, 10:00 a.m.

PLACE: DJJ Headquarters, Knight Building, Ste. 312, 2737 Centerview Dr., Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Michael McCaffrey, Bureau of Staff Development, 2737 Centerview Dr., Alexander Building, Tallahassee, FL 32399-3100, e-mail: Michael.McCaffrey@djj.state.fl.us

THE FULL TEXT OF THE PROPOSED RULES IS:

63H-1.002 Definitions.

(1) Active Resistance – Youth makes physically evasive movements to defeat an employee's attempts to control; for example, bracing, or attempting to push or pull away from an employee.

(2) Actively Engaged – An employee is participating in the practical performance or application of any one of the approved physical intervention techniques or mechanical restraints.

(3) Administrator – One whose primary responsibility is overseeing the daily operations of a facility, program or probation circuit.

(4) Aggravated Resistance – Youth makes overt, hostile, attacking movements with or without a weapon with the apparent intent and apparent ability to cause death or great bodily harm to the employee, self, or others; for example, striking with a stick, banging head against the wall, or swinging a razor blade.

(5) CJSTC – Criminal Justice Standards and Training Commission.

(6) Combative Resistance – Youth makes overt, hostile, attacking movements that may cause injury.

(7) Control Techniques – Techniques used to control and/or move a youth from point A to point B with minimum effort by the employee in order to gain and retain control over the youth.

(8) Countermoves – Techniques that impede a youth's movement toward an employee or others; for example, blocking, distracting, evading, redirecting, or avoiding.

(9) Designated Health Authority – A physician who holds an active license under Chapters 458 or 459, F.S.

(10) Dialogue – A two-way, controlled, non-emotional communication between the employee and the youth aimed at problem identification and/or resolution.

(11) Direct Care – Having direct contact with youth for the purpose of providing care, supervision, custody, or control in a detention facility, delinquency program, or commitment program within any restrictiveness level, operated by the department or by a provider under contract with the department.

(12) Facility – A contracted or state-operated secure environment that provides custody, care, or confinement of youth alleged or found to have committed a violation of law.

This includes, but is not limited to, secure detention, law enforcement operated facilities, and residential commitment programs.

(13) Facility Employee – Any employee who exercises direct care in a facility.

(14) Hard Mechanical Restraints – Restraint devices constructed from inflexible material; for example, metal handcuffs, leg cuffs, and waist chains.

(15) Individual Health Care Record – The compilation of all records related to a youth's medical, dental and mental health.

(16) Master PAR Instructor – An advanced, qualified instructor who assists and monitors PAR instructors in maintaining quality delivery of PAR training and evaluation for PAR certification.

(17) Mechanical Restraints – This includes hard and soft mechanical restraints as defined in this rule.

(18) Mechanical Restraints Supervision Log – The form used to document a facility employee's use of mechanical restraints as a result of a Level 3 response, as defined in subsection 63H-1.003(3), F.A.C. The Mechanical Restraints Supervision Log (ADSD-001, revised 6/01/06) is incorporated by reference, and is available at the department's website (http://www.djj.state.fl.us/forms/sd/mechanical_restraints_supervision_log.pdf).

(19) PAR Medical Release – The form signed and dated by a licensed physician that authorizes an employee to perform the physical intervention techniques that were checked on the Medical Status form. The PAR Medical Release (ADSD-002, revised 8/15/03) is incorporated by reference, and is available at the department's website (http://www.djj.state.fl.us/forms/sd/par_medical_release.pdf).

(20) PAR Medical Status – The form signed and dated by a licensed physician that identifies the physical intervention techniques listed on the applicable PAR Training Plan an employee cannot perform and why. The PAR Medical Status (ADSD-003, revised 12/11/06 ~~6/01/06~~) is incorporated by reference, and is available at the department's website (http://www.djj.state.fl.us/forms/sd/par_medical_status.pdf).

(21) PAR Medical Review – The evaluation deemed necessary as a result of the Post PAR Interview.

(22) Passive Resistance – The youth physically refuses to comply or respond. The youth does not attempt to physically defeat the actions of the employee but refuses to obey all verbal directives.

(23) Post PAR Interview – The interview conducted by the Administrator or designee following a Level 2 or Level 3 response.

(24) Program – A contracted or state-operated non-residential environment providing supervision of youth who have been identified to receive services within the community. This includes, but is not limited to, probation, non-secure detention, home detention, juvenile assessment

centers, Intensive Delinquency Diversion Services (IDDS) programs, conditional release programs, screening and intake units, and day treatment programs. This does not include prevention programs.

(25) Program Employee – Any employee who exercises direct care for a program.

(26) PAR – The department-approved verbal and physical intervention techniques and the application of mechanical restraints used in accordance with this rule, the Protective Action Response Escalation Matrix, and PAR training curricula.

(27) PAR Certification – This applies to an employee who has successfully completed PAR training as described in this rule. Only employees who are PAR trained are authorized to use PAR.

(28) PAR Escalation Matrix – The document that provides guidance as to the authorized level of response based upon the youth's level of resistance. This document articulates the five levels of resistance that may be displayed by a youth and the levels of response employees are authorized to use. The PAR Escalation Matrix (ADSD-004, revised 12/11/06 ~~6/01/06~~) is incorporated by reference, and is available at the department's website (http://www.djj.state.fl.us/forms/sd/par_escalation_matrix.pdf).

(29) PAR Incident Report – The form used to document the occurrence of an event where an employee has used one of the enumerated physical intervention techniques. The PAR Incident Report (ADSD-005, revised 6/01/06) is incorporated by reference, and is available at the department's website (http://www.djj.state.fl.us/forms/sd/par_incident_report.pdf).

(30) PAR Performance Evaluation Forms – These forms are used to measure an employee's or PAR Instructor's ability to perform verbal and physical intervention techniques and apply mechanical restraints. The following forms are incorporated by reference and are available at the department's website listed below respectively:

(a) PAR Performance Evaluation – State operated facility/Contracted detention/ and Law Enforcement operated facility staff (ADSD-006, revised 6/01/2006) (http://www.djj.state.fl.us/forms/sd/par_performance_evaluation_state_operated.pdf)

(b) PAR Performance Evaluation – Contracted facility staff (ADSD-007, revised 12/11/06 ~~8/15/2003~~) (http://www.djj.state.fl.us/forms/sd/par_performance_evaluation_contracted.pdf)

(c) PAR Performance Evaluation – Program staff (ADSD-008, revised 8/15/2003) (http://www.djj.state.fl.us/forms/sd/par_performance_evaluation_program_staff.pdf)

(d) PAR Performance Evaluation – PAR Instructors (ADSD-009, revised 12/11/06 ~~6/01/2006~~) (http://www.djj.state.fl.us/forms/sd/par_performance_evaluation_instructor.pdf).

(31) PAR Training Plan forms– These forms identify the specific techniques that program and facility employees shall be trained to use. The identified techniques are the only techniques employees are authorized to use (except where provided in Rule 63H-1.003 and .004, F.A.C.). The PAR Training Plan – Contracted facility staff form (ADSD-010, revised 12/11/06 ~~6/01/2006~~) is incorporated by reference and is available at the department's website (http://www.djj.state.fl.us/forms/sd/par_training_plan.pdf).

(32) Soft Mechanical Restraints – Restraint devices that are made with flexible materials; for example, Velcro, nylon flex cuffs (also known as zip cuffs), and leather.

(33) Takedowns – Techniques that redirect a youth to the ground in a controlled manner in order to limit the youth's physical resistance and to facilitate the application of a restraint device, if needed.

(34) Touch – Employee uses a familiar touch when directing, or a custodial touch prior to escalating to a higher response level.

(35) Verbal Directions – Employee tells or commands a youth to engage in, or refrain from, a specific action or non-action.

(36) Verbal Resistance – Youth verbally refuses to comply with an employee's verbal attempts to control the situation.

Specific Authority 985.4055, 985.405 FS. Law Implemented 985.4055 FS. History–New 11-19-06, Amended.

63H-1.004 Authorized Techniques.

(1) Protective Action Response, as authorized by the department, shall be the verbal and physical intervention program trained and utilized by direct care staff in state-operated and contracted facilities and programs.

(2) On or before August 31, 2006, existing contracted facilities shall submit a new PAR Training Plan to the Assistant Secretary of Staff Development and Training or designee through the department's Regional Director or designee, and thereafter notice of any change to this plan shall be submitted as described above within 30 calendar days of the changes' effective date. Newly contracted facilities, except contracted detention facilities, shall submit their PAR Training Plan as described above no less than 30 calendar days prior to becoming operational. The PAR Training Plan for contracted facility employees shall specify the following:

(a) All Stance and Body Movement techniques.

1. Reactionary Gap
2. Danger Zone
3. Interview Stance
4. Ready Stance
5. Approach

(b) All Countermoves.

1. High Block
2. Mid-range – Straight Arm Blows

3. Mid-range – Roundhouse Blows
4. X Block
5. Leg Raise
6. Evasive Sidestep (with and without redirection)
7. Wrist Releases
8. Front Choke Releases
9. Bear Hug Releases
10. Bite Escape
11. Headlock Escape
12. Full Nelson Escape
13. Double Arm Lock Escape
14. Hairpull Escapes
15. Ground Defense

(c) At a minimum, one (1) Touch technique.

1. Straight Arm Escort (Extended and Close)
2. Supportive Hold: Stage 1

(d) At a minimum, four (4) Control techniques, one of which must be Ground Control.

1. Ground Control
2. Basket Hold
3. Arm Bar
4. Arm Control
5. Wrap-around
6. Team Arm Control
7. Supportive Hold: Stages 2 & 3

(e) At a minimum, three (3) Takedown techniques.

1. Straight Arm to a Takedown
2. Basket Hold to a Takedown
3. Arm Bar to a Takedown
- ~~4. Wrap-around to a Single Person Takedown~~
- ~~4.5. Wrap-around to a Team Takedown~~
- ~~5.6. Supportive Hold to a Takedown: Stages 4 & 5~~
- ~~6.7. Immediate Team Takedown~~

(f) The following uses of Mechanical Restraints: standing front handcuffing and uncuffing, one (1) rear handcuffing technique (standing or prone), and one (1) leg cuffing and uncuffing technique (kneeling position or hands on wall). Other uses of mechanical restraints, if authorized under Rule 63H-1.005, F.A.C., may also be specified.

(g) Searches.

(h) The Wrap Around Control technique, ~~and the Wrap Around to a Takedown technique~~ will not be used on pregnant youth.

(3) The PAR Training Plan for State-Operated facility employees, Law Enforcement Operated employees, and Contracted Detention employees shall specify the following:

- (a) All Stance and Body Movement techniques.
- (b) All Countermoves.
- (c) Searches.

(d) The Straight Arm Escort – Extended and Close Positions.

(e) All Control techniques, except Supportive Hold Control.

(f) All Takedowns, except ~~Wrap-Around to a Single Person Takedown~~, Wrap-Around to a Team Takedown, and Stages 4 and 5 of Supportive Hold to a Takedown.

(g) Handcuffs and Leg Cuffs.

(h) The Wrap Around Control technique will not be used on pregnant youth.

(4) Direct Care employees in law enforcement operated facilities having been dually certified in the PAR Escalation Matrix, and the CJSTC Response to Resistance Matrix shall be authorized to use the approved CJSTC tactics as outlined on the Response to Resistance Matrix when reasonably necessary to control a youth after the youth exhibits combative resistance as defined in this rule or aggressive physical resistance as (defined in CJSTC standards as overt, hostile, attacking movements that may cause injury, but are not likely to cause death or great bodily harm), and after PAR Escalation Matrix techniques have been exhausted; or when the alternatives are considered inappropriate due to the rapid escalation of dangerous behavior. The CJSTC Response to Resistance Matrix (CJSTC Form 85, 2/7/02) is incorporated by reference, and is available from the Assistant Secretary for Staff Development at 2737 Centerview Drive, Alexander Building, Suite 1416, Tallahassee, Florida 32399. This rule does not authorize the use of, and specifically prohibits direct care employees, whether dually certified or PAR certified, from using:

(a) A Taser on a youth;

(b) Aerosol or chemical agents, including but not limited to oleoresin capsicum spray;

(c) Ammonia capsules, unless required for medical treatment of the youth by a licensed medical professional;

(5) The PAR Training Plan for Program employees shall specify:

(a) All Stance and Body Movement techniques; and

(b) All Countermoves.

(6) PAR certified facility and program employees shall only use the techniques that are specified on the applicable PAR Training Plan, and PAR certified facility employees shall only use the mechanical restraints that are specified on the applicable PAR Training Plan.

Specific Authority 985.4055, 985.405 FS. Law Implemented 985.4055(2)(a) FS. History–New 11-19-06, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Michael McCaffrey, Bureau of Staff Development

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Eber Brown, Assistant Secretary, Bureau of Staff Development

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 22, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 8, 2006

DEPARTMENT OF HEALTH

Board of Opticianry

RULE NO.:

64B12-16.003

RULE TITLE:

Apprenticeship Requirements and Training Program

PURPOSE AND EFFECT: The Board proposes amending the rule to allow continuing education credits towards an apprenticeship.

SUMMARY: The proposed rule amendments will require apprentices to take continuing education courses for credit towards their apprenticeship.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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.

SPECIFIC AUTHORITY: 484.005 FS.

LAW IMPLEMENTED: 484.002, 484.007(1)(d)4. 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: Sue Foster, Executive Director, Board of Opticianry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B12-16.003 Apprenticeship Requirements and Training Program.

(1) All apprenticeship training must be conducted by the sponsor(s) with whom the apprentice is currently registered with the Agency. Credits shall be granted to apprentices if the training is properly documented according to this rule. An apprentice shall not receive credit for any training received from a person other than the properly registered sponsor(s). However, an apprentice can receive credit for attending continuing education courses by a board-approved provider pursuant to this rule.

(2) No change.

(3) A sponsor may provide training for no more than two apprentices at a time.

(4) An apprenticeship shall consist of 6,240 hours of training, completed within five years after the apprentice's first registration with the Department. However, time spent in training at a board-approved school of opticianry may be

substituted for required apprenticeship time. Each credit hour earned at such school shall count as 86.67 apprenticeship hours.

(a) An apprentice is required to obtain two of the required hours by completing an Apprentice/Sponsor Orientation Course and submitting the original certificate of attendance to the board office within one year of registration with the Department.

(b) Each sponsor may attend an Apprentice/Sponsor Orientation course. This course will count toward the laws and rules continuing education requirement pursuant to Rule 64B12-15.003, F.A.C.

(c) An apprentice can attend continuing education classes from an approved provider which will count towards the apprenticeship hours. Each credit hour of continuing education shall count as one hour of apprenticeship training. An apprentice can only claim up to a maximum of 100 hours of continuing education credit over the entire length of the apprenticeship. Hours of continuing education credit will only be awarded upon presentation of proof of attendance to the Board.

(5) No hours of credit will be awarded to an apprentice unless those hours were worked under the supervision of the sponsor(s) or within an acceptable alternative as outlined in this rule. The sponsor(s) must be on the premises at all times that opticianry services are performed by an apprentice. The sponsor(s) must personally inspect and approve any work so produced. However, an apprentice may perform such tasks without the sponsor's presence which may lawfully be performed by unsupervised non-licensed personnel, so long as no hours of apprenticeship credit are claimed or earned.

(6) Total training received by an apprentice during apprenticeship must consist of training in the following subject areas:

- (a) Reading and interpreting prescriptions,
- (b) Working with lens types, optical and geometric centers, axis, prisms, powers, different types of glass, colors (tints), curves, transposing and knowing the purpose and use of lenses and contact lenses,
- (c) Working with frames and mountings and optical appurtenances, adjustments, sizes, measurements and types of temples,
- (d) Fitting eyeglasses on individual customers,
- (e) Attaining a working knowledge of measurements, pupillary distances, basic anatomy and physiology of the eye and attaining basic knowledge of geometric optics,
- (f) Using lensometer or other similar instrument; neutralizing and identifying series of single vision and multi-focal lenses, power of lenses,
- (g) Assembling eyeglasses from frames and uncut lenses,

(h) Filling contact lens prescriptions, ~~and~~ fitting, ~~and~~ adapting and dispensing contact lenses if the sponsor is a Board-Certified optician, licensed optometrist, ophthalmologist, or an optician pursuant to subsection 64B12-10.009(1), F.A.C., or the apprentice must complete a Board approved course equivalent to 32 hours as a substitute for working experience with contact lenses. Such course must include the following instruction:

- 1 hour – contact lens history
- 2 hours – anatomy and physiology of the eye
- 1 hour – patient selection
- 2 hours – contact lens technology
- 2 hours – basic optics for contact lenses
- 4 hours – basic fitting methods
- 1 hour – patient follow-up
- 1 hour – data collection and record keeping
- 2 hours – ordering and verification
- 2 hours – patient instruction
- 2 hours – problem solving
- 2 hours – specialty fittings
- 1 hour – ANSI Standards
- 1 hour – Florida laws and rules
- 8 hours – hands on practice

Although the lecture sessions may be open to any number of students, the hands on sessions shall be limited to 20 students per qualified instructor and three assistant instructors. A qualified instructor is one who has been a Board Certified optician, licensed optometrist or ophthalmologist and actively engaged in contact lens fitting for 2 years immediately preceding instructorship or actively engaged as a contact lens instructor in an approved school of opticianry, an accredited school of optometry or an accredited medical school. The assistants must be Board certified or equally qualified to the instructor. Any request for course approval must be submitted to the Board 30 days prior to the next Board meeting and must be reviewed every two years. The apprentice must complete the entire course within 31 days.

(i) Additional work in any of the above categories.

Specific Authority 484.005 Law Implemented 484.002, 484.007(1)(d)4. FS. History—New 10-12-80, Amended 8-31-83, 8-30-84, Formerly 21P-16.03, Amended 3-5-87, 7-15-87, 1-26-88, 3-30-89, 10-17-90, 5-27-92, 9-30-92, 1-27-93, Formerly 21P-16.003, Amended 9-14-93, 5-2-94, Formerly 61G13-16.003, Amended 2-21-96, 4-23-97, Formerly 59U-16.003, Amended 10-1-97, 2-16-99, 6-25-02, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Opticianry

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

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: August 14, 2006
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: December 15, 2006

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NOS.:	RULE TITLES:
64E-2.001	Definitions
64E-2.032	Certificate of Public Convenience and Necessity

PURPOSE AND EFFECT: The Joint Administrative Procedures Committee ("Committee") is required to review administrative rules and advise agencies concerned of its findings. This charge applies to existing as well as proposed rules. The Committee notified the Bureau of Emergency Medical Services that the law implemented for Rule 64E-2.032, F.A.C. appeared to contravene the law implemented, 401.27, Fl. Stat., in certain parts. These definitions of "operate" and "transfer or transport" respond to their concerns.

SUMMARY: This rule revision deletes Rule 64E-2.032, F.A.C. and rewrites the definition of "operate" and adds a definition of the phrase "transfer or transport" to implement statutory requirements regarding Certificates of Public Convenience and Necessity in a manner consistent with Section 401.25(2)(d), F.S.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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.

SPECIFIC AUTHORITY: 401.35 FS.

LAW IMPLEMENTED: 401.23, 401.25, 401.251, 401.252, 401.33, 401.35, 401.411, 401.414, 401.421 FS.

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

DATE AND TIME: Friday, January 26, 2007, 1:30 p.m. – 2:00 p.m. (additional time will be added if necessary; not to exceed 4:30 p.m.)

PLACE: Prime F. Osborn III Convention Center, 1000 Water Street, Jacksonville, FL 32202. Please visit the EMS information table for the room number

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 2 days before the workshop/meeting by contacting: Alexander Macy, Bureau of Emergency Medical Services, (850)245-4440 ext. 2735 or alexander_macy@doh.

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: Lisa M. Walker, Government Analyst, Bureau of Emergency Medical Services, Department of Health, 4052 Bald Cypress Way, Bin C18, Tallahassee, Florida 32399-1738, (850)245-4440, ext. 2733; email lisa_walker2@doh.state.fl.us; Fax (850)488-9408

THE FULL TEXT OF THE PROPOSED RULE IS:

64E-2.001 Definitions.

(1) through (15) No change.

(16) "Operate" ~~"Operates" or "Operation"~~ means ~~providing, offering to provide, soliciting, or advertising prehospital or interfacility ALS services or BLS transportation services as further described in Rule 64E-2.032, F.A.C. For purposes of Section 401.25(2)(d), F.S., means performing services requiring licensure under Section 401.25(1), F.S., but does not include:~~

(a) Advertising the availability of services requiring licensure under Section 401.25(1), F.S., for a county in which the advertiser is a licensee;

(b) Proposing to engage in services requiring licensure under Section 401.25(1), F.S.;

(c) Interfacility transfer between two counties by a licensee possessing a Certificate of Public Convenience and Necessity from only one of the counties if the other county does not prohibit such transfer or transport;

(d) Transfer or transport by a licensee through, but not to or from, one or more counties;

(e) Transfer or transport by a licensee as part of a coordinated response to a disaster or a mass casualty incident;

(f) Transfer or transport by a licensee, after pickup of the patient not otherwise prohibited under Section 401.25(2)(d), F.S. and this rule, to an appropriate facility; or

(g) Transfer or transport by a licensee under an agreement sanctioned by the governing bodies of the affected counties.

(17) through (19) No change.

(20) "Transfer or transport" – Air, land or water vehicle transportation, by vehicles not exempted under Section 401.33, of sick or injured persons requiring or likely to require medical attention during such transportation.

(20) through (25) renumbered (21) through (25) No change.

Specific Authority 381.0011(13), 395.401, 395.4025(13), 395.405, 401.121, 401.35 FS. Law Implemented 381.0011, 395.401, 395.4001, 395.4015, 395.402, 395.4025, 395.403, 395.404, 395.4045, 395.405, 401.121, 401.211, 401.23, 401.25, 401.35, 401.435 FS. History—New 11-29-82, Amended 4-26-84, 3-11-85, 11-2-86, 4-12-88, 8-3-88, 8-7-89, 6-6-90, Formerly 10D-66.485, Amended 12-10-92, 11-30-93, 10-2-94, 1-26-97, Formerly 10D-66.0485, Amended 8-04-98, 7-14-99, 2-20-00, 11-3-02, 6-9-05, 10-24-05, _____.

64E-2.032 Certificate of Public Convenience and Necessity.

Specific Authority 401.35 FS. Law Implemented 401.23, 401.25, 401.251, 401.252, 401.33, 401.35, 401.411, 401.414, 401.421 FS. History—New 10-2-94, Amended 1-26-97, Formerly 10D-66.335, Amended 1-3-99, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Lisa M. Walker, Government Analyst, Bureau of Emergency Medical Services, Department of Health, 4052 Bald Cypress Way, Bin C18, Tallahassee, Florida 32399-1738, (850)245-4440, ext. 2733; email lisa_walker2@doh.state.fl.us; Fax (850)488-9408

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Jennifer Bencie Fairburn, M.D., M.S.A., Director Division of Emergency Medical Operations
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 26, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 17, 2006 and November 9, 2006

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NO.: 65A-4.209
RULE TITLE: Income

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to align policies on income and asset exclusions for Temporary Cash Assistance (TCA). Section 4102 of the Farm Bill of 2002 allows state flexibility to align food stamp income and asset policies to those used by the Temporary Assistance for Needy Families (TANF) and 1931 Medicaid programs. Florida is aligning the policies by increasing the TCA income exclusion for infrequent or irregular unearned income to the maximum amount allowed under section 1612(b)(3)(A) of the Social Security Act as amended.

SUMMARY: The proposed rule amendment contains specific provisions for TCA income exclusions for infrequent or irregular unearned income; clarification of terms; correction of statutory references; and removal of reference to the Job Training Partnership Act.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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.

IF REQUESTED IN WRITING 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: January 31, 2007, 1:30 p.m.

PLACE: 1317 Winewood Boulevard, Building 3, Room 439, Tallahassee, Florida 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Lonna Cichon, Governmental Operations Consultant II, Food Stamps/TANF Policy, Economic Self-Sufficiency, 1317 Winewood Boulevard, Building 3, Room 406, Tallahassee, Florida 32399-0700, telephone (850)488-8004

THE FULL TEXT OF THE PROPOSED RULES IS:

65A-4.209 Income.

(1) Income is cash received at periodic intervals from any source such as wages, benefits, contributions, rental property, etc. Cash is money or its equivalent, such as a check, money order or other negotiable instrument. Income must be verified or documented as a condition of eligibility for temporary cash assistance in accordance with Section 414.095, F.S.

(2) To be financially eligible for temporary cash assistance (TCA), the total average adjusted gross monthly income, less any applicable disregards, of the standard filing unit cannot exceed the applicable eligibility/payment standard for the assistance group. These standards and disregards are found in Section 414.095(104) and (11) F.S. Monthly net income is calculated based on average gross monthly family income, earned and unearned, less any applicable disregards in accordance with Section 414.095(12)(a), F.S.

(a) The ~~gross~~ earned monthly income of the child who is a family member under age 19 or younger and who is a full-time student in a secondary school or the equivalent level of vocational or technical training is disregarded in the budget. The income of a child who is a family member under age 19 or younger and who is a full-time student also does not count toward the payment eligibility standard or toward calculation of eligibility against the consolidated need standard. Student refers to the minor child whose needs are included in the benefit grant as a minor child not as a parent or relative. Definition of secondary school is found in Section 1003.413(1), F.S. 6A-5.0752(2)(g), F.A.C. Definition of full-time attendance is found in paragraph 65A-4.207(1)(b), F.A.C.

(b) Total gross monthly income includes earned and non-earned income from all sources. The countable net income of a stepparent living in the home with the temporary cash assistance child, or of a parent living in the home with the minor mother payee, or of an ineligible noncitizen's alien's parents during the five year disqualification period prescribed by the Personal Responsibility and Work Opportunity Act of 1996, and of the sponsor and the sponsor's spouse of certain noncitizens aliens is considered in determining the gross non-earned income of the assistance group.

(c) No change.

(d) Infrequent and/or irregular unearned income which does not exceed \$60 per calendar quarter is excluded, such as gifts for Christmas, birthdays or graduation.

~~(3) Income must be verified or documented as a condition of eligibility for temporary cash assistance. Loss or reduction of income which occurred within the preceding 60 days and the cause of the reduction or loss must be verified. Availability of replacement income will be discussed with the applicant or recipient. The applicant or recipient must provide the date of expected return to work when on leave, vacation, or furlough.~~

~~(4) An applicant or recipient shall be required to explain money management during the month of application or redetermination. Eligibility shall not be determined if the individuals fails to do so. A case shall not be denied or canceled solely on the person's failure to explain how the bills were paid. The eligibility specialist shall request the applicant or recipient to furnish additional information. Failure by the applicant or recipient to provide the additional information during the time requested will result in the denial of the case because eligibility cannot be determined.~~

~~(a) Money management is the comparison of the income received and major expenses paid by the applicant or recipient. When currently paid expenses exceed acknowledged income, possible sources of income must be determined and verification or documentation of that income must be obtained.~~

~~(b) An applicant or recipient shall also be required to explain money management for the month prior to or after the month of application or redetermination when the paid expenses for that month exceed the income for that month. Although it is reasonable and expected that the eligibility specialist discuss how the applicant or recipient managed the income and expenses, the fact that the applicant or recipient does not or cannot provide verification or documentation of expenses paid in the month prior to application shall not be used as a basis for denial of assistance. Failure to explain money management during the month(s) of application shall result in denial of the application if the eligibility specialist is unable to determine eligibility based on the information provided by the applicant or recipient.~~

~~(3)(5)(a) through (b) No change.~~

~~(c) The individual sponsor(s) of an noncitizen alien.~~

1. The sponsoring agency or organization is expected to fulfill its financial responsibilities to the noncitizen alien unless the agency or organization is no longer in existence at the time that the applicant or recipient applies or the sponsor does not have the financial ability to meet the noncitizen's alien's needs. Verification of the sponsor's inability to support must be obtained. If an noncitizen alien applying for temporary cash assistance states that the sponsoring organization or agency is no longer in existence, verification must be obtained.

2. Any noncitizen alien who reports sponsorship, whether or not the sponsor remains involved with the noncitizen alien, is required to have the sponsor provide information about their

income and assets. If the sponsor does not give complete information and will not provide complete information upon request by the department, the noncitizen alien and other members of the assistance group sponsored by that individual will be found ineligible for temporary cash assistance because available income and assets cannot be determined. Eligibility for the noncitizen alien and other sponsored members of the assistance group cannot be established when required documentation is not obtained.

3. No change.

~~(d) The non-temporary cash assistance recipient parents of an unwed minor parent, when the minor parent is a TCA benefit recipient under age 18, who lives in the same household with the parents who are not included in the TCA benefit as the minor parent.~~

~~(e) The stepparent of an unwed minor parent, when the minor parent is a TCA benefit recipient under age 18, who lives in the same household with when the stepparent who is not included in the temporary cash assistance benefit grant.~~

~~(f) No change.~~

~~(4)(6) Income of children who are students is disregarded in accordance with Section 414.095 (112)(b), F.S.~~

~~(5)(7) For children under 18 years of age, all non-earned income received under the Workforce Investment Job Training Partnership Act (WIA JTPA) is disregarded. All earned income from WIA JTPA is disregarded for six months in a calendar year.~~

~~(8) Small nonrecurring gifts which do not exceed \$30 per recipient in a calendar quarter are not considered as income; for example, gifts for Christmas, birthdays and graduations.~~

Specific Authority 414.45 FS. Law Implemented 414.095 FS. History--New 1-11-98, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Lonna Cichon

NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Jennifer Lange

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: December 11, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: July 28, 2006

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: RULE TITLE:

68A-1.004 Definitions

PURPOSE AND EFFECT: The purpose and effect of this rule is to define the terms "captive wildlife," "critical incident," "disaster," "relative," "reptiles of concern" and "venomous reptiles." Additionally, the rule amendment is intended to amend the definition of the term "person" to be consistent with

Florida Statutes. These definitions provide clarification for these terms as they are used in captive wildlife regulations, which are concurrently being amended.

SUMMARY: Provides clear definitions of the terms “captive wildlife,” “critical incident,” “disaster,” “relative,” “reptiles of concern” and “venomous reptiles,” as those terms are used in captive wildlife regulations. The rule amendment also redefines the term “person.”

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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.

SPECIFIC AUTHORITY: Article IV, Sec. 9, Fla. Const.

LAW IMPLEMENTED: Article IV, Sec. 9, Fla. Const.

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

DATES AND TIME: During the Commission’s regular meeting, February 7-8, 2007, 8:30 a.m. – 5:00 p.m., each day

PLACE: Sandestin Resort, 9300 Emerald Coast Parkway, West, Destin, FL 32550, (850)267-8000

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: Captain Linda Harrison, Division of Law Enforcement, Investigations Section, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)488-6253

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-1.004 Definitions.

The following definitions are for the purpose of carrying out the provisions of the rules of the Fish and Wildlife Conservation Commission relating to wild animal life and freshwater aquatic life. As used herein, the singular includes the plural. The following shall be construed respectively to mean:

(1) through (19) No change.

(20) Captive wildlife- any wildlife, specifically birds, mammals, reptiles, and amphibians maintained in captivity for exhibition, sale, personal use, propagation, preservation, rehabilitation, protection or hunting purposes.

(21)(20) through (23)(22) No change.

(24) Critical Incident – Any condition which results in the release or escape of captive wildlife from its enclosure, cage, leash, or other constraint.

(23) through (26) renumbered (25) through (28) No change.

(29) Disaster – A sudden calamitous event that causes great damage, loss or destruction. Examples include a hurricane, tornado or other severe storm, flood, wildfire, or any other similar natural disaster, terrorist act, biological or radiological event, or any other similar man made disaster.

(27) through (53) renumbered (30) through (56) No change.

(57)(54) Person – The word “person” as used in these rules shall have the same meaning as in section 1.01, F.S. Includes individuals, associations, partnerships, and corporations, unless the context should otherwise require.

(55) through (63) renumbered (58) through (66) No change.

(67) Relative – An individual who is related as: father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepsister, stepbrother, half brother, or half sister.

(68)(64) No change.

(69) Reptiles of Concern – As designated by the Commission, any member of the class Reptilia, including subspecies, taxonomic successors or hybrids thereof, which due to its nature, has habits or the potential to impact the environment, may be possessed and housed only in accordance with the regulations provided for reptiles of concern.

(65) through (86) renumbered (70) through (91) No change.

(92) Venomous reptile – All members of the class Reptilia including their taxonomic successors, subspecies, or any hybrid thereof, regardless of surgical alteration, determined to have the potential to cause serious human injury due to the toxic effects of its venom or poison. Including all venomous reptiles of the class Reptilia belonging to the families Elapidae, Crotalidae, Viperidae, and Hydrophiidae; all reptiles in the genus *Heloderma*; and all reptiles in the family Colubridae belonging to the genera: *Rhabdophis*, *Boiga*, *Dispholidus*, *Thelatornis*, and *Atractapsis*.

(87) through (92) renumbered (93) through (98) No change.

PROPOSED EFFECTIVE DATE: January 1, 2008.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 8-1-79, Amended 6-15-81, 11-17-81, 6-21-82, 7-1-83, 7-1-84, 7-1-85, Formerly 39-1.04, Amended 6-1-86, 5-10-87, 10-8-87, 3-1-88, 4-13-88, 4-27-89, 4-11-90, 7-1-92, 4-20-93, 3-1-94, 7-1-94, 4-1-96, 11-23-97, 7-1-98, 6-23-99, Formerly 39-1.004, Amended 7-1-00, 5-1-01, 5-1-03, 7-1-04, 5-26-05, 7-1-06, 1-1-08.

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 FAW.

NAME OF PERSON ORIGINATING PROPOSED RULE: Colonel Julie Jones, Director, Division of Law Enforcement
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mr. Kenneth D. Haddad, Executive Director

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 13, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 28, 2006

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: RULE TITLE:

68A-4.0071 Access Prohibited on Certain Areas

PURPOSE AND EFFECT: The purpose of this proposed new rule is to allow the Commission to temporarily close Commission managed lands for public safety reasons, due to disasters or severe weather. The effect would be to allow the Commission to better provide safe access to public lands.

SUMMARY: The proposed new rule would allow areas managed by the Commission to be temporarily closed by closure order because of public safety concern due to disasters, severe weather, severe weather forecasts and/or effects of weather on the area. Closures would be limited to 14 days, unless a longer closure is authorized by the Executive Director. These closures would be noticed to the public on the FWC website, media and in-the-field posting, as time allows.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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.

SPECIFIC AUTHORITY: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution, 372.121 FS.

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

DATES AND TIME: During the Commission's regular meeting February 7-8, 2006, 8:30 a.m. – 5:00 p.m., each day

PLACE: Sandestin Golf and Beach Resort, 9300 Emerald Coast Parkway, West, Destin, Florida 32550

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: Mr. Nick Wiley, 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-4.0071 Access Prohibited on Certain Areas.

Public access and/or vehicular access is prohibited on lands managed by the Florida Fish and Wildlife Conservation Commission (FWC) that are temporarily closed by closure order because of public safety concern due to disasters, severe weather, severe weather forecasts and/or effects of weather on the area. To the extent circumstances permit, public notice of such closures shall be afforded through the FWC website, media and in-the-field posting. The closure shall not exceed 14 days unless approved by the Executive Director.

PROPOSED EFFECTIVE DATE: July 1, 2007.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 372.121 FS. History—New 7-1-07.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mr. Nick Wiley, Director, Division of Hunting and Game Management

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mr. Kenneth D. Haddad, Executive Director

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 6, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 22, 2006

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NOS.: RULE TITLES:

68A-6.0022 Possession of Class I, II, or III Wildlife in Captivity; Permit Requirements

68A-6.003 Facility and Structural Caging Requirement for Class I, II and III Wildlife

68A-6.004 Standard Caging Requirements for Captive Wildlife

68A-6.007	Possession, Transportation, Exhibition and Caging Venomous Reptiles and Reptiles of Concern; Prohibited Reptile Species
68A-6.0071	Record Keeping and Reporting Requirements
68A-6.0072	Identification of Non-Native Venomous Reptiles and Reptiles of Concern; Escape

PURPOSE AND EFFECT: The purpose of these proposed rule amendments and new rule is to address the possession and housing of captive wildlife, venomous reptiles, and reptiles of concern. The proposed rules will have the effect of providing clarification regarding permitting requirements, facility and land area requirements, standard caging requirements, record keeping and reporting requirements for the possession of captive wildlife, venomous reptiles or reptiles of concern, and identification of non-native venomous reptiles and reptiles of concern.

SUMMARY: Subject areas to be covered in the proposed rules include possession and housing of captive wildlife, venomous reptiles and reptiles of concern. Proposed rules will: require safety entrances for enclosures housing capuchin, spider and woolly monkeys; address land area requirements for facilities housing Class I or Class II wildlife; consolidate and clarify caging requirements for reptiles and amphibians; develop minimum caging requirements for large constrictor snakes; consolidate portions of Rule 68A-25.002 with Rule 68A-25.006 to create Rule 68A-6.007 addressing the possession, exhibition, and caging of venomous reptiles, reptiles of concern, and prohibited species; require development of Disaster Plan or Critical Incident Plan for permittees authorized to possess captive wildlife, venomous reptiles or reptiles of concern; require development and posting of Bite Protocol and Cage Card Identification at venomous reptile facilities; develop record keeping and reporting requirements for dealers of live venomous reptiles or reptiles of concern; develop requirements for the permanent marking/identification of non-native venomous reptiles and all reptiles of concern; and require immediate reporting upon discovery of the escape of any non-native venomous reptile or reptile of concern.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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.

SPECIFIC AUTHORITY: Article IV, Sec. 9, Fla. Const., 372.921(9), 372.922(3), 372.92 FS.

LAW IMPLEMENTED: Article IV, Sec. 9, Fla. Const., 372.86, 372.87, 372.88, 372.89, 372.90, 372.91, 372.901, 372.92, 372.921, 372.922 FS.

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

DATES AND TIME: During the Commission's regular meeting, February 7-8, 2007, 8:30 a.m. – 5:00 p.m., each day

PLACE: Sandestin Resort, 9300 Emerald Coast Parkway, West Destin, FL 32550, (850)267-8000

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 RULES IS: Captain Linda Harrison, Division of Law Enforcement, Investigations Section, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)488-6253

THE FULL TEXT OF THE PROPOSED RULES IS:

WILDLIFE IN CAPTIVITY AS PERSONAL PETS

68A-6.0022 Possession of Class I, II, or III Wildlife in Captivity; Permit Requirements.

(1) No change.

(2) No permit shall be required to possess the following wildlife for personal use, unless possession of a species is otherwise regulated by other rules of the Commission:

(a) Reptiles; or amphibians (nonvenomous, unprotected)

(b) through (v) No change.

(3) No change.

(4) No permit shall be issued to any person to possess Class III wildlife for exhibition, sale or as personal use unless such person can ~~provide documentation of the following~~ meet the following requirements:

(a) No change.

(b) Application for permits to possess Class III wildlife as personal use shall include the satisfactory completion of a questionnaire developed by the Commission that assesses the applicant's knowledge of general husbandry, nutritional, and behavioral characteristics.

(c) Applicants for permits to possess capuchin, spider, or woolly monkeys shall meet the age, experience and examination requirements for authorization to possess Class II wildlife.

(d)(e) No change.

~~(e)(4)~~ No change.

(5) Qualification requirements for a permit to possess Class I or Class II wildlife:

~~(a)~~ All applicants shall qualify for permits as follows:

~~(a)1.~~ Age Requirement: Applicants to possess Class I or Class II wildlife shall be at least 18 years of age.

~~(b)2.~~ Applicants shall not have been convicted of any violation of captive wildlife regulations, venomous reptile or reptile of concern regulations involving unsafe housing of wildlife or that could potentially endanger the public; any violation offense involving the illegal commercialization of wildlife, any violation offenses involving cruelty to animals, or any violation involving importation of wildlife within three (3) years of the date of application.

~~(c)3.~~ Experience Requirement for Class I permits:

~~1.a.~~ Applicants shall demonstrate no less than one (1) year of substantial practical experience (to consist of no less than 1000 hours) in the care, feeding, handling and husbandry of the species for which the permit is sought, or other species, within the same biological order (except ratites which shall be in the same biological sub-order), which are substantially similar in size, characteristics, care and nutritional requirements to the species for which the permit is sought.

~~2.b.~~ For purposes of demonstrating compliance, applicants shall submit documentation of such experience, including:

~~a.1.~~ A description of the specific experience acquired.

~~b.H.~~ The dates the experience was obtained and the specific location(s) where acquired.

~~c.III.~~ References of no less than two (2) individuals, no more than one of which may be a relative of the applicant, having personal knowledge of the applicant's stated experience, one of which must be licensed by the commission for wildlife of the same family and the same or higher class for which the applicant is seeking authorization.

~~d.~~ Additional documentation may include records of prior permits for the keeping of captive wildlife, employment records, and any other competent documentation of the requisite experience.

~~3.e.~~ Documented educational experience in zoology or other relevant biological sciences, obtained at the college or technical school level or above, may substitute for up to six months or 500 hours of the required experience.

4. Providing false information to document the applicant's experience, by the applicant or any reference, is prohibited as provided in Sections 837.012 and 837.06, F.S.

~~(d)4.~~ Experience and examination requirements for Class II permits:

~~1.a.~~ Applicants may qualify for a permit for Class II wildlife by documenting one year of experience (to consist of no less than 1000 hours) as defined in subparagraphs 68A-6.0022(5)(c)1.-4., F.A.C., 68A-6.0022(5)(a)3.a.-e above. If the applicant is unable to document such experience, as an

alternative, the applicant may take a written examination. The successful completion of a written examination for the particular species or family, administered by the Division of Law Enforcement, together with the documentation of not less than 100 hours of substantial practical experience (with documentation and compliance procedures as noted in subparagraph 68A-6.0022(5)(a)3., F.A.C., above) in the care, feeding, handling and husbandry of the species or family for which the permit is sought may be substituted for the one-year/1,000-hour requirement. Upon receipt of an application, the Commission shall notify the applicant of the time and place of the next examination. Applicant scoring at least 80 percent correct on the examination shall be deemed as meeting the examination requirement for the particular species or family.

~~2.b.~~ The above requirements shall not apply to applicants for permits to possess ostriches, rheas, emus, cassowaries or coyotes when possessed for purposes other than public exhibition or personal use.

5. Facility Requirements:

~~a.~~ Applicants for permits to possess wildlife in captivity shall specify the location of the facility at which captive wildlife shall be maintained, and such facility shall be inspected and approved by the Commission prior to issuance of the permit.

~~b.~~ In order to assure public safety, Class I and Class II wildlife shall only be kept in appropriate neighborhoods and, accordingly, facilities that house such wildlife shall meet the requirements of this rule subsection. Compliance with these requirements is a necessary condition for licensure. For purposes of this subsection, a "facility" means the site at which Class I or Class II carnivores are kept or exhibited. Applicants shall submit documentation verifying that the construction of the facility, its cages and enclosures is not prohibited by county ordinance and, if within a municipality, municipal ordinance.

~~c.~~ Notwithstanding any other requirements of this rule, facilities licensed prior to the effective date of this section may sell or transfer their interests, including their approved classification(s) of wildlife, (excluding licenses) to other qualified investor or owners for possession, and such facility may remain in the same location. New or prospective owners shall be qualified to receive the classifications of wildlife applied for and shall complete applications for licenses to receive same. The transfer shall not occur until a final on-site inspection is conducted by Commission personnel and the license is approved and issued. Other than facilities meeting the requirements of Rule 68A-6.0022(5)(a) 5.b. (I), F.A.C., Class I wildlife shall not be possessed in multi-unit dwellings or in any premises consisting of less than one-quarter acre of land area. Other than facilities meeting the requirements of Rule 68A-6.0022(5)(a)5.b.(II), F.A.C., Class II wildlife shall

not be possessed in multi-unit dwellings unless the dwelling in which they are housed is equipped with private entrance, exit, and yard area.

(I) Additional facility requirements for Class I Carnivores (lions, tigers, leopards, snow leopards, jaguars, and bears):

(A) The facility shall not be constructed on less than five (5) contiguous acres of property owned or leased by the applicant. If leased, the lease shall be for a term of not less than one year from the date of application and such lease is subject to initial and annual review and approval by the Commission as a condition of granting said license.

(B) The facility shall have a "buffer zone" of not less than 35 feet between the caging and the facility property line.

(C) The cages of the facility shall be bounded by a fence of not less than eight (8) feet in height, constructed of not less than 11 1/2 gauge chain link, or equivalent, to prevent escape from the property of any wildlife that may escape the primary caging.

(II) Additional facility requirements for the following Class II carnivores: cougars, panthers, clouded leopards, and Class II Canidae:

(A) The facility shall not be constructed on less than two and one-half (2 1/2) contiguous acres of property owned or leased by the applicant. If leased, the lease shall be for a term of not less than one year from the date of application and such lease is subject to initial and annual review and approval by the Commission as a condition of granting said license.

(B) The facility shall contain a "buffer zone" of not less than 35 feet between the caged wildlife and the facility property line.

(C) The cages of the facility shall be bounded by a fence of not less than eight (8) feet in height, constructed of not less than 11 1/2 gauge chain link, or equivalent, or, as an alternative, a fence of not less than six (6) feet in height, with a 2-foot, 45-degree, inward angle overhang. The inward angle fencing and vertical fencing shall be constructed of 11 1/2 gauge chain link or equivalent. This fencing is to prevent escape from the property of any wildlife that may escape from primary caging.

(D) The above requirements shall be effective July 1, 2000, but shall not apply to those facilities licensed to possess captive wildlife species prior to that date. After July 1, 2000, those licensees that desire to expand their inventory to include a family of Class I or Class II species not previously authorized at their facility location shall comply with the requirements herein. Requests to upgrade wildlife classification authorization shall be considered new applications for license purposes.

(6) Except as otherwise provided, applicants for permits to possess wildlife in captivity shall specify the location of the facility at which the wildlife shall be kept or possessed. Prior to the issuance of a permit for Class I, Class II, or Class III

capuchin, spider or woolly monkeys such facility shall be inspected and approved by Commission personnel prior to the issuance of the permit.

(7) Disaster and Critical Incident Plans:

Applicants for permits to possess wildlife in captivity shall document in writing a course of action to be taken in preparation for disasters or critical incidents. Such course of action shall be documented on form FWCDLE 619 (02-06), which is adopted and incorporated herein by reference. Forms may be obtained by submitting a request to: Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, 620 South Meridian Street, Tallahassee, Florida 32399-1600, or at www.myfwc.com/permits. This form shall consist of two parts. Part A of form FWCDLE 619 shall be submitted at the time of initial application or renewal; and Part B shall be retained on file at the facility location and be made available for inspection upon request of Commission personnel.

PROPOSED EFFECTIVE DATE: January 1, 2008.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 372.921, 372.922 FS. History-New 7-1-90, Amended 7-1-90, 7-1-91, 2-1-98, Formerly 39-6.0022, Amended 4-30-00, 1-1-08.

68A-6.003 Facility and Structural Caging Requirement for Class I, II and III Wildlife.

(1) In addition to the standard caging requirements set forth in Rule 68A-6.004, F.A.C., Class I and Class II animals shall be caged in accordance with the following requirements:

(a) A fence sufficient to deter entry by the public, which shall be a minimum of five (5) feet in height, shall be present around the premises wherein Class I or Class II animals are housed or exercised outdoors.

(a)(b) All cages or enclosures of Class I and Class II wildlife, and Class III capuchin, spider and woolly monkeys, animals except paddocks, approved open air habitats, or outdoor reptile enclosures shall be equipped with a safety entrance. A safety entrance is defined as a protected, secure area that can be entered by a keeper that prevents animal escape and safeguards the keeper, or a device that can be activated by a keeper that prevents animal escape and safeguards entry. Such entrances shall include: A double-door mechanism, interconnecting cages, a lock-down area, or other comparable devices, subject to Commission approval, that will prevent escape and safeguard the keeper. Safety entrances shall be constructed of materials that are of equivalent strength as that prescribed for cage construction for that particular species.

(b)(c) No change.

(2) In order to assure public safety, the facilities for the housing of Class I and Class II wildlife shall meet the requirements of this rule. Compliance with these requirements is a necessary condition for licensure. For the purposes of this rule, a "facility" means the site at which Class I or Class II

wildlife are kept or exhibited. Applicants shall submit documentation verifying that the construction of the facility, its cages and enclosures are not prohibited by county ordinance and, if within a municipality, municipal ordinance.

(a) Notwithstanding other requirements of this rule, facilities licensed pursuant to this section may be transferred through probate proceedings to a lawful heir and such facilities may remain in the same location. Said heir must be qualified to receive the classifications of wildlife applied for and shall complete applications for licenses to receive same. The transfer shall not occur until a final on-site inspection is conducted by Commission personnel and the license is approved and issued.

(b) Facility requirements:

1. Property ownership/lease:

a. The facility shall be constructed on property owned or leased by the applicant. If leased the lease shall be for a term of not less than one (1) year from date of application. Such lease shall be subject to initial and annual review and approval by the commission as a condition of said lease.

b. If the property is leased, the lessee must have exclusive rights to occupy, possess and use the property with no restrictions that could prevent the lessee from adhering to the eligibility requirements for licensure with no other in holdings or easements.

c. The existence of any such lease restrictions or termination of the lease shall result in the denial or revocation of the license or permit.

2. Land area:

a. Class I wildlife: The facility shall not be constructed on less than five (5) acres.

b. Class II wildlife: The facility shall not be constructed on less than two and one-half (2 1/2) acres.

c. The total facility shall not be comprised of more than two (2) parcels of land whether leased, owned or a combination of leased or owned parcels. If more than one parcel, the adjacent parcels must have a minimum of 100 feet common linear boundary.

3. Buffer zones:

The facility shall contain a "buffer zone" of not less than thirty-five (35) feet between the caged wildlife and the facility property line.

4. Perimeter fencing:

a. Class I wildlife: The cages of the facility shall be bounded by a fence of not less than eight (8) feet high.

b. Class II wildlife: The cages of the facility shall be bounded by a fence of not less than eight (8) feet high, or as an alternative, a fence of not less than six (6) feet high, with a 2-foot, 45 degree, inward angle overhang.

c. All vertical fencing and inward angle overhang fencing of the perimeter fence shall be constructed of 11 1/2 gauge chain link or equivalent.

5. Zoning:

Facilities housing the following Class I wildlife may not be located on property within an area zoned solely for residential use. Changes in zoning subsequent to the issuance of the license or permit shall not be disqualifying provided the license is maintained in a current and valid status.

a. Primates (all listed species)

b. Cats (all listed species)

c. Bears (family *Ursidae*)

d. Elephants (family *Elephantidae*)

e. Rhinoceros (family *Rhinocerotidae*)

f. Hippopotamuses (family *Hippopotamidae*)

g. Cape Buffalos (*Syncerus caffer caffer*)

(c). Exemptions:

The following Class I and Class II wildlife are exempt from the facility requirements as listed above:

1. Permits authorizing possession of infants only including:

a. Class I or Class II carnivores until they reach 25 pounds or six (6) months of age, whichever comes first, provided written documentation is available to verify the age of the animal, the animal is marked or otherwise identifiable, and the animal is provided space for exercise on a daily basis:

b. Class I and II primates until they reach the age of twelve (12) months, provided written documentation is available to verify the age of the animal, the animal is marked or otherwise identifiable, and the animal is provided space for exercise on a daily basis.

2. Crocodilians four (4) feet in length or less.

3. Cats: Ocelots (*Leopardus pardalis*), Servals (*Leptailurus serval*), Caracals (*Caracal caracal*), Bobcats (*Lynx rufus*), African golden cats (*Profelis aurata*), Temminck's golden cats (*Profelis temmincki*), and Fishing cats (*Prionailurus viverrina*).

4. Non-human primates: Uakaris (genus *Cacajao*), Bearded sakis (genus *Chiropotes*), and Guenons (genus *Ceropithecus*) not including De Brazza's monkey (*Ceropithecus neglectus*), Blue monkey (*Ceropithecus mitis*), Preuss's monkey (*Ceropithecus preussi*) or any other non-human primate of the genus *Ceropithecus* which exceeds the normal adult weight of fourteen (14) pounds.

(d) Any Class I or Class II wildlife exempt from meeting the facility requirements of this rule must meet the following:

1. Class I wildlife shall not be possessed in any multi-unit dwellings or on any premises consisting of less than one quarter acre of land area.

2. Class II wildlife shall not be possessed in multi-unit dwellings unless the dwelling in which they are housed is equipped with private entrance, exit and yard area.

3. A fence sufficient to deter entry by the public, which shall be a minimum of five (5) feet in height, shall be present around the premises wherein Class I or Class II animals are housed or exercised outdoors.

(e) The above requirements shall be effective January 1, 2008, but shall not apply to those facilities licensed to possess captive wildlife species prior to that date. After January 1, 2008, those licensees that desire to expand their inventory to include a family of Class I or Class II species not previously authorized at their facility location shall comply with the requirements herein. Requests to upgrade wildlife classification authorizations shall be considered new applications for license purposes.

(3)(2) No change.

PROPOSED EFFECTIVE DATE: January 1, 2008.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 372.921, 372.922 FS. History—New 8-1-79, Amended 6-21-82, Formerly 39-6.03, Amended 6-1-86, 7-1-90, 7-1-92, 2-1-98, Formerly 39-6.003, Amended 1-1-08.

68A-6.004 Standard Caging Requirements for Captive Wildlife.

(1) through (3) No change.

(4) Carnivores and Certain Omnivores with Similar Requirements:

(a) through (n) No change.

(o) Rhinos.

1. No change.

2. Access to a shelter shall be provided ~~at all times~~.

(p) No change.

(q) Reptiles and amphibians.

1. Reptiles.

In addition to requirements for this section, each enclosure shall be provided with an environment or devices that allow for temperature regulation necessary to ensure the well-being of the species. The environment or devices shall be non-injurious, and may include, but are not limited to ambient temperature, hot rocks, artificial lights, natural sunlight and heat strips. Each enclosure shall be provided with a non-injurious substrate, including but not limited to gravel, newspaper, processed wood shavings, rocks, sand, or indoor-outdoor carpet. Arboreal species of snakes or lizards shall be provided with a perch of sufficient height to allow for such specimen to perch or bask without any portion of its body or tail touching the floor, sides or roof of the enclosure. Enclosure sizes for all snakes or lizards shall be based on the total length of the longest specimen in the enclosure.

a. Snakes and glass lizards.

~~In addition to requirements of this section, each enclosure shall be provided with an environment or devices that allow for temperature regulation necessary to insure the well-being of the species. The environment or devices shall be noninjurious, and may include, but are not limited to hot rocks, artificial lights, natural sunlight and heat strips. Each enclosure shall be provided with a noninjurious substrate such as newspaper, processed wood shavings, rocks, sand or indoor outdoor carpet. Such substrate shall be disposed of or sanitized at~~

~~intervals sufficient to insure the health of the animal(s). Enclosure sizes for all snakes and glass lizards shall be based upon the length of the longest specimen in the enclosure.~~

(I) Snakes, except as otherwise provided, and glass lizards:

For up to two specimens, a cage or enclosure having a perimeter equal to the length of the longest specimen, the width of the cage shall be ten inches or not less than 30 ~~20~~ percent of the length of the longest specimen which ever is greater, and shall not be required to exceed 3 feet. For each additional specimen, increase perimeter by 10 percent.

(II) Blood pythons or large constrictors that exceed 12 feet upon maturity: Boas, pythons, or anacondas

1. Specimens up to 5 feet in length.

For up to two specimens, a cage or enclosure 2.5 feet by 1 foot. For each additional specimen increase perimeter by 10 percent. Constrictors of this size possessed for exhibition or sale are exempt from this minimum cage requirement but shall meet the requirements as indicated for snakes and glass lizards.

2. Specimens 5 feet to 12 feet in length.

For up to two specimens, a cage or enclosure with a perimeter equal to 1.25 times the length of the longest specimen. The width of the cage shall not be less than 30 percent of the length of the longest specimen and shall not be required to exceed 3 feet. For each additional specimen, increase perimeter by 10 percent.

3. Specimens greater than 12 feet in length.

For up to two specimens, a cage or enclosure with a perimeter equal to the length of the longest specimen. The width of the cage shall not be less than 30 percent of the length of the longest specimen and shall not be required to exceed 3 feet. For each additional specimen, increase perimeter by 10 percent.

b. Lizards (other than glass lizards).

~~In addition to requirements of this section, each enclosure shall be provided with an environment or devices that allow for temperature regulation necessary to ensure the well-being of the species. The environment and devices shall be noninjurious, and may include, but are not limited to hot rocks, artificial lights, natural sunlight and heat strips. Each enclosure shall be provided with a noninjurious substrate, such as gravel, newspaper, processed wood shavings, rocks, sand, or indoor-outdoor carpet. Such substrate shall be disposed of or sanitized at intervals sufficient to insure the health of the animal(s).~~

(I) Lizards up to 6 inches in length.

For one or two animals, a cage or enclosure 12 inches by 8 inches, 6 inches high. For each additional animal, increase enclosure size by 1 inch in length and width.

(II) Lizards 7 to 12 inches in length.

For one or two animals, a cage or enclosure 20 inches by 10 inches, 12 inches high. For each additional animal, increase cage or enclosure size by 2 inches in the length and width.

(III) Lizards 13 to 24 inches in length.

For one or two animals, a cage or enclosure 30 inches by 12 inches, 12 inches high. For each additional animal, increase cage or enclosure size by 3 inches in length and width.

(IV) Lizards 25 to 36 inches in length.

For one or two animals, a cage or enclosure ~~48~~ 36 inches by ~~16~~ 42 inches, ~~20~~ 16 inches high. For each additional animal, increase cage or enclosure size by 10 inches or 25 percent in length and width.

(V) Lizards 37 inches to 6 feet in length.

For one or two animals, a cage or enclosure 6 feet by 3 feet, 4 feet high. For each additional animal, increase cage or enclosure size by 25 percent of the original floor area.

(VI) Lizards over 6 feet in length.

For one or two animals, a cage or enclosure 9 feet by 6 feet, 4.5 feet high. For each additional animal, increase the size of the cage or enclosure by 25 percent of the original floor area.

c. Turtles, Tortoises and box turtles.

Each enclosure for turtles, tortoises and box turtles shall have a pool of water. The pool area shall equal no less than two (2) times the shell width by two (2) times the shell length. For turtles, other than tortoises and box turtles, such pool shall allow submersion of the largest turtle. For soft-shelled turtles, a non-abrasive pool bottom is required. Enclosure and pool sizes for all turtles, tortoises and box turtles shall be based upon the size of the largest specimen in the enclosure.

(I)e. Turtles (other than tortoises and box turtles):

~~In addition to requirements of this section, each enclosure shall be provided with an environment or devices that allow for temperature regulation necessary to insure the well-being of the species. The environment and devices shall be noninjurious, and may include, but are not limited to artificial lights and natural sunlight. Each enclosure shall be provided with a noninjurious substrate, such as gravel, rocks or sand. Each enclosure shall have a pool of water that will allow submersion of the largest turtle. For soft-shelled turtles, a non-abrasive pool bottom is required.~~

~~Enclosure sizes for all turtles shall be based upon the size of the largest specimen in the enclosure.~~

For one or two turtles, an enclosure with an area at least 5 times the shell length by 2 times the shell width. A dry resting area equal to the size of the shell of the largest turtle shall be provided. For each additional animal, increase original floor area and pool area by 10 percent

(II)d. Tortoises and box turtles:

~~In addition to requirements of this section, each enclosure shall be provided with an environment or devices that allow for temperature regulation necessary to insure the well-being of the species. The environment and devices shall be noninjurious, and may include, but are not limited to artificial~~

~~lights and natural sunlight. Each cage shall be provided with a noninjurious substrate, such as gravel, rocks, newspaper, sand or indoor-outdoor carpet. Such substrate shall be kept clean.~~

~~Enclosure sizes for all tortoises and box turtles shall be based upon the size of the largest specimen in the enclosure.~~

For one or two tortoises or box turtles, an enclosure with a floor area 10 times the shell size of the largest specimen in the enclosure. For additional animals, the combined area covered by all their bodies shall not exceed 50 percent of enclosure area.

~~d.e. through e.f.~~ No change.

(r) No change.

(5) Effective date: All cage and enclosure requirements in this rule shall not take effect until January 1, 2008 ~~2000, for those licensed or permitted prior to December 31, 1997.~~

PROPOSED EFFECTIVE DATE: January 1, 2008.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 372.921, 372.922 FS. History-New 8-1-79, Amended 6-22-80, 6-4-81, Formerly 39-9.03, Amended 6-21-82, Formerly 39-6.04, Amended 5-10-87, 4-13-88, 7-1-90, 9-1-90, 4-14-92, 2-1-98, Formerly 39-6.004, Amended 1-1-08.

68A-6.007 Possession, Transportation, Exhibition and Caging Venomous Reptiles and Reptiles of Concern: Prohibited Reptile Species.

(1) Any person who keeps, possesses, exhibits or sells poisonous or venomous reptiles shall comply with Sections 372.86, 372.87, 372.88, 372.89, 372.90, 372.901, 372.91, 372.921, F.S., and the provisions of this rule.

(2) Any person who keeps, possesses, exhibits or sells reptiles of concern shall comply with Sections 372.921, 372.922, F.S., and the provisions of this rule. The following reptiles, including any subspecies or hybrids thereof, are designated as reptiles of concern:

(a) Indian or Burmese python (*Python molurus*)

(b) Reticulated python (*Python reticulatus*)

(c) African rock python (*Python sebae*)

(d) Amethystine or Scrub python (*Morelia amethystinus*)

(e) Green anacondas (*Eunectes murinus*)

(f) Nile monitor (*Varanus niloticus*)

(3) General qualifications:

Applicants for authorization to possess venomous reptiles or reptiles of concern shall:

(a) Be at least 18 years old at the time of application.

(b) Not have been convicted of any violation of venomous reptile, reptile of concern or captive wildlife regulations involving unsafe housing of wildlife or that could potentially endanger the public; any violation involving the illegal commercialization of wildlife, any violation involving cruelty to animals, or any violation involving importation of wildlife within three (3) years of the date of application.

(c) Shall specify the location of the facility at which the venomous reptiles or reptiles of concern shall be maintained. Facilities for venomous reptiles shall be inspected and approved by Commission personnel prior to the issuance of the permit and placement of animals at the facility location.

(4) Experience requirements:

Applicants for authorization to possess venomous reptiles or reptiles of concern shall meet the following experience requirements.

(a) Venomous reptiles: Any person or entity not currently permitted to possess or exhibit venomous reptiles must qualify for a permit by meeting the following criteria:

1. Applicants shall demonstrate no less than one (1) year of substantial practical experience (to consist of no less than 1,000 hours) in the care, feeding, handling and husbandry of the species or other species within the same biological family which are similar in characteristics and care to the species for which the permit is sought. For the purposes of demonstrating compliance, applicants shall submit documentation of such experience including:

a. A description of the specific experience acquired.

b. The dates the experience was obtained and the specific location(s) where acquired.

c. References of no less than two (2) individuals, no more than one of which may be a relative of the applicant, having personal knowledge of the applicant's stated experience, one of which must be licensed by the commission for venomous reptiles of the same family for which the applicant is seeking authorization.

d. Additional documentation may include records of prior permits for the keeping of venomous reptiles, employment records, and any other competent documentation of the requisite experience.

2. If the applicant is unable to document such experience, as an alternative the applicant may take a written examination. The successful completion of a written examination for the particular species or family, administered by the Division of Law Enforcement, together with the documentation of not less than 500 hours of substantial practical experience in the care, feeding, handling and husbandry of the species or family for which the permit is sought may be substituted for the one year/1,000-hour requirement. Applicants scoring at least 80 percent correct on the examination shall be deemed as meeting the examination requirement for the particular species or family.

3. Providing false information to document the applicant's experience, by the applicant or any reference, is prohibited as provided in Sections 837.012 and 837.06, F.S.

(b) Reptiles of concern: On or after January 1, 2008, any person or entity not currently permitted to possess reptiles of concern must qualify for a permit by including with the application a satisfactorily completed questionnaire developed

by the Commission that assesses the applicant's knowledge of general husbandry, nutritional, and behavioral characteristic of the reptile of concern to be possessed.

(5) Facility requirements:

All persons licensed to keep, possess, or exhibit venomous reptiles or reptiles of concern shall provide safe, secure and proper housing for said reptiles in cases, cages, pits or enclosures. It shall be unlawful for any person whether licensed or not to keep, possess, or exhibit any venomous reptile or reptile of concern in any manner not approved as safe, secure and proper by the Florida Fish and Wildlife Conservation Commission. Venomous reptiles or reptiles of concern shall be kept in cages, cases, pits or enclosures of the following specifications:

(a) Cage may be constructed of a variety of materials including: plate glass of at least one-quarter inch thickness, break-resistant plastic of similar strength, concrete reinforced with wire, sheet metal, molded fiberglass, plywood or interlocking lumber that has been treated to be impervious to moisture and is not less than one-half inch in thickness, or other materials which provide equivalent stability and security against escape and unauthorized intrusion. Cages and doors to cages shall be sealed. The doors of each cage shall be securely locked by a device operated by a key, combination, key card or other locking device approved by the commission to prevent unauthorized intrusion.

(b) A room or out building may contain venomous reptiles or reptiles of concern in cages that are not locked provided that such a room or out building is locked by a device operated by a key, combination, key card or other locking device approved by the Commission to prevent unauthorized intrusion, is inaccessible to unauthorized personnel, is constructed and maintained as to be escape-proof, and has been inspected and approved as conforming to these rules by Commission personnel prior to use. Any out building so used must be of strong construction with concrete or other suitable flooring and securely anchored to the ground. Such building shall be clearly posted at point of entry with a sign stating "Danger – Venomous Reptiles" or in the instance of nonvenomous reptiles of concern a sign stating "Danger – Dangerous Reptiles."

(c) Outdoor open-topped enclosures:

1. For venomous reptiles native to the United States, the floors of outdoor cages shall be of concrete or masonry construction at least two inches in thickness. Sides shall be of similar construction, at least eight inches in thickness, or strength equivalent, with a minimum height of four feet above the floor of the enclosure. Outdoor enclosures need not have concrete or masonry flooring if the enclosure meets the following additional specifications:

a. The enclosure shall have concrete or masonry walls, at least eight inches in thickness, or strength equivalent.

b. The enclosure shall have footers made of concrete, or strength equivalent, extending not less than three feet below the grade level, outside the perimeter.

c. The corners of enclosure shall be designed or guarded to prevent the escape of reptiles by climbing.

d. All landscaping of the enclosure shall be arranged to insure that vegetation or other structures do not allow for the escape of reptiles.

2. Entrance doors shall be kept securely locked on all outdoor enclosures to prevent escape and unauthorized intrusion and the enclosure shall be equipped with barriers to prevent visitors from falling into enclosures that are constructed below ground level.

3. For venomous reptile species and reptiles of concern not native to the United States, all outdoor enclosures shall be topped with close-meshed wire or an equivalent barrier to provide additional security.

4. Enclosures shall meet the minimum standard caging size requirements as specified in Rule 68A-6.004, F.A.C.

5. Facilities housing venomous reptiles shall maintain bite or exposure protocols for the species of venomous reptiles possessed and have a visible cage enclosure identification system identifying the venomous reptiles housed or maintained on the premises.

a. Bite or Exposure Protocol:

Facilities or premises where venomous reptiles are housed or maintained shall have posted on the premises a venomous reptile bite protocol. Such protocol shall include: identification of the species by common and scientific name, emergency contact information, type of antivenin required for treatment of bites or exposures from the species housed or maintained, a plan of action to be taken in the event of a bite or exposure, and location of antivenin if stored on premises. In lieu of antivenin on premises contact information shall be provided for an antivenin bank or medical facility that maintains antivenin for the species possessed. Such protocol shall be clearly visible and posted in the room, building or other structure and in close proximity to where venomous reptiles are housed or maintained.

b. Cage Enclosure Identification System:

Each cage or enclosure housing venomous reptiles shall be clearly marked with a card or sign clearly stating "Danger Venomous Reptile" and identifying the species contained therein by common and scientific name. Such card or sign shall be clearly visible. A card or sign shall accompany the venomous reptile when it is removed from the cage or enclosure for handling or transport purposes.

(d) Facilities with one or more licensee at the same facility location may not commingle their respective live venomous reptile or reptile of concern inventories. All cages or enclosures must be clearly identified or visibly marked with the name of the licensee or other identifier to facilitate inventory inspections.

(6) Inspection:

Venomous reptiles or reptiles of concern held in captivity are subject to inspection by commission personnel. Commission personnel shall determine whether the said reptiles are securely, properly and safely housed. In the event that the reptiles are not safely housed, commission personnel shall report the situation in writing to the person possessing or exhibiting such reptiles. Failure of the possessor or exhibitor to correct the situation within 30 days after such written notice shall be grounds for revocation of the license or permit.

(7) No person except the licensee or his or her authorized employee shall open any cage, pit, or other container which contains venomous reptiles.

(8) Transporting:

Any person transporting venomous reptiles shall comply with Section 372.90, F.S., and the provisions of this rule. Venomous reptiles shall be placed in a stout closely woven cloth sack, tied or otherwise secured. In lieu of a stout closely woven cloth sack, the venomous reptile may be contained in a trap or box of solid construction which is locked or otherwise secured. The sack, trap or box shall then be placed in a box. The box shall be of strong material in solid sheets, except for small air holes which shall be screened. Boxes containing venomous reptiles shall be prominently labeled "Danger – Venomous Reptiles."

(9) Disaster and Critical Incident Plans:

Applicants for permits to possess venomous reptiles or reptiles of concern in captivity shall document in writing a course of action to be taken in preparation for disasters or critical incidents. Such course of action shall be documented on form FWCDLE 619 (02-06), which is adopted and incorporated herein by reference. Forms may be obtained by submitting a request to: Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, 620 South Meridian Street, Tallahassee, Florida 32399-1600, or at www.myfwc.com/permits. This form shall consist of two parts. Part A of form FWCDLE 619 shall be submitted at the time of initial application or renewal; and Part B shall be retained on file at the facility location and be made available for inspection upon request of Commission personnel.

(10) All species of snakes commonly known as sea snakes or sea kraits, belonging to the families *Elapidae*, *Hydrophiidae* or *Laticaudidae* are prohibited from being imported or possessed, except under the provisions of Section 370.081(4), F.S.

PROPOSED EFFECTIVE DATE: January 1, 2008.

Specific Authority Art. IV, Sec. 9, Fla. Const., 372.92, 372.921, 372.922 FS. Law Implemented Art. IV, Sec. 9, Fla. Const., 372.86, 372.87, 372.88, 372.89, 372.90, 372.901, 372.91, 372.92, 372.921, 372.922 FS. History—New 1-1-08.

68A-6.0071 Record Keeping and Reporting Requirements.

(1) Any person who possesses any live venomous reptile or reptile of concern shall have a permit issued in accordance with Section 372.86, 372.921, or 372.922, F.S., and comply with the provisions of this rule, Rule 68A-6.007, and if applicable Rule 68A-6.0072, F.A.C.

(a) Record Keeping:

Possessors shall maintain an accurate record of all changes in inventory including births, deaths, acquisitions, sales and transfers of all venomous reptiles or reptiles of concern. Such records shall be kept on the licensed premises on a Captive Wildlife Inventory Report form, FWCDLE 620IV-R (12-06), which is adopted and incorporated herein by reference. Forms may be obtained by submitting a request to: Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, 620 South Meridian Street, Tallahassee, Florida 32399-1600, or at www.myfwc.com/permits. Such records shall be open to inspection upon request by commission personnel.

1. Records of births or deaths shall include the date of the birth or death; and the quantity and species of each birth or death. For the purposes of this section "birth" shall be defined as the initial hatch or live birth date for the clutch.

2. Records of acquisition shall include the date of acquisition; quantity and species of reptiles acquired; method of identification and unique passive integrated transponder (PIT tag) number, if applicable, for each specimen; name and complete address of supplier; and license identification number of supplier where applicable.

3. Records of sale or transfer shall include the date of sale or transfer; quantity and species of reptiles sold or transferred; method of identification and unique passive integrated transponder (PIT tag) number, if applicable, of each specimen sold or transferred; and the license identification number of the recipient where applicable.

(b) Reporting:

1. Persons exhibiting or selling live venomous reptiles or reptiles of concern in accordance with Section 372.86 or 372.921, F.S., shall complete a Captive Wildlife Inventory Report form, FWCDLE 620IV-R (12-06), and submit same to Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, 620 South Meridian Street, Tallahassee, Florida 32399-1600, upon annual renewal of license and six months thereafter.

2. Persons possessing any live venomous reptile in accordance with Section 372.86, F.S., or any live reptile of concern in accordance with Section 372.922, F.S., for personal use shall complete a Captive Wildlife Inventory Report form, FWCDLE 620IV-R (12-06), and submit same to Florida Fish and Wildlife Conservation Commission, Division of Law

Enforcement, 620 South Meridian Street, Tallahassee, Florida 32399-1600, upon annual renewal of license and upon any instance of inventory change.

3. Persons operating in accordance with s. 68A-6.0011, F.A.C., are exempt from these reporting requirements.

PROPOSED EFFECTIVE DATE: January 1, 2008.

Specific Authority Art. IV, Sec. 9, Fla. Const., 372.92, 372.921, 372.922 FS. Law Implemented Art. IV, Sec. 9, Fla. Const., 372.86, 372.87, 372.88, 372.89, 372.90, 372.901, 372.91, 372.92, 372.921, 372.922 FS. History—New 1-1-08.

68A-6.0072 Identification of Non-Native Venomous Reptiles and Reptiles of Concern; Escape.

(1) Any person who keeps or possesses for personal use any live venomous reptile not indigenous to Florida, in accordance with Section 372.86, F.S., or any live reptile of concern, in accordance with Section 372.922, F.S., must permanently identify such reptile.

(a) Live venomous reptiles not indigenous to Florida shall be permanently identified by photographic identification or with a unique passive integrated transponder (PIT tag).

(b) Live reptiles of concern shall be permanently identified with a unique passive integrated transponder (PIT tag).

(c) Records of identification including PIT tag number where applicable, along with information about the specimen being identified (species, specimen name or number, gender, and age) must be maintained in the possessors records for as long as the specimen is possessed.

(2) For photographic identification the photograph of the specimen must include sufficient distinguishing characteristics (marks, scars, and patterns, etc.) to enable that particular specimen to be distinguished from other specimens of the same species.

(3) Passive integrated transponder (PIT tag) identification shall consist of the implementation of a unique PIT tag under the specimen's skin in a manner to maintain the PIT tag permanently in place.

(a) For snakes implementation shall be in specimens with a two (2) inch or greater diameter. The PIT tag shall be implanted in the back one-third (1/3) of the snake, forward of the anal plate.

(b) For lizards implementation shall be in the body cavity in close proximity to and forward of a rear leg or in a rear leg.

(c) The requirement pertaining to the location of the PIT tag implementation shall not apply to specimens implanted prior to acquisition of the animal or prior to the effective date of this rule.

(4) Any person authorized to possess any venomous reptile not indigenous to Florida or reptile of concern must report any escapes to the Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement immediately upon discovery of escape.

(5) Effective Date:

All permanent identification requirements in this rule shall not take effect until July 1, 2008, for any live venomous reptile not indigenous to Florida or any reptile of concern possessed prior to January 1, 2008.

PROPOSED EFFECTIVE DATE: January 1, 2008.

Specific Authority Art. IV, Sec. 9, Fla. Const., 372.92, 372.921, 372.922 FS. Law Implemented Art. IV, Sec. 9, Fla. Const., 372.86, 372.87, 372.88, 372.89, 372.90, 372.901, 372.91, 372.92, 372.921, 372.922 FS. History—New 1-1-08.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Colonel Julie Jones, Director, Division of Law Enforcement
NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Mr. Kenneth D. Haddad, Executive
Director
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: September 13, 2006
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: July 28, 2006

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.:	RULE TITLE:
68A-9.007	Special-use Permits; Short-term Use Permits; Fees; Special-Opportunity Hunting and Fishing

PURPOSE AND EFFECT: The purpose of the proposed rule is to provide the flexibility for the Commission to negotiate private contracts through a competitive process and for vendors to provide specific concession services on Commission managed lands. The effect would be enhanced services to the public on public lands.

SUMMARY: The proposed rule would provide the flexibility for the Commission to negotiate contracts through a competitive process and for vendors to provide specific concession services on managed lands including, but not limited to, public shooting ranges, public campgrounds, and paddling trails. The contracts would include vendor fees that would be charged for these activities.

SUMMARY OF STATEMENT OF ESTIMATED
REGULATORY COST: No Statement of Estimated Regulatory
Cost was prepared.

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.

SPECIFIC AUTHORITY: Article IV, Section 9, Florida
Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida
Constitution, 372.57 FS.

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

DATES AND TIME: During the Commission's regular
meeting, February 7-8, 2006, 8:30 a.m. – 5:00 p.m., each day
PLACE: Sandestin Golf and Beach Resort, 9300 Emerald
Coast Parkway, West, Destin, Florida 32550

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: Mr. Nick Wiley, 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-9.007 Special-use Permits; Short-term Use Permits;
Fees; Special-Opportunity Hunting and Fishing.

Special-use permits, short-term use permits, and fees for such
permits are hereby established as follows:

- (1) through (3) No change.
- (4) The Commission establishes short-term permits and
fees as follows:

- (a) Tenoroc Fish Management Area.

- 1. through 3. No change.

4. The following persons are excluded from the
management area permit or short-term use permit
requirements:

- ~~a. Users of the Commission shooting range.~~

~~a.b. Persons participating in Commission-sponsored
meetings or activities.~~

~~b.e. Persons exempt from management area permit
requirements by Section 372.562, F.S. Users exempt from the
fishing license requirement by Section 370.0605(5), Florida
Statutes (1996 Supp.).~~

- (b) through (c) No change.

(d) To facilitate certain recreational activities including,
but not limited to, public shooting ranges, camping, and
paddling, short-term permit fees may be established and
administered through negotiated contracts with private vendors
in accordance with Chapter 278, F.S. Such short-term permit
fees established in this manner, may be required in lieu of an
annual management area permit or other short-term use
permits.

PROPOSED EFFECTIVE DATE: July 1, 2007.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 372.57 FS. History—New 9-15-96, Amended 1-9-97, 6-1-97, 4-12-98, 4-15-99, Formerly 39-9.007, Amended 7-1-00, 5-13-02, 7-1-06, 8-22-06, 7-1-07.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mr. Nick Wiley, Director, Division of Hunting and Game Management

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mr. Kenneth D. Haddad, Executive Director

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 6, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 22, 2006

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NOS.:	RULE TITLES:
68A-11.005	Use of Tracked Vehicles in the South Region
68A-11.0051	Tracked Vehicles Used for Recreational Purposes in South Region

PURPOSE AND EFFECT: The purpose of this proposed rule amendment and rule repeal is to revise regulations for use of tracked vehicles in the South Region. The effect of the proposed rule changes will be to enable the agency to better manage fish and wildlife resources and public use in the South Region.

SUMMARY: The proposed rule changes would revise regulations for use of tracked vehicles in the South Region as follows:

The proposed rule changes would reestablish and simplify rules for inspecting and registering tracked vehicles utilizing the Holey Land, Rotenberger, and Everglades and Francis S. Taylor WMAs; modify the specifications for allowable tracked vehicles; require periodic re-inspection of tracked vehicles to ensure accurate and up-to-date records; require registration of tracked vehicles when transferring ownership; and, establish a tracked vehicle registration decal system.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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.

SPECIFIC AUTHORITY: Article IV, Section 9, Florida Constitution., 372.021, 375.313 FS.

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

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

DATES AND TIME: During the Commission's regular meeting, February 7-8, 2007; 8:30 a.m. – 5:00 p.m., each day
PLACE: Sandestin Golf and Beach Resort, 9300 Emerald Coast Parkway, West, Destin, FL 32550

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 RULES IS: James V. Antista, General Counsel, Florida Fish and Wildlife Conservation Commission, 620 South Meridian St., Tallahassee, FL. 32399-1600, (850)487-1764

THE FULL TEXT OF THE PROPOSED RULES IS:

68A-11.005 Use of Tracked Vehicles in the South Region. In the Everglades, Rotenberger, and Holey Land Wildlife Management Areas South Region, no person shall operate take wildlife or freshwater fish from any tracked vehicle that does not meet the following specifications:

(1) ~~The maximum~~ Maximum structure capable of bearing the weight of a person shall be no more than:

(a) ~~Eight feet~~ Eight feet wide including any swing-out seat, outrigger or other protrusions.

(2) ~~The highest point of the structure of the tracked vehicle may not exceed twelve (12) feet from the ground, excluding antennas and tops used for the purpose of shade.~~

(b) ~~Six feet high measured from the lowest bottom surface.~~

(3)(2) ~~The Engine~~ After January 1, 1982, tracked vehicles shall be gasoline-powered or diesel-powered and powered by no more than one ~~six-cylinder~~ engine equipped with up to eight cylinders; the engine must be muffled with an automotive-style sound-suppression device and shall not be modified in any way to increase horsepower. ~~with the following specifications:~~

(a) ~~Gasoline-powered.~~

(b) ~~No more than 250 cubic-inch displacement.~~

(c) ~~Equipped with no more than one two-barrel carburetor.~~

(d) ~~Muffled with standard automotive muffling device.~~

(e) ~~Shall not be modified to increase horsepower.~~

(4)(3) ~~Track width – After January 1, 1982, The~~ minimum track width shall be 16 inches.

~~(4) Tracked vehicles affixed with a TRG decal prior to January 1, 1982, shall be exempt from the engine limitations in subsection (2).~~

~~(5) The All tracked vehicles must have been used in the South Region to take wildlife or freshwater fish shall be inspected by a Commission employee for to determine compliance with this section and prior to being issued a permanent TR registration decal; the tracked vehicle must be operable at time of inspection.~~

~~(6) The valid tracked vehicle TRG or TR permanent registration decals shall be displayed on the left front of the tracked vehicle in a prominent and visible location.~~

~~(7) A tracked vehicle shall be re-inspected every five years.~~

~~(8) No person shall remove and/or transfer any tracked vehicle registration decal to any other vehicle or alter the original appearance, or mutilate, deface or change the color or number of any tracked vehicle registration decal.~~

~~(9) Upon the purchase, sale, trade, transfer or other disposition of a tracked vehicle, subject to the provisions of this section, the previous and current owners shall transfer the tracked vehicle registration within 30 days through the Commission South Regional Office, Division of Law Enforcement.~~

Specific Authority Art. IV, Sec. 9, Fla. Const., 372.021 FS. Law Implemented Art. IV, Sec. 9, Fla. Const. History-New 6-21-82, Amended 7-1-85, Formerly 39-11.05, Amended 6-8-87, Formerly 39-11.005, Amended 1-1-03,_____.

68A-11.0051 Tracked Vehicles Used for Recreational Purposes in South Region.

Specific Authority Art. IV, Sec. 9, Fla. Const., 375.313 FS. Law Implemented Art. IV, Sec. 9, Fla. Const., 375.313 FS. History-New 7-1-84, Formerly 39-11.051, 39-11.0051, Repealed_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Major Brett Norton, Captain David Stermen, and Lieutenant John Reed, Division of Law Enforcement, South Region

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mr. Kenneth D. Haddad, Executive Director

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 6, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 22, 2006

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.:	RULE TITLE:
68A-15.005	Quota Permits; Antlerless Deer Permits; Special-Opportunity Permits

PURPOSE AND EFFECT: The purpose of the proposed rule changes is to revise hunter quotas on wildlife management area (WMAs), add new hunter quotas for existing and recently established WMAs, make clarifications and standardizations to the quota list, and reincorporate the list of quotas by area and hunt. The effect of the proposed rule changes is to enable the agency to better manage fish and wildlife resources and public use on public lands.

SUMMARY: The proposed rule would revise quotas for Fred C. Babcock/Cecil M. Webb WMA – small game – daily quail permits (number established annually by Executive Order, issued at the check station, no exemptions); Osceola WMA – general gun dog (quota increased from 800 to 900); Twin Rivers, Blue Springs Unit – special-opportunity quail hunt (number established annually by Executive Order, by special-opportunity quail hunt application, no exemptions).

The proposed rule would establish new quota hunts on Perdido River WMA – archery (40 by archery/muzzleloading gun quota application, no exemptions), muzzleloading gun (40 by archery/muzzleloading gun quota application, no exemptions), family hunt (20 by family hunt quota application, each hunt, no exemptions), general gun (40 by general gun quota application, each hunt, no exemptions), archery and muzzleloading gun (40 by archery/muzzleloading gun quota application, no exemptions), spring turkey (15 by spring turkey quota application, each hunt, no exemptions); Allapattah Flats WMA – archery (50 by archery/muzzleloading gun quota application, each hunt, no exemptions), muzzleloading gun (50 by archery/muzzleloading gun quota application, no exemptions), family hunt – (25 by family hunt quota application, no exemptions), general gun (50 by general gun quota application, no exemptions), and spring turkey (20 by spring turkey quota application, each hunt, no exemptions); and Matanzas WMA – general gun hog (50 by general gun quota application, no exemptions).

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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.

SPECIFIC 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 7-8, 2007, 8:30 a.m. – 5:00 p.m., each day

PLACE: Sandestin Golf and Beach Resort, 9300 Emerald Coast Parkway, West, Destin, FL 32550

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: Nick Wiley, 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-15.005 Quota Permits; Antlerless Deer Permits; Special-Opportunity Permits.

(1) No change.

(2) The maximum number of quota and special-opportunity permits to be issued for each wildlife management area, fish management area, or wildlife and environmental area shall be maintained on a list titled "Quota and special-opportunity permits," dated May 1, 2007 ~~June 1, 2006~~, incorporated herein by reference and kept by the Commission at its headquarters office and regional offices.

(3) through (4) No change.

PROPOSED EFFECTIVE DATE: May 1, 2007.

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, 6-22-80, 12-29-80, 6-4-81, 8-4-81, 6-21-82, 7-29-82, 7-1-83, 7-5-84, 7-1-85, 9-19-85, Formerly 39-15.05, Amended 5-7-86, 6-10-86, 5-10-87, 6-8-87, 10-8-87, 4-13-88, 6-7-88, 7-1-89, 7-1-90, 9-1-90, 7-1-91, 7-2-91, 7-1-92, 8-23-92, 7-1-93, 7-1-94, 3-30-95, 6-20-95, 8-15-95, 4-1-96, 6-27-96, 9-15-96, 10-20-96, 6-1-97, 8-7-97, 11-23-97, 7-1-98, 7-2-98, 8-11-98, 12-28-98, 5-13-99, Formerly 39-15.005, Amended 12-9-99, 4-30-00, 7-1-01, 8-1-01, 11-1-01, 5-13-02, 10-16-02, 5-1-03, 7-1-03, 9-29-03, 7-1-04, 7-2-04, 8-1-04, 5-1-05, 5-1-06, 6-1-06, 5-1-07.

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 FAW.

NAME OF PERSON ORIGINATING PROPOSED RULE: Nick Wiley, Director, Division of Hunting and Game Management

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mr. Kenneth D. Haddad, Executive Director

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 6, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 22, 2006

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 changes 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 changes is to enable the agency to better manage fish and wildlife resources and public use on WMAs.

SUMMARY: The proposed rule changes 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:

Babcock/Webb WMA – The proposed rule change would allow managers to employ adaptive harvest management strategies and annually adjust harvest pressure via Order of the Executive Director. This rule change would provide the flexibility to adjust hunter quotas (daily quail permits) on an annual basis using a 30% target harvest rate, fall population estimates, and hunter success rates.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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.

SPECIFIC AUTHORITY: Article IV, Section 9, Florida Constitution, 372.121, 375.313 FS.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution, 372.121, 375.313 FS.

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

DATES AND TIME: During the Commission's regular meeting, February 7-8, 2007, 8:30 a.m. – 5:00 p.m., each day

PLACE: Sandestin Golf and Beach Resort, 9300 Emerald Coast Parkway, West, Destin, Florida 32550

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: Nick Wiley, 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 ~~10~~ ~~44~~ through January ~~6~~ ~~7~~.

2. Archery – September ~~22~~ ~~23~~ through October ~~21~~ ~~22~~, Fridays, Saturdays and Sundays only.

3. Small game – January ~~12~~ ~~43~~ through February ~~10~~ ~~44~~, Saturdays and Sundays only.

4. Spring turkey – March ~~15~~ ~~47~~ through April ~~20~~ ~~22~~.

5. Fishing and frogging – Permitted during periods in which hunting is allowed; and Saturdays and Sundays from May ~~3~~ ~~5~~ to June ~~15~~ ~~47~~. Fishing and frogging is permitted at all other times provided that access is by foot only.

(b) through (c) No change.

(d) General regulations:

1. through 7. No change.

8. Camps shall be removed by 8:00 p.m., April ~~20~~ ~~22~~ and June ~~15~~ ~~47~~ from the Rock Ridge campground and by April ~~20~~ ~~22~~ from the 471 campground.

9. through 10. No change.

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

(a) Open season:

1. Special-opportunity turkey – March ~~15-18~~ ~~47-20~~, March ~~24-27~~ ~~26-29~~, March ~~29~~ ~~34~~ through April ~~1~~ ~~3~~, April ~~7-10~~ ~~9-12~~ and, ~~12-15~~ ~~44-47~~.

2. Special-opportunity archery – November ~~3-6~~ ~~4-7~~ and ~~15-18~~ ~~46-49~~.

3. Special-opportunity general gun – December ~~13-16~~ ~~44-47~~, January ~~7-10~~ ~~8-11~~ and ~~17-20~~ ~~48-21~~.

4. Special-opportunity hog-still – February ~~1-3~~ ~~2-4~~.

5. Special-opportunity hog-dog – February ~~13-15~~ ~~44-46~~.

6. Small game – February ~~22-24~~ ~~23-25~~ and ~~February 29~~ ~~through March 2~~ ~~2-4~~.

7. through 8. No change.

(b) through (d) No change.

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

(a) Open season:

1. General gun – October ~~27~~ ~~28~~ through November ~~4~~ ~~5~~.

2. Small game:

a. November ~~10-18~~ ~~44-49~~, and

b. November ~~21-25~~, and ~~22~~ through January 14 on Wednesdays, Thursdays, Saturdays, Sundays only and November 24.

c. November 28 through January 13 on Wednesdays, Thursdays, Saturdays, and Sundays only.

3. No change.

4. Archery – September ~~8-9~~ ~~9-10~~.

5. Bird dog training – Bird dogs may be trained in the recreation area September 15 through February 10 and bird dogs may be trained in zones A, B, C, and D during the small game season 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. ~~Quail – Wednesday, Thursday, Saturday, and Sunday – November 15-19, 22-26, November 29 through December 3, December 6-10, 13-17 and 20-24.~~

(b) Legal to take:

1. No change.

2. Small game – all legal ~~small~~ game (~~except deer, hog and turkey~~), fish, frogs and furbearers. Only persons in possession of a daily quail permit, issued from November 14 through December 23 on Wednesdays, Thursdays, Saturdays and Sundays only, shall kill or be in possession of quail. Quail shall be taken by daily quail permit only within the zone assigned on the daily quail permit. Bag limit for quail is 6 per day. Quail may be taken only during the quail season and only within assigned zones.

3. through 4. No change.

5. Quail – all legal game (~~except deer, hog and turkey~~), fish, frogs and furbearers. Bag limit for quail is 6 per day. Quail may be taken in Zones A and B by daily quail permit issued on a first-come, first-served basis at the check station. The quota for daily quail permits shall be 10 permits, per zone, for Zones A and B (no exemptions). Daily quail permits for Zones A and B shall be non-transferable.

(c) No change.

(d) General regulations:

1. through 2. No change.

3. Hunting will be permitted on the field trial area and Boy Scout area during the following periods:

a. General gun – October ~~27~~ ~~28~~ through November ~~4~~ ~~5~~, by walking hunters.

b. Small game season on Wednesdays and Thursdays only, by walking hunters, provided that the taking of quail is prohibited.

c. Field trial quail – January ~~26-27~~ ~~27-28~~.

d. No change.

4. No change.

5. Hunting camps may be set up after 8:00 a.m. October ~~19~~ ~~20~~ and shall be removed by 9:00 p.m. the last day of the small game season. Camping is permitted from 5:00 p.m. Friday to 9:00 p.m. Sunday and on Memorial Day, Independence Day, Martin Luther King Jr. Day, and Labor Day during the remainder of the year.

6. ~~Bird dogs may be trained in designated areas during the bird dog training season, September 16 through February 11. Dogs shall be caged or leashed in camp areas. Hunting with dogs during the general gun season is prohibited. During quail season, bird dogs may be trained on Mondays, Tuesdays, and Fridays only.~~

7. During closed seasons vehicles may be operated only on named or numbered roads in the recreational area lying south of the northern boundaries of Sections 19, 20 and 21, Township 41S, Range 24E and west of the first north-south fence line east of the Seaboard Grade. The operation of vehicles is prohibited in Sections 13, 14, 23 and 24, Township 42S, Range 24E and the west 1/2 of Section 19, Township 42S, Range 25E.

8. through 9. No change.

10. No person shall operate a vehicle off named or numbered roads, except during the general gun and small game seasons or when training bird dogs without guns in the recreation area during the bird dog training season.

11. No change.

12. During the small game quail season, shotguns shall be plugged to a three-shell capacity with a one-piece filler that cannot be removed without disassembling the gun.

13. No change.

14. 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 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 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 zones A, B, C, and D.

15. Daily quail permits are non-transferable, valid the day of issuance only, limited to no more than one daily quail permit per person per day, and not subject to exemptions, except that one person younger than 16 years of age may accompany a person older than 18 years of age who holds a daily quail permit and may participate in the hunt provided that both hunters must share a single daily bag limit of quail.

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

(a) Open season:

1. General gun – October 27 28 through November 4 5.

2. Small game – November 10 11 through January 13 14 on Wednesdays, Thursdays, Saturdays, Sundays only and November 23 24.

3. Muzzleloading gun – October 12-14 13-15.

4. No change.

(b) through (d) No change.

(5) Upper Hillsborough Wildlife Management Area.

(a) Open season:

1. Archery – December 8-16 9-17 and January 5-13 6-14, Saturdays and Sundays only.

2. Muzzleloading gun – November 10 11 through December 2 3, Saturdays and Sundays only.

3. Small game – January 19 20 through February 3 4, Saturdays and Sundays only.

4. Spring turkey – March 19-20 21-22, 26-27 28-29, April 2-3 4-5, 9-10 11-12 and 16-17 18-19.

5. No change.

(b) through (d) No change.

(6) Arbuckle Wildlife Management Area.

(a) Open season:

1. Archery – October 13 14 through November 2 3.

2. Muzzleloading gun – November 3-11 4-12.

3. General gun hog – November 17-25 18-26, Saturdays and Sundays only.

4. Spring turkey – March 18-20 20-22 and April 1-3 3-5.

5. No change.

(b) through (d) No change.

(7) KICCO Wildlife Management Area.

(a) Open season:

1. Archery – September 22 23 through October 21 22, Saturdays and Sundays only.

2. Muzzleloading gun – October 27 28 through November 4 5, Saturdays and Sundays only.

3. General gun hog – November 10 11 through December 9 10, Saturdays and Sundays only.

4. Small game – December 15 16 through January 6 7.

5. Spring turkey – March 15 17 through April 13 15, Saturdays and Sundays only.

6. No change.

(b) through (d) No change.

(8) Hickory Hammock Wildlife Management Area.

(a) Open season:

1. General gun hog – September 14-16, 15-17 and 21-23 22-24 and January 11-13 12-14.

2. Archery – October 19-21 20-22.

3. Muzzleloading gun – October 29-31 30 through November 1 and November 2-4 3-5.

4. General gun – November 9-11 10-12.

5. Small game – November 12 13 through January 6 7.

6. through 8. No change.

9. Spring turkey – March 20-22 22-24 and April 10-12 12-14.

10. No change.

(b) through (d) No change.

(9) Walk-in-the-Water Wildlife Management Area.

(a) Open season:

1. Archery – September 29 30 through October 14 15.

2. Muzzleloading gun – October ~~26-28~~ 27-29.
3. General gun hog – January ~~12-20~~ 13-21.
4. Small game – November ~~17~~ 18 through December ~~9~~ 10 and February ~~2-17~~ 3-18.
5. No change.
(b) through (d) No change.
- (10) Hilochee Wildlife Management Area.
(a) Open season:
 1. No change.
 2. Spring turkey – March ~~21-23~~ 23-25 and April ~~4-6~~ 6-8.
 3. Muzzleloading gun – November ~~2-4~~ 3-5.
 4. General gun hog – November 30 through December ~~2~~ 1-3, January ~~11-13~~ 12-14 and ~~18-20~~ 19-21.
 5. Small game – January ~~25~~ 26 through February ~~3~~ 4.
 6. Archery – October ~~19-21~~ 20-22.
 7. No change.
(b) through (d) No change.
- (11) Lake Marion Creek Wildlife Management Area.
(a) Open season:
 1. Archery – September ~~22-24~~ 23-25 and September ~~28-30~~ 29 through October 1.
 2. Muzzleloading gun – October ~~27-29~~ 28-30.
 3. General gun – November ~~10-12~~ 11-13 and ~~16-18~~ 17-19.
 4. Small game – December ~~7-9~~ 8-10 and ~~14-16~~ 15-17.
 5. General gun hog – January ~~5-7~~ 6-8.
 6. Spring turkey – March ~~15-17~~ 17-19, March ~~28-30~~ through April 1 and April ~~11-13~~ 13-15.
 7. No change.
(b) through (d) No change.
- (12) Avon Park Air Force Range Wildlife Management Area.
(a) Open season:
 1. Archery – September ~~22~~ 23 through October ~~21~~ 22 in areas and during days specified by the Installation Commander.
 2. Muzzleloading gun – October ~~27~~ 28 through November ~~4~~ 5 in areas and during days specified by the Installation Commander.
 3. General gun – November ~~10~~ 11 through January ~~20~~ 21 in areas and during days specified by the Installation Commander.
 4. Small game – ~~December 31~~ January 1 through March ~~2~~ 4 in areas and during days specified by the Installation Commander.
 5. Spring turkey – March ~~15~~ 17 through April ~~20~~ 22 in areas and during days specified by the Installation Commander.
 6. Antlerless deer – November ~~17-23~~ 18-24 in areas and during days specified by the Installation Commander.
 7. through 8. No change.
(b) through (d) No change.
- (13) Croom Wildlife Management Area.
(a) Open season:
 1. Muzzleloading gun – October ~~26-28~~ 27-29.
 2. General gun – November ~~10~~ 11 through December ~~2~~ 3.

3. Small game – December ~~3~~ 4 through March ~~2~~ 4.
4. Spring turkey – March ~~18-20~~ 20-22, April ~~1-3~~ 3-5 and ~~15-17~~ 17-19.
5. Fox, raccoon and bobcat – December ~~13~~ 14 through March ~~9~~ 11. Hunting is permitted from 5:00 p.m. Thursday to sunrise Sunday with dogs only. No guns allowed.
6. through 7. No change.
(b) through (c) No change.
(d) General regulations:
 1. Hunting with dogs is prohibited November ~~10~~ 11 through December ~~2~~ 3. Hunting with dogs other than bird dogs is prohibited December ~~3-12~~ 4-13, except that dogs may be used for hunting fox, raccoon or bobcat during the fox, raccoon and bobcat season, and dogs with a shoulder height of 15 inches or less may be used to hunt small game during the small game season in the portion of the area south of Croom Road, bounded on the east by Croom-Rital Road to its juncture with the boundary fence of the Croom Motorcycle area located 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, and thence bounded by said boundary fence. Trailing dogs on a leash are permitted.
 2. through 7. No change.
- (14) Chassahowitzka Wildlife Management Area.
(a) Open season:
 1. Archery – September ~~22~~ 23 through October ~~21~~ 22.
 2. Muzzleloading gun – October ~~26-28~~ 27-29.
 3. General gun – November ~~10~~ 11 through January ~~6~~ 7.
 4. through 5. No change.
 6. Spring turkey – March ~~22-25~~ 24-27 and March ~~26-30~~ 28 through April 1.
 - (b) through (d) No change.

PROPOSED EFFECTIVE DATE: July 1, 2007.

Specific Authority Art. IV, Sec. 9, Fla. Const., 372.121, 375.313 FS. Law Implemented Art. IV, Sec. 9, Fla. Const., 372.121, 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.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mr. Nick Wiley, Director, Division of Hunting and Game Management.

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mr. Kenneth D. Haddad, Executive Director

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 6, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 22, 2006

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-15.062
 RULE TITLE: Specific Regulations for Wildlife Management Areas – North Central Region

PURPOSE AND EFFECT: The purpose of the proposed rule changes 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 changes will be to enable the agency to better manage fish and wildlife resources and public use on WMAs.

SUMMARY: The proposed rule changes 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:

Osceola WMA – The proposed rule change would reconfigure the boundaries of the still and dog hunt areas, increase the number of acres of deer-dog hunting by approximately 17,000 acres and increase the number of dog hunt quota permits from 800 to 900. Dog hunters would be required to use designated roads to access the dog hunt area during the fox, deer-dog training and general gun seasons; and possess dogs at the East Tower campground during the general gun season.

Twin Rivers WMA – The proposed rule change would prohibit the taking of hogs with dogs.

Twin Rivers WMA, Blue Springs Unit – The proposed rule change would provide up to 14 days of bird dog training during November and December; establish a special-opportunity quail hunt on up to five Saturdays in January and February with the following hunter quotas: two (2) permits per day, two (2) persons per permit, and a bag limit of 12 quail per permit by special-opportunity quail hunt application. Proposed rules would allow managers to maintain sustainable quail hunting opportunities by annually adjusting harvest pressure via Order of the Executive Director. The number of days open to hunting would be calculated so that not more than 15% of the fall quail population would be taken. In addition, proposed rules would eliminate the restriction of bird dog training hours; allow bird dog training permits to be issued from the Regional Office; require persons participating in bird dog training or special-opportunity quail hunts to enter at a designated entrance; prohibit motorized vehicles except by persons in possession of a valid bird dog training or special-opportunity quail hunt permit and allow shotguns only during the special-opportunity quail hunts.

San Pedro Bay WMA – The proposed rule would eliminate all references to the still hunt area. The landowner is removing that portion from the WMA.

Lower Econfina River WMA – The proposed rule would establish regulations for the new WMA with the following open seasons: 16-day archery, 3-day muzzleloading gun,

42-day small game, 9-day spring turkey, and fishing and frogging throughout the year. It would establish as legal to take all legal game, hogs, fish, frogs and furbearers, no size or bag limit on hogs; quota permits would not be required for any season; fires would be prohibited; motorized vehicles could be operated only on named or numbered roads; east of the Lower Econfina River motorized vehicles would be allowed only during periods open to hunting; ATVs and motorcycles would be prohibited; hunting with bird dogs and dogs with a shoulder height of less than 15 inches would be allowed and hunting hogs with dogs would be prohibited.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: Article IV, Section 9, Florida Constitution, 372.121, 375.313 FS.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution, 372.121, 375.313 FS.

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

DATES AND TIME: During the Commission's regular meeting, February 7-8, 2007, 8:30 a.m. – 5:00 p.m., each day

PLACE: Sandestin Golf and Beach Resort, 9300 Emerald Coast Parkway West, Destin, Florida 32550

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 calendar 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 by calling (850)488-9542.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Nick Wiley, 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 3. No change.

4. Archery – September ~~25-27~~ ~~26-28~~ and October ~~2-4~~ ~~3-5~~, only in the still hunt areas.

5. No change.

6. Muzzleloading gun – October ~~9-11~~ ~~10-12~~ and ~~16-18~~ ~~17-19~~, only in the still hunt areas.

7. No change.
8. Trapping – December 1 through January 6 ~~7~~, only in the still hunt areas.
 - (b) through (d) No change.
 - (2) Cypress Creek Wildlife Management Area.
 - (a) Open season:
 1. Spring turkey – March 15-23 ~~17-25~~.
 2. Archery – September 22 ~~23~~ through October 7 ~~8~~.
 3. Muzzleloading gun – October 26-28 ~~27-29~~.
 4. through 5. No change.
 - (b) through (d) No change.
 - (3) Gulf Hammock Wildlife Management Area.
 - (a) Open season:
 1. General gun – November 10 ~~11~~ through January 20 ~~21~~.
 2. Spring turkey – March 15 ~~17~~ through April 20 ~~22~~.
 3. Archery – September 22 ~~23~~ through October 21 ~~22~~.
 4. Muzzleloading gun – October 27 ~~28~~ through November 4 ~~5~~.
 5. No change.
 - (b) through (d) No change.
 - (4) Lochloosa Wildlife Management Area.
 - (a) Open season:
 1. General gun – November 10-23 ~~11-24~~, November 24 ~~25~~ through December 9 ~~10~~ and December 10 ~~11~~ through January 6 ~~7~~.
 2. Spring turkey – March 15 ~~17~~ through April 20 ~~22~~.
 3. Archery – September 22 ~~23~~ through October 21 ~~22~~.
 4. Muzzleloading gun – October 26-28 ~~27-29~~.
 5. No change.
 6. Small game – January 7 ~~8~~ through March 2 ~~4~~.
 7. No change.
 - (b) through (d) No change.
 - (5) Osceola Wildlife Management Area.
 - (a) Open season:
 1. General gun – November 10 ~~11~~ through January 6 ~~7~~.
 2. Small game – January 7 ~~8~~ through March 2 ~~4~~.
 3. Spring turkey – March 15 ~~17~~ through April 20 ~~22~~.
 4. Archery – September 22 ~~23~~ through October 14 ~~15~~.
 5. Muzzleloading gun – October 19-26 ~~20-27~~ in the still hunt area and Big Gum Swamp Wilderness only.
 6. Fox, raccoon, opossum and bobcat – August 4 ~~5~~ through September 25 ~~26~~ in the dog hunt portion of the area only from sunset to sunrise.
 7. through 8. No change.
 9. Trapping – January 7 ~~8~~ through March 1.
 - (b) through (c) No change.
 - (d) General regulations:
 1. The ~~western~~ dog hunt area is within the area created by traversing south on ~~includes that portion of the area bounded on the west by~~ Forest Service Road 237 from its intersection

with the north boundary of the Osceola National Forest; ~~on the southeast on by~~ Forest Service Road 263; south on Forest Service Road 234; ~~and County Road 250~~; east and north on County Road 250 to the boundary of the Osceola National Forest; north along the east boundary of the West ½ of Section 3, Township 1 South, Range 20 East; west along the Base Line until it intersects Forest Road 24; northwest on Forest Road 24; north on Forest Road 4; east on Forest Road 3 to Eddy Grade; northwesterly on Eddy Grade to State Road 2; northwest on State Road 2; southwest on Forest Service Road 295; west on Forest Service Road 296F; south on Forest Service Road 296C; east and south on Forest Service Road 296E; south on Forest Service Road 295; south on Forest Service Road 297 to the boundary of the Osceola National Forest; then due west to the northwest corner of Section 23, Township 1 South, Range 19 East; then south along the east side of Section 27, Township 1 South, Range 19 East to the southeast corner of Section 27, Township 1 South, Range 19 East; then west to the SW corner of the SE 1/4 of the SW 1/4 Section 29, Township 1 North, Range 19 East; then north along the west boundary of the East 1/2 of the West 1/2 Section 29, Township 1 North, Range 19 East to the south boundary of Section 20, Township 1 North, Range 19 East; then west along the north boundary of Section 30, Township 1 North, Range 19 East to the Baker County/Columbia County line; then south along the County Line to Forest Road 36; south to Forest Road 46; south on Forest Road 39; west on Forest Road 42 until it becomes Forest Service Road 212; south on Forest Service Road 212; west on Forest Service Road 272; north on Forest Service Road 270 to the Forest Boundary; then west back to the beginning point of Forest Service Road 237. ~~on the east by Forest Service Roads 233, 232, 262, 214, 272 and 270; and on the north by the National Forest Service boundary to the junction with Forest Service Road 237. The eastern dog hunt area includes those lands bounded by the following roads and survey lines: Begin at the intersection of County Road 125 and the northern boundary of the National Forest, proceed south on County Road 125 to the eastern boundary of the National Forest, then south and west along the National Forest boundary to County Road 229, then north along County Roads 229 and 250, then west along Forest Service Road 232, then northwest along Forest Service Road 235 until it becomes Forest Road 39, then generally north along Forest Road 39, then northwest along Forest Road 46, then west along Forest Road 36 to the Baker County/Columbia County line, then north along the west side of Section 31, Township 1 South, Range 19 East, to the northwest corner of Section 30, Township 1 South, Range 19 East, then east along the north boundary of Section 30, Township 1 South, Range 19 East, to the NE corner of the NW 1/4 of the NW 1/4 Section 29, Township 1 North, Range 19 East, then south to the south boundary of Section 29, Township 1 South, Range 19 East, then east to the southeast corner of Section 27, Township 1 South, Range 19 East, then north along the east side of Section 27, Township 1 South, Range 19 East,~~

to the northwest corner of Section 23, Township 1 South, Range 19 East, then east to Forest Road 5, then northwest along Forest Road 5 until it becomes Forest Service Road 297, then along Forest Service Road 297 to Forest Service Road 295, then northwest and eventually northeast along Forest Service Road 295 to State Road 2, then southeast along State Road 2 to Eddy Grade, then south along Eddy Grade to the junction of Forest Road 3, then west along Forest Road 3, southwest, west, and then south along Forest Road 4, then southeast along Forest Road 24 until it intersects the northern boundary of Section 5, Township 1 South, Range 20 East, then east along the Base Line to the Northeast corner of the Northwest 1/4 of Section 3, Township 1 South, Range 20 East, then south along the east boundary of the West 1/2 of Section 3, Township 1 South, Range 20 East to the southwest corner of the North 1/2 of the Northeast 1/4 of Section 10, Township 1 South, Range 20 East, then east back to the beginning point on County Road 125. Except for these areas, the possession or use of dogs other than bird dogs or retrievers is prohibited. However, leashed or caged dogs may be kept at the East Tower, Sandhill and West Tower hunt camps during the general gun season.

2. Deer dogs may be trained from October 27 ~~28~~ through November 5 ~~6~~, except in the still hunt area.

3. No change.

4. In that portion of the ~~western~~ dog hunt area, north of Forest Service Road 262, vehicles shall be restricted to numbered roads from August 1 through January 15. In that portion of the area south of I-10 vehicles shall be restricted to numbered roads year-round. In that portion of the area lying north and northeast of Forest Service Road 200, west of Forest Service Road 255, north of Forest Service Road 232, north of Forest Service Road 212, and north of Forest Service Road 212-A in Baker County; and those lands lying north of Forest Road 36 in Columbia County, vehicles shall be restricted to numbered roads year-round.

5. through 6. No change.

7. During the fox, raccoon, opossum and bobcat; deer-dog training and general gun seasons, the possession of dogs other than bird dogs and waterfowl retrievers is prohibited, except on roads adjacent to the dog hunt area, all lands within the dog hunt area and Interstate 10; State Road 2; County Roads 125, 229, 250, 250A, Eddy Grade and Baxter Grade; and Forest Roads 231, 236, 237, 262, 263 and 285. Additionally, any leashed or caged dog may be kept at the East Tower hunt camp during the general gun season. No person shall transport dogs, other than bird dogs or retrievers, through the still hunt area to the western dog hunt area except on Forest Service Road 285; on Forest Service Road 236 eastward from US 441; on Forest Service Road 263; on Forest Service Road 262 east from US 441; on Forest Service Road 233 north from County Road 250; on Forest Service Road 233 east from US 441 to its juncture

with Forest Service Road 237 and then north on Forest Service Road 237 to the boundary of the dog hunt area, and on Forest Service Road 232 west from the east dog hunt area.

8. No change.

(6) Big Bend Wildlife Management Area – Tide Swamp Unit.

(a) Open season:

1. General gun – November 10 ~~11~~ through January 6 ~~7~~.
2. Archery – September 22 ~~23~~ through October 21 ~~22~~.
3. Muzzleloading gun – October 26-28 ~~27-29~~.
4. Small game – January 7 ~~8~~ through March 2 ~~4~~.
5. through 7. No change.
8. Spring turkey – March 15 ~~17~~ through April 20 ~~22~~.
9. Trapping – January 7 ~~8~~ through March 1.

(b) through (d) No change.

(7) Big Bend Wildlife Management Area – Spring Creek Unit.

(a) Open season:

1. General gun – November 10 ~~11~~ through January 6 ~~7~~.
2. Archery – September 22 ~~23~~ through October 21 ~~22~~.
3. Muzzleloading gun – October 26-28 ~~27-29~~.
4. Small game – January 7 ~~8~~ through March 2 ~~4~~.
5. Spring turkey – March 15 ~~17~~ through April 20 ~~22~~.
6. Trapping – January 7 ~~8~~ through March 1.

7. 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 10 ~~11~~ through January 6 ~~7~~.
2. Small game – January 7 ~~8~~ through March 2 ~~4~~.
3. Spring turkey – March 15 ~~17~~ through April 20 ~~22~~.
4. Archery – September 22 ~~23~~ through October 21 ~~22~~.
5. through 7. No change.
8. Trapping – January 7 ~~8~~ through March 1.

(b) through (d) No change.

(9) Big Bend Wildlife Management Area – Jena Unit.

(a) Open season:

1. General gun – November 10 ~~11~~ through January 6 ~~7~~.
2. Spring turkey – March 15 ~~17~~ through April 20 ~~22~~.
3. Small game – January 7 ~~8~~ through March 2 ~~4~~.
4. through 6. No change.
7. Trapping – January 7 ~~8~~ through March 1.

(b) through (d) No change.

(10) Big Bend Wildlife Management Area – Snipe Island Unit.

(a) Open season:

1. Archery – September 22 ~~23~~ through October 21 ~~22~~.
2. Muzzleloading gun – October 26-28 ~~27-29~~.
3. General gun – November 10 ~~11~~ through December 2 ~~3~~.

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~~5.6.~~ Motorized vehicles are prohibited except by persons in possession of a valid bird dog training permit or special-opportunity permit, only on days the permit is valid and only in designated parking areas or on named or numbered designated roads.

~~6.7.~~ The possession of firearms ~~other than blank firing pistols~~ is prohibited except that blank-firing pistols will be allowed during the bird dog training season; and shotguns will be allowed during the special-opportunity quail season by those persons in possession of a valid special-opportunity quail permit.

~~7.8.~~ Public access is permitted for hiking, bicycling, and horseback riding.

~~8.9.~~ Fires are prohibited.

(18) Jennings Forest Wildlife Management Area.

(a) Open season:

1. Archery – September ~~22 23~~ through October ~~7 8~~.

2. Supervised small game – October ~~13-21 44-22~~, east of Black Creek only.

3. Muzzleloading gun – October ~~26-28 27-29~~.

4. General gun – November ~~10-25 44-26~~.

5. Small game – January ~~11 42~~ through February ~~10 44~~, Fridays, Saturdays and Sundays only.

6. Spring turkey – March ~~15-18 47-20~~ and ~~19-23 24-25~~.

7. No change.

(b) through (d) No change.

(19) Holton Creek Wildlife Management Area.

(a) Open season:

1. Mobility-impaired general gun – October ~~12-14 43-45~~, ~~26-28 27-29~~, November ~~2-4 3-5~~ and December ~~14-16 45-47~~.

2. Mobility-impaired spring turkey – March ~~21-23 23-25~~ and April ~~11-13 43-45~~.

3. No change.

(b) through (d) No change.

(20) Goethe Wildlife Management Area.

(a) Open season:

1. Archery – September ~~22 23~~ through October ~~14 45~~.

2. Muzzleloading gun – October ~~26-28 27-29~~.

3. General gun (still hunt) – November ~~10-12 44-43~~ and ~~13-15 44-46~~.

4. General gun (dog hunt) – November ~~16-18 17-19~~ and ~~19-22 20-23~~.

5. Small game – January ~~12 43~~ through February ~~3 4~~.

6. Spring turkey – March ~~15-21 47-23~~ and ~~March 22-30 24 through April 1~~.

7. No change.

(b) through (d) No change.

(21) San Pedro Bay Wildlife Management Area.

(a) Open season:

1. General gun – November ~~10 44~~ through January ~~6 7~~.

2. Small game – January ~~7 8~~ through March ~~2 4~~.

3. Spring turkey – March ~~15 47~~ through April ~~20 22~~.

4. Archery – September ~~22 23~~ through October ~~21 22~~.

5. Muzzleloading gun – October ~~27 28~~ through November ~~4 5~~.

6. through 7. No change.

8. Trapping – January ~~7 8~~ through March 1.

(b) through (c) No change.

(d) General regulations:

1. Deer dogs may be trained ~~north of Camp Jackson Road~~ between the established muzzleloading gun season and general gun season.

2. through 9. No change.

~~10. The possession or use of dogs, other than bird dogs or waterfowl retrievers, is prohibited south of Camp Jackson Road during open hunting seasons.~~

(22) Citrus Wildlife Management Area.

(a) Open season:

1. General gun – December ~~15-16 46-47~~ and January ~~5-6 6-7~~.

2. Small game – January ~~7 8~~ through March ~~2 4~~.

3. Muzzleloading gun – December ~~8-9 9-10~~ and December ~~29-30 30-31~~.

4. Archery – November ~~10 44~~ through December ~~2 3~~.

5. Spring turkey – March ~~18-20 20-22~~, April ~~1-3 3-5~~ and ~~15-17 47-49~~.

6. No change.

(b) through (d) No change.

(23) Flying Eagle Wildlife Management Area.

(a) Open season:

1. Archery – September ~~29 30~~ through October ~~7 8~~.

2. Muzzleloading gun – October ~~26-28 27-29~~.

3. General gun – November ~~10-18 44-49~~.

4. Small game – November ~~23-25 24-26~~ and December ~~14-16 45-47~~.

5. Spring turkey – March ~~15-18 47-20~~ and ~~19-23 24-25~~.

6. through 7. No change.

(b) through (d) No change.

(24) Potts Wildlife Management Area.

(a) Open season:

1. Spring turkey – March ~~15-18 47-20~~ and ~~19-23 24-25~~.

2. Archery – October ~~6-14 7-15~~.

3. Muzzleloading gun – November ~~2-4 3-5~~.

4. General gun hog-dog – November ~~16-18 47-49~~.

5. Small game – December ~~7-9 8-10~~, January ~~4-6 5-7~~, and February ~~1-3 2-4~~.

6. through 7. No change.

(b) through (d) No change.

(25) Homosassa Wildlife Management Area.

(a) Open season:

1. Small game – November 10 ~~11~~ through December 2 ~~3~~ and December 22 ~~23~~ through January 6 ~~7~~.
2. General gun hog – February 7-10 ~~8-11~~ and 21-24 ~~22-25~~.
3. Special-opportunity spring turkey – March 15-21 ~~17-23~~ and March 29 ~~31~~ through April 4 ~~6~~.
4. No change.
- (b) through (d) No change.
- (26) Devil's Hammock Wildlife Management Area.
- (a) Open season:
 1. Archery – September 22-25 ~~23-26~~, September 26-30 ~~27 through October 1~~ and October 1-7 ~~2-8~~.
 2. Family hunt – October 13-14 ~~14-15~~ and 20-21 ~~21-22~~.
 3. Muzzleloading gun – October 26-28 ~~27-29~~.
 4. General gun – November 10-13 ~~11-14~~ and 14-18 ~~15-19~~.
 5. Small game – November 24 ~~25~~ through December 23 ~~24~~.
 6. Spring turkey – March 15-18 ~~17-20~~ and 19-23 ~~21-25~~.
 7. through 8. No change.
 - (b) through (d) No change.
- (27) Mallory Swamp Wildlife Management Area.
- (a) Open season:
 1. Archery – September 22 ~~23~~ through October 21 ~~22~~.
 2. Muzzleloading gun – October 27 ~~28~~ through November 4 ~~5~~ (still hunt area only).
 3. General gun – November 10 ~~11~~ through January 6 ~~7~~.
 4. Small game – January 7 ~~8~~ through February 3 ~~4~~.
 5. Spring turkey – March 15-30 ~~17 through April 1~~.
 6. No change.
 7. Trapping – January 7 ~~8~~ through March 1.
 8. No change.
 - (b) through (c) No change.
 - (d) General regulations:
 1. through 5. No change.
 6. Licensed trappers may possess .22 rimfire rifles or pistols from February 4 ~~5~~ through March 1.
 7. No change.
- (28) Middle Aucilla Wildlife Management Area.
- (a) Open season:
 1. General gun – November 10 ~~11~~ through January 6 ~~7~~.
 2. Muzzleloading gun – October 27 ~~28~~ through November 4 ~~5~~.
 3. Small game – January 7 ~~8~~ through March 2 ~~4~~.
 4. Archery – September 22 ~~23~~ through October 21 ~~22~~.
 5. Spring turkey – March 15 ~~17~~ through April 20 ~~22~~.
 6. through 7. No change.
 - (b) through (d) No change.
- (29) Little River Wildlife Management Area.
- (a) Open season:
 1. Archery – September 22-24 ~~23-25~~, September 29 ~~30~~ through October 1 ~~2~~ and October 6-8 ~~7-9~~.

2. Muzzleloading gun – October 26-28 ~~27-29~~.
3. Small game – December 1-5 ~~2-6~~ and 22-26 ~~23-27~~.
4. through 5. No change.
- (b) through (d) No change.
- (30) Troy Springs Wildlife Management Area.
- (a) Open season:
 1. Small game – November 10 ~~11~~ through January 6 ~~7~~, except on Sundays, and only in that portion of the area known as the Adams Tract located northeast of U.S. 27, east and south of County Road 251, and southwest of the Suwannee River.
 2. No change.
 - (b) through (d) No change.
- (31) Bayard Wildlife Management Area.
- (a) Open season:
 1. Archery – September 22 ~~23~~ through October 7 ~~8~~ and November 17-25 ~~18-26~~.
 2. Muzzleloading gun – October 27 ~~28~~ through November 4 ~~5~~.
 3. through 5. No change.
 - (b) through (d) No change.
- (32) Grove Park Wildlife Management Area.
- (a) Open season:
 1. Archery – September 22 ~~23~~ through October 21 ~~22~~.
 2. Muzzleloading gun – October 27 ~~28~~ through November 4 ~~5~~.
 3. General gun – November 10 ~~11~~ through January 6 ~~7~~.
 4. No change.
 5. Trapping – December 1 through January 6 ~~7~~.
 6. Spring turkey – March 15 ~~17~~ through April 20 ~~22~~.
 7. No change.
 - (b) through (d) No change.
- (33) Steinhatchee Springs Wildlife Management Area.
- (a) Open season:
 1. Archery – September 22 ~~23~~ through October 21 ~~22~~.
 2. Muzzleloading gun – October 26-28 ~~27-29~~.
 3. General gun – November 10 ~~11~~ through December 2 ~~3~~.
 4. Small game – January 19 ~~20~~ through February 17 ~~18~~.
 5. Spring turkey – March 15 ~~17~~ through April 6 ~~8~~.
 6. through 7. No change.
 - (b) through (d) No change.
- (34) Nassau Wildlife Management Area.
- (a) Open season:
 1. General gun – November 10 ~~11~~ through January 6 ~~7~~.
 2. Small game – January 7 ~~8~~ through March 2 ~~4~~.
 3. Spring turkey – March 15 ~~17~~ through April 20 ~~22~~.
 4. Archery – September 22 ~~23~~ through October 21 ~~22~~.
 5. Muzzleloading gun – October 27 ~~28~~ through November 4 ~~5~~.
 6. No change.
 7. Trapping – January 7 ~~8~~ through March 1.

(b) through (d) No change.

(35) Cary Wildlife Management Area.

(a) Open season:

1. Archery – October ~~13-14~~ ~~14-15~~, November ~~3-4~~ ~~4-5~~ and ~~17-18~~ ~~18-19~~, December ~~8-9~~ ~~9-10~~ and ~~22-23~~ ~~23-24~~.

2. Muzzleloading gun – December ~~29-30~~ ~~30-31~~ and January ~~12-13~~ ~~13-14~~.

3. No change.

(b) through (d) No change.

(36) Ralph E. Simmons Memorial Wildlife Management Area.

(a) Open season:

1. General gun – November ~~17-25~~ ~~18-26~~.

2. Archery – September ~~22-30~~ ~~23 through October 1~~.

3. Muzzleloading gun – October ~~27~~ ~~28~~ through November ~~4~~ ~~5~~.

4. General gun for mobility-impaired – October ~~13-16~~ ~~14-17~~.

5. Small game – December ~~17-30~~ ~~18-31~~ and February ~~2-10~~ ~~3-11~~.

6. through 8. No change.

(b) through (d) No change.

(37) Lower Econfina River Wildlife Management Area.

(a) Open season:

1. Archery – September 22 – October 7.

2. Muzzleloading gun – October 26-28.

3. Small game – January 21 – March 2

4. Spring turkey – March 15-23.

5. Fishing and frogging – Throughout the year.

(b) Legal to take: All legal game, hogs, fish, frogs and furbearers. No size or bag limit on hogs.

(c) General regulations:

1. The possession or use of dogs, other than bird dogs or dogs with a shoulder height of fifteen inches or less is prohibited, except as provided by paragraph 68A-15.004(7)(c) or (d), F.A.C.

2. Hunting hogs with dogs is prohibited.

3. Fires are prohibited.

4. Public access is prohibited from 1.5 hours after sunset until 1.5 hours before sunrise.

5. Motorized vehicles may be operated only on named or numbered roads. The area east of the Lower Econfina River is open for motorized vehicles only during open hunting seasons.

6. Motorcycles and all-terrain vehicles are prohibited.

PROPOSED EFFECTIVE DATE: July 1, 2007.

Specific Authority Art. IV, Sec. 9, Fla. Const., 372.121, 375.313 FS. Law Implemented Art. IV, Sec. 9, Fla. Const., 372.121, 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.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Nick Wiley, Director, Division of Hunting and Game Management

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mr. Kenneth D. Haddad, Executive Director

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 6, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 22, 2006

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 changes 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 changes will be to enable the agency to better manage fish and wildlife resources and public use on WMAs.

SUMMARY: The proposed rule changes 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:

Econfina Creek WMA – The proposed rule change would allow hunting on Econfina Road.

Escambia River WMA – The proposed rule change would extend the general gun season from 26 to 58 days by converting the archery/muzzleloading gun season to a general gun season. Note that deer dog hunting is currently allowed during the 26-day general gun season. This change would allow deer dog hunting opportunities for a full 58-day general gun season.

Wakulla WMA – The proposed rule change would realign existing archery/muzzleloading gun hunts to every other weekend instead of consecutive weekends; and provide for the small game season to begin the day after the end of the archery/muzzleloading gun season to run for 28 consecutive days.

Perdido River WMA – The proposed rule would establish regulations for the new WMA with the following open seasons: 30-day archery; 3-day muzzleloading gun; 4-day and 3-day family hunt; 7-day and 9-day general gun; 11-day archery and muzzleloading gun; 30-day small game; 9-day and 14-day spring turkey; migratory game birds during statewide seasons; fishing and frogging – throughout the year. It would establish as legal to take all legal game, hogs, fish, frogs and furbearers with no size or bag limit on hogs, and establish the following hunter quotas: archery – 40 by archery/muzzleloading gun quota application, no exemptions; muzzleloading gun – 40 by archery/muzzleloading gun quota application, no exemptions; family hunt – 20 by family hunt quota application for each hunt, no exemptions; general gun – 40 by general gun quota application for each hunt, no exemptions; archery and muzzleloading gun – 40 by archery/muzzleloading gun application, no exemptions; spring turkey – 15 by spring turkey application for each hunt, no exemptions. It would allow camping at designated sites or by permit from the Northwest Florida Water Management District; allow vehicles to be operated only on named or numbered roads; prohibit ATVs; allow hunting with bird dogs and retrievers; allow horses on designated horse trails only; and, prohibit the possession or consumption of intoxicating beverages.

Tate's Hell WMA – The proposed rule change would allow the use of off-highway vehicles, including ATVs, by permit from the Florida Division of Forestry.

Tyndall AFB WMA – The proposed rule change would prohibit the taking of any antlered deer with less than 3-points on a side, each point 1 inch or more in length; and prohibit the use of handguns, rimfire or centerfire rifles for taking wildlife.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: Article IV, Section 9, Florida Constitution, 372.121, 375.313 FS.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution, 372.121, 375.313 FS.

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

DATES AND TIME: During the Commission's regular meeting, February 7-8, 2007, 8:30 a.m. – 5:00 p.m., each day

PLACE: Sandestin Golf and Beach Resort, 9300 Emerald Coast Parkway West, Destin, Florida 32550

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 calendar 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 by calling (850)488-9542

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Nick Wiley, 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~~ ~~23-26~~ and December ~~9~~ ~~9~~ through February ~~10~~ ~~11~~ (Mondays, Wednesdays and Fridays closed to hunting in Zones A and B).

2. Archery – October ~~13~~ ~~14~~ through November ~~11~~ ~~12~~.

3. No change.

4. Muzzleloading gun – November ~~16-18~~ ~~17-19~~.

5. through 7. No change.

8. Quail (Zone A) – December ~~18~~ ~~19~~ through January ~~6~~ ~~7~~ (Mondays, Wednesdays and Fridays closed to hunting).

9. Spring turkey (Zones B and C) – March ~~15~~ ~~17~~ through April ~~20~~ ~~22~~ (Fridays, Saturdays, and Sundays only).

(b) through (d) No change.

(2) Apalachicola Wildlife Management Area.

(a) Open season:

1. General gun – November ~~22-25~~ ~~23-26~~ and December ~~8~~ ~~9~~ through January ~~30~~ ~~31~~.

2. Small game – November ~~10-21~~ ~~11-22~~, November ~~26~~ ~~27~~ through December ~~7~~ ~~8~~ and ~~January 31 through March 2~~ ~~February 1 through March 4~~.

3. Spring turkey – March ~~15~~ ~~17~~ through April ~~20~~ ~~22~~.

4. Archery – October ~~13~~ ~~14~~ through November ~~11~~ ~~12~~.

5. Muzzleloading gun – November ~~16-18~~ ~~17-19~~.

6. Muzzleloading gun and archery – February ~~14-24~~ ~~15-25~~.

7. No change.

8. Fox, raccoon, opossum and bobcat – October 1 through March ~~2~~ ~~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. No guns may be used prior to November ~~22~~ ~~23~~.

9. Trapping – ~~January 31~~ ~~February 1~~ through March 1.

10. No change.

(b) Legal to take: All legal game, hog, fish, frogs and furbearers. Bearded turkeys or gobblers may be taken from November 22-25 ~~23-26~~ and from December 8-19 ~~9-20~~. Hog may be taken only during the archery, muzzleloading gun, general gun, archery and muzzleloading and small game seasons. No size or bag limit on hog.

(c) No change.

(d) General regulations:

1. No change.

2. Bird dogs may be trained from June 1 through March 2

4. Deer dogs may be trained from October 27 ~~28~~ through November 15 ~~16~~ in that portion of the area open to hunting fox, raccoon, opossum and bobcats.

3. No change.

4. During the November 10 ~~11~~ through March 2 ~~4~~ period, hunting as specified by paragraph 68A-24.002(2)(b), F.A.C., is permitted.

5. through 9. No change.

(3) Apalachicola Wildlife Management Area – Bradwell Unit.

(a) Open season:

1. General gun – November 22-25 ~~23-26~~ and December 8-12 ~~9-13~~.

2. Archery – October 13-19 and 20-28 ~~14-29~~.

3. Muzzleloading gun – November 16-18 ~~17-19~~.

4. Small game – November 10-15 ~~11-16~~ and 19-21 ~~20-22~~.

5. Spring turkey – March 15-16 ~~17-18~~ and March 28-30 ~~March 30 through April 1~~.

6. through 7. No change.

(b) through (d) No change.

(4) Blackwater Wildlife Management Area.

(a) Open seasons in the still hunt area (which includes that portion of the area south of 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 ~~23-26~~ and December 8 ~~9~~ through January 30 ~~31~~.

2. Small game – November 10-21 ~~11-22~~, November 26 ~~27~~ through December 7 ~~8~~ and January 31 through March 2 ~~February 1 through March 4~~.

3. Spring turkey – March 15 ~~17~~ through April 20 ~~22~~.

4. Archery – October 13 ~~14~~ through November 11 ~~12~~.

5. Muzzleloading gun – November 16-18 ~~17-19~~.

6. Muzzleloading gun and archery – February 14-24 ~~15-25~~.

7. through 9. 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 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 ~~23-26~~, December 8-23 ~~9-24~~, and January 7 ~~8~~ through January 30 ~~31~~.

2. General gun still – December 24 ~~25~~ through January 6 ~~7~~.

3. Small game – November 10-21 ~~11-22~~, November 26 ~~27~~ through December 7 ~~8~~ and January 31 through March 2 ~~February 1 through March 4~~.

4. Spring turkey – March 15 ~~17~~ through April 20 ~~22~~.

5. Archery – October 13 ~~14~~ through November 11 ~~12~~.

6. Muzzleloading gun – November 16-18 ~~17-19~~.

7. Muzzleloading gun and archery – February 14-24 ~~15-25~~.

8. Fox, raccoon, opossum and bobcat – May 1 through March 9 ~~11~~, in that portion of the dog hunt area east of Belandville Road.

9. through 11. 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, State Road 191 on the southeast, and on a line running west 3/4 mile from the intersection of State Road 191 and 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 13 ~~14~~ through November 11 ~~12~~.

2. Muzzleloading gun and archery – January 18-20 ~~19-21~~.

3. through 4. No change.

5. Quail – February 4-7 ~~5-8~~ and February 18-21 ~~19-22~~.

6. No change.

(d) Legal to take: All legal game, hog, fish, frogs and furbearers. During the January 18-20 ~~19-21~~ archery/muzzleloading gun season on the field trial portion of the area any deer (daily bag limit one) except spotted fawns may be taken. No size or bag limit on hog. Taking quail is prohibited on the field trial area except during the quail season. 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 3:00 p.m. Central Time is prohibited during the quail season on the field trial area.

(e) through (f) No change.

(5) Blackwater Wildlife Management Area – Hutton Unit.

(a) Open season:

1. Archery – October 13-16 and 17-21 ~~14-22~~.

2. Muzzleloading gun – November 16-18 ~~17-19~~.

3. Quail – November ~~10-11 11-12, 21-22 22-23~~, December ~~1-2 2-3, 10-11 11-12, 15-16 16-17, 24-25 25-26~~ and December ~~29-30 30-31~~.

4. General gun – January ~~12-15 and 16-20 13-21~~.

5. Mobility-impaired general gun – January ~~25-27 26-28~~ and February ~~1-3 2-4~~.

6. Spring turkey – March ~~15-17 17-19, March 28-30 March 30 through April 1, and April 11-13 13-15~~.

7. through 8. No change.

(b) through (d) No change.

(6) Blackwater Wildlife Management Area – Carr Unit.

(a) Open season: Quail: November ~~10-16 11-17, 17-23 18-24, November 24-30 November 25 through December 1, December 1-7 2-8, 8-14 9-15, 15-21 16-22, 22-28 23-29, December 29 30 through January 4 5, January 5-11 6-12, 12-18 13-19, 19-25 20-26, January 26 27 through February 1 2, February 2-8 3-9, 9-15 10-16, 16-22 17-23 and 23-29 February 24 through March 2~~.

(b) through (c) No change.

(d) General regulations:

1. A special-opportunity quail hunt permit (no exemptions) as provided in Rule 68A-9.007, F.A.C., shall be required for each group entering the area to release or take quail.

2. through 8. No change.

(7) Joe Budd Wildlife Management Area.

(a) Open season:

1. Archery – December ~~7 8~~ through January ~~6 7~~ (Fridays, Saturdays and Sundays only).

2. Archery and muzzleloading gun – January ~~11-27 12-28~~ (Fridays, Saturdays and Sundays only).

3. Small game – October ~~6 7~~ through December ~~2 3~~ (Saturdays and Sundays only).

4. Spring turkey – March ~~15 17~~ through April ~~20 22~~ (Saturdays and Sundays only).

5. No change.

(b) through (d) No change.

(8) Robert Brent Wildlife Management Area.

(a) Open season:

1. General gun – November ~~22-25 23-26~~ and December ~~8 9~~ through January ~~30 31~~.

2. Small game – November ~~10-21 11-22, November 26 27 through December 7 8 and January 31 through March 2 February 1 through March 4~~.

3. Spring turkey – March ~~15 17~~ through April ~~20 22~~.

4. Archery – October ~~13 14~~ through November ~~11 12~~.

5. Muzzleloading gun – November ~~16-18 17-19~~.

6. Archery and muzzleloading gun – February ~~14-24 15-25~~.

7. through 9. No change.

(b) Legal to take: All legal game, fish, frogs and furbearers. Bearded turkeys or gobblers may be taken from November ~~22-25 23-26~~ and from December ~~8-19 9-20~~. Taking of antlered deer not having at least one antler with three or more points, one inch or more in length, is prohibited.

(c) through (d) No change.

(9) Blue Water Creek Wildlife Management Area.

(a) Open season:

1. General gun – November ~~22-25 23-26~~ and December ~~8 9~~ through January ~~30 31~~.

2. Small game – February ~~16 17~~ through March ~~2 4~~ (Saturdays and Sundays only).

3. Archery – October ~~13 14~~ through November ~~11 12~~.

4. Spring turkey – March ~~15 17~~ through April ~~20 22~~.

5. Archery and muzzleloading gun – ~~January 31 through February 13 February 1-14~~.

6. Muzzleloading gun – November ~~16-18 17-19~~.

7. No change.

(b) through (d) No change.

(10) Point Washington Wildlife Management Area.

(a) Open season:

1. General gun – November ~~22-25 23-26~~ and December ~~8 9~~ through January ~~30 31~~.

2. Small game – November ~~10-21 11-22, November 26 27 through December 7 8 and January 31 through March 2 February 1 through March 4~~.

3. Spring turkey – March ~~15 17~~ through April ~~20 22~~.

4. Archery – October ~~13 14~~ through November ~~11 12~~.

5. Muzzleloading gun – November ~~16-18 17-19~~.

6. Archery and muzzleloading gun – February ~~14-24 15-25~~.

7. through 8. No change.

(b) through (d) No change.

(11) Talquin Wildlife Management Area.

(a) Open season:

1. General gun – November ~~23-25 24-26~~ and December ~~8-30 9-31~~ (Fridays, Saturdays and Sundays only).

2. Small game – January ~~4 5~~ through March ~~2 4~~ (Fridays, Saturdays and Sundays only).

3. Archery – October ~~13 14~~ through November ~~11 12~~ (Fridays, Saturdays and Sundays only).

4. Spring turkey – March ~~15 17~~ through April ~~20 22~~ (Saturdays and Sundays only).

5. through 6. No change.

(b) through (c) No change.

(d) General regulations:

1. through 3. No change.

~~4. Hunters shall check in and out at the check station on December 31 and check all game taken.~~

(12) Ochlockonee River Wildlife Management Area.

(a) Open season:

1. Archery and muzzleloading gun – November 23-25 ~~24-26~~ and December 8-30 ~~9-31~~ (Fridays, Saturdays and Sundays only).

2. Small game – January 4 ~~5~~ through March 2 ~~4~~ (Fridays, Saturdays and Sundays only).

3. Archery – October 13 ~~14~~ through November 11 ~~12~~ (Fridays, Saturdays and Sundays only).

4. Spring turkey – March 15 ~~17~~ through April 20 ~~22~~ (Saturdays and Sundays only).

5. No change.

(b) through (d) No change.

(13) Tate's Hell Wildlife Management Area.

(a) Open season:

1. General gun – November 22-25 ~~23-26~~ and December 8 ~~9~~ through January 30 ~~31~~.

2. Small game – November 10-21 ~~11-22~~, November 26 ~~27~~ through December 7 ~~8~~ and January 31 through March 2 ~~February 1 through March 4~~.

3. Archery – October 13 ~~14~~ through November 11 ~~12~~.

4. Muzzleloading gun – November 16-18 ~~17-19~~.

5. Muzzleloading gun and archery – February 14-24 ~~15-25~~.

6. through 8. No change.

9. Spring turkey – March 15 ~~17~~ through April 20 ~~22~~.

10. through 11. No change.

(b) through (c) No change.

(d) General regulations:

1. Deer dogs may be trained from October 27 ~~28~~ through November 15 ~~16~~.

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 Division of Forestry ~~may be operated on designated off-highway vehicle trails only~~. Airboats and tracked vehicles are prohibited.

4. through 5. No change.

(14) Tate's Hell Wildlife Management Area – Womack Creek Unit.

(a) Open season:

1. Archery – October 13-21 ~~14-22~~.

2. Muzzleloading gun – November 16-18 ~~17-19~~.

3. Small game – November 10-21 ~~11-22~~, November 26 ~~27~~ through December 7 ~~8~~, December 17-22 ~~18-23~~ and January 5-30 ~~6-31~~.

4. General gun still – November 22-25 ~~23-26~~ and December 8-16 ~~9-17~~.

5. through 6. No change.

7. Spring turkey – March 15-18 ~~17-20~~, March 27-30 ~~March 29 through April 1~~ and April 3-6 ~~5-8~~.

8. through 9. No change.

(b) through (d) No change.

(15) Aucilla Wildlife Management Area.

(a) Open season:

1. General gun – November 10 ~~11~~ through January 6 ~~7~~.

2. Small game – January 7 ~~8~~ through March 2 ~~4~~.

3. Spring turkey – March 15 ~~17~~ through April 20 ~~22~~.

4. Archery – September 22 ~~23~~ through October 21 ~~22~~.

5. Muzzleloading gun – October 26-28 ~~27-29~~.

6. through 8. No change.

9. Trapping – January 7 ~~8~~ through March 1.

(b) through (d) No change.

(16) Flint Rock Wildlife Management Area.

(a) Open season:

1. Muzzleloading gun – October 27 ~~28~~ through November 4 ~~5~~.

2. General gun – November 10 ~~11~~ through January 20 ~~21~~.

3. Small game – January 21 ~~8~~ through March 2 ~~4~~.

4. Spring turkey – March 15 ~~17~~ through April 20 ~~22~~.

5. Archery – September 22 ~~23~~ through October 21 ~~22~~.

6. through 8. No change.

9. Trapping – January 21 ~~8~~ through March 1.

(b) through (d) No change.

(17) Pine Log Wildlife Management Area.

(a) Open season:

1. Archery – October 13-28 ~~14-29~~.

2. Muzzleloading gun – November 16-18 ~~17-19~~.

3. General gun – November 22-25 ~~23-26~~, January 19-22 ~~20-23~~ and January 23-27 ~~24-28~~.

4. Small game – December 1-31 ~~2-31~~.

5. Spring turkey – March 15-30 ~~March 17 through April 1~~.

6. No change.

(b) through (d) No change.

(18) Eglin AFB Wildlife Management Area.

(a) Open season:

1. Archery – October 13 ~~14~~ through November 11 ~~12~~ in areas and during days specified by the Installation Commander.

2. Muzzleloading gun – November 16-18 ~~17-19~~ in areas specified by the Installation Commander.

3. General gun – November 22-25 ~~23-26~~, December 8 ~~9~~ through February 3 ~~4~~ in areas and during days specified by the Installation Commander.

4. Archery and muzzleloading gun – February 4-24 ~~5-25~~ in areas and during days specified by the Installation Commander.

5. Small game – November 10 ~~11~~ through March 2 ~~4~~ in areas and during days specified by the Installation Commander.

6. No change.

7. Spring turkey – March 15 ~~17~~ through April 20 ~~22~~ in areas and during days specified by the Installation Commander.

8. through 10. No change.

(b) through (c) No change.

(d) General regulations:

1. through 5. No change.

6. During November 10 ~~11~~ through March 2 ~~4~~, hunting as specified by paragraph 68A-24.002(2)(b), F.A.C., is permitted.

7. through 10. No change.

(19) Escambia River Wildlife Management Area.

(a) Open season:

1. General gun – November 22-25 ~~23-26~~ and December 8 through January 30 ~~December 9-31~~.

2. Archery – October 13 ~~14~~ through November 11 ~~12~~.

3. Muzzleloading gun – November 16-18 ~~17-19~~.

4. Archery and muzzleloading gun – January 1-31 ~~and February 14-24~~ ~~15-25~~.

5. Small game – November 10-21 ~~11-12~~, November 26 ~~27~~ through December 7 ~~8~~ and January 31 ~~1~~ through March 2 ~~4~~.

6. Spring turkey – March 15 ~~17~~ through April 20 ~~22~~.

7. through 9. No change.

(b) through (d) No change.

(20) Tyndall AFB Wildlife Management Area.

(a) Open season:

1. Archery – October 13 ~~14~~ through November 11 ~~12~~ during days specified by the Installation Commander.

2. Muzzleloading gun – November 16-18 ~~17-19~~.

3. General gun – November 22-25 ~~23-26~~ and December 8 ~~9~~ through February 13 ~~14~~ during days specified by the Installation Commander.

4. Supervised youth – November 17-18 ~~18-19~~, December 1-2 ~~2-3~~ and 15-16 ~~16-17~~ (only in areas designated by the Installation Commander).

5. Spring turkey – March 15 ~~17~~ through April 20 ~~22~~ during days specified by the Installation Commander.

6. Small game – November 10 ~~11~~ through March 2 ~~4~~ during days specified by the Installation Commander.

7. through 8. No change.

(b) Legal to take: All legal game, hog, fish, frogs and furbearers. The taking of any deer not having at least one antler with three or more points (each point one-inch in length or more) is prohibited in areas specified by the Installation Commander. Taking of antlered deer not having at least one forked antler and having one or more antlers at least 5 inches in length visible above the hairline is prohibited. Antler restrictions shall not apply during the supervised youth hunt. Antlerless deer may be taken during established seasons by permit from the Installation Commander. No size or bag limit on hog.

(c) No change.

(d) General regulations:

1. through 3. No change.

4. The use of handguns, rimfire and centerfire rifles are prohibited for taking wildlife.

(21) Choctawhatchee River Wildlife Management Area.

(a) Open season:

1. Archery – October 13 ~~14~~ through November 11 ~~12~~.

2. Muzzleloading gun – November 16-18 ~~17-19~~.

3. General gun – November 22-25 ~~23-26~~ and December 8 ~~9~~ through January 30 ~~31~~ except Holmes Creek Unit and East River Island.

4. Small game – November 10-21 ~~11-22~~, November 26 ~~27~~ through December 7 ~~8~~ and January 31 through March 2 ~~February 1~~ through March 4.

5. Archery and muzzleloading gun – February 14-24 ~~15-25~~. Holmes Creek Unit and East River Island November 22-25 ~~23-26~~, December 8 ~~9~~ through January 30 ~~31~~ and February 14-24 ~~15-25~~.

6. Spring turkey – March 15 ~~17~~ through April 20 ~~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 15-17 ~~17-19~~ in that portion of the area north of the pipeline right-of-way.

7. through 8. No change.

9. Trapping – December 1 through March 1 in still hunt areas and January 31 ~~February 1~~ through March 1 in dog hunt areas.

(b) through (d) No change.

(22) Upper Chipola River Wildlife Management Area.

(a) Open season:

1. Archery – October 13 ~~14~~ through November 11 ~~12~~.

2. Muzzleloading gun – November 16-18 ~~17-19~~.

3. General gun – November 22-25 ~~23-26~~ and December 8 ~~9~~ through January 1.

4. Small game – November 10-21 ~~11-12~~, November 26 ~~27~~ through December 7 ~~8~~ and January 2 through March 2 ~~4~~.

5. Archery and muzzleloading gun – February 16-17 ~~17-18~~ and 23-24 ~~24-25~~.

6. Spring turkey – March 15 ~~17~~ through April 20 ~~22~~.

7. through 9. No change.

(b) through (d) No change..

(23) Yellow River Wildlife Management Area.

(a) Open seasons except in the Grassy Point area:

1. Archery – October 13 ~~14~~ through November 11 ~~12~~.

2. Muzzleloading gun – November 16-18 ~~17-19~~.

3. General gun – November 22-25 ~~23-26~~ and December 8 ~~9~~ through January 30 ~~31~~.

4. Small game – November 10-21, November 26 through December 7 and January 31 through March 2 ~~November 11 through March 4~~.

5. Archery and muzzleloading gun – February 14-24 ~~15-25~~.

6. Spring turkey – March 15 ~~17~~ through April 20 ~~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, January 19-22 and 23-27 ~~November 23-26 and January 20-28.~~

2. Archery – October 13-19 and 20-28 ~~14-29.~~

3. Muzzleloading gun – November 16-18 ~~17-19.~~

4. Spring turkey – March 15-16 ~~17-18, March 29-30~~
~~March 31 through April 1 and April 12-13~~ ~~14-15.~~

5. Small game – November 10-15 ~~11-16~~ and 19-21 ~~20-22.~~

6. No change.

(c) through (e) No change.

(24) Econfina Creek Wildlife Management Area.

(a) Open season except in the mobility-impaired, Cat Creek, and Fitzhugh Carter areas.

1. Archery – October 13 ~~14~~ through November 11 ~~12.~~

2. Muzzleloading gun – November 16-18 ~~17-19.~~

3. General gun – November 22-25 ~~23-26~~ and December 8
9 through January 30 ~~31.~~

4. Small game – November 10-21, November 26 through
December 7 and January 31 through March 2 ~~November 11~~
~~through March 4.~~

5. Archery and muzzleloading gun – February 14-24
15-25.

6. Spring turkey – March 15 ~~17~~ through April 20 ~~22.~~

7. Raccoon – November 10 ~~11~~ through March 14 ~~16~~ and
April 21 ~~23~~ through July 31.

8. through 9. No change.

(b) Open seasons in the mobility-impaired hunt area (area south of County Road 388):

1. General gun – November 23-25 ~~24-26~~, January 11-13
12-14, 18-20 ~~19-21, 25-27~~ ~~26-28~~ and January 30 ~~31~~ through
February 1 ~~2.~~

2. Spring turkey – March 15-16 ~~17-18, 21-23~~ ~~23-25,~~
March 28-30 ~~March 30 through April 1, April 4-6~~ ~~6-8, 11-13~~
~~13-15 and 18-20~~ ~~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 13-28 ~~14-29.~~

2. Muzzleloading gun – November 16-18 ~~17-19.~~

3. General gun – November 22-25 ~~23-26~~, January 19-22
20-23 and 23-27 ~~24-28.~~

4. Small game – December 1-16 ~~2-17.~~

5. Spring turkey – March 15-17 ~~17-19, March 28-30~~
~~March 30 through April 1 and April 11-13~~ ~~13-15.~~

6. through 7. No change.

(d) through (e) No change.

(f) General regulations:

1. through 5. No change.

6. Taking of wildlife by use of a gun on or from rights-of-way of Thomas Road, Rattlesnake Road, Strickland Road, Porter Pond Road, Duma Jack/Deadening Road, ~~Econfina Road~~, Greenhead Road, Hampshire Boulevard, Cat Creek Road, Enfinger Road, S.R. 20, or C.R. 388 is prohibited.

7. through 10. No change.

(25) Box-R Wildlife Management Area.

(a) Open season:

1. Archery – October 13-19 ~~14-20~~ and 20-28 ~~21-29.~~

2. Small game – November 10-15 ~~11-16.~~

3. Muzzleloading gun – November 16-18 ~~17-19.~~

4. General gun – November 22-25 ~~23-26~~, January 3-6 ~~4-7,~~
10-13 ~~11-14~~ and 17-20 ~~18-21.~~

5. Hog – December 1-7 ~~2-8.~~

6. Spring turkey – March 15-18 ~~17-20, March 27-30~~
~~March 29 through April 1 and April 10-13~~ ~~12-15.~~

7. No change.

(b) through (c) No change.

(d) General regulations:

1. through 2. No change.

3. During periods when the area is closed to hunting, public access other than on foot (pedestrian), horseback (equestrian), or by bicycle is prohibited except that motorized vehicles may be used on Pine Log Bluff Road and one day immediately prior to each hunt.

4. through 8. No change.

9. Taking or attempting to take wildlife by use of a gun on or from the rights-of-way of County Road 385, County Road 384, Moses Road, Teat Road, or Pine Log Bluff Road is prohibited.

10. No change.

(26) Lafayette Creek Wildlife Management Area.

(a) Open season:

1. Archery – October 13-19 ~~14-20~~ and 20-28 ~~21-29.~~

2. Muzzleloading gun – November 16-18 ~~17-19.~~

3. Family hunt – November 22-25 ~~23-26.~~

4. General gun – January 19-22 ~~20-23~~ and 23-27 ~~24-28.~~

5. Small game – November 30 through January 13
~~December 1 through January 14~~ (Fridays, Saturdays and Sundays only).

6. Spring turkey – March 15 ~~17~~ through April 20 ~~22~~
(Saturdays and Sundays only).

7. through 8. No change.

(b) through (d) No change.

(27) Wakulla Wildlife Management Area.

(a) Open season:

1. Archery – October 13 ~~14~~ through November 11 ~~12~~
(Fridays, Saturdays and Sundays only).

2. Archery and muzzleloading gun – November 23-25,
December 8-9, 21-23, January 4-6 and 18-20 ~~November 24-26~~
~~and December 9-31~~ (Fridays, Saturdays and Sundays only).

3. Small game – January 21 through February 17 January 5 through March 4 (Fridays, Saturdays and Sundays only).

4. Spring turkey – March 15 47 through April 20 22 (Saturdays and Sundays only).

5. No change.

(b) through (d) No change.

(28) Perdido River Wildlife Management Area

(a) Open season:

1. Archery – October 13 through November 11.

2. Muzzleloading gun – November 16-18.

3. Family hunt – November 22-25 and January 4-6.

4. General gun – January 12-18 and 19-27.

5. Archery and muzzleloading gun – February 14-24.

6. Small game – December 1-30.

7. Spring turkey – March 15-23 and March 24 through April 6.

6. Migratory game birds – Migratory game birds during seasons established by Rules 68A-13.003 and 68A-13.008, F.A.C.

7. Fishing and frogging – Throughout the year.

8. Trapping – Prohibited.

(b) Legal to take: All legal game, hog, fish, frogs and furbearers. No size or bag limit on hogs.

(c) Camping: Prohibited, except at designated campsites or by permit from Northwest Florida Water Management District.

(d) General regulations:

1. Vehicles may be operated only on named or numbered roads.

2. ATVs are prohibited.

3. Hunting with dogs, other than bird dogs or retrievers, is prohibited.

4. Horses are allowed on designated horse trails only.

5. The possession or consumption of intoxicating beverages is prohibited.

6. During the family hunts, one or two persons per hunt permit under 16 years of age but not younger than 8 years of age may hunt as provided in Section 790.22, F.S. These persons must be under the supervision and in the presence of one adult not younger than 18 years of age. The adult may only hunt when in the presence of at least one person under 16 years of age but not younger than 8 years of age.

PROPOSED EFFECTIVE DATE: July 1, 2007.

Specific Authority Art. IV, Sec. 9, Fla. Const., 372.121, 375.313 FS. Law Implemented Art. IV, Sec. 9, Fla. Const., 372.121, 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.

NAME OF PERSON ORIGINATING PROPOSED RULE: Nick Wiley, Director, Division of Hunting and Game Management

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mr. Kenneth D. Haddad, Executive Director

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 6, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 22, 2006

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 changes 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 changes will be to enable the agency to better manage fish and wildlife resources and public use on WMAs.

SUMMARY: The proposed rule changes 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:

Holey Land WMA – The proposed rule change would allow for the transfer of general gun-vehicle permits and deer tags by FWC law enforcement supervisors or their designees in the case of a disabled track vehicle.

Everglades and Francis S. Taylor WMA – The proposed rule change would allow for the transfer of general gun-vehicle permits and deer tags by FWC law enforcement supervisors or their designees in the case of a disabled track vehicle or airboat.

Rotenberger WMA – The proposed rule change would allow for the transfer of general gun-vehicle permits and deer tags by FWC law enforcement supervisors or their designees in the case of a disabled track vehicle.

Picayune Strand WMA – The proposed rule change would expand the migratory bird hunting season to match the statewide season.

Allapattah Flats WMA – The proposed rule would establish regulations for the new WMA with the following open seasons: 7-day and 9-day archery; 3-day muzzleloading gun; 4-day family hunt; 5-day general gun; 58-day small game; 4-day and 5-day spring turkey; and fishing – throughout the year. It would establish as legal to take all legal game, hogs, fish, and furbearers (except bobcat and otter) with no size or bag limit on hogs, allow turkey to be taken during spring turkey season only, and establish a bag limit of one per quota

permit for deer and wild turkey. It would establish the following hunter quotas: archery – 50 by archery/muzzleloading gun quota application for each hunt, no exemptions; muzzleloading gun – 50 by archery/muzzleloading gun quota application, no exemptions; family hunt – 25 by family hunt quota application, no exemptions; general gun – 50 by general gun quota application, no exemptions; spring turkey – 20 by spring turkey quota application for each hunt, no exemptions. It would allow tent camping and fires at designated sites; allow vehicles to be operated only on named or numbered roads year-round; allow vehicles to be operated on numbered trails during archery, muzzleloading gun, family hunt, general gun, and spring turkey seasons by persons possessing a valid quota permit; prohibit tracked vehicles, swamp buggies, airboats, motorcycles, and all-terrain vehicles; require all hunters to check in and out when entering and exiting the area at a designated entrance and to check all game taken; prohibit the dismemberment of deer until checked at a check station; prohibit the take of wildlife with dogs, except with bird dogs or retrievers during the small game season; allow horses on named equestrian trails and designated equestrian areas only and allow shotguns only during small game season.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: Article IV, Section 9, Florida Constitution, 372.121, 375.313 FS.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution, 372.121, 375.313 FS.

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

DATES AND TIME: During the Commission's regular meeting, February 7-8, 2007, 8:30 a.m. – 5:00 p.m., each day

PLACE: Sandestin Golf and Beach Resort, 9300 Emerald Coast Parkway, West, Destin, FL 32550

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 calendar 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 by calling (850)488-9542.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Nick Wiley, 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) No change.

(2) Holey Land Wildlife Management Area.

(a) Open season:

1. General gun – Walk, October ~~20-28~~ 21-29.

2. General gun – Vehicle, November ~~3-18~~ 4-19 (tracked vehicles and airboats only). Deer hunting by permit only during the general gun-vehicle season.

3. Archery – August ~~25~~ 26 through September ~~16~~ 17.

4. Muzzleloading gun – September ~~29~~ 30 through October ~~14~~ 15.

5. through 6. No change.

(b) through (c) No change.

(d) General regulations:

1. through 2. No change.

3. A general gun-vehicle permit is required of any person to operate a vehicle during the general gun-vehicle season. A general gun-vehicle permit and tag shall only be transferred in the field by Florida Fish and Wildlife Conservation Commission law enforcement supervisors or their designees when a tracked vehicle becomes inoperable and unable to be repaired while within the wildlife management area to which the tracked vehicle is assigned as determined by the general gun-vehicle permit. ~~General gun-vehicle permits and tags are not transferable, except as provided in subsection 68A-11.005(9), F.A.C.~~

4. through 18. No change.

(e) No change.

(3) Everglades and Francis S. Taylor Wildlife Management Area.

(a) Open season:

1. General gun – Walk, October ~~20-28~~ 21-29 Conservation Areas 3A North and 2 only. December ~~1-30~~ 2-31 in that portion of the area between the Old Miami Canal (Mud Canal) and the New Miami Canal in Conservation Area 3A North only.

2. General gun – Vehicle (airboats and tracked vehicles only), November ~~3-18~~ 4-19, in Conservation Areas 3A North, 3A South, 2, and the Francis S. Taylor Wildlife Management Area by permit only.

3. Archery – August ~~25~~ 26 through September ~~16~~ 17, Conservation Area 3A North only.

4. Muzzleloading gun – September ~~29~~ 30 through October ~~14~~ 15, in Conservation Area 3A North only.

5. through 6. No change.

(b) through (c) No change.

(d) General regulations:

1. through 6. No change.

7. A general gun-vehicle permit is required of any person to operate a vehicle during the general gun-vehicle season. General gun-vehicle permits will be given to both tracked vehicle and airboat hunters. A general gun-vehicle permit and tag shall only be transferred in the field by Florida Fish and Wildlife Conservation Commission law enforcement supervisors or their designees when a vehicle or airboat becomes inoperable and unable to be repaired while within the wildlife management area to which the vehicle or airboat is assigned as determined by the general gun-vehicle permit. ~~General gun-vehicle permits and tags are not transferable, except as provided in subsection 68A-11.005(9), F.A.C.~~

8. through 23. No change.

(e) No change.

(4) Rotenberger Wildlife Management Area.

(a) Open season:

1. General gun – Walk, October 20-28 ~~21-29~~.

2. General gun – Vehicle (airboats and tracked vehicles only), November 3-18 ~~4-19~~ by quota permit only.

3. Archery – August 25 ~~26~~ through September 16 ~~17~~.

4. Muzzleloading gun – September 29 ~~30~~ through October 14 ~~15~~.

5. through 6. No change.

(b) through (c) No change.

(d) General regulations:

1. A general gun-vehicle permit is required of any person to operate a vehicle during the general gun-vehicle season. A general gun-vehicle permit and tag shall only be transferred in the field by Florida Fish and Wildlife Conservation Commission law enforcement supervisors or their designees when a tracked vehicle becomes inoperable and unable to be repaired while within the wildlife management area to which the tracked vehicle is assigned as determined by the general gun-vehicle permit. ~~General gun-vehicle permits and tags are not transferable, except as provided in subsection 68A-11.005(9), F.A.C.~~

2. through 17. No change.

(5) Big Cypress Wildlife Management Area.

(a) Open season:

1. No change.

2. Small game – The day following the close of general gun season through February 3 ~~4~~.

3. Archery – September 1-30 ~~2 through October 1~~ 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 ~~7-22~~, except in the Deep Lake Unit.

5. Spring turkey – March 1 ~~3~~ through April 6 ~~8~~.

6. through 7. No change.

(b) through (d) No change.

(6) No change.

(7) Okaloacoochee Slough Wildlife Management Area.

(a) Open season:

1. Archery – September 8-14 ~~9-15~~ and 15-23 ~~16-24~~.

2. Muzzleloading gun – October 13-15 ~~14-16~~.

3. General gun – October 27-30 ~~28-31~~ and October 31 ~~through November 4~~ ~~1-5~~.

4. General gun hog – November 17-23 ~~18-24~~.

5. Small game – November 24 ~~25~~ through December 16 ~~17~~.

6. Spring turkey – March 1-4 ~~3-6~~ and 5-9 ~~7-11~~.

7. through 8. No change.

(b) through (d) No change.

(8) Fisheating Creek Wildlife Management Area.

(a) Open season:

1. Archery – September 14-16 ~~15-17~~ and 21-23 ~~22-24~~ west of U.S. Highway 27 only.

2. Muzzleloading gun – October 12-14 ~~13-15~~ and 19-21 ~~20-22~~ west of U.S. Highway 27 only.

3. General gun – November 2-4 ~~3-5~~ and 23-25 ~~24-26~~ west of U.S. Highway 27 only.

4. Spring turkey – March 1-4 ~~3-6~~, 7-10 ~~9-12~~, 14-17 ~~16-19~~, 21-24 ~~23-26~~ and March 28-31 ~~30 through April 2~~ west of U.S. Highway 27 only.

5. Special-opportunity spring turkey – March 1-7 ~~3-9~~ and 15-21 ~~17-23~~ east of U.S. Highway 27 only.

6. General gun hog – December 8-9 ~~9-10~~ west of U.S. Highway 27 only.

7. No change.

(b) through (d) No change.

(9) Picayune Strand Wildlife Management Area.

(a) Open season:

1. Archery – September 8-23 ~~9-24~~.

2. Muzzleloading gun – October 13-15 ~~14-16~~.

3. General gun – October 27-30 ~~28-31~~ and October 31 ~~through November 4~~ ~~1-5~~.

4. Small game – November 10-25 ~~11-26~~.

5. Spring turkey – March 1-4 ~~3-6~~ and 5-9 ~~7-11~~.

6. Migratory game birds – During the migratory game bird seasons as established by Rules 68A-13.003 and 68A-13.008, F.A.C.

7.6. Fishing and frogging – Permitted throughout the year.

(b) through (d) No change.

(10) Dinner Island Ranch Wildlife Management Area.

(a) Open season:

1. Archery – September 8-14 ~~9-15~~ and 15-23 ~~16-24~~

2. Muzzleloading gun – October 13-15 ~~14-16~~.

3. General gun – October 27-30 ~~28-31~~ and October 31 ~~through November 4~~ ~~1-5~~.

4. Family hunt – November 10-11 ~~11-12~~ and 17-18 ~~18-19~~.

5. Spring turkey – March 1-4 ~~3-6~~ and 5-9 ~~7-11~~.

6. through 7. No change.

(b) through (d) No change.

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

(a) Open season:

1. Archery – September 8-14 ~~9-15~~ and 15-23 ~~16-24~~.

2. Muzzleloading gun – October 13-15 ~~14-16~~.

3. General gun – October 27-30 ~~28-31~~ and October 31
through November 4 ~~4-5~~.

4. Spring turkey – March 1-4 ~~3-6~~ and 5-9 ~~7-11~~.

5. No change.

(b) through (d) No change.

(12) Allapattah Flats Wildlife Management Area.

(a) Open season:

1. Archery – September 8-14 and 15-23.

2. Muzzleloading gun – October 13-15.

3. Family hunt – October 27-30.

4. General gun – October 31 through November 4.

5. Small game – November 10 through the first Sunday in
January.

6. Spring turkey – March 1-4 and 5-9.

7. Fishing – Permitted throughout the year.

(b) Legal to take: All legal game, hog, fish, and furbearers
(except bobcat and otter). Turkey may only be taken during
the spring turkey season. The bag limit for deer and wild
turkey shall be one per quota permit. No size or bag limits on
hog.

(c) Camping: Camping is allowed only at designated
campsites. Only tents may be used for camping.

(d) General regulations:

1. Fires are prohibited except at designated campsites.

2. Vehicles may be operated only on named or numbered
roads. During the archery, muzzleloading gun, family hunt,
general gun, and spring turkey seasons, vehicles may be
operated on numbered trails in addition to named or numbered
roads by individuals possessing a valid quota hunt permit.

3. Tracked vehicles, swamp buggies, airboats,
motorcycles, and all-terrain vehicles are prohibited.

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

5. No deer shall be dismembered until checked at a check
station.

6. Taking wildlife with dogs is prohibited, except bird
dogs or retrievers may be used during the small game season.

7. Horses are permitted on named equestrian trails and
designated equestrian areas only.

8. The possession or use of firearms other than shotguns is
prohibited during the small game season.

PROPOSED EFFECTIVE DATE: July 1, 2007.

Specific Authority Art. IV, Sec. 9, Fla. Const., 372.121, 375.313 FS.
Law Implemented Art. IV, Sec. 9, Fla. Const., 372.121, 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.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Nick Wiley, Director, Division of Hunting and Game
Management

NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Mr. Kenneth D. Haddad, Executive
Director

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: December 6, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: November 22, 2006

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.:

68A-15.065

RULE TITLE:

Specific Regulations for Wildlife
Management Areas – Northeast
Region

PURPOSE AND EFFECT: The purpose of the proposed rule
changes 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 is to enable the agency to better manage
fish and wildlife resources and public use on WMAs.

SUMMARY: The proposed rule changes 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:

Tosohatchee; Seminole Ranch WMAs – The proposed rule
would switch the second 7-day general gun hog hunt on
Tosohatchee WMA (last week of January) with the 7-day
general gun hog hunt on Seminole Ranch WMA (second week
of February), with no change in the number of days open to
hunting. These areas are geographically adjacent. The effect of
this change would allow additional recreational opportunities
on Tosohatchee WMA between hunts.

Matanzas WMA – The proposed rule would establish a 9-day
general gun hog season with a quota of 50.

SUMMARY OF STATEMENT OF ESTIMATED
REGULATORY COST: No Statement of Estimated Regulatory
Cost was prepared.

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

SPECIFIC AUTHORITY: Article IV, Section 9, Florida Constitution, 372.121, 375.313 FS.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution, 372.121, 375.313 FS.

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

DATES AND TIME: During the Commission's regular meeting, February 7-8, 2007, 8:30 a.m. – 5:00 p.m., each day

PLACE: Sandestin Golf and Beach Resort, 9300 Emerald Coast Parkway, West, Destin, Florida 32550

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 calendar 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 by calling (850)488-9542.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Nick Wiley, 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) Bull Creek Wildlife Management Area.

(a) Open season:

1. General gun – November 10 ~~11~~ through January 6 ~~7~~.

2. Small game – January 7 ~~8~~ through March 2 ~~4~~.

3. Spring turkey – March 15 ~~17~~ through April 20 ~~22~~.

4. Archery – September 22 ~~23~~ through October 21 ~~22~~. A special quota permit will be required for the September 22-23 ~~23-24~~ hunt.

5. Muzzleloading gun – October 26-28 ~~27-29~~.

6. No change.

(b) through (d) No change.

(2) Ft. McCoy Wildlife Management Area.

(a) Open season:

1. General gun – November 10 ~~11~~ through January 6 ~~7~~.

2. Small game – January 7-27 ~~8-28~~.

3. Archery – September 22 ~~23~~ through October 21 ~~22~~.

4. Muzzleloading gun – October 27 ~~28~~ through November 4 ~~5~~.

5. Spring turkey – March 15 ~~17~~ through April 20 ~~22~~.

6. No change.

(b) through (d) No change.

(3) Ocala Wildlife Management Area.

(a) Open season:

1. General gun – November 10 ~~11~~ through January 6 ~~7~~.

2. Small game – January 7 ~~8~~ through March 2 ~~4~~.

3. Archery – September 22 ~~23~~ through October 21 ~~22~~.

4. Muzzleloading gun – October 26-28 ~~27-29~~, on the Church Lake, Hopkins Prairie and Lake Delancy Management Units only.

5. Fox, bobcat and raccoon – November 10 ~~11~~ through April 13 ~~15~~.

6. No change.

7. Spring turkey – March 20-23 ~~22-25~~, 27-30 ~~March 29 through April 1~~, April 3-6 ~~5-8~~ and 10-13 ~~12-15~~.

8. through 9. No change.

(b) Legal to take:

1. No change.

2. Furbearing animals – During the November 10 ~~11~~ through March 1 period, hunting as specified in paragraph 68A-24.002(2)(b), F.A.C., is permitted only in the Pipeline and Church Lake Management Units. Raccoons may also be hunted, with dogs only, from March 3 ~~5~~ through April 13 ~~15~~ only in that portion of the Pipeline Management Unit south of S.R. 40, east of C.R. 183 AV and west of S.R. 19. The hunting of fox and bobcat by the use of dogs only shall be permitted from January 7 ~~8~~ through April 13 ~~15~~, only in that portion of the Pipeline Management Unit south of S.R. 40, east of C.R. 183 AV, and west of S.R. 19.

(c) No change.

(d) General regulations:

1. through 7. No change.

8. Dogs may be used to pursue rabbits from January 7 ~~8~~ through April 13 ~~15~~ in that portion of the Pipeline Management Unit south of S.R. 40, east of C.R. 183 AV, and west of S.R. 19.

9. No change.

(e) No change.

(4) Richloam Wildlife Management Area.

(a) Open season:

1. General gun – November 10 ~~11~~ through January 6 ~~7~~.

2. Spring turkey – March 15 ~~17~~ through April 20 ~~22~~.

3. Archery – September 22 ~~23~~ through October 21 ~~22~~.

4. No change.

5. Trapping – January 7 ~~8~~ through March 1.

(b) through (d) No change.

(5) Richloam Wildlife Management Area – Baird Unit.

(a) Open season:

1. Archery – September 22 ~~23~~ through October 7 ~~8~~.

2. Muzzleloading gun – October 26-28 ~~27-29~~.

3. General gun – November 10-18 ~~11-19~~.

4. Spring turkey – March 15-17 ~~17-19~~, 21-23 ~~23-25~~ and 28-30 ~~March 30 through April 1~~.

5. Small game – January 12 ~~13~~ through February 17 ~~18~~.

6. No change.

(b) through (d) No change.

(6) Three Lakes Wildlife Management Area.

(a) Open season:

1. General gun – November 10 ~~11~~ through January 6 ~~7~~.
2. Small game – January 7 ~~8~~ through March 2 ~~4~~.
3. Spring turkey – March 15 ~~17~~ through April 20 ~~22~~.
4. Archery – September 22 ~~23~~ through October 21 ~~22~~.
5. No change.
6. Muzzleloading gun – October 26-28 ~~27-29~~.
7. General gun for mobility impaired – November 2-4 ~~3-5~~.
8. General gun-dog – December 6-9 ~~7-10~~, 20-23 ~~21-24~~ and 27-30 ~~December 28-31~~ in that area between the Florida Turnpike and U.S. 441 only.
9. No change.
- (b) through (e) No change.
- (7) Prairie Lakes Unit, Three Lakes Wildlife Management Area.
 - (a) Open season:
 1. Archery – September 28-30 ~~29~~ through October 1 and October 5-7 ~~6-8~~.
 2. Muzzleloading gun – October 26-28 ~~27-29~~.
 3. General gun – November 16-18 ~~17-19~~ and 23-25 ~~24-26~~.
 4. Small game – December 8-30 ~~9-31~~.
 5. Spring turkey – March 15-17 ~~17-19~~, 28-30 ~~March 30~~ through April 1 and April 11-13 ~~13-15~~.
 6. No change.
 7. General gun hog – November 30 through December 2 ~~December 1-3~~ and January 4-6 ~~5-7~~.
 - (b) through (d) No change.
 - (8) Tiger Bay Wildlife Management Area.
 - (a) Open season:
 1. General gun – November 10 ~~11~~ through January 6 ~~7~~.
 2. Archery – September 22 ~~23~~ through October 21 ~~22~~.
 3. Muzzleloading gun – October 26-28 ~~27-29~~.
 4. Small game – January 7 ~~8~~ through March 2 ~~4~~.
 5. Spring turkey – March 15-17 ~~17-19~~, 28-30 ~~March 30~~ through April 1 and April 11-13 ~~13-15~~.
 6. No change.
 - (b) ~~4~~. Legal to take:
 1. All legal game, fish, except as provided below, frogs and furbearers. No size or bag limit on wild hogs.
 2. No change.
 - (c) through (d) No change.
 - (9) Tiger Bay Wildlife Management Area – Rima Ridge Unit.
 - (a) Open season:
 1. General gun – November 10-18 ~~11-19~~.
 2. Archery – September 22 ~~23~~ through October 7 ~~8~~.
 3. Muzzleloading gun – October 26-28 ~~27-29~~.
 4. Small game – November 22 ~~23~~ through December 30 ~~31~~.
 5. Spring turkey – March 15-17 ~~17-19~~, 28-30 ~~March 30~~ through April 1 and April 11-13 ~~13-15~~.

6. through 7. No change.
- (b) through (d) No change.
- (10) Relay Wildlife Management Area.
 - (a) Open season:
 1. General gun – November 10 ~~11~~ through January 6 ~~7~~.
 2. Archery – September 22 ~~23~~ through October 21 ~~22~~.
 3. Muzzleloading gun – October 27 ~~28~~ through November 4 ~~5~~.
 4. Small game – January 7 ~~8~~ through March 2 ~~4~~.
 5. Spring turkey – March 15 ~~17~~ through April 20 ~~22~~.
 6. No change.
 - (b) through (d) No change.
 - (11) Tosohatchee Wildlife Management Area.
 - (a) Open season:
 1. Archery – September 27-30 ~~28~~ through October 1 and October 4-7 ~~5-8~~.
 2. Muzzleloading gun – October 11-14 ~~12-15~~ and 18-21 ~~19-22~~.
 3. General gun – November 15-18 ~~16-19~~ and 23-25 ~~24-26~~.
 4. Spring turkey – March 15-17 ~~17-19~~, March 28-30 ~~March 30~~ through April 1 and April 11-13 ~~13-15~~.
 5. General gun hog – January 11-17 ~~12-18~~ and February 8-14 ~~January 26~~ through February 1.
 6. No change.
 - (b) through (d) No change.
 - (12) Seminole Ranch Wildlife Management Area.
 - (a) Open season:
 1. Archery – October 5-7 ~~6-8~~ and 12-14 ~~13-15~~.
 2. Muzzleloading gun – October 27-28 ~~28-29~~ and November 3-4 ~~4-5~~.
 3. General gun – November 16-18 ~~17-19~~.
 4. Small game – November 24-25, 25-26 ~~and~~ December 1-2 ~~2-3~~, and 8-9 ~~9-10~~ and January 5-6 ~~6-7~~.
 5. Spring turkey – March 15-17 ~~17-19~~, 21-23 ~~23-25~~ and 28-30 ~~March 30~~ through April 1.
 6. General gun hog – January 26 through February 1 ~~February 10-16~~.
 7. No change.
 - (b) through (d) No change.
 - (13) Jumper Creek Wildlife Management Area.
 - (a) Open season:
 1. Archery – September 22 ~~23~~ through October 21 ~~22~~.
 2. Muzzleloading gun – October 26-28 ~~27-29~~.
 3. General gun – November 10 ~~11~~ through January 6 ~~7~~.
 4. Small game – January 7-27 ~~8-28~~.
 5. Spring turkey – March 15 ~~17~~ through April 20 ~~22~~.
 6. through 7. No change.
 - (b) through (d) No change.
 - (14) Rock Springs Run Wildlife Management Area.
 - (a) Open season:

1. Archery – September 28-30 ~~29~~ through October 1 and October 5-7 ~~6-8~~.

2. Muzzleloading gun – October 12-14 ~~13-15~~ and 19-21 ~~20-22~~.

3. General gun – November 9-11 ~~10-12~~ and 16-18 ~~17-19~~.

4. Small game – December 1-2 ~~2-3~~, 8-9 ~~9-10~~ and January 5-6 ~~6-7~~.

5. No change.

(b) through (d) No change.

(15) Guana River Wildlife Management Area.

(a) Open season:

1. No change.

2. General gun – November 16-18 ~~17-19~~ and 23-25 ~~24-26~~.

3. Muzzleloading gun – October 26-28 ~~27-29~~ and November 2-4 ~~3-5~~.

4. Archery – October 12-14 ~~13-15~~ and 19-21 ~~20-22~~.

5. Small game – November 30 through December 2, ~~December 1-3~~, ~~December 7-9~~ ~~8-10~~, January 4-6 ~~5-7~~, 11-13 ~~12-14~~, 18-20 ~~19-21~~ and 25-27 ~~26-28~~.

6. through 7. No change.

(b) through (e) No change.

(16) Half Moon Wildlife Management Area.

(a) Open season:

1. Archery – October 5-7 ~~6-8~~ and 12-14 ~~13-15~~.

2. Muzzleloading gun – October 26-28 ~~27-29~~.

3. General gun – November 10-12 ~~11-13~~ and 16-18 ~~17-19~~.

4. Small game – November 30 through December 2, ~~December 1-3~~, ~~December 7-9~~ ~~8-10~~ and 14-16 ~~15-17~~.

5. General gun hog – January 12-13 ~~13-14~~ and 19-20 ~~20-21~~.

6. Spring turkey – March 21-23 ~~23-25~~, 28-30 ~~March 30~~ through April 1 and April 4-6 ~~6-8~~.

7. No change.

(b) through (d) No change.

(17) Caravelle Ranch Wildlife Management Area.

(a) Open season:

1. Archery – September 22-30 ~~23~~ through October 1.

2. Supervised small game – October 7-15 ~~8-16~~.

3. Muzzleloading gun – October 26-28 ~~27-29~~.

4. General gun – November 10-18 ~~11-19~~.

5. No change.

6. Small game – November 22 ~~23~~ through January 6 ~~7~~ (Thursdays, Fridays, Saturdays and Sundays only).

7. Spring turkey – March 15-18 ~~17-20~~ and 19-23 ~~24-25~~.

8. through 9. No change.

(b) through (d) No change.

(18) Lake George Wildlife Management Area.

(a) Open season:

1. Archery – September 22 ~~23~~ through October 21 ~~22~~.

2. Muzzleloading gun – October 26-28 ~~27-29~~.

3. General gun – November 10-25 ~~11-26~~.

4. Small game – November 26 ~~27~~ through March 2 ~~4~~.

5. Spring turkey – March 15-17 ~~17-19~~, 28-30 ~~March 30~~ through April 1 and April 11-13 ~~13-15~~.

6. No change.

(b) through (d) No change.

(19) Lake George Wildlife Management Area – Dexter/Mary Farms Unit.

(a) Open season:

1. Small game – November 24 ~~25~~ through December 9 ~~10~~ and December 22 ~~23~~ through January 6 ~~7~~.

2. Special-opportunity turkey – March 15-21 ~~17-23~~, March 29 ~~31~~ through April 4 ~~6~~ and April 12-18 ~~14-20~~.

3. General gun hog – January 12-15 ~~13-16~~, 16-21 ~~17-22~~, and 22-27 ~~23-28~~.

4. through 5. No change.

6. Archery – September 22 ~~23~~ through October 7 ~~8~~.

7. Muzzleloading gun – October 26-28 ~~27-29~~.

8. General gun – November 10-18 ~~11-19~~.

(b) through (e) No change.

(20) Seminole Forest Wildlife Management Area.

(a) Open season:

1. Archery – September 22-25 ~~23-26~~ and September 26-30 ~~27~~ through October 1.

2. Muzzleloading gun – October 26-28 ~~27-29~~.

3. General gun – December 1-4 ~~2-5~~ and 5-9 ~~6-10~~.

4. Small game – January 12-27 ~~13-28~~ (Saturdays and Sundays only).

5. Spring turkey – March 15-18 ~~17-20~~ and 19-23 ~~24-25~~.

6. General gun for mobility-impaired – October 19-21 ~~20-22~~.

7. No change.

(b) through (d) No change.

(21) Triple N Ranch Wildlife Management Area.

(a) Open season:

1. General gun hog – January 25-27 ~~26-28~~, February 1-3 ~~2-4~~ and 8-10 ~~9-11~~.

2. Special-opportunity deer – October 27 ~~28~~ through November 2 ~~3~~ and November 10-16 ~~11-17~~.

3. Small game – November 24 ~~25~~ through January 20 ~~21~~.

4. Special-opportunity turkey – March 15-21 ~~17-23~~, March 29 ~~31~~ through April 4 ~~6~~ and April 12-18 ~~14-20~~.

5. through 6. No change.

(b) through (d) No change.

(22) Etoniah Creek Wildlife Management Area.

(a) Open season:

1. Archery – September 22 ~~23~~ through October 7 ~~8~~.

2. Muzzleloading gun – October 26-28 ~~27-29~~.

3. General gun – November 10-18 ~~11-19~~.

4. No change.

5. Spring turkey – March 15-17 ~~17-19~~, 21-23 ~~23-25~~ and 28-30 ~~March 30 through April 1~~.

6. No change.

(b) through (d) No change.

(23) Little Big Econlockhatchee Wildlife Management Area – Kilbee Unit.

(a) Open season:

1. Archery – October 5-7 ~~6-8~~ and 12-14 ~~13-15~~.

2. Muzzleloading gun – November 2-4 ~~3-5~~.

3. General gun – November 16-18 ~~17-19~~.

4. Small game – December 8-23 ~~9-24~~ (Saturdays and Sundays only).

5. General gun hog – January 11-13 ~~12-14~~ and 25-27 ~~26-28~~.

6. No change.

(b) through (c) No change.

(24) Lake Panasoffke Wildlife Management Area.

(a) Open season:

1. Special-opportunity turkey – March 20-23 ~~22-25~~, April 1-4 ~~3-6~~ and 17-20 ~~19-22~~.

2. Special-opportunity archery – September 27-30 ~~28 through October 1~~, October 4-7, ~~5-8~~ and 16-19 ~~17-20~~, November 1-4, ~~2-5~~ and 13-16 ~~14-17~~, November 29-30 through December 2-3, December 11-14 ~~12-15~~ and January 3-6 ~~4-7~~.

3. Special-opportunity hog-still – January 11-13 ~~12-14~~.

4. Special-opportunity hog-dog – January 23-25 ~~24-26~~.

5. Small game – February 1-3 ~~2-4~~ and 8-10 ~~9-11~~.

6. through 7. No change.

(b) through (d) No change.

(25) Ross Prairie Wildlife Management Area.

(a) Open season: Supervised small game – October 13-19 ~~14-20~~, November 17-23 ~~18-24~~, December 15-21 ~~16-22~~ and January 12-18 ~~13-19~~.

(b) through (d) No change.

(26) Buck Lake Wildlife Management Area.

(a) Open season:

1. Archery – September 22-30 ~~23 through October 1~~ and October 1-7 ~~2-8~~.

2. Muzzleloading gun – October 26-28 ~~27-29~~.

3. General gun – November 10-13 ~~11-14~~ and 14-18 ~~15-19~~.

4. Small game – December 1-16 ~~2-17~~.

5. Spring turkey – March 15-18 ~~17-20~~ and 19-23 ~~21-25~~.

6. General gun hog – January 3-6 ~~4-7~~ and 17-20 ~~18-21~~.

7. No change.

(b) through (d) No change.

(27) Fort Drum Wildlife Management Area.

(a) Open season:

1. Special-opportunity deer – November 10-16 ~~11-17~~.

2. Small game – December 8-23 ~~9-24~~.

3. Special-opportunity turkey – March 15-21 ~~17-23~~, March 29-31 through April 4-6 and April 12-18 ~~14-20~~.

4. Special-opportunity wild hog – October 5-7 ~~6-8~~, 12-14 ~~13-15~~ and 19-21 ~~20-22~~.

5. No change.

(b) through (d) No change.

(28) Ocklawaha River Wildlife Management Area – Gores Landing Unit.

(a) Open season:

1. Archery – September 22-23 through October 7-8.

2. Muzzleloading gun – October 26-28 ~~27-29~~.

3. General gun – November 10-18 ~~11-19~~.

4. Small game – December 1-16 ~~2-17~~.

5. Spring turkey – March 15-18 ~~17-20~~ and 19-23 ~~21-25~~.

6. No change.

(b) through (d) No change.

(29) Seminole Forest Wildlife Management Area – Lake Tracy Unit.

(a) Open season:

1. Archery – September 22-24 ~~23-25~~.

2. Muzzleloading gun – October 26-28 ~~27-29~~.

3. General gun – November 10-12 ~~11-13~~.

4. Spring turkey – March 15-17 ~~17-19~~ and 21-23 ~~23-25~~.

5. No change.

(b) through (c) No change.

(30) Twelve Mile Swamp Wildlife Management Area.

(a) Open season:

1. Archery – September 22-23 through October 21-22.

2. Muzzleloading gun – October 27-28 through November 4-5.

3. General gun – November 10-11 through January 6-7.

4. Small game – January 7-8 through March 2-4.

5. Spring turkey – March 15-17 through April 20-22.

6. No change.

7. Trapping – January 7-8 through March 1.

(b) through (d) No change.

(31) Upper St. Johns River Marsh Wildlife Management Area.

(a) Open season:

1. Archery – September 22-23 through October 21-22.

2. Muzzleloading gun – October 27-28 through November 4-5.

3. General gun – November 10-11 through January 20-21.

4. Small game – January 21-22 through March 2-4.

5. Spring turkey – March 15-17 through April 20-22.

6. through 8. No change.

(b) Legal to take: All legal game, furbearers, fish, and frogs. Antlerless deer may be taken during the period November 17-18 ~~18-19~~. Turkey of either sex may be taken during the muzzleloading gun season. The period of November 10-11 through January 6-7 is open for bearded turkey only. No

bag or size limits on wild hogs. Wild hogs may be taken during the archery, muzzleloading gun, general gun, and small game season.

(c) No change.

(d) General regulations:

1. through 7. No change.

8. 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 hog hunting during the period January ~~23-27~~ 24-28.

9. through 12. No change.

(32) Dunns Creek Wildlife Management Area.

(a) Open season:

1. Archery – September ~~22-23~~ through October ~~7-8~~ and November ~~17-25~~ 18-26.

2. Muzzleloading gun – October ~~27-28~~ through November ~~4-5~~.

3. Wild hog – January ~~19-27~~ 20-28.

4. Spring turkey – March ~~15-17~~ 17-19, ~~28-30~~ March 30 through April ~~1~~ and April ~~11-13~~ 13-15.

5. through 6. No change.

(b) through (d) No change.

(33) Salt Lake Wildlife Management Area.

(a) Open season:

1. Archery – September ~~22-30~~ 23 through October ~~1~~ and October ~~1-7~~ 2-8.

2. Muzzleloading gun – October ~~26-28~~ 27-29.

3. General gun – November ~~10-13~~ 11-14 and ~~14-18~~ 15-19.

4. Small game – December ~~1-16~~ 2-17.

5. General gun hog – January ~~17-20~~ 18-21.

6. Spring turkey – March ~~15-18~~ 17-20 and ~~19-23~~ 21-25.

7. No change.

(b) through (d) No change.

(34) Matanzas Wildlife Management Area.

(a) Open season:

1. Archery – September ~~22-30~~ 23 through October ~~1~~ and October ~~1-7~~ 2-8.

2. Muzzleloading gun – October ~~26-28~~ 27-29.

3. Family hunt – November ~~10-11~~ 11-12.

4. General gun – November ~~12-18~~ 13-19.

5. General gun hog – December ~~1-9~~.

~~6-5~~ Small game – January ~~7-22~~ 8-23.

~~7-6~~ Spring turkey – March ~~15-18~~ 17-20 and ~~19-23~~ 21-25.

~~8-7~~ Fishing and frogging – Permitted throughout the year.

(b) through (d) No change.

PROPOSED EFFECTIVE DATE: July 1, 2007.

Specific Authority Art. IV, Sec. 9, Fla. Const., 372.121, 375.313 FS. Law Implemented Art. IV, Sec. 9, Fla. Const., 372.121, 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, 7-1-07.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mr. Nick Wiley, Director, Division of Hunting and Game Management

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mr. Kenneth D. Haddad, Executive Director

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 6, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 22, 2006

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.:

RULE TITLE:

68A-17.005

Specific Regulations for Wildlife and Environmental Areas

PURPOSE AND EFFECT: The purpose of the proposed rule changes 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 changes will be to enable the agency to better manage fish and wildlife resources and public use on WEAs.

SUMMARY: The proposed rule changes would adjust season dates to conform to calendar year changes and revise specific area regulations on Wildlife and Environmental Areas (WEAs).

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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.

SPECIFIC AUTHORITY: Article IV, Section 9, Florida Constitution; 372.121, 375.313 FS.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution; 372.121, 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 7-8, 2007, 8:30 a.m. – 5:00 p.m., each day

PLACE: Sandestin Golf and Beach Resort, 9300 Emerald Coast Parkway, West, Destin, FL 32550

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: Nick Wiley, 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. General gun – November 16-18 ~~17-19~~.

b. Small game – December 7-9 ~~8-10~~ and 21-23 ~~22-24~~, January 18-20 ~~19-21~~ and 25-27 ~~26-28~~.

c. Spring turkey – March 14-16 ~~16-18~~ and March 28-30 ~~30~~ through April 1.

d. No change.

2. through 3. No change.

(g) through (h) No change.

(2) North Central Region.

(a) Santa Fe Swamp – Bradford County.

1. Open season (hunting prohibited at other times):

a. Archery – September 22-23 through October 21 ~~22~~.

b. Muzzleloading gun – October 26-28 ~~27-29~~.

c. Archery and muzzleloading gun – November 10 ~~11~~ through January 6 ~~7~~.

d. Spring turkey – March 15 ~~17~~ through April 20 ~~22~~.

e. No change.

2. through 3. No change.

(b) No change.

(c) Suwannee Ridge – Hamilton County.

1. Open season:

a. Mobility-impaired general gun – October 12-14 ~~13-15~~, 26-28 ~~27-29~~, November 2-4 ~~3-5~~ and December 14-16 ~~15-17~~.

b. Mobility-impaired spring turkey – March 21-23 ~~23-25~~ and April 11-13 ~~13-15~~.

c. No change.

2. through 3. No change.

(d) No change.

(3) No change.

(4) South Region.

(a) Southern Glades – Dade County.

1. Open season:

a. Archery – September 8 ~~9~~ through October 7 ~~8~~.

b. Muzzleloading gun – October 12-14 ~~13-15~~.

c. General gun – October 27 ~~28~~ through December 2 ~~3~~.

d. through f. No change.

2. through 3. No change.

(b) John G. and Susan H. Dupuis Jr. – Palm Beach and Martin Counties.

1. Open season:

a. Archery – September 7-9 ~~8-10~~, 14-16 ~~15-17~~ and 21-23 ~~22-24~~.

b. Muzzleloading gun – October 5-7 ~~6-8~~, 12-14 ~~13-15~~ and 19-21 ~~20-22~~.

c. General gun – October 26-28 ~~27-29~~ and November 2-4 ~~3-5~~.

d. General gun for mobility-impaired – November 10-11 ~~11-12~~.

e. General gun hog – November 13-15 ~~14-16~~, 20-22 ~~21-23~~, 27-29 ~~28-30~~, and December 4-6 ~~5-7~~. Wild hogs only. No bag or size limit.

f. Spring turkey – March 4-6 ~~6-8~~, 14-16 ~~16-18~~ and 21-23 ~~23-25~~.

g. Small game – December 8 ~~9~~ through January 27 ~~28~~.

h. through j. No change.

2. through 4. No change.

(c) CREW – Collier and Lee Counties.

1. Open season:

a. Archery – September 8-16 ~~9-17~~.

b. Muzzleloading gun – October 13-15 ~~14-16~~.

c. General gun – October 27 ~~28~~ through November 4 ~~5~~.

d. Spring turkey – March 1-4 ~~3-6~~ and 5-9 ~~7-11~~.

e. through f. 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 ~~9-12~~, 15-18 ~~16-19~~, 22-25 ~~23-26~~ and September 29 ~~30~~ through October 2 ~~3~~.

- b. Muzzleloading gun – October 13-15 ~~14-16~~.
- c. General gun – October 27-29 ~~28-30~~ and November 3-5 ~~4-6~~ and 10-12 ~~11-13~~.
- d. Small game – November 17 ~~18~~ through December 2 ~~3~~.
- e. No change.
- 2. through 4. No change.
- (5) No change.

PROPOSED EFFECTIVE DATE: July 1, 2007.

Specific Authority Art. IV, Sec. 9, Fla. Const., 372.121, 375.313 FS.
Law Implemented Art. IV, Sec. 9, Fla. Const., 372.121, 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.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Nick Wiley, Director, Division of Hunting and Game Management

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mr. Kenneth D. Haddad, Executive Director

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 6, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 22, 2006

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.:	RULE TITLE:
68A-20.005	Specific Fish Management Area Regulations

PURPOSE AND EFFECT: Under cooperative agreement with the City of Largo, Largo Central Park Nature Preserve Fish Management Area (a small 5-acre lake in the preserve) is proposed to be added as a fish management area (FMA) to provide additional quality fishing opportunities for freshwater anglers visiting the preserve. This rule change will implement site specific fishing regulations in the FMA designed to assist in maintaining fish population balance and incorporate appropriate city or county ordinances dealing with swimming, possession of alcohol or firearms.

SUMMARY: This rule change will open Largo Central Park Nature Preserve FMA as part of the Southwest Regional Freshwater Fisheries Management System. Specific bag and length limit regulations include: a catch-and-release provision for black bass; a 20 fish panfish daily bag limit; and a 10-inch length limit and 10-fish black crappie daily bag limit. Public use regulations include a prohibition of use or possession of cast nets and minnow seines, and prohibition of swimming, alcoholic beverages and firearms on the area.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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.

SPECIFIC 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 7-8, 2006, 8:30 a.m. – 5:00 p.m., each day
PLACE: Sandestin Golf and Beach Resort, 9300 Emerald Coast Parkway, West, Destin, Florida 32550

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: Darrell Scovell, Director, Division of Freshwater Fisheries Management, Florida 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 (u) No change.
 - (v) Largo Central Park Nature Preserve, Pinellas County:
 - 1. The use or possession of cast nets or minnow seines is prohibited.
 - 2. No person shall kill or possess any black bass.
 - 3. No person shall take in any one (1) day more than twenty (20) panfish, in the aggregate.
 - 4. No person shall kill or possess more than ten (10) black crappie. No person shall kill or possess any black crappie less than ten inches (10") in total length.
 - 5. Swimming, possession of firearms or possession of alcoholic beverages is prohibited.
 - (5) No change.

Specific 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,_____.

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 FAW.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mr. Darrell Scovell, Director, Division of Freshwater Fisheries Management, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mr. Kenneth D. Haddad, Executive Director

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 6, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 22, 2006

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NOS.:	RULE TITLES:
68A-25.002	General Provisions for Taking, Possession and Sale of Reptiles
68A-25.006	Possession, Exhibition and Caging Venomous Reptiles: Prohibited Species

PURPOSE AND EFFECT: The purpose and effect of this proposed rule amendment and rule repeal is to consolidate regulations pertaining to the possession and housing of venomous reptiles in captivity with other regulations pertaining to wildlife in captivity found in Chapter 68A-6, F.A.C. The effect will be to amend Rule 68A-25.002, F.A.C. so as to delete the venomous reptile portions and to repeal Rule 68A-25.006, F.A.C. dealing with venomous reptiles. These deleted requirements will then be placed in Chapter 68A-6, F.A.C.

SUMMARY: The proposed rule deletes language pertaining to permitting requirements for authorization to possess venomous reptiles in Rule 68A-25.002, F.A.C. and repeals Rule 68A-25.006, F.A.C. pertaining to possession, exhibition and

caging of venomous reptiles . These deleted requirements will be placed in Chapter 68A-6, F.A.C. pertaining to captive wildlife.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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.

SPECIFIC AUTHORITY: Article IV, Sec. 9, Fla. Const. 372.922(3), 372.92 FS.

LAW IMPLEMENTED: Article IV, Sec. 9, Fla. Const., 372.86, 372.87, 372.88, 372.89, 372.90, 372.91, 372.92, 372.921, 372.922 FS.

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

DATES AND TIME: During the Commission's regular meeting, February 7-8, 2007, 8:30 a.m. – 5:00 p.m., each day

PLACE: Sandestin Resort, 9300 Emerald Coast Parkway, West, Destin, FL 32550, (850)267-8000

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 RULES IS: Captain Linda Harrison, Division of Law Enforcement, Investigations Section, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)488-6253

THE FULL TEXT OF THE PROPOSED RULES IS:

68A-25.002 General Provisions for Taking, Possession and Sale of Reptiles.

(1) through (13) No change.

~~(14) On or after July 1, 1990 any person or entity not currently permitted to possess or exhibit venomous reptiles must qualify for a permit by meeting the following criteria:~~

~~(a) Submit documentation in accordance with the criteria specified in paragraph 68A-6.0022(5)(c), F.A.C., showing a minimum of one (1) year substantial practical experience in the care, feeding, handling and husbandry of the family of venomous reptiles for which the permit is sought.~~

~~(b) Shall not have been convicted of a violation of venomous reptile regulations for three (3) years prior to application for such permit.~~

~~(c) Must be at least 18 years old at the time of application.~~

(15) No change.

PROPOSED EFFECTIVE DATE: January 1, 2008.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 372.6672, 372.6673, 372.86, 372.921, 372.922 FS. History–New 8-1-79, Amended 6-4-81, 6-21-82, 7-1-83, 7-1-84, 7-1-85, Formerly 39-25.02, Amended 6-1-86, 5-10-87, 10-8-87, 4-13-88, 2-14-89, 7-1-89, 7-1-90, 4-14-92, 4-1-96, 9-15-96, 4-12-98, 7-1-99, Formerly 39-25.002, Amended 3-30-00, 4-30-00, 3-30-06, 5-18-06, 1-1-08.

68A-25.006 Possession, Exhibition and Caging Venomous Reptiles: Prohibited Species.

PROPOSED EFFECTIVE DATE: January 1, 2008.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented 370.081, 372.86, 372.87, 372.88, 372.89, 372.90, 372.91, 372.92 FS. History–New 8-1-79, Amended 6-21-82, Formerly 39-25.06, Amended 5-10-87, 4-1-96, 9-15-96, Formerly 39-25.006, Amended 11-17-99, Repealed 1-1-08.

NAME OF PERSON ORIGINATING PROPOSED RULE: Colonel Julie Jones, Director, Division of Law Enforcement

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mr. Kenneth D. Haddad, Executive Director

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 13, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 28, 2006

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NO.:
68B-4.009

RULE TITLE:
Monofilament Line and Netting:
Prohibition of Intentional Discard,
Recovery Requirements,
Recommendations for Appropriate
Disposal

PURPOSE AND EFFECT: The purpose of this proposed rule amendment is to close what has become an enforcement loophole for persons violating the Commission's netting rules. Recovery and disposal of monofilament netting is being used as a defense to rules prohibiting possession of monofilament gill or entangling nets and requiring direct transit for persons seeking to use such nets in federal waters where they are legal. The effect of these rule changes should be to improve enforcement of those net provisions and make prosecutions of net violations more successful.

SUMMARY: The proposed rule change will prohibit the recovery or attempted recovery of any monofilament netting found in the waters of the State without having first notified the Division of Law Enforcement. Additionally, the proposed rule requires the recovery of such netting be supervised by an officer of the Division of Law Enforcement. The proposed rule

shall not apply to monofilament netting found and recovered by any law enforcement agency in the State, or to any cast net, landing net, or dip net.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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.

SPECIFIC 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 7-8, 2006, 8:30 a.m. – 5:00 p.m., each day

PLACE: Sandestin Golf and Beach Resort, 9300 Emerald Coast Parkway, West, Destin, Florida 32550

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: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

THE FULL TEXT OF THE PROPOSED RULE IS:

68B-4.009 Monofilament Line and Netting: Prohibition of Intentional Discard, Recovery Requirements, Recommendations for Appropriate Disposal.

(1) No person shall intentionally discard any monofilament fishing line or monofilament netting into or onto the waters of the state. Waste monofilament fishing line and monofilament netting shall be disposed of on land and, if the material is possessed aboard a vessel, it shall be safely kept aboard the vessel until such disposal can be accomplished.

(2) Any person recovering monofilament fishing line ~~or monofilament netting~~ from the waters of the state shall dispose of such material pursuant to subsection (1) of this rule. If the volume or condition of such material precludes the proper disposal thereof, the person shall notify the Division of Law Enforcement Marine Patrol of its location. No person shall recover or attempt to recover any monofilament netting found in the waters of the state without first having notified the

Division of Law Enforcement. No such netting shall be recovered from state waters without an officer of the Division of Law Enforcement being present to supervise the recovery and disposal of the material. This subsection shall not apply to monofilament netting found and recovered by any law enforcement agency in the state, or to any cast net or landing or dip net.

(3) Each person operating a vessel in or on the waters of the state is encouraged to designate a container aboard the vessel for waste disposal of monofilament fishing line; ~~monofilament netting, and any other nondegradable material.~~

(4) This rule is not intended as an exception to, or defense to any violation of, Rule 68B-4.008, 68B-4.0081, or 68B-4.0082, F.A.C.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 3-1-92, Formerly 46-4.009, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Colonel Julie Jones, Director, Division of Law Enforcement

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mr. Kenneth D. Haddad, Executive Director

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 6, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 22, 2006

Section III Notices of Changes, Corrections and Withdrawals

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF HEALTH

Board of Opticianry

RULE NO.: 64B12-9.001
RULE TITLE: Examination for Licensure
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. 32, No. 50, December 15, 2006 issue of the Florida Administrative Weekly.

Subsection (8) shall read:

(8) The dispensing problems examination for opticianry licensure shall be taken via computer at a testing center. A score of at least seventy percent (70%) shall be required to pass the dispensing problems ~~neutralization~~ examination.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susie Love, Executive Director, Board of Respiratory Care, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-28.607
RULE TITLE: Automated Pharmacy System –
Long-Term Care, Hospice or Prison
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. 31, No. 4, January 28, 2005 issue of the Florida Administrative Weekly.

The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The changes are as follows:

(1) Subsection (2)(f) shall now read as follows:

(f) A provider pharmacy shall have policies and procedures to ensure adequate security.

(2) Subsection (3)(a) shall now read as follows:

(a) The prescription department manager shall ensure that the automated pharmacy system complies with Chapter 893, Florida Statutes, and 21 C.F.R., relating to the regulation of controlled substances, for each automated pharmacy system that contains a controlled substance.

(3) § 465.0235, F.S. shall be added to the Law Implemented.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254