

is hereby adopted and incorporated by reference. The form shall be submitted to the Department of Financial Services, Bureau of Consumer Assistance, through the website at <https://apps.fldfs.com/civilremedy>. No fee is required.

Specific Authority 624.308(1) FS. Law Implemented 624.307, 624.155(3)(b) FS. History—New _____.

Section II Proposed Rules

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Housing and Community Development

RULE NOS.:	RULE TITLES:
9B-72.010	Definitions
9B-72.070	Product Evaluation and Quality Assurance for State Approval
9B-72.080	Product Validation by Approved Validation Entity for State Approval
9B-72.100	Approval of Product Evaluation Entities, Product Validation Entities, Testing Laboratories, Certification Agencies, Quality Assurance Agencies and Accreditation Bodies
9B-72.130	Forms

PURPOSE AND EFFECT: To review and revise the rule in light of legislative change, experience with the system, and the efforts of the Product Approval Validation Workgroup. Please note that the Commission determined that a workshop pertaining to this rule is unnecessary because the language below results from a prior rulemaking proceeding involving multiple workshops and adoption hearings and from which the Commission withdrew because of the expiration of time for publication of a Notice of Change. The Commission will accept the record of the prior proceeding, for which Notices of Propose Rule development appeared on January 12, 2007 and March 9, 2007, at the hearing identified below.

SUMMARY: The rule specifically fabric storm panels as within the scope of the rule; designates requirements for products subject to testing standards and subject to rational analysis; specifies information required in relation to installation instructions for windows; defines and delineates administrative and technical validation of information submitted in support of an application for approval of a product by the Commission, specifies a schedule of sanctions to be imposed by the Commission against validators that violate this rule, eliminates the authorization for testing laboratories to serve as validators; and adopts, by reference, updated validation checklists.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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: 553.842(1), (5)-(7), (14) FS.

LAW IMPLEMENTED: 553.842(1), (5)-(7), (8), (14) FS.

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

DATE AND TIME: January 29, 2008, 2:30 p.m., or as soon thereafter as the matter comes before the Commission in accordance with its agenda.

PLACE: The Renaissance Resort, World Golf Village, 500 S. Legacy Trail, St. Augustine, Florida 32092

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: Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)487-1824. 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: Mo Madani, Planning Manager, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824

THE FULL TEXT OF THE PROPOSED RULES IS:

9B-72.010 Definitions.

(1) through (30) No change.

(31) Subcategory of product or construction system means a specific functionality:

(a) through (d) No change.

(e) For shutters: accordion, Bahama, storm panels, fabric storm panel, colonial, roll-up, pre-engineered equipment, protection, and products introduced as a result of new technology;

(f) through (g) No change.

(32) through (35) No change.

Specific Authority 553.842(1) FS. Law Implemented 553.842(1) FS. History—New 5-5-02, Amended 9-4-03, 11-22-06, _____.

9B-72.070 Product Evaluation and Quality Assurance for State Approval.

(1)(a) through (f) No change.

(g) Products required to demonstrate compliance using referenced testing standard(s) and also requiring rational analysis that falls outside the scope of the agency certificate

designating product certification, must demonstrate compliance using an evaluation report from an approved evaluation entity.

(2) through (4)(d) No change.

(e) Installation requirements. Installation instructions including attachments shall be developed by an evaluation entity, test lab or by the manufacturer’s licensed design professional. Exception: Installation instructions for windows including attachment, at minimum shall include the following:

1. Type, and grade of anchor, and/or manufacturer’s anchor specifications, including minimum nominal size, minimum penetration into substrate and minimum edge distances;

2. Type, physical dimensions, material and grade of any accessory item or strap, if applicable;

3. Spacing of anchors, shims, accessory items and straps; and

4. Illustrated diagrams of the attachment of the product to the structure.

(f) through (h) No change.

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

(e) Installation requirements. Exception: Installation instructions for windows including attachment at minimum shall include the following:

1. Type, and grade of anchor, and/or manufacturer’s anchor specifications, including minimum nominal size, minimum penetration into substrate and minimum edge distances;

2. Type, physical dimensions, material and grade of any accessory item or strap, if applicable;

3. Spacing of anchors, shims, accessory items and straps; and

4. Illustrated diagrams of the attachment of the product to the structure.

(f) No change.

(6) through (7) No change.

Specific Authority 553.842(1) FS. Law Implemented 553.842(6) FS. History—New 5-5-02, Amended 9-4-03, 11-22-06, _____.

9B-72.080 Product Validation by Approved Validation Entity for State Approval.

(1) Administrative Validation: Validation of compliance with the Code using a certification mark or listing from an approved certification agency, an evaluation report from an approved product evaluation entity, and an evaluation report from a Florida Registered Architect or licensed Florida Professional Engineer shall be performed by an approved validation entities through the following steps:

(a)(1) Verification that the certification, testing, evaluation and quality assurance requirements established by Rule 9B-72.070, F.A.C., are met and that all documentation is in order.

(b)(2) Validation of the method of compliance using the validation checklist in subsection 9B-72.130(3), F.A.C. Signed and sealed hard copy of the Validation Checklist must be provided to the Program System Administrator when the validation entity is a Florida Registered Architect or licensed Professional Engineer.

(c)(3) Certification to the Commission that the documentation submitted for the product indicates the product complies with the Code.

(d)(4) Products listed by approved certification agencies as complying with standards, that do not include rational analysis, established by the Code shall be approved by the Commission upon validation using Administrative Validation absent compliance with this section.

(2) Technical Validation.

(a) Technical Validation of an Evaluation Report: Validation of compliance with the Code using an evaluation report from an approved evaluation entity that is not an independent third-party from the manufacturer shall be performed by an approved validation entity using the validation steps of the Administrative Validation and the following steps:

1. Determination that the evaluator has complied with acceptable standards of engineering principles.

2. Engineering verification that the evaluation complies with the Code.

3. Copy of the application complying with all aspects of Chapter 61G15-36, F.A.C., must be filed with the Commission.

(b) Technical Validation of a Test Report: Validation of compliance with the Code using a test report from an approved test lab shall be performed by an approved validation entity using the validation steps of the Administrative Validation and the following steps:

1. Verify that the reported data demonstrates compliance with the Florida Building Code, and

2. Verify that the correct test was performed.

(c) Technical Validation of Installation Instructions including attachments: Installation instructions including attachments developed by an entity that is not an independent third-party from the manufacturer shall be performed by an approved validation entity using the validation steps 1 through 3 of item 2(a) above.

Exception: Technical validation is not required if the installation instruction including attachments are verified by the product certification agency or the product evaluation entity.

(3) Approved Validation entities must retain all documentation of the product applications (test reports, calculations, samples, etc.) as required by Florida statutes or as long as the products are approved, based on their validation, whichever is longer.

(4) Violations and Penalties for Validation Entities. In imposing disciplinary penalties upon an approved Validation entity, the following guidelines shall be used by the Commission in disciplinary cases, absent aggravating or mitigating circumstances and subject to other provisions of this Rule.

(a) Violation of subparagraph 9B-72.160(2)(a)6., F.A.C. Validator has misrepresented his accreditations or other material information on his application for approval for which the Commission shall impose a minimum sanction of a \$5,000 fine and revocation and a maximum penalty of \$10,000 fine and revocation.

(b) Violation of subsection 9B-72.100(2), F.A.C. Validating outside the scope of accreditation for which the Commission shall impose a minimum sanction of a \$5,000 fine and revocation a maximum sanction of a \$10,000 fine and revocation.

(c) Violation of subsection 9B-72.080(1) or (2) or (3) F.A.C. Verifying, validating or certifying by using fraud, deceit, misleading, or untrue representations of items on validation checklist set forth in subsection 9B-72.130(3), F.A.C., for which the Commission shall impose a minimum sanction of a \$5,000 fine, or probation, or suspension, or any combination thereof; and a maximum sanction of a \$10,000 fine and revocation.

(d) Violation of subsection 9B-72.080(1) or (2) or (3) F.A.C. Failure to sign and seal hard copy of the Validation Checklist and provide it to the Program System Administrator prior to the Commission meeting when the validation entity is a Florida Registered Architect or Professional Engineer for which the Commission shall impose a minimum sanction of a \$500 fine, or probation, or suspension, or any combination thereof; and a maximum sanction of a \$5,000 fine and revocation.

(e) Violation of subsection 9B-72.080(1) or (2) or (3), F.A.C. Failure by the validation entity to retain all documentation of the product applications, including, but not limited to test reports, calculations, and samples, as required by Florida statutes or as long as the products are approved, based on their validation, whichever is longer for which the Commission shall impose a minimum sanction of a \$5,000 fine, or probation, or suspension, or any combination thereof; and a maximum sanction of a \$10,000 fine and revocation.

(f) Violation of subparagraph 9B-72.160(2)(a)1. or 2., F.A.C. Validating while license and or accreditation is not current for which the Commission shall impose a minimum sanction of a \$5,000 fine, or probation, or suspension, or any combination thereof; and a maximum sanction of a \$10,000 fine and revocation.

(g) Violation of subparagraph 9B-72.160(2)(a)3., F.A.C. Determination that any provision of Chapter 9B-72, F.A.C., not specifically identified in this rule has been violated for which

the Commission shall impose a minimum sanction of a \$5,000 fine, or probation, or suspension, or any combination thereof; and a maximum sanction of a \$10,000 fine and revocation.

(h) Violation of subparagraph 9B-72.160(2)(a)4., F.A.C. Determination that the criteria for independence from any manufacturer set forth in Rule 9B-72.110, F.A.C., has been violated for which the Commission shall impose a minimum sanction of a \$2,500 fine, or probation, or suspension, or any combination thereof; and a maximum sanction of a \$10,000 fine and revocation.

(i) Violation of subparagraph 9B-72.160(2)(a)7., F.A.C. Failure to cooperate with investigations authorized by Rule 9B-72.170, F.A.C., for which the Commission shall impose a minimum sanction of a \$5,000 fine, or probation, or suspension, or any combination thereof; and a maximum sanction of a \$10,000 fine and revocation.

Specific Authority 553.842(1), (7) FS. Law Implemented 553.842(1), (7) FS. History--New 5-5-02, Amended 11-22-06, _____.

9B-72.100 Approval of Product Evaluation Entities, Product Validation Entities, Testing Laboratories, Certification Agencies, Quality Assurance Agencies and Accreditation Bodies.

(1) No change.

(2) Approved Validation Entities.

(a) An entity shall be approved by the Commission as a validation entity if it is a Commission approved evaluation entity, ~~testing laboratory~~ or certification agency, and it certifies to the Commission compliance with standards established by the Code or intent of the Code. Architects and engineers licensed in this State are also approved to conduct validation for the state approval. ~~Testing Laboratories are not allowed to conduct validations. Validation by an approved testing laboratory acting as a validation entity shall be limited to the scope for which they are accredited.~~

(b) through (c) No change.

(3) through (6) No change.

Specific Authority 553.842(9) FS. Law Implemented 553.842(9) FS. History--New 5-5-02, Amended 9-4-03, 11-22-06, _____.

9B-72.130 Forms.

(1) through (2) No change.

(3) Validation Checklists for State Approval, ~~Form No. 9B-72.130(3),~~ updated January 15, 2007 ~~September 4, 2003~~ (electronic version);

(a) Form 9B-72.130(3)(a) Validation checklist for certification method;

(b) Form 9B-72.130(3)(b) Validation checklist for test report method;

(c) Form 9B-72.130(3)(c) Validation checklist for evaluation report from an architect or engineer;

(d) Form 9B-72.130(3)(d) Evaluation report from an evaluation entity.

Specific Authority 553.842(1) FS. Law Implemented 553.842(1) FS. History--New 5-5-02, Amended 9-4-03, 11-22-06, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mo Madani, Planning Manager, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Janice Browning, Director, Division of Housing and Community Development, Department of Community Affairs

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 2, 2007

DATE NOTICES OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 12, 2007 and March 9, 2007, see Purpose and Effect above.

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

RULE NO.:	RULE TITLE:
25-6.065	Interconnection and Net Metering of Customer-Owned Renewable Generation

PURPOSE AND EFFECT: The purpose of the rule amendments is to promote the development of customer-owned renewable generation. This will offset electric consumption and help diversify the types of fuel used to generate electricity in Florida, thereby decreasing Florida's dependence on fossil fuels and minimizing the volatility of fuel cost and supply. In addition, encouraging the development of customer-owned renewable generation will stimulate investment within the state and improve environmental conditions. The development of customer-owned renewable generation also effectively acts as a conservation measure by reducing the amount of electricity purchased from utilities. The rule amendments will expedite interconnection of customer-owned renewable generation and minimize costs that customers experience when attempting to interconnect to their utility. In addition, the rule amendments will permit customers to offset electric consumption through net metering, further mitigating costs associated with self-generation. Docket No. 070674-EI.

SUMMARY: The rule amendments will require investor-owned utilities (IOUs) to file for approval with the Commission, and offer customers a standard interconnection agreement for the expedited interconnection of

customer-owned renewable generation systems. The rule amendments also will establish the procedures for net metering, including the treatment of net excess generation monthly and annually and identify processes for dispute resolution. Reporting requirements are applicable to all electric utilities, including municipals and electric cooperatives, for customers with interconnected renewable generation and net metered customers.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The rule amendments should result in no significant implementation or enforcement cost to the Commission, and will have no significant impact on Commission revenues. The additional proposed interconnection agreements and possible dispute resolution will add some additional Commission and staff time. The IOUs will have additional reporting requirement and compliance costs associated with the rule amendment. In particular, the IOUs will have additional costs related to billing modifications, processing applications, meter installation and other interconnection costs. Customers of the IOUs will be able to interconnect their qualified renewable generating systems to the electric grid and benefit by having their energy consumption offset by their own generation.

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: 350.127(2), 366.05(1), 366.92 FS.

LAW IMPLEMENTED: 366.02(2), 366.04(2)(c), (5), (6), 366.041, 366.05(1), 366.81, 366.82(1), (2), 366.91(1), (2), 366.92 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Office of Commission Clerk, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850; (850)413-6770. 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: Mark Futrell, Division of Economic Regulation, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6692

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial rewording of Rule 25-6.065 follows. See Florida Administrative Code for present text.)

25-6.065 Interconnection and Net Metering of Customer-Owned Renewable Generation.

(1) Application and Scope. The purpose of this rule is to promote the development of small customer-owned renewable generation, particularly solar and wind energy systems; diversify the types of fuel used to generate electricity in Florida; lessen Florida's dependence on fossil fuels for the production of electricity; minimize the volatility of fuel costs; encourage investment in the state; improve environmental conditions; and, at the same time, minimize costs of power supply to investor-owned utilities and their customers. This rule applies to all investor-owned utilities, except as otherwise stated in subsection (10).

(2) Definitions. As used in this rule, the term

(a) "Customer-owned renewable generation" means an electric generating system located on a customer's premises that is primarily intended to offset part or all of the customer's electricity requirements with renewable energy. The term "customer-owned renewable generation" does not preclude the customer of record from contracting for the purchase, lease, operation, or maintenance of an on-site renewable generation system with a third-party under terms and conditions that do not include the retail purchase of electricity from the third party.

(b) "Gross power rating" means the total manufacturer's AC nameplate generating capacity of an on-site customer-owned renewable generation system that will be interconnected to and operate in parallel with the investor-owned utility's distribution facilities. For inverter-based systems, the AC nameplate generating capacity shall be calculated by multiplying the total installed DC nameplate generating capacity by .85 in order to account for losses during the conversion from DC to AC.

(c) "Net metering" means a metering and billing methodology whereby customer-owned renewable generation is allowed to offset the customer's electricity consumption on-site.

(d) "Renewable energy," as defined in Section 377.803, Florida Statutes, means electrical, mechanical, or thermal energy produced from a method that uses one of more of the following fuels or energy sources: hydrogen, biomass, solar energy, geothermal energy, wind energy, ocean energy, waste heat, or hydroelectric power.

(3) Standard Interconnection Agreements. Each investor-owned utility shall, within 30 days of the effective date of this rule, file for Commission approval a Standard Interconnection Agreement for expedited interconnection of customer-owned renewable generation, up to 2 MW, that complies with the following standards:

(a) IEEE 1547 (2003) Standard for Interconnecting Distributed Resources with Electric Power Systems;

(b) IEEE 1547.1 (2005) Standard Conformance Test Procedures for Equipment Interconnecting Distributed Resources with Electric Power Systems; and

(c) UL 1741 (2005) Inverters, Converters, Controllers and Interconnection System Equipment for Use With Distributed Energy Resources.

(d) A copy of IEEE 1547 (2003), ISBN number 0-7381-3720-0, and IEEE 1547.1 (2005), ISBN number 0-7381-4737-0, may be obtained from the Institute of Electric and Electronic Engineers, Inc. (IEEE), 3 Park Avenue, New York, NY, 10016-5997. A copy of UL 1741 (2005) may be obtained from COMM 2000, 1414 Brook Drive, Downers Grove, IL 60515.

(4) Customer Qualifications and Fees.

(a) To qualify for expedited interconnection under this rule, customer-owned renewable generation must have a gross power rating that:

1. Does not exceed 90% of the customer's utility distribution service rating; and

2. Falls within one of the following ranges:

Tier 1 – 10 kW or less;

Tier 2 – greater than 10 kW and less than or equal to 100 kW; or

Tier 3 – greater than 100 kW and less than or equal to 2 MW.

(b) Customer-owned renewable generation shall be considered certified for interconnected operation if it has been submitted by a manufacturer to a nationally recognized testing and certification laboratory, and has been tested and listed by the laboratory for continuous interactive operation with an electric distribution system in compliance with the applicable codes and standards listed in subsection (3).

(c) Customer-owned renewable generation shall include a utility-interactive inverter, or other device certified pursuant to paragraph (4)(b) that performs the function of automatically isolating the customer-owned generation equipment from the electric grid in the event the electric grid loses power.

(d) For Tiers 1 and 2, provided the customer-owned renewable generation equipment complies with paragraphs (4)(a) and (b), the investor-owned utility shall not require further design review, testing, or additional equipment other than that provided for in subsection (6). For Tier 3, if an interconnection study is necessary, further design review, testing and additional equipment as identified in the study may be required.

(e) Tier 1 customers who request interconnection of customer-owned renewable generation shall not be charged fees in addition to those charged to other retail customers without self-generation, including application fees.

(f) Along with the Standard Interconnection Agreement filed pursuant to subsection (3), each investor-owned utility may propose for Commission approval a standard application fee for Tiers 2 and 3, including itemized cost support for each cost contained within the fee.

(g) Each investor-owned utility may also propose for Commission approval an Interconnection Study Charge for Tier 3.

(h) Each investor-owned utility shall show that their fees and charges are cost-based and reasonable. No fees or charges shall be assessed for interconnecting customer-owned renewable generation without prior Commission approval.

(5) Contents of Standard Interconnection Agreement. Each investor-owned utility's customer-owned renewable generation Standard Interconnection Agreement shall, at a minimum, contain the following:

(a) A requirement that customer-owned renewable generation must be inspected and approved by local code officials prior to its operation in parallel with the investor-owned utility to ensure compliance with applicable local codes.

(b) Provisions that permit the investor-owned utility to inspect customer-owned renewable generation and its component equipment, and the documents necessary to ensure compliance with subsections (2) through (4). The customer shall notify the investor-owned utility at least 10 days prior to initially placing customer equipment and protective apparatus in service, and the investor-owned utility shall have the right to have personnel present on the in-service date. If the customer-owned renewable generation system is subsequently modified in order to increase its gross power rating, the customer must notify the investor-owned utility by submitting a new application specifying the modifications at least 30 days prior to making the modifications.

(c) A provision that the customer is responsible for protecting the renewable generating equipment, inverters, protective devices, and other system components from damage from the normal and abnormal conditions and operations that occur on the investor-owned utility system in delivering and restoring power; and is responsible for ensuring that customer-owned renewable generation equipment is inspected, maintained, and tested in accordance with the manufacturer's instructions to ensure that it is operating correctly and safely.

(d) A provision that the customer shall hold harmless and indemnify the investor-owned utility for all loss to third parties resulting from the operation of the customer-owned renewable generation, except when the loss occurs due to the negligent actions of the investor-owned utility. A provision that the investor-owned utility shall hold harmless and indemnify the customer for all loss to third parties resulting from the operation of the investor-owned utility's system, except when the loss occurs due to the negligent actions of the customer.

(e) A requirement for general liability insurance for personal and property damage, or sufficient guarantee and proof of self-insurance, in the amount of no more than \$1 million for Tier 2, and no more than \$2 million for Tier 3. The investor-owned utility shall not require liability insurance for Tier 1. The investor-owned utility may include in the Interconnection Agreement a recommendation that Tier 1 customers carry an appropriate level of liability insurance.

(f) Identification of any fees or charges approved pursuant to subsection (4).

(6) Manual Disconnect Switch

(a) Each investor-owned utility's customer-owned renewable generation Standard Interconnection Agreement may require customers to install, at the customer's expense, a manual disconnect switch of the visible load break type to provide a separation point between the AC power output of the customer-owned renewable generation and any customer wiring connected to the investor-owned utility's system. Inverter-based Tier 1 customer-owned renewable generation systems shall be exempt from this requirement, unless the manual disconnect switch is installed at the investor-owned utility's expense. The manual disconnect switch shall be mounted separate from, but adjacent to, the meter socket and shall be readily accessible to the investor-owned utility and capable of being locked in the open position with a single investor-owned utility padlock.

(b) The investor-owned utility may open the switch pursuant to the conditions set forth in paragraph (6)(c), isolating the customer-owned renewable generation, without prior notice to the customer. To the extent practicable, however, prior notice shall be given. If prior notice is not given, the utility shall at the time of disconnection leave a door hanger notifying the customer that their customer-owned renewable generation has been disconnected, including an explanation of the condition necessitating such action. The investor-owned utility shall reconnect the customer-owned renewable generation as soon as the condition necessitating disconnection is remedied.

(c) Any of the following conditions shall be cause for the investor-owned utility to disconnect customer-owned renewable generation from its system:

1. Emergencies or maintenance requirements on the investor-owned utility's electric system;

2. Hazardous conditions existing on the investor-owned utility system due to the operation of the customer's generating or protective equipment as determined by the investor-owned utility;

3. Adverse electrical effects, such as power quality problems, on the electrical equipment of the investor-owned utility's other electric consumers caused by the customer-owned renewable generation as determined by the investor-owned utility;

4. Failure of the customer to maintain the required insurance coverage.

(7) Administrative Requirements.

(a) Each investor-owned utility shall maintain on its website a downloadable application for interconnection of customer-owned renewable generation, detailing the information necessary to execute the Standard Interconnection Agreement. Upon request the investor-owned utility shall provide a hard copy of the application within 5 business days.

(b) Within 10 business days of receipt of the customer's application, the investor-owned utility shall provide written notice that it has received all documents required by the Standard Interconnection Agreement or indicate how the application is deficient. Within 10 business days of receipt of a completed application, the utility shall provide written notice verifying receipt of the completed application. The written notice shall also include dates for any physical inspection of the customer-owned renewable generation necessary for the investor-owned utility to confirm compliance with subsections (2) through (6), and confirmation of whether a Tier 3 interconnection study will be necessary.

(c) The Standard Interconnection Agreement shall be executed by the investor-owned utility within 30 calendar days of receipt of a completed application. If the investor-owned utility determines that an interconnection study is necessary for a Tier 3 customer, the investor-owned utility shall execute the Standard Interconnection Agreement within 90 days of a completed application.

(d) The customer must execute the Standard Interconnection Agreement and return it to the investor-owned utility at least 30 calendar days prior to beginning parallel operations and within one year after the utility executes the Agreement. All physical inspections must be completed by the utility within 30 calendar days of receipt of the customer's executed Standard Interconnection Agreement. If the inspection is delayed at the customer's request, the customer shall contact the utility to reschedule an inspection. The investor-owned utility shall reschedule the inspection within 10 business days of the customer's request.

(8) Net Metering.

(a) Each investor-owned utility shall enable each customer-owned renewable generation facility interconnected to the investor-owned utility's electrical grid pursuant to this rule to net meter.

(b) Each investor-owned utility shall install, at no additional cost to the customer, metering equipment at the point of delivery capable of measuring the difference between the electricity supplied to the customer from the investor-owned utility and the electricity generated by the customer and delivered to the investor-owned utility's electric grid.

(c) Meter readings shall be taken monthly on the same cycle as required under the otherwise applicable rate schedule.

(d) The investor-owned utility shall charge for electricity used by the customer in excess of the generation supplied by customer-owned renewable generation in accordance with normal billing practices.

(e) During any billing cycle, excess customer-owned renewable generation delivered to the investor-owned utility's electric grid shall be credited to the customer's energy consumption for the next month's billing cycle.

(f) Energy credits produced pursuant to paragraph (8)(e) shall accumulate and be used to offset the customer's energy usage in subsequent months for a period of not more than twelve months. At the end of each calendar year, the investor-owned utility shall pay the customer for any unused energy credits at an average annual rate based on the investor-owned utility's COG-1, as-available energy tariff.

(g) When a customer leaves the system, that customer's unused credits for excess kWh generated shall be paid to the customer at an average annual rate based on the investor-owned utility's COG-1, as-available energy tariff.

(h) Regardless of whether excess energy is delivered to the investor-owned utility's electric grid, the customer shall continue to pay the applicable customer charge and applicable demand charge for the maximum measured demand during the billing period. The investor-owned utility shall charge for electricity used by the customer in excess of the generation supplied by customer-owned renewable generation at the investor-owned utility's otherwise applicable rate schedule. The customer may at their sole discretion choose to take service under the investor-owned utility's standby or supplemental service rate, if available.

(9) Renewable Energy Certificates. Customers shall retain any Renewable Energy Certificates associated with the electricity produced by their customer-owned renewable generation equipment. Any additional meters necessary for measuring the total renewable electricity generated for the purposes of receiving Renewable Energy Certificates shall be installed at the customer's expense, unless otherwise determined during negotiations for the sale of the customer's Renewable Energy Certificates to the investor-owned utility.

(10) Reporting Requirements. Each electric utility, as defined in Section 366.02(2), Florida Statutes, shall file with the Commission as part of its tariff a copy of its Standard Interconnection Agreement form for customer-owned renewable generation. In addition, each electric utility shall report the following, by April 1 of each year.

(a) Total number of customer-owned renewable generation interconnections as of the end of the previous calendar year;

(b) Total kW capacity of customer-owned renewable generation interconnected as of the end of the previous calendar year;

(c) Total kWh received by interconnected customers from the electric utility, by month and by year for the previous calendar year;

(d) Total kWh of customer-owned renewable generation delivered to the electric utility, by month and by year for the previous calendar year; and

(e) Total energy payments made to interconnected customers for customer-owned renewable generation delivered to the electric utility for the previous calendar year, along with the total payments made since the implementation of this rule.

(f) For each individual customer-owned renewable generation interconnection:

1. Renewable technology utilized;
2. Gross power rating;
3. Geographic location by county; and
4. Date interconnected.

(11) Dispute Resolution. Parties may seek resolution of disputes arising out of the interpretation of this rule pursuant to Rule 25-22.032, F.A.C., Customer Complaints, or Rule 25-22.036, F.A.C., Initiation of Formal Proceedings.

Specific Authority 350.127(2), 366.05(1), 366.92 FS. Law Implemented 366.02(2), 366.04(2)(c), (5), (6), 366.041, 366.05(1), 366.81, 366.82(1),(2), 366.91(1),(2), 366.92 FS. History—New 2-11-02, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Craig Hewitt, Division of Economic Regulation, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6848

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 18, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 10, 2007

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: 40D-8.041
RULE TITLE: Minimum Flows

PURPOSE AND EFFECT: The amendments establish minimum flows pursuant to Section 373.042, F.S., for the upper Hillsborough River and Crystal Springs. These water bodies are listed on the District's minimum flow and levels priority list for establishment of minimum flows. The minimum flows will be used in the District's permitting and resource management and development programs.

SUMMARY: The District has identified seasonal low, medium and high flow periods for the Upper Hillsborough River. Short-term minimum flow compliance standards were developed for each of these periods using a "building block" approach. The Minimum Low Flow for the low flow period (Block 1, April 20 through June 24) is the natural flow minus 10% at the USGS Morris Bridge gage.

For the Minimum High Flow for the high flow period (Block 3, June 25 through October 27), is a stepped flow reduction of 13% and 8% of the historic flows, with the step occurring at the 15% exceedance flow (470 cfs) at the USGS Morris Bridge gage. To protect high flows regardless of their seasonality, the high flow step of an 8% reduction for flows above 470 cfs is maintained throughout the year.

For the medium flow period (October 28 to April 19) it was determined that changes in habitat availability for fish and macroinvertebrates determined the Minimum Medium Flow. The Minimum Medium Flow is established as the flow less 11% at the USGS Morris Bridge.

Five and ten year means and medians are proposed as long-term compliance standards.

A minimum flow for the Crystal Springs complex is established as 46 cfs based on a 5-year running mean and median.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.036, 373.0361, 373.042, 373.0421 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: Karen A. Lloyd, Assistant Deputy Counsel, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4651

THE FULL TEXT OF THE PROPOSED RULE IS:

40D-8.041 Minimum Flows.

(1) No change.

(2) Minimum Flows for the upper Hillsborough River.

(a) The Minimum Flows are to ensure that the minimum hydrologic requirements of the water resources or ecology of the natural systems associated with the river are met.

(b) Minimum Flows for the upper Hillsborough River at the USGS Hillsborough River near Morris Bridge Gage USGS # 02303330 ("Morris Bridge Gage" 0) are set forth in Table 8-12 below. The long-term compliance standards set forth in Table 8-13 are established based on the application of the Minimum Flows to the lowest anticipated natural flow conditions. Minimum Flows for the upper Hillsborough River are both seasonal and flow dependent. Two standards are flow based and applied continuously regardless of season. The first is a Minimum Low Flow threshold of 52 cfs at the Morris

Bridge Gage. The second is a Minimum High Flow threshold of 470 cfs at the Morris Bridge Gage. The Minimum High Flow is based on changes in the number of days of inundation of floodplain features. There are also three seasonally dependent or Block specific Minimum Flows. The Block 1 and Block 2 Minimum Flows are based on potential changes in

habitat availability for fish species and macroinvertebrate diversity. The Block 3 Minimum Flow is based on changes in the number of days of connection with floodplain features.

Table 8-12 Minimum Flow for Upper Hillsborough River at USGS Hillsborough River near Morris Bridge Gage

Period	Effective Dates	Where Flow on	Minimum Flow Is
Annually	January 1 to December 31	Previous Day Equals:	
		≤ 52 cfs > 52 cfs and < 470 cfs 470 cfs	52 cfs Seasonally dependent – see Blocks below Previous day flow minus 8%
Block 1	April 20 to June 24	≤ 52 > 52 cfs and < 470 cfs 470 cfs	52 cfs previous day flow minus 10% Previous day flow minus 8%
		≤ 52 > 52 cfs and < 470 cfs 470 cfs	52 cfs previous day flow minus 11% previous day flow minus 8%
Block 3	June 25 to October 27	≤ 52 cfs > 52 cfs and < 470 cfs 470 cfs	52 cfs previous day flow minus 13% previous day flow minus 8%

(c) Compliance – The Minimum Flows are met when the flows in Table 8-13 are achieved.

Table 8-13 Compliance Standards for the Hillsborough River near Morris Bridge Gage

Minimum Flow	Hydrologic Statistic	Flow (cfs)
Annual Flow	10-Year Mean	190
	10-Year Median	96
	5-Year Mean	149
	5-Year Median	74
Block 1	10-Year Mean	74
	10-Year Median	62
	5-Year Mean	57
	5-Year Median	52
Block 2	10-Year Mean	153
	10-Year Median	89
	5-Year Mean	105
	5-Year Median	72
Block 3	10-Year Mean	287
	10-Year Median	150
	5-Year Mean	235
	5-Year Median	107

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

(7) Minimum Flows for Crystal Springs Located Within the Hillsborough River Basin, Hillsborough County, Florida.

(a) The Minimum Flows are to ensure that the minimum hydrologic requirements of the water resources or ecology of the natural systems associated with the upper Hillsborough River are met.

(b) The Minimum Flow for Crystal Springs is stated as the flow measured by USGS physical measurements. Flows from Crystal Springs are calculated as the difference between

upstream flow measurements at USGS Gage No. 02301990 – Hillsborough River Above Crystal Springs near Zephyrhills, FL and downstream flow measurements at USGS Gage No. 02302010 – Hillsborough River Below Crystal Springs near Zephyrhills, FL measurements and constitute the combined flow of the main spring vent and numerous smaller vents in the river channel. The minimum flow for the Crystal Springs complex is 46 cfs based on a 5-year running mean and median.

Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.036, 373.0361, 373.0395, 373.042, 373.0421 FS. History—Readopted 10-5-74, Amended 12-31-74, Formerly 16J-0.15, 40D-1.601, Amended 10-1-84, 8-7-00, 2-6-06, 4-6-06, 1-1-07, 11-25-07.

NAME OF PERSON ORIGINATING PROPOSED RULE: Karen A. Lloyd, Assistant Deputy Counsel, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4651

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Southwest Florida Water Management District Governing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 18, 2007

DATE NOTICES OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 14, 2007; December 28, 2007

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NOS.:	RULE TITLES:
58A-14.0061	Admission and Appropriateness of Placement
58A-14.0062	Residency Agreement
58A-14.007	Standards and Practices for Care and Services
58A-14.0085	Records

PURPOSE AND EFFECT: The purpose of the proposed rule amendments is to protect the health, safety, security and well-being of residents living in ADULT FAMILY-CARE HOMES. The amendments add language to the resident health assessment form, incorporated by reference in the rule, where a resident’s health care practitioner must certify if a resident may be left without supervision in an adult family-care home (AFCH) for up to 2 hours in a 24-hour period; add language to the residency agreement and care and services standards regarding the level of supervision provided by the AFCH, the conditions required if the health care practitioner certifies that a resident may be left without supervision in an AFCH, the requirement that the health care practitioner provide an annual reassessment of his or her initial determination that a resident may be left without supervision in an AFCH, and the need for the practitioner’s certification to be included in the resident’s record; and add language regarding cardiopulmonary resuscitation.

SUMMARY: Additional language regarding the resident health assessment form certifying whether or not a resident may be left without supervision in an AFCH for up to 2 hours in a 24-hour period; additional language in the residency agreement to include the level of supervision provided; additional language regarding the conditions under which a resident may be left without supervision in an AFCH, the requirement that the health care practitioner provide an annual reassessment

whether a resident may be left without supervision in an AFCH, and documentation of such determination included in the resident’s record; and language regarding cardiopulmonary resuscitation.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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: 429.67, 429.73, 429.75, 429.81 FS. LAW IMPLEMENTED: 429.65, 429.67, 429.71, 429.73, 429.75, 429.81, 429.85 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: January 30, 2008, 9:30 a.m. – 11:30 a.m. EST.

PLACE: Department of Elder Affairs, 4040 Esplanade Way, Conference Room 225F, Tallahassee, Florida 32399-7000

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Jim Crochet, Department of Elder Affairs, Office of the General Counsel, 4040 Esplanade Way, Tallahassee, Florida 32399-7000; Telephone (850)414-2000, SunCom 994-2000; E-mail address: crochethj@elderaffairs.org. 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: Jim Crochet, Department of Elder Affairs, Office of the General Counsel, 4040 Esplanade Way, Tallahassee, Florida 32399-7000; telephone (850)414-2000, Suncom 994-2000; E-mail address: crochethj@elderaffairs.org.

COPIES OF THE AGENDA, PROPOSED RULES AND FORM INCORPORATED BY REFERENCE MAY BE OBTAINED FROM THE DEPARTMENT’S WEB SITE AT: <http://elderaffairs.state.fl.us>, UNDER THE HEADING ENTITLED “DOEA Rulemaking, Adult Family-Care Homes.”

THE FULL TEXT OF THE PROPOSED RULES IS:

58A-14.0061 Admission and Appropriateness of Placement.

(1) No change.

(a) through (l) No change.

(2) HEALTH ASSESSMENT. Prior to admission to an AFCH, the individual must be examined by a health care provider using AHCA the Resident Health Assessment, DOEA Form 3110-1023 (AFCH-1110); 01/08, Resident Health Assessment for Adult Family-Care Homes (AFCH), January 2008 August 2003, which is incorporated by reference, and available from the Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop 30 Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, FL 32308 32399-7000. The form may also be obtained from the agency's Web site at http://ahca.myflorida.com/MCHO/Long_Term_Care/Assisted_living/afc/Res_Health_Assmnt.pdf ~~Previous versions of this form completed up to 6 months after the effective date of this rule, January 1 2004 are acceptable.~~

(3) No change.

(4) CARDIOPULMONARY RESUSCITATION: Prior to admission to an AFCH, a statement must be provided to the individual regarding the adult family-care home's policy regarding withdrawing or withholding of cardiopulmonary resuscitation pursuant to Section 429.73(3), F.S. The policy shall include language which specifies that the provider must contact "911" in the event of cardiopulmonary distress.

(4) through (5) renumbered (5) through (6) No change.

Specific Authority 429.73 FS. Law Implemented 429.65, 429.73, 429.85 FS. History--New 2-2-95, Formerly 10A-14.0061, Amended 9-19-96, 6-6-99, 1-1-04, _____.

58A-14.0062 Residency Agreement.

(1) No change.

(2) The residency agreement must include the following:

(a) through (e) No change.

(f) A statement regarding the level of supervision to be provided.

(3) No change.

Specific Authority 429.81 FS. Law Implemented 429.81, 429.85 FS. History--New 6-6-99, Amended _____.

58A-14.007 Standards and Practices for Care and Services.

The adult family-care home provider shall ensure the provision of the following in accordance with Part II of Chapter 429, F.S., this rule chapter, and the residency agreement:

(1) No change.

(2) SUPERVISION.

(a) The AFCH provider shall provide general supervision twenty-four (24) hours per day, except as provided in paragraph (a) of this subsection. General supervision means the provider or designee is which includes being aware of the resident's general whereabouts and well-being while the resident is on the premises of the AFCH. The provider is responsible for determining the level of supervision necessary in order to ensure the resident's safety and security as well as to, and reminding the resident of any important tasks or

~~activities, including appointments, as needed by the resident. The provider is responsible for determining and providing adequate supervision however; under circumstances shall a resident be left unattended for more than 2 hours.~~

(a) A resident may be left without supervision in an AFCH for up to 2 hours in a 24-hour period if his or her health care provider submits written certification that doing so will not compromise the resident's health, safety, security or well-being.

1. The certification is included in Section H of AHCA Form 3110-1023 (AFCH-1110) 01/08, incorporated by reference in subsection 58A-14.0061(2), F.A.C.

2. After the effective date of this rule, the provider shall have up to six (6) months for completing section H on this form for all current residents.

(b) The health care provider's certification must be completed annually from the date of the original assessment, or sooner, if a significant change occurs pursuant to subsection (4) of this rule or there is a compelling reason why the resident should not be left without supervision in the AFCH.

(c) The provider must be accessible by telephone or pager or other appropriate means so that the resident is able to communicate with him or her during the period that the resident is left without supervision in the AFCH.

(3) INCIDENT REPORTING.

(b) ~~Any major incident and the action taken in response to that incident must be documented in the resident's record. A major incident includes:~~

(a) ~~An injury to a resident which requires assessment and treatment by a health care provider. The resident's record must include a description of the circumstances under which the injury occurred.~~

(b) ~~Determining that A~~ resident is missing. Whenever a resident is determined to be missing, the provider, relief person, or staff-in-charge shall notify the local law enforcement agency within 1 hour. The resident's representative, next-of-kin, and case manager shall be notified within 4 hours or within a time frame previously agreed upon in writing between the provider and the resident's representative, next-of-kin, or case manager.

(c) ~~Any event, such as a fire, natural disaster, or other occurrence, which results in the disruption of the AFCH's normal activities.~~

(d) ~~The death of a resident. The resident's representative, next-of-kin, and case manager, and law enforcement must be notified immediately upon discovery of the death within 4 hours of death or within a time frame previously agreed upon in writing between the provider and the resident's representative, next-of-kin, or case manager.~~

(4) ~~HEALTH MONITORING.~~ The AFCH provider shall be responsible for observing, recording and reporting any significant changes in the resident's normal appearance, behavior or state of health to the resident's health care

provider, ~~and~~ representative, ~~and~~ or case manager. Significant changes include a sudden or major shift in behavior or mood; or a deterioration in health status, such as unplanned weight change, stroke, heart condition, a stage 2 pressure sore. Ordinary day-to-day fluctuations in functioning and behavior, short-term illness such as a cold, or the gradual deterioration in the ability to carry out the activities of daily living that accompanies the aging process are not considered significant changes. As part of health monitoring, residents must ~~shall~~ be weighed ~~on a~~ monthly basis.

(4) through (6) renumbered (5) through (7) No change.

Specific Authority 429.73 FS. Law Implemented 429.73, 429.85 FS. History--New 5-14-86, Amended 2-2-95, Formerly 10A-14.007, Amended 9-19-96, 6-6-99, _____.

58A-14.0085 Records.

(1) RESIDENT RECORDS. The AFCH provider shall maintain a separate record for each resident on the premises and available for inspection by the agency.

(a) The record shall, ~~at a minimum,~~ contain:

1. AHCA Form 3110-1023 (AFCH-1110) 01/08. The Resident Health Assessment for Adult Family-Care Homes (AFCH), ~~DOEA Form 1110,~~ required by Rule 58A-14.0061, F.A.C. A completed and signed form faxed by the health care provider shall be acceptable. The resident's health care provider's certification whether he or she may be left without supervision in the AFCH for up to 2 hours in a 24-hour period (Section H of the form) must be completed and included pursuant to paragraphs (a) and (b) of subsection 58A-14.007(2), F.A.C.

2. through 13. No change.

(b) No change.

(2) through (3) No change.

Specific Authority 429.67, 429.73, 429.75, 429.81 FS. Law Implemented 429.67, 429.73, 429.75, 429.81, 429.85 FS. History--New 6-6-99, Amended 7-30-06, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jim Crochet

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: E. Douglas Beach, Ph.D., Secretary
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 21, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 2, 2007

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: 61C-8.004
RULE TITLE: Program Requirements

PURPOSE AND EFFECT: The proposed rule amendments implement changes to the Hospitality Education Program grants as specified in Chapter 2007-237, Laws of Florida. The proposed rule amendments also re-adopt the grant-related forms and reflect improved readability under the plain language initiative.

SUMMARY: The proposed rule amendments address the process for Hospitality Education Program grant application, review, approval, payment disbursement, and reporting processes and requirements.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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: 509.302 FS.

LAW IMPLEMENTED: 509.302 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: Michelle Comingore, Operations Review Specialist, Division of Hotels and Restaurant, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1012, Telephone: (850)488-1133

THE FULL TEXT OF THE PROPOSED RULE IS:

61C-8.004 Program Requirements.

(1) Grant Application Requirements.

Pursuant to Section 509.302, F.S., the division may award one school-to-career transition programs grant of up to \$250,000 annually for a period of four years; one food safety training programs grant of up to \$50,000 annually for a period of four years; and one nontransient public lodging training programs grant of up to \$50,000 annually for a period of four years.

(a) Grant applications shall be submitted on DBPR Form HR 5025-200, ~~GRANT APPLICATION TO SUPPORT HOSPITALITY TRAINING PROGRAMS,~~ incorporated herein by reference and effective ~~_____ 1-18-98,~~ to the ~~Program Administrator~~ Director of Education, Hospitality Education Program (HEP), Division of Hotels and Restaurants, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1014. ~~Applications are available upon written request to the Director of Education as cited above.~~

(b) All grant applications must address the applicant's experience and history in representing the food service or lodging industry and demonstrated ability to provide services statewide with industry support and participation.

~~(c)(b)~~ School-to-Career Transition Programs Grant. The application cycle will begin ~~no earlier than~~ January 1 and end on March 1. ~~Applications In order for an application to be considered for the July 1 through June 30 fiscal year, an application must be received by the division Director of Education by the close of business on March 1 to be considered in the grant recipient selection process of the prior fiscal year.~~ All applications must address applicant's prior commitment to school-to-career transition programs in the food service or lodging industry. ~~and All applications must also address and identify how the recipient intends to demonstrate compliance with the following criteria:~~

1. Provide hospitality education opportunities for middle or high school (or equivalent) students;-
2. Provide school-to-career transition opportunities to prepare students to be recruited, trained or employed for a career in the hospitality industry. Hospitality industry means any public lodging or public food service establishment as described in Chapter 509, Part I, F.S.;
3. Provide education about progressive career options describing opportunities for professional advancement in the hospitality industry;-
4. Provide opportunity for students grant beneficiaries to receive certification in an area of in the hospitality industry. Certification means ~~the~~ documentation that the student grant beneficiary has successfully completed achieved or accomplished requirements in a specific area of the hospitality industry and in accordance with the goals established by in the program ~~which has been~~ awarded grant funds. All certifications This certification must be completed through programs an established and recognized program in the State of Florida, hospitality-industry-sponsored programs, or national certification programs program, such as Certified Professional Food Manager or; apartment manager managers' certification; or a Certificate of Achievement from the Hospitality Education Program.
5. Provide a description of the objectives of the grant and the methodology to assess the achievement of certification objectives;-
6. Provide an emphasis on spending grant funds on direct student services;-
7. Provide or possess the ~~The~~ capability to provide value beyond the grant term; ~~and be expanded to other areas within the state.~~
8. Identify potential methods; and sources for acquiring independent funding beyond the grant term to finance the continued operation of the program ~~and expansion to other areas within the state,~~ provided the program is designed to be continued; ~~and or expanded, or both.~~
9. Provide the program services for the full four-year grant term.

~~(d)(e)~~ Other Hospitality Training Programs Grants. The application cycle will begin July 1 and end on December 31. ~~Applications In order for an application to be considered for the July 1 through June 30 fiscal year, an application must be received by the division Director of Education by the close of business on December 31 to be considered in the grant recipient selection process of the current fiscal year.~~ All applications for grants to support food service training programs available through statewide organizations organizations in the hospitality service field must address and identify how the recipient intends to demonstrate compliance with the following criteria:

1. Provide food safety training programs through statewide organizations to food service employees other than Certified Professional Food Service Managers;-
2. Develop training programs based on the food safety protection standards set forth in Chapters 61C-1 and 61C-4, F.A.C., to train food service employees on the proper procedures for receiving, storing, preparing, handling and serving food at public food service establishments;-
3. Provide additional training topics which will include but not be limited to: personal hygiene, illness reporting, proper dishwashing, sanitation, safety and maintenance procedures; ~~and-~~
4. Provide the program services for the full four-year grant term.

~~(e)(d)~~ All grant recipients programs must have a functional advisory committee to assist in the development and operation of the grant-funded program. The advisory committee must include including three or more hospitality industry professionals related to the sector of industry addressed by the training program, of which at least one shall not be employed by the grant recipient or any of its affiliates; ~~to assist in the development and operation of a program funded by a grant.~~ The committee members must shall have agreed in writing to serve in this capacity.

~~(f)(e)~~ The application must be accompanied by DBPR Form HR 5025-201, PROPOSAL NARRATIVE FORMAT, incorporated herein by reference and effective 1-18-98. ~~Copies of this form may be obtained from the Hospitality Education Program at the address provided in paragraph 61C-8.004(1)(a), F.A.C.~~

~~(f)~~ Applicants demonstrating hospitality training programs that result in a statewide impact on the hospitality industry through various forms of media or other means of communication shall also be considered and not required to indicate a specific grant beneficiary.

(g) All materials developed through the grant recipient's program become the property of the Hospitality Education Program.

- (2) Review and Processing of Grant Applications.

(a) ~~The program administrator review and processing of grant applications shall be accomplished by the director of education who shall receive, process, review and determine the sufficiency of the grant applications application.~~

(b) ~~DBPR Form HR 5025-206, EVALUATION FORM, incorporated herein by reference and effective _____, shall be used by all reviewers to evaluate all school-to-career transition programs grant applications submitted. DBPR Form HR 5025-204, EVALUATION FORM FOR HOSPITALITY TRAINING PROGRAM GRANT APPLICATIONS, incorporated herein by reference and effective _____ 1-18-98, shall be used by all reviewers to evaluate all other the grant applications submitted. Copies of this form may be obtained from the Hospitality Education Program at the address provided in paragraph 61C 8.004(1)(a), F.A.C.~~

(c) ~~The program administrator director of education shall provide the HEP subcommittee members of the division's Advisory Council a copy of each grant application received and a list of prioritized programs with recommended funding levels by March 31 of each application cycle fiscal year for School-to-Career Transition Programs grants and by January 31 of each application cycle fiscal year for all other grants.~~

(d) ~~The HEP subcommittee will meet to approve the applications and forward its recommendations to the Director of the Division of Hotels and Restaurants (division director) and the Advisory Council described in section Section 509.291, F.S. The final determination of grant awards shall be made by the division director of education, with the approval of the division director and consent of the Advisory Council. Grant Notification to recipients shall be notified given by May 1 for School-to-Career Transition Programs grants and by March February 1 of each fiscal year for all other grants.~~

(3) Program Review and Disbursement of Funds.

(a) The applicant shall ensure that the terms of the grant contract executed under this chapter are enforced.

(b) ~~The division director of education reserves the right to review programs for grant contract compliance at any time during the grant period. This review shall focus on the completion of stated tasks within the approved timetable, fulfillment of stated goals and objectives, and proper expenditure of grant monies.~~

(c) ~~The program administrator may director of education also reserves the right to recommend termination of the grant contract to the division director of the Division of Hotels and Restaurants the termination of the grant contract at any time during the grant period for failure to meet all program objectives or comply with the terms of the grant contract or any established rules or statutory requirements. In the event the grant contract is terminated, the grant application process shall restart according to the schedule set out in this rule.~~

(d) Each recipient of grant funds shall maintain accurate records of all expenditures of grant funds and shall ~~make assure that~~ these records are available for inspection, review or

audit by the ~~division Hospitality Education Program~~ staff and other ~~authorized~~ personnel authorized by the director of the ~~Division of Hotels and Restaurants~~. Records shall be kept for a period of at least ~~5~~ 3 years following the end of the grant period. All ~~grant~~ funds will be subject to ~~any and all~~ state audit requirements.

(e) Grant funds shall be distributed ~~on a quarterly basis~~ consistent with the terms of the grant proposal and contract. An amendment to the grant shall be approved, so long as such amendment does not change the scope of the grant, create a substantial deviation from the original proposal, or result in a payment greater than the original contract amount.

(f) All aspects of the ~~grant-funded program grants funded~~ shall comply with ~~chapter Chapter~~ 509, ~~part Part~~ I, F.S., and the rules ~~adopted promulgated~~ thereunder.

(g) Written status reports shall be submitted as indicated ~~on in~~ the grant ~~application, narrative~~ but not ~~more less~~ than 60 30 days following the end of each quarter, using DBPR Form HR 5025-202, ~~QUARTERLY STATUS REPORT FORM FOR HOSPITALITY TRAINING PROGRAMS~~, incorporated herein by reference and effective _____ 1-18-98. ~~Copies of this form may be obtained from the Hospitality Education Program at the address provided in paragraph 61C 8.004(1)(a), F.A.C.~~ Quarterly requests for payment shall be submitted with the status reports. Such requests shall contain an invoice requesting payment and a detailed accounting of ~~quarterly expenditures for the quarter. Payment requests for expenditures accrued during the first quarter of the grant period shall include only those expenditures accrued on or after July 1 or the date of grant contract execution, whichever is later. All other payment requests shall contain only those expenditures accrued during the previous quarter.~~

(4) Annual Program Reports. ~~An annual report shall be submitted within 60 days following the end of each state fiscal year and the grant period using DBPR Form HR 5025-203, ANNUAL PROGRAM REPORT FORM FOR HOSPITALITY TRAINING PROGRAMS GRANTS, incorporated herein by reference and effective _____ 1-18-98, and which is available upon written request from the director of education shall be used to submit an annual report within 30 days following the end of the grant period. Copies of this form may be obtained from the Hospitality Education Program at the address provided in paragraph 61C 8.004(1)(a), F.A.C.~~

(5) Obtaining forms. All forms incorporated in this section are available from the Division of Hotels and Restaurants Internet website; by e-mail or phone request to the department; or upon written request to the Hospitality Education Program, Division of Hotels and Restaurants, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1014.

Specific Authority 509.302(7)(b) FS. Law Implemented 509.302(7) FS. History—New 2-27-92, Amended 8-11-92, Formerly 7C-8.004, Amended 3-31-94, 9-25-96, 1-18-98, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Bill L. Veach, Director, Division of Hotels and Restaurants,
 Department of Business and Professional Regulation
 NAME OF SUPERVISOR OR PERSON WHO APPROVED
 THE PROPOSED RULE: Holly Benson, Secretary,
 Department of Business and Professional Regulation
 DATE PROPOSED RULE APPROVED BY AGENCY
 HEAD: December 24, 2007
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT
 PUBLISHED IN FAW: July 27, 2007

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
 REGULATION**

Board of Accountancy

RULE NO.: 61H1-28.0052
 RULE TITLE: Number of Sittings, and Granting of
 Credit, Release of Grades and
 Completion of Examination,
 Transition Rules

PURPOSE AND EFFECT: The Board proposes the rule
 amendment in order to clarify the requirements of the CPA
 examination.

SUMMARY: The requirements for the CPA examination will
 be clarified.

SUMMARY OF STATEMENT OF ESTIMATED
 REGULATORY COSTS: 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: 455.217(1), 473.304, 473.306 FS.

LAW IMPLEMENTED: 455.217(1), 473.306 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: Veloria Kelly, Division Director, Board
 of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville,
 Florida 32607

THE FULL TEXT OF THE PROPOSED RULE IS:

61H1-28.0052 Number of Sittings, and Granting of Credit,
 Release of Grades and Completion of Examination, Transition
 Rules.

(1) With respect to the CPA Examination:

(a) A candidate may take the required test sections
 individually and in any order. Credit for any test section(s)
 passed shall be valid for eighteen months from the National
 Association of State Boards of Accountancy (NASBA) grade
 release date for actual date the candidate took that test section,

without having to attain a minimum score on any failed test
 section(s) and without regard to whether the candidate has
 taken other test sections.

(b) Candidates must pass all four test sections of the CPA
 Examination within a rolling eighteen-month period, which
 begins on the NASBA grade release date for the first test
 section(s) passed ~~date that the first test section(s) passed is
 taken~~. In the event all four test sections of the CPA
 Examination are not passed within the rolling eighteen-month
 period, credit for any test section(s) passed outside the
 eighteen-month period will expire and that test section(s) must
 be retaken.

~~(e) For purposes of this section, credit for passing a test
 section of the computer-based examination is valid from the
 actual date of the testing event for that test section, regardless
 of the date the candidate actually receives notice of the passing
 grade.~~

(2) A candidate shall be deemed to have passed the CPA
 Examination when the candidate has been granted credit for all
 sections of the CPA Examination. Upon certification by the
 Board to the Department that the applicant has met all
 licensure requirements as imposed by Chapters 455 and 473,
 F.S., and the rules promulgated pursuant thereto, the
 Department shall issue a license to practice public accounting
 to such individual.

~~(3) After January 1, 2004, this rule shall be effective for all
 first time candidates or re-examination candidates except as
 provided in subsection (4) herein.~~

~~(4) For candidates in conditioned status after the
 November 2003 CPA Examination the following transition
 rules shall apply:~~

~~(a) Candidates who have attained conditional status as of
 the effective date of this rule will be allowed a transition period
 to complete any remaining test sections of the CPA
 Examination. The transition period shall end upon the
 exhaustion of either of the following:~~

~~1. As of the effective date of this rule, the candidate having
 sat for the exam for the maximum number of opportunities
 (that is, examination windows) that the candidate who
 conditioned under the paper and pencil examination had
 remaining to complete all remaining test sections under the
 paper and pencil examination, or~~

~~2. The number of remaining opportunities under the
 paper and pencil examination, multiplied by six months but
 limited by the number of sittings remaining under the
 paper and pencil examination. Thus, for example, if a
 candidate has two remaining sittings under the
 paper and pencil examination then that candidate will have
 one year to complete the CPA Examination but may only sit
 during two of the examination windows available during that
 year.~~

(b) If a previously conditioned candidate does not pass all remaining test sections during the transition period, conditional credits earned under the paper and pencil CPA Examination will expire and the candidate will lose credit for the test sections earned under the paper and pencil CPA Examination. However, any test section(s) passed during the transition period is subject to the retention provisions of the computer-based CPA Examination as indicated in subsection (1) above, except that a previously conditioned candidate will not lose conditional credit for a test section of the computer-based CPA Examination that is passed during the transition period, even though more than eighteen months may have elapsed from the date the test section is passed, until the end of that candidate's transition period.

(5) Translation of subjects passed on the pen and paper CPA Examination to sections on the computer based CPA Examinations shall be as follows:

Paper-Based Examination	Computer-Based Examination
Auditing	Auditing & Attestation
Financial Accounting & Reporting (FARE)	Financial Accounting & Reporting Regulation
(ARE)	
Business Law & Professional Responsibilities (LPR)	Business Environment & Concepts

Specific Authority 455.217(1), 473.304, 473.306 FS. Law Implemented 455.217(1), 473.306 FS. History--New 1-1-04, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Accountancy
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Accountancy
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 26, 2007
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 28, 2007

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: 61H1-31.001
RULE TITLE: Fees

PURPOSE AND EFFECT: The Board proposes the rule amendment to change the date for submission of the Laws and Rules Examination.

SUMMARY: The date for submission of the Laws and Rules Examination will be changed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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: 455.213(2), 455.219(4), 455.271, 473.305, 473.312 FS.

LAW IMPLEMENTED: 119.07, 455.219(4), 455.271, 473.305, 473.312, 473.313 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: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607

THE FULL TEXT OF THE PROPOSED RULE IS:

61H1-31.001 Fees.

(1) through (8) No change.

~~(9) The scan sheet for the Laws and Rules Examination must be postmarked or completed on line by or on December 31. No Laws and Rules Examination scan sheet will be accepted if it is postmarked or completed on line after December 31.~~

~~(9)(10) The CPE reporting form must be postmarked by or on July 15. If it is postmarked or completed on-line after July 15 but by December 31, a \$50.00 delinquency fee will be imposed by the Board. No CPE reporting form will be accepted if it postmarked or completed on-line after December 31.~~

~~(10)(11) Duplicate licensee fee – If a licensee requests a duplicate license or wall certificate, the Board will issue the duplicate if the request is made in writing and is accompanied by a payment of \$25.00.~~

~~(11)(12) For verification of licensure to other states; fifty dollars (\$50.00).~~

~~(12)(13) For initial licensure, fifty dollars (\$50.00). However, in no event shall an initial license be issued if the initial licensure fees and all required documents are not received within 12 months of the date of certification by the board; in such case, the certification expires and the applicant may reapply for licensure by endorsement, pursuant to Section 473.308(3)(a), F.S.~~

~~(13)(14) For approval of continuing education provider status, one hundred dollars (\$100.00), valid for two years.~~

~~(14)(15) For approval of a continuing education course in ethics, meeting the requirements of Section 473.312(1)(c), F.S., two hundred fifty dollars (\$250.00).~~

Specific Authority 455.213(2), 455.219(4), 455.271, 473.305, 473.312 FS. Law Implemented 119.07, 455.219(4), 455.271, 473.305, 473.312, 473.313 FS. History—New 12-4-79, Amended 2-3-81, 3-4-82, 11-6-83, 3-29-84, Formerly 21A-31.01, Amended 6-4-86, 9-16-87, 2-1-88, 8-30-88, 2-6-89, 12-18-89, 12-28-89, 8-16-90, 4-8-92, 12-2-92, Formerly 21A-31.001, Amended 11-4-93, 2-14-95, 11-3-97, 6-22-98, 10-28-98, 7-15-99, 4-3-02, 1-27-04, 1-31-05, 7-14-05, 4-9-06, 12-3-06, 4-29-07, 9-24-07, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Accountancy

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 26, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 16, 2007

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 Orthotists and Prosthetists

RULE NO.: RULE TITLE:

64B14-3.001 Definitions

PURPOSE AND EFFECT: The purpose and effect of this rule development is to amend an existing definition and to delete another; and to add a definition for the acronym "CAPE."

SUMMARY: In the proposed rule amendment, an existing definition is amended, another is deleted and a definition for the acronym "CAPE" is added.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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: 468.802 FS.

LAW IMPLEMENTED: 468.802, 468.803, 468.807, 468.808, 468.809 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: Joe Baker, Jr., Executive Director, Board of Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B14-3.001 Definitions.

As used in this chapter, the following terms shall mean:

(1) No change.

(2) ABC – The American Board for Certification in Orthotics, Prosthetics and Pedorthics Prosthetics, Inc.

(3) through (6) No change.

~~(7) BCP – Board for Certification in Pedorthics, Inc.~~

~~(7)(8) BOC – Board for Orthotist/Prosthetist Certification, Inc.~~

~~(8)(9) CAAHEP – Commission on Accreditation of Allied Health Education Programs.~~

(9) CAPE – Commission on Accreditation for Pedorthic Education.

(10) through (30) No change.

Specific Authority 468.802 FS. Law Implemented 468.802, 468.803, 468.807, 468.808, 468.809 FS. History—New 10-21-99, Amended 2-19-04, 5-5-04, 5-23-07, 8-8-07, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Orthotists and Prosthetists

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Orthotists and Prosthetists

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 14, 2007

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE NOS.: RULE TITLES:

64B14-4.001 Approved Examinations

64B14-4.100 Requirements for Prosthetic or Orthotic Residency or Internship

64B14-4.110 Requirements for Orthotic Fitter, Orthotic Fitter Assistant and Pedorthist

PURPOSE AND EFFECT: The purpose and effect for Rule 64B14-4.001, F.A.C., is to delete inapplicable examinations required and to add a new required examination; for Rule 64B14-4.100, F.A.C., it is to delete a non-applicable requirement for Prosthetic or Orthotic Residency or Internship; for Rule 64B14-4.110, F.A.C., it is to amend the rule title and update the existing language.

SUMMARY: In Rule 64B14-4.001, F.A.C., inapplicable examinations required are deleted and a new required examination is added; in Rule 64B14-4.100, F.A.C., a non-applicable requirement for Prosthetic or Orthotic Residency or Internship is deleted; in Rule 64B14-4.110, F.A.C., the rule title is amended and the existing language is updated.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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: 456.017(1)(c), 468.802, 468.803 FS.

LAW IMPLEMENTED: 456.017(1)(c), 468.803 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Joe Baker, Jr., Executive Director, Board of Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULES IS:

64B14-4.001 Approved Examinations.

(1) The board accepts the examination results of the following nations standards organization in lieu of administering a state examination:

(a) No change.

(b) Pedorthist – the ABC certified pedorthic BCP examination.

(c) No change.

(2) The board approves the following examinations for licensure pursuant to Section 468.805, F.S.:

(a) Orthotist prosthetist, prosthetist/orthotist – the written and written simulation modules of the ABC examination.

(b) Pedorthist – the BCP examination.

Specific Authority 456.017(1)(c), 468.802, 468.803(2) FS. Law Implemented 456.017(1)(c), 468.803(2) FS. History–New 11-1-99, Amended 9-21-06,_____.

64B14-4.100 Requirements for Prosthetic or Orthotic Residency or Internship.

(1) through (7) No change.

(8) Prior to commencing a residency or internship, the resident/intern must submit a completed Registration Form, Form number DH-MQA 1114, 11/07.

Specific Authority 468.802, 468.803 FS. Law Implemented 468.803 FS. History–New 11-1-99, Amended 7-2-07,_____.

64B14-4.110 Requirements for Orthotic Fitter, Orthotic Fitter Assistant and ~~Pedorthist~~ Pedorthic.

(1) through (2) No change.

(3) Requirements for Licensure as a Pedorthist.

(a) The minimum 120 hours of training must meet the following requirements:

1. The training must take place in a program approved by ABCBCP.

2. No change.

(b) The internship must consist of 80 hours of pedorthic work experience under the direct supervision of a licensed orthotist, licensed pedorthist, an orthotist certified by ABC, or a pedorthist certified by ABCBCP.

Specific Authority 468.802, 468.803 FS. Law Implemented 468.803 FS. History–New 11-1-99, Amended 1-16-06, 9-21-06,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Orthotists and Prosthetists

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Orthotists and Prosthetists

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 14, 2007

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE NO.: RULE TITLE:

64B14-5.002 Continuing Education Requirement

PURPOSE AND EFFECT: The purpose and effect of this rule development is to delete obsolete language and update existing language.

SUMMARY: In the proposed rule amendment, obsolete language is deleted and existing language is updated.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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: 468.802, 468.806 FS.

LAW IMPLEMENTED: 456.013, 456.024, 468.806 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: Joe Baker, Jr., Executive Director, Board of Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B14-5.002 Continuing Education Requirement.

(1) As a condition of license renewal or recertification, each licensee must complete approved continuing education.

~~(a) For the biennium ending May 31, 2001, each licensee must complete 10 hours of continuing education.~~

~~(a)(b) For each biennium ending after May 31, 2001, each licensee must complete the following continuing education within 24 months immediately preceding the date license renewal is due:~~

~~1. through 5. No change.~~

~~(c) For each biennium ending after May 31, 2001, each licensee's continuing education must include one hour of continuing education on cardiopulmonary resuscitation; one hour on infectious diseases including HIV/AIDS; two hours of continuing education relating to prevention of medical errors which shall include a study of root cause analysis, error reduction and prevention, and patient safety and two hours on Chapters 456, 468, Part XIV, F.S., and Rule Chapter 64B14, F.A.C. The two hour course relating to the prevention of medical errors shall count toward the total number of continuing education hours required and shall be a course approved by the Board. For the biennium beginning December 1, 2007, each licensee's continuing education must include one hour of infectious diseases including HIV/AIDS; two hours on Chapters 456, 468 Part XIV, F.S., and Rule Chapter 64B14, F.A.C.; an up to date registration showing competency as a Healthcare Provider by the American Heart Association, the American Safety and Health Institute or the American Red Cross; and two hours of continuing education relating to the prevention of medical errors, which shall include a study of root cause analysis, error reduction and prevention, and patient safety. The two hour medical errors course shall be a course approved by the Board and shall count toward the total number of continuing education hours required for the biennium.~~

~~(2) through (3) No change.~~

~~(4) Each licensee may receive five ~~one~~ hours of continuing education credit in risk management by attending a meeting of the Board at which disciplinary cases are heard.~~

~~(5) Credit for continuing education is approved for the following:~~

~~(a) No change.~~

~~(b) Courses offered for continuing education by FAOP and those approved by ABC ~~or BCP~~ for their respective professions.~~

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

~~(6) through (8) No change.~~

~~(9) For the first renewal period after licensure the licensee is exempt from continuing education requirements of subsection 64B14 5.002(1), F.A.C., except for hours mandated for medical errors.~~

Specific Authority 468.802, 468.806 FS. Law Implemented 456.013, 456.024, 468.806 FS. History—New 7-1-98, Amended 5-18-00, 7-18-02, 11-11-02, 2-15-05, 11-1-05, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Orthotists and Prosthetists

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Orthotists and Prosthetists

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 14, 2007

DEPARTMENT OF HEALTH

Board of Psychology

RULE NO.: 64B19-13.003 RULE TITLE: Continuing Psychological Education Credit

PURPOSE AND EFFECT: Due to statutory changes, the Board proposes the rule amendment to delete continuing education requirements of those who refer to themselves as a "Qualified Practitioner."

SUMMARY: Due to statutory changes, references to continuing education requirements for a "Qualified Practitioner" will be removed from the rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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: 456.013(7), 490.004(4), 490.0085(4) FS.

LAW IMPLEMENTED: 456.013(7), 490.007(2), 490.0085(1), (3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susan Love, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B19-13.003 Continuing Psychological Education Credit.

(1) through (4) No change.

~~(5) As a condition of biennial licensure renewal, each licensee who holds himself/herself out as a "Qualified Practitioner," under the definition of Section 947.005(9), Florida Statutes, must complete twenty (20) of the forty (40) hours on the evaluation and treatment of sexual offenders and related legal and ethical issues, in addition to the requirements above.~~

~~(5)(6) No change.~~

Specific Authority 456.013(7), 490.004(4), 490.0085(4) FS. Law Implemented 456.013(7), 490.007(2), 490.0085(1), (3) FS. History—New 1-28-93, 7-14-93, Formerly 21U-13.0042, Amended 6-14-94, Formerly 61F13-13.0042, Amended 2-8-96, 11-18-96, Formerly 59AA-13.003, Amended 1-10-01, 8-5-01, 5-21-02, 6-3-04, 1-2-06, 12-21-06,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Psychology

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 26, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 7, 2007

DEPARTMENT OF HEALTH

Division of Children’s Medical Services

RULE NOS.:	RULE TITLES:
64C-7.001	Definitions
64C-7.002	Collection Procedures for Newborn Screening
64C-7.0025	Procedures for Newborn Screening Referral Centers
64C-7.0026	Administration of Newborn Hearing Screening
64C-7.003	Criteria for Approved Laboratories
64C-7.004	Designated State Laboratory
64C-7.005	Reporting of Newborn Screening Test Results
64C-7.006	Newborn Screening Records
64C-7.007	Criteria for Designating Newborn Screening Disorders
64C-7.012	Charging for Newborn Screening Services

PURPOSE AND EFFECT: The Florida Newborn Screening Program has undergone an expansion from eight to 35 disorders. As a result, the program has come into compliance with recommendations from the March of Dimes and the American College of Medical Genetics as approved by the Genetics and Newborn Screening Advisory Council.

SUMMARY: Changes in rule reflect the disorders added to the Florida Newborn Screening Program.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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: 383.14(1)(s) FS.

LAW IMPLEMENTED: 383.14 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 29, 2008, 10:00 a.m. – 11:30 a.m.

PLACE: 4025 Esplanade Way, Room 235-M, Tallahassee, FL 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Sherri Hood, 4052 Bald Cypress Way, Bin A06, Room 235-T, Tallahassee, FL 32399

THE FULL TEXT OF THE PROPOSED RULES IS:

64C-7.001 Definitions.

(1) “Advisory councils” means the Genetics and ~~Newborn Infant~~ Screening Advisory Council established by Section 383.14, F.S., and the State Coordinating Council for Early Childhood Services established by Section 411.222, F.S.

~~(2) “Approved laboratory” means a laboratory which meets the criteria specified in Rule 64C-7.003, F.A.C., and conforms to all other provisions of the rules governing the Infant Screening Program.~~

~~(2)(3)~~ “Care coordination services” and “care coordination” mean Healthy Start services that link Healthy Start participants and their families with other Healthy Start services and those supports and services that complement, supplement, and assure continued participation in prenatal and infant health care as specified in Rule 64F-3.001, F.A.C.

(3) “CMS Audiologist provider” means an audiologist who has been approved by CMS.

(4) “Congenital disorder” means a disorder existing before or at birth, regardless of cause, that is designated by the department in accordance with Rule 64C-7.008, F.A.C.

(5) “Environmental risk factor” means a physical, social, or economic factor in an individual’s environment which places him or her at risk for having or developing a health or health-related problem. These would be factors such as those delineated in Section 383.14, F.S.

(6) “Healthy Start infant” means an infant, less than twelve months of age, whose parent or family agrees to participate in Healthy Start care coordination and who may be at increased risk for impairment in health, intellect, or functional ability due to environmental, medical, nutritional, behavioral, or developmental risk factors as determined by the department’s risk screening instrument as defined in subsection 64C-7.008(2), F.A.C., or as determined by factors other than the score at the time of screening or subsequent to the initial screen.

(7) “Healthy Start participant” and “participant” mean a Healthy Start pregnant or postpartum woman or Healthy Start infant as defined in this section.

(8) “Healthy Start pregnant woman” means a pregnant woman who has agreed to participate in Healthy Start care coordination and may be at increased risk of pregnancy complications or poor birth outcome due to environmental, medical, nutritional, behavioral, or developmental risk factors as determined by the department’s prenatal risk screening instrument as defined in subsection 64C-7.008(1), F.A.C., or as determined by factors other than the score at the time of screening or subsequent to the initial screen.

(9) “Healthy Start services” mean those services provided to participants that maximize access to and participation in comprehensive prenatal and infant health care such as client and participant identification (case finding), care coordination, childbirth education, parenting education and support, nutritional counseling, psychosocial counseling, smoking cessation counseling, breastfeeding education and support, and other services that optimize health and developmental outcomes and improve access to care. Home visiting is a strategy for providing Healthy Start services. In addition to the home, Healthy Start services can also be provided in the neighborhood, school, workplace, or clinic; wherever the concerns, priorities, and resources of the participant or family can best be met. Healthy Start Coalitions have the authority to determine which specific Healthy Start services will have the greatest impact on pregnancy, health and developmental outcomes in their geographic regions.

(10) “Hearing risk factors” means selected risk factors having the potential to result in late onset hearing loss.

(11) “Hearing Screening Information” means the section of the specimen card for reporting screening results including the last hearing screen date, last hearing screen results by ear, the last test method used, hearing risk factors or reason hearing was not screened.

(12)(10) “Hereditary disorder” means a particular disorder designated by the department in accordance with Rule 64C-7.007, F.A.C., that is genetically transmitted from parent to offspring.

(13)(11) “Infant (postnatal) risk screening” means the use of selected risk factors to identify infants at increased risk for mortality and morbidity, as designated in accordance with Rule 64C-7.011, F.A.C.

(14)(12) “Newborn screening Metabolic disorder” means a biochemical disorder designated by the department in accordance with Rule 64C-7.007, F.A.C., which may have pathologic consequences at birth or later in life.

(15)(13) “Newborn Metabolic screening” means a procedure requiring the use of selected laboratory criteria capable of detecting the presumptive presence of disorders designated in accordance with Rule 64C-7.007, F.A.C.

(16)(14) “Prenatal risk screening” means the use of selected risk factors to identify pregnant women at increased risk for pregnancy complications or adverse outcomes, as designated in accordance with Rule 64C-7.011, F.A.C.

(17) “Presumptive positive screening result” means an abnormal screening result with a specific value for an analyte or disorder that must be referred to a designated referral center.

(18)(15) A “Newborn Screening Referral Center regional center” is a center designated by the Florida Department of Health Children’s Medical Services Central Office to which newborns infants with presumptive positive screening results tests are referred by the department. These centers must have the professional and laboratory capabilities to confirm the diagnosis, initiate and monitor therapy, and provide counseling to the families of children with presumptive positive screening results phenylketonuria (PKU), neonatal hypothyroidism, galactosemia, and other disorders designated in accordance with Rule 64C-7.007, F.A.C.

(19)(16) “Risk factor” means an element associated with an increased risk of pregnancy complications or infant mortality and morbidity.

(20)(17) “Risk screening instrument” means a tool developed by the department containing selected risk factors in accordance with Rule 64C-7.011, F.A.C.

(21)(18) “Satisfactory blood specimen” means a dried blood spot specimen on which an accurate laboratory analysis can be performed for the disorder for which it is submitted.

(22)(19) “Scoring mechanism” means a method used to ascertain potential risk based on the risk factors contained on the risk screening instrument.

(23)(20) “Screening test” means a non-diagnostic laboratory procedure that is capable of detecting the presumptive presence of phenylketonuria, congenital neonatal hypothyroidism, galactosemia, congenital adrenal hyperplasia, hemoglobin sickle beta-thalassemia, hemoglobin sickle cell disease, sickle cell anemia, 3-methylcrotonyl-CoA carboxylase deficiency, 3-OH 3-CH3 glutaric acuduria, arginosuccinic acidemia, mitochondrial acetoacetyl-CoA thiolase (betaketothiolase) deficiency, citrullinemia, glutaric acidemia type I, homocystinuria, isovaleric acidemia, long-chain L-3-OH acyl-CoA dehydrogenase deficiency, maple syrup urine disease, medium chain acyl-CoA dehydrogenase deficiency, methylmalonic acidemia, propionic acidemia, tyrosinemia type I, very long-chain acyl-CoA dehydrogenase deficiency, carnitine/acylcarnitine translocase deficiency, carnitine palmityl transferase deficiency type I, carnitine palmityl transferase deficiency type II, multiple acyl-CoA dehydrogenase deficiency, short chain acyl-CoA dehydrogenase deficiency, tyrosinemia type II, biotinidase deficiency, carnitine uptake defect, methylmalonic acidemia (mutase deficiency), multiple carboxylase deficiency, trifunctional protein deficiency and cystic fibrosis, and such other designated disorders, that shall may be prescribed by the department as recommended by the American College of Medical Genetics after consultation with the appropriate Genetics and Newborn Screening Advisory Council advisory councils in accordance with Rule 64C-7.007, F.A.C.

~~(24)(21)~~ “Unsatisfactory blood specimen” means any of the following:

(a) A specimen slip on which an insufficient quantity of blood is obtained.

(b) A specimen slip on which an accurate analysis or interpretation cannot be performed due to improper collection, handling, or submission ~~or due to a technical or laboratory problem.~~

~~(c) A specimen slip which does not provide all of the information regarding the patient as required. The blood specimen within such a specimen slip may be satisfactory according to the criteria above.~~

Specific Authority 383.14 (2) FS. Law Implemented 383.14 FS. History—New 10-25-79, Formerly 10D-76.01, Amended 12-5-84, Formerly 10J-8.01, Amended 3-29-92, 9-20-94, 8-14-95, 3-28-96, Formerly 10J-8.001, Amended _____.

64C-7.002 Collection Procedures for Newborn Metabolic Screening.

(1) Each live born infant shall be screened for phenylketonuria, congenital hypothyroidism, galactosemia, congenital adrenal hyperplasia, hemoglobin sickle beta-thalassemia, hemoglobin sickle cell disease, sickle cell anemia, 3-methylcrotonyl-CoA carboxylase deficiency, 3-OH 3-CH3 glutaric acuduria, arginosuccinic acidemia, mitochondrial acetoacetyl-CoA thiolase (betaketothiolase) deficiency, citrullinemia, glutaric acidemia type I, homocystinuria, isovaleric acidemia, long-chain L-3-OH acyl-CoA dehydrogenase deficiency, maple syrup urine disease, medium chain acyl-CoA dehydrogenase deficiency, methylmalonic acidemia, propionic acidemia, tyrosinemia type I, very long-chain acyl-CoA dehydrogenase deficiency, carnitine/acylcarnitine translocase deficiency, carnitine palmityl transferase deficiency type I, carnitine palmityl transferase deficiency type II, multiple acyl-CoA dehydrogenase deficiency, short chain acyl-CoA dehydrogenase deficiency, tyrosinemia type II, biotinidase deficiency, carnitine uptake defect, methylmalonic acidemia (mutase deficiency), multiple carboxylase deficiency, trifunctional protein deficiency, and cystic fibrosis, as recommended by the American College of Medical Genetics after consultation with the Genetics and Newborn Screening Advisory Council in accordance with Rule 64C-7.007, F.A.C. and designated disorders unless the parent or guardian objects to the screening in accordance with Sections 383.14(4) and 383.145(3)(e), F.S.

(2) The infant’s blood shall be collected on a specimen slip, DOH Form 677, ~~(Jan 93)~~, which is incorporated by reference. The form may be obtained through the any DOH website, www.doh.state.fl.us County Health Department. ~~The slip with blood and completed data must be inserted into the protective envelope and mailed to an approved laboratory within 24 hours after collection.~~

~~(3) An initial screening specimen The infant’s blood for these tests shall be collected not earlier than 24 hours 48 hours after birth and not before the infant has been on a protein diet for at least 24 hours, except as stated in (4), and (5), and (6), and no later than 5 days after birth.~~

~~(3)(4)~~ When a live birth occurs in a hospital, the responsible physician must shall obtain a satisfactory blood specimen prior to the infant’s discharge from the hospital. The specimen shall be collected not earlier than 24 hours after birth and not before the infant has been on a protein diet for at least 24 hours. If the infant is discharged from the hospital before 24 hours 48 hours after birth, or before being on a protein diet for 24 hours, a blood specimen shall be collected regardless, but collection shall be repeated after 24 hours 48 hours and no later than 5 days after birth. At or before discharge, the hospital administrator or a designated representative must shall provide a written notice to the parents, guardian, or other legally responsible person of the requirements for such newborn to be tested again prior to 5 days after birth. The primary responsibility for assuring repeat testing remains with the hospital.

~~(4)(5)~~ When a live birth occurs in a facility other than a licensed hospital, the professional person in attendance at the birth must shall obtain a satisfactory blood specimen prior to the infant’s discharge from the facility. The specimen shall be collected not earlier than 24 hours after birth and not before the infant has been on a protein diet for at least 24 hours. If the infant is discharged from the facility before 24 hours 48 hours after birth, or before being on a protein diet for 24 hours, a blood specimen shall be collected regardless, but collection shall be repeated after 24 hours 48 hours and no later than 5 days after birth. At or before discharge, the facility administrator or a designated representative shall provide a written notice to the parents, guardian, or other legally responsible person of the requirements for such newborn to be tested again prior to 5 days after birth. The primary responsibility for assuring repeat testing remains with the facility.

(5) If a newborn requires neonatal intensive care services, the responsible physician must obtain a satisfactory blood specimen on admission to the Neonatal Intensive Care Unit (NICU), prior to any blood transfusion, and again at seven days of age or just prior to discharge from the NICU, whichever is sooner. If the newborn stays in the NICU for 21 days or longer, a third specimen shall be obtained prior to discharge. If a satisfactory blood sample is not collected prior to receiving a blood transfusion, then a repeat screening specimen must be collected 3-4 months after the last blood transfusion.

Specific Authority 383.14(2) FS. Law Implemented 383.14 FS. History—New 10-25-79, Formerly 10D-76.03, Amended 12-5-84, Formerly 10J-8.03, Amended 3-29-92, 9-20-94, 3-28-96, Formerly 10J-8.003, Amended _____.

64C-7.0025 Procedures for Newborn Screening Referral Centers.

(1) The CMS Newborn Screening Follow-up Program shall notify the appropriate referral center of any newborn identified with a presumptive positive screening result.

(2) The referral center shall provide diagnostic and confirmatory testing for infants identified with a presumptive positive newborn screening result and provide appropriate dietary and genetic counseling and education to families concerning treatment for newborn screening disorders in accordance with Chapter 64C-7, F.A.C.

(3) The referral center shall contact the infant's physician of record and parents or caregivers for consultation.

(4) The referral center shall provide the CMS Newborn Screening Follow-up Program with an update every 10 calendar days regarding the status of an infant until confirmation of diagnosis is made.

(5) The referral center shall provide the CMS Newborn Screening Follow-up Program with a completed case report on all infants referred with a presumptive positive screening result. Case reports must be provided to CMS within 5 calendar days following confirmation of the final diagnosis.

Specific Authority 383.14(2) FS. Law Implemented 383.14 FS. History--New _____.

64C-7.0026 Administration of Newborn Hearing Screening.

(1) The hospital must record the latest hearing screening results on DOH Form 677, which is incorporated by reference.

(2) Hearing screen information shall be reported one time and not repeated on multiple blood specimen cards unless reporting different results.

Specific Authority 383.14(2) FS. Law Implemented 383.14 FS. History--New _____.

64C-7.003 Criteria for Approved Laboratories.

Specific Authority 383.14(2) FS. Law Implemented 383.14 FS. History--New 10-25-79, Formerly 10D-76.04, Amended 12-5-84, Formerly 10J-8.04, Amended 3-29-92, 3-28-96, Formerly 10J-8.004, Repealed _____.

64C-7.004 Designated State Laboratory.

(1) All newborn screening laboratory tests shall be conducted by the State Public Health Laboratory tests performed by the DOH state laboratory shall be performed in a single DOH laboratory designated for that purpose, which will serve as the reference laboratory for the state.

(2) In all other respects, the DOH laboratory will comply with the "Criteria for Approved Laboratories" as stated in s. 64C-7.003, F.A.C.

Specific Authority 383.14(2) FS. Law Implemented 383.14 FS. History--New 10-25-79, Formerly 10D-76.05, Amended 12-5-84, Formerly 10J-8.05, Amended 3-29-92, Formerly 10J-8.005, Amended _____.

64C-7.005 Reporting of Newborn Metabolic and Hereditary Disorder Screening Test Results.

(1) Within 5 calendar 40 days after receipt of a specimen, the State Public Health Laboratory providing the analyses shall send a written report of the results of all newborn screening tests to the hospital or other facility where the birth occurred or to the submitting entity. The report of the test results shall become part of the patient's medical clinical record.

(2) The submitting entity must forward a copy of the newborn screening results to the ordering physician.

(3)(2) If the State Public Health Laboratory laboratory determines that a specimen is unsatisfactory for testing, the Laboratory laboratory shall immediately request a repeat second specimen slip from the submitting entity responsible institution, physician, parent, or guardian. The submitting entity responsible institution or physician shall offer facilities for collecting the blood sample.

Specific Authority 383.14(2) FS. Law Implemented 383.14 FS. History--New 10-25-79, Formerly 10D-76.06, Amended 12-5-84, Formerly 10J-8.06, Amended 3-29-92, 9-20-94, 3-28-96, Formerly 10J-8.006, Amended _____.

64C-7.006 Newborn Metabolic and Hereditary Disorder Screening Records.

(1) The State Public Health Laboratory and Children's Medical Services approved laboratories performing the tests shall maintain records of the results of all screening and follow up testing of Florida-born infants for these conditions for three years or in accordance with department records management procedures.

(2) The department shall maintain a confidential newborn screening registry of all abnormal screening results of every infant born in Florida for whom the diagnosis of PKU, neonatal hypothyroidism, galactosemia, or a designated disorder has been confirmed. for the purpose of service delivery; and program administration and the registry will be maintained in accordance with the department's confidentiality requirements as stated in Rule 64F-10.008, F.A.C.

(3) Hospitals and other facilities shall provide quarterly reports to the department indicating the total number of live births in the facility and the number of newborns for whom specimens were submitted for initial screening for phenylketonuria, hypothyroidism and other designated disorders recommended by the department in consultation with the appropriate advisory councils.

Specific Authority 383.14(2) FS. Law Implemented 383.14 FS. History--New 10-25-79, Formerly 10D-76.07, Amended 12-5-84, Formerly 10J-8.07, Amended 3-29-92, Formerly 10J-8.007, Amended _____.

64C-7.007 Criteria for Designating Newborn Screening Disorders.

After consultation with the Genetics and ~~Newborn Infant~~ Screening Advisory Council, the department shall designate each ~~metabolic, hereditary, and congenital~~ disorder for inclusion in the ~~Newborn Infant~~ Screening Program. Each designated disorder shall meet all of the following criteria:

- (1) The disorder is known to result in significant impairment in health, intellect, or functional ability, if not treated before clinical signs appear.
- (2) The disorder can be detected using screening methods which are accepted by current medical practice.
- (3) The disorder can be detected prior to the infant's becoming two weeks of age, or at the appropriate age as accepted medical practice indicates.
- (4) After screening for the disorder, reasonable cost benefits can be anticipated through a comparison of tangible program costs with those medical, institutional, and special educational costs likely to be incurred by an undetected population.

Specific Authority 383.14(2) FS. Law Implemented 383.14 FS. History—New 12-5-84, Formerly 10J-8.08, Amended 3-29-92, Formerly 10J-8.008, Amended.

64C-7.012 Charging for ~~Newborn Infant~~ Screening Services.

- (1) The fee required pursuant to Section 383.14(3)(g)1., F.S., shall be assessed July 1st of each year.
- (2) The calculation required by Section 383.14(3)(g)1., F.S., shall be accomplished as follows: The amount of the fee to be charged to each licensed hospital and to each birth center will be projected by the agency based upon the number of live births recorded by the Office of Vital Statistics during the previous calendar year. Reconciliation between the number of projected live births and the actual number of live births as recorded in the Office of Vital Statistics will be done during the second quarter of each fiscal year.
- (3) The fee charged will be paid in equal amounts quarterly based upon statements generated and mailed by the agency.
- (4) When a licensed hospital opens an obstetrical unit, and when a birth center opens, the Department shall be notified by the hospital or birth center in writing. For those licensed hospitals and birth centers which do not have statistical data for the prior calendar year on the number of live births as recorded in the Office of Vital Statistics, the agency shall project the amount of the fee to be charged based upon the number of live births recorded in the Office of Vital Statistics by licensed hospitals and birth centers of similar size and capacity.
- (5) When a licensed hospital closes its obstetrical unit, or when a birth center closes, the Department shall be notified by the hospital or birth center in writing. Upon notification, billing

shall be terminated at the end of the quarter in which the facility closed and reconciliation will be done within 90 calendar days.

Specific Authority 383.14(3) FS. Law Implemented 383.14 FS. History—New 10-29-95, Amended 11-25-96, Formerly 10J-8.014, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Sherri Hood
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Lois Taylor
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 20, 2007
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 16, 2007

FLORIDA HOUSING FINANCE CORPORATION

RULE NOS.:	RULE TITLES:
67-37.002	Definitions
67-37.005	Local Housing Assistance Plans
67-37.006	Review of Local Housing Assistance Plans and Amendments
67-37.007	Uses of and Restrictions Upon SHIP Local Housing Distribution Funds for Local Housing Assistance Plans
67-37.008	Local Housing Assistance Trust Fund
67-37.010	Local Affordable Housing Incentive Strategies
67-37.011	Interlocal Entities

PURPOSE AND EFFECT: This rule establishes the procedures by which the Florida Housing Finance Corporation shall administer the State Housing Initiatives Partnership (SHIP) Program which provides funds to Local Governments as an incentive to create Partnerships to produce and preserve affordable housing. Revisions to the Rule are required to implement technical and clarifying changes. The adoption of these revisions will increase the efficiency and effectiveness of local program service delivery and will provide greater clarification of the program.

SUMMARY: This rule establishes the procedures by which the Florida Housing Finance Corporation shall administer the State Housing Initiatives Partnership (SHIP) Program which provides funds to Local Governments as an incentive to create Partnerships to produce and preserve affordable housing. Revisions to the Rule are required to implement technical and clarifying changes. The adoption of these revisions will increase the efficiency and effectiveness of local program service delivery and will provide greater clarification of the program.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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: 420.907 FS.

LAW IMPLEMENTED: 420.9071, 420.9072, 420.9073, 420.9075, 420.9076, 420.9078, 420.9079 FS.

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

DATE AND TIME: January 28, 2008, 11:00 a.m.

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, 6th Floor Seltzer Room, Tallahassee, Florida 32301-1329

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: Darlene Raker at (850)488-4197. 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: Robert Dearduff, SHIP Administrator, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329

THE FULL TEXT OF THE PROPOSED RULE IS:

67-37.002 Definitions.

As used in this rule chapter, the following definitions shall apply:

(1) No change.

(2) “Annual Report” or “Form SHIP-AR/0702-1” means a report required to be completed and submitted to the Corporation by September 15 of each year pursuant to Section 420.9075(10)(9), F.S., and Form SHIP-AR/07 is adopted and incorporated herein by reference with an effective date of _____. A complete copy of Form SHIP-AR/0702-1 may be obtained at <http://www.floridahousing.org/Home/HousingPartners/LocalGovernments/> www.floridahousing.org, or by contacting Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301.

(3) “Catalyst” means the Affordable Housing Catalyst Program as described in Section 420.531, F.S.

(4)(3) “Debt Service” means the amount required in any fiscal year to pay the principal of, redemption premium, if any, and interest on bonds and any amounts required by the terms of the documents authorizing, securing, or providing liquidity for bonds necessary to maintain in effect any such liquidity or security arrangements.

(5)(4) “Default” means the failure to make required payments on a financial Loan secured by a first mortgage which may leads to Foreclosure and loss of property ownership.

(6) “Deferred Payment Loan” means Funds provided to a borrower under terms that calls for repayment to be delayed for a certain length of time, until certain circumstances change, or a certain threshold is met.

(7)(5) “Encumbered” means that deposits made to the local affordable housing trust fund have been committed by contract, or purchase order, letter of commitment or award in a manner that obligates the county, eligible municipality, or Interlocal Entity to expend the ~~Encumbered~~ amount upon delivery of goods, the rendering of services, or the conveyance of real property by a vendor, supplier, contractor, or owner.

(8)(6) “Essential Service Personnel” means, pursuant to Chapter 2006-69, Laws of Florida, persons in need of affordable housing who are employed in occupations or professions in which they are considered Essential Service Personnel, as defined by each county and eligible municipality within its respective local housing assistance plan pursuant to Section 420.9075(3)(a), F.S.

(9)(7) “Expended” or “Spent” means the affordable housing activity is complete and funds deposited to the local affordable housing trust fund have been transferred from the local housing assistance trust fund account to pay for the cost of the activity.

(10)(8) “Extremely Low Income Household” or “ELI” means one or more natural persons or a family that has a total annual gross household income that does not exceed 30 percent of the area median income adjusted for family size for households within the metropolitan statistical area, the county, or the non-metropolitan median for the state, whichever is greatest.

(11) “Foreclosure” means the legal action by a mortgage holder to require repayment of a Loan through the sale of the subject property.

(12) “Forgivable Loan” means a loan with no repayment obligation if program requirements are met for a specified period of time.

(13) “Grant” means Grant as defined in Section 420.9071(12), F.A.C.

(14)(9) “Home Ownership Activities” means the use of the local affordable housing trust fund moneys for the purpose of providing owner-occupied housing. Such uses include construction, Rehabilitation, purchase, and lease-purchase financing where the primary purpose is the eventual purchase of the housing by the occupant within twenty-four months from initial execution of a lease agreement or within twenty-four (24) months of the applicable fiscal year, whichever occurs first, to meet the requirement of subsection (8).

~~(10) “Institutional First Mortgage Lender” means any financial institution or governmental agency authorized to conduct business in this state and which customarily provides service or otherwise aids in the financing of mortgages on real property located in this state.~~

~~(15)(14) “Interlocal Entity” means an entity created pursuant to the provisions of Chapter 163, Part I, F.S., for the purpose of establishing a joint local housing assistance plan pursuant to the provisions of Section 420.9072(5), F.S.~~

~~(16)(12) “Loan” means Loan as defined in Section 420.9071(13), F.S. an award from the local housing assistance trust fund that is recorded in the county or eligible municipalities Official Records, to an eligible sponsor or eligible person to partially or fully finance the acquisition, construction, or Rehabilitation of eligible housing with requirement for repayment or provision for forgiveness of repayment if the condition of the award is maintained.~~

~~(13) “Persons Who Have Special Housing Needs” means individuals who have incomes not exceeding moderate income and, because of particular social, economic, or health-related circumstances, may have greater difficulty acquiring or maintaining affordable housing. Such persons may have, for example, encountered resistance to their residing in particular communities, and may have suffered increased housing costs resulting from their unique needs and high risk of institutionalization. Such persons include: persons with developmental disabilities; persons with mental illnesses or chemical dependency; persons with Acquired Immune Deficiency Syndrome (“AIDS”) and Human Immunodeficiency Virus (“HIV”) disease; runaway and abandoned youth; youth aging out of foster care; public assistance recipients; migrant and seasonal farm workers; refugees and entrants; the elderly; and disabled adults.~~

~~(17)(14) “Rehabilitation” means repairs or improvements which are needed for safe or sanitary habitation, correction of substantial code violations, or the creation of additional living space. Local plans may more specifically define local Rehabilitation standards.~~

~~(18)(15) “Review Committee” means the committee established pursuant to Section 420.9072(3)(a), F.S.~~

~~(19)(16) “SHIP” or “SHIP Program” means the State Housing Initiatives Partnership Program created pursuant to the State Housing Initiative Partnership Act, Sections 420.907-.9079, F.S.~~

~~(19)(17) “State” means the State of Florida.~~

~~(20) “Sub Recipient” means a person or non-state organization contracted by a SHIP eligible local government and compensated with SHIP funds to provide administration of any portion of the SHIP program.~~

~~(21)(18) “Welfare Transition Program” means a program pursuant to the provisions of Section 445.006, F.S. Chapter 2000-165, Laws of Florida.~~

Specific Authority 420.9072(9) FS., Ch. 2000-69, Laws of Florida. Law Implemented 420.9072 FS. History--New 11-26-92, Amended 2-9-94, 12-28-94, 1-6-98, Formerly 91-37.002, Amended 12-26-99, 9-22-03, 1-30-05, 11-5-06,_____.

67-37.005 Local Housing Assistance Plans (LHAP).

(1) To be eligible for SHIP funding for a state fiscal year, a county or eligible municipality shall must submit and receive approval of its local housing assistance plan and amendments thereto as provided in Rule 67-37.006, F.A.C. Plans must be submitted to the Corporation by May 2 preceding the end of the fiscal year in which the current plan expires. New Plans must be submitted utilizing the LHAP Template (6_06), adopted and incorporated herein by reference with an effective date of November 5, 2006. A copy of the LHAP Template (6_06) may be obtained at <http://www.floridahousing.org/Home/HousingPartners/LocalGovernments/www.floridahousing.org>, by clicking on Housing Partners, then Local Governments (SHIP), then Local Housing Assistance Plans (LHAP), or by contacting Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301. In the case of new eligible municipalities, plans must be submitted to the Corporation by May 2 of the state fiscal year prior to the state fiscal year they are eligible for funding. No SHIP local housing distribution funds shall be distributed in any fiscal year to any county or eligible municipality unless and until an approved plan is in place with respect to such fiscal year.

(2) No change.

(3) Each local housing assistance plan shall include a description of the local housing assistance plan and incentive strategies, shall reference the requirements of Section 420.907-9079, F.S., et seq., and how each of those requirements shall be met, and shall describe the process and procedures which the local government has followed to develop the Plan. A county or eligible municipality may choose to use SHIP local housing distribution funds for one or more of the activities described in Rule 67-37.007, F.A.C.

(4) The county or eligible municipality shall provide in its local housing assistance plan a complete description of all strategies and activities to be undertaken ~~in its local housing assistance plan~~ as described in Rule 67-37.005, F.A.C.

(5) For each strategy or use of local housing distribution funds, the county or eligible municipality shall provide, in its local housing assistance plan, the following information:

(a) No change.

(b) The estimated number of households proposed to be served for each strategy and income category by income;

(c) The maximum amount of funding per unit for each strategy, and the estimated amount of funding for new construction, Rehabilitation or non-construction activities. On a multi-year plan, this information must be stated ~~presented~~ separately for each State fiscal year;

(d) The maximum ~~proposed~~ sales price of new and existing units, ~~which can be lower but may not exceed 90 percent of median area purchase price established by the U.S. Treasury Department, or as required by Section 420.9075(5)(e), F.S.;~~ for community land trust purposes the value of the land is not included in the purchase price.

The information required for paragraphs (a) through (d) shall be included on the "Housing Delivery Goals Chart #2002," and is adopted and incorporated herein by reference with an effective date of 9-22-03, which is required to be completed for each fiscal year. A copy of the "Housing Delivery Goals Chart #2002" may be obtained at <http://www.floridahousing.org/Home/HousingPartners/LocalGovernments/>.

(e) through (f) No change.

(g) A description of the support services ~~provided by local plans~~ that will be made available to the residents of the housing; and

(h) A description of the initiatives which will be used to conduct outreach and to attract applicants for assistance. ~~The information required for paragraphs (a) through (d) will be included on the "Housing Delivery Goals Chart #2002," and is adopted and incorporated herein by reference with an effective date of 9-22-03, which is required to be completed for each fiscal year. A copy of the "Housing Delivery Goals Chart #2002" may be obtained at www.floridahousing.org or by contacting Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301.~~

(i) No change.

(6) No change.

(a) Has a plan to advertise a notice of funding availability of the housing assistance plan at least 30 days before the beginning of the application period in a newspaper of general circulation and periodicals serving ethnic and diverse neighborhoods unless a waiting list of applicants exists; ~~The advertisement shall must include the following:~~

1. Identify the amount of the distribution projected to be received from the state for the fiscal year;

2. List the beginning and end date, ~~if applicable,~~ of the application period;

3. Provide the name of the local plan contact person and other pertinent information including where applicants may apply for assistance.

(b) ~~The advertisement may~~ include other such information that the local governments deem necessary such as:

1. through 5. No change.

~~(c)6-~~ Has a policy stating that once a waiting list has been exhausted and funds remain unEncumbered, the local government will advertise as instructed in Section 420.9075(4)(3)(b), F.S.

~~(d)7-~~ Has developed a qualification system and selection criteria for applications for awards to eligible sponsors, which includes a description that demonstrates how eligible sponsors

that employed personnel from the Welfare Transition Program will be given preference in the selection process, adopted criteria for selection of eligible persons, and adopt a maximum Award schedule or system of amounts consistent with the intent and budget of its local housing assistance plan, with Sections 420.907-.9079, F.S.;

~~(e)(e)~~ Certifies that the staff or entity that has administrative authority for implementing a local housing assistance plan assisting rental developments shall annually monitor and determine tenant eligibility throughout the 15 year compliance period as described at subsection 67-37.007(10), F.A.C.

~~(f)(d)~~ Has established a time line for the expenditure of SHIP local housing distribution funds in sufficient detail to allow for a comparison of such plan with actual expenditures. The time line must also provide, in sufficient detail, an alternate course of action should the local government determine it will not meet program encumbrance and/or expenditure requirements. The time line should include specific dates the local staff plan to review to determine plan efficiency and efficacy. The information submitted must be presented separately for each State fiscal year;

~~(g)(e)~~ Has established a ~~procedure provision~~ for the tracking and expenditure application of program income and recaptured funds from Loan repayments, reimbursements, Foreclosures or other repayments, and interest earnings on the local housing distribution funds. Such provision shall evidence compliance with the provisions of Rule 67-37.007, F.A.C.;

~~(h)(f)~~ Has a plan to ~~A provision requiring:~~

1. ~~The county or eligible municipality to~~ Encumber the local housing distribution funds deposited into the local housing assistance trust fund for each State fiscal year by June 30 one year following the end of the applicable State fiscal year;

~~(i)2-~~ Has a plan for the local housing distribution deposited into the local housing assistance trust fund ~~by any~~ to be Expended for eligible persons or eligible sponsor within 24 months of the close of the applicable State fiscal year. In all cases, this will apply when the project is completed as evidenced by documentation of final payment to the contractor and release of all lien waivers, issuance of the certificate of occupancy by the local building department in the case of a new home or proof of the final building inspection for housing Rehabilitation, and occupancy by an eligible person or eligible household. In the case of a Loan guarantee strategy, the deposits to the local housing assistance trust fund will be considered Expended when they are deposited from the local housing assistance trust fund into the guarantee fund. The funds deposited to the local housing assistance trust fund must be Spent within twenty-four months from the end of the applicable State fiscal year. Exceptions to this time frame must be approved by Florida Housing Finance Corporation SHIP Program Administrator or a majority vote of the Review

Committee on a case-by-case basis. Exceptions will only be Granted for good cause. Examples of good cause are natural disasters, requirements of other State agencies, adverse market conditions, and unavoidable development delays. Adequate documentation detailing the reasons for the requested extension as well as a timeline for completing the expenditure of funds must be submitted presented to the Corporation Review Committee before an extension will be granted, e.g., project status, work plan and completion schedule, commitment of funds, etc. The Corporation may require a local government requesting an expenditure extension to receive technical assistance through the Catalyst program to evaluate the need for an extension.

~~(7)3.~~ Each local housing assistance plan shall include a A detailed listing including line-item budget of proposed Administrative Expenditures. These must be presented on an annual basis for each State fiscal year submitted;

~~(8)4.~~ Each local housing assistance plan shall include a A copy of the ordinance and its amendments, if the original ordinance has been amended from its original submission, as required by Section 420.9072(2)(b), F.S.; and

~~5. Small counties and eligible municipalities receiving a local housing distribution of up to \$350,000 may use up to 10 percent of program income for administrative costs.~~

~~(9)7.~~ Each local housing assistance plan shall include a disaster strategy describing activities to be undertaken in the event of an emergency or natural disaster which has been declared by executive order. The local government may use the Disaster Strategy (08/04) hereby adopted and incorporated by reference with an effective date of 1-30-05. A copy is available on Florida Housing's website at <http://www.floridahousing.org/Home/HousingPartners/LocalGovernments/> www.floridahousing.org or by contacting the Florida Housing SHIP Staff, 227 North Bronough St., Suite 5000, Tallahassee, FL 32301 or call (850)488 4197. The Corporation shall disburse funds for disaster relief proportionately as provided in Section 420.9073(2)(b), F.S. Local governments may use unencumbered SHIP funds to carry out activities of disaster relief. Recipients of SHIP funds under a local government's disaster strategy shall be required to verify income by executing a Disaster Self Certification of Income Form (08/04), hereby adopted and incorporated by reference with an effective date of 1-30-05 or a local government's form that requires the same information. A copy is available on the Corporation's website at <http://www.floridahousing.org/Home/HousingPartners/LocalGovernments/> www.floridahousing.org or by contacting the Florida Housing SHIP Staff, 227 North Bronough St., Suite 5000, Tallahassee, FL 32301 or call (850)488 4197. Pay check stubs and other forms of proof are required, if available. Other Documentation required for SHIP income qualification may be waived if unavailable. The

county or eligible municipality shall make every effort reasonable to insure that the recipients of SHIP funds are income qualified.

~~(10)8(a).~~ Each county and eligible municipality shall include a definition of Essential Service Personnel for the county or eligible municipality. Such definition may include teachers and educators; other school district, community college, and university employees; police and fire personnel; health care personnel; skilled building trades personnel; and other job categories as required by Section 420.9075(3)(a), F.S.

~~(11)b.~~ Each county and eligible municipality may develop a strategy within its local housing assistance plan that emphasizes the recruitment and retention of Essential Service Personnel pursuant to Section 420.9075(3)(b), F.S. For plans adopted prior to the effective date of this rule, the Corporation shall not require submission of an amendment to include a strategy for Essential Service Personnel until such time as the current plan expires. If a county or eligibility municipality creates a strategy as referenced above before the current plan expires, an amendment shall must be submitted to the Corporation in underline and strikethrough format as provided in subsection 67-37.005(9), F.A.C.

~~(12)~~ A county or eligible municipality may use SHIP funds for persons or families whose total annual household income does not exceed one hundred forty percent of the area median income, adjusted for family size; or one hundred and fifty percent of the area median income, adjusted for family size, in areas designated as areas of critical concern, when the funds are allocated to a development that has been awarded funds under the Community Workforce Housing Innovation Pilot Program. This use of funds does not relieve the local government from meeting the requirements of Section 420.9075(5)(d), (2), F.S.

~~(13)e.~~ Each county or and eligible municipality may develop a strategy within its local housing assistance plan that addresses the needs of persons who are deprived of affordable housing due to the closure of a mobile home park or the conversion of affordable rental units to condominiums pursuant to Section 420.9075(3)(c), F.S.

~~(14)d.~~ For plans adopted prior to the effective date of this rule, the Corporation shall not require submission of an amendment to include a strategy for Essential Service Personnel until such time as the current plan expires. If a county or eligibility municipality creates a strategy as referenced above before the current plan expires, an amendment must be submitted to the Corporation in underline and strikethrough format as provided in subsection 67-37.005(15), F.A.C.

~~(15)9.~~ A copy of the local housing assistance plan shall be submitted to the Corporation, via U.S. Mail or electronic submission. If submitted electronically, a mailed copy shall be sent to the Corporation within three working days of the plan being electronically transmitted. The local housing assistance

plan's certification and resolution pages shall be mailed to the Corporation and ~~The mailed copy submitted to the corporation~~ shall bear the original signature of the authorized official which includes: Mayor, Commissioner, County Manager or City Manager or the authorized official's designee and a certification that the document being submitted is the county's, eligible municipality's or Interlocal Entity's local housing assistance plan and that all provisions of the plan conform to the requirements of Section 420.9072, F.S., et seq., and Rule Chapter 67-37, F.A.C. Each local housing assistance plan shall ~~be printed on 8 1/2" x 11" paper or electronic submission and contain a table of contents or checklist, which specifies exactly where in the documentation certain required items shall be located. Each local housing assistance plan amendment shall be written coded with text which is being deleted shown in strikethrough format struck through and text which is being added shown in underlined format.~~ Within two weeks after receipt of final approval letter, the local government shall provide to the Corporation a clean copy (no strikethrough or underline) for Corporation files.

(16) Any recently hired staff or new entity employed or contracted to administer any portion of the SHIP program having no previous experience with the SHIP program shall receive on site, telephonic and e-mail training through the Catalyst program.

Specific Authority 420.9072(9) FS., Ch. 2006-69, Laws of Florida. Law Implemented 420.9072(2), 420.9075 FS. History–New 11-26-92, Amended 5-2-93, 2-9-94, 12-28-94, 1-6-98, Formerly 91-37.005, Amended 12-26-99, 9-22-03, 1-30-05, 11-5-06, _____.

67-37.006 Review of Local Housing Assistance Plans and Amendments.

(1) Local housing assistance plans and amendments shall be reviewed by a ~~five member~~ Review Committee appointed by the Executive Director. In the event that a quorum is not convened for the review of a plan or an amendment to a plan, action can be taken with a simple majority vote of those members present for the review.

(2) No change.

(3) Amendments to an approved local housing assistance plan must be adopted by resolution and the county or eligible municipality must provide a copy to the Review Committee within 21 days after adoption. A county or eligible municipality must amend its plan if at any time a strategy will be deleted or a new strategy will be added. However, an amendment must at all times maintain consistency with SHIP program requirements. All amendments will be reviewed by the Review Committee. ~~The Committee will approve the amendment or identify inconsistencies with the requirements of the SHIP program within 30 days after receipt of the amendment.~~

(4) A county or eligible municipality which has adopted a Plan or an amendment that has been determined by the Review Committee to be inconsistent with the requirements of the

SHIP program, shall make necessary revisions identified by the Review Committee within 45 days of receipt of the Committee's comments; ~~however, the Corporation shall not require submission of a new local housing assistance plan to implement amendments imposed by Chapter 97-167, Laws of Florida, until the current effective plan expires.~~

Specific Authority 420.9072(9) FS. Law Implemented 420.9072(2) FS. History–New 11-26-92, Amended 2-9-94, 12-28-94, 1-6-98, Formerly 91-37.006, Amended 12-26-99, 9-22-03, _____.

67-37.007 Uses of and Restrictions upon SHIP Local Housing Distribution Funds for Local Housing Assistance Plans.

(1) No change.

(a) To implement the local housing assistance plan and incentive strategies that create or preserve affordable housing;

(b) To supplement Corporation programs, for example: the State Apartment Incentive Loan Program established under Section 420.5087, F.S., the Community Workforce Housing Innovation Pilot Program and ~~HOME~~ Home Ownership Assistance Program (HAP) established under Section 420.5088, F.S., with the SHIP local housing distribution funds directed to uses within the local government jurisdiction;

(c) To provide local match to obtain federal housing Grants or programs, such as HOME, established by 24 CFR, Part 92;

(d) through (e) No change.

(2) SHIP local housing distribution funds may be used for both home ownership and rental housing activities. However, at least ~~sixty-five~~ 65 percent of each local government's local housing distributions must be used for Home Ownership Activities. The expenditure of program income is exempt from this requirement.

(3) At least seventy-five percent of a local government's SHIP local housing distributions must be used for construction, Rehabilitation or emergency repairs of affordable, eligible housing. Construction, Rehabilitation, or emergency repairs must be completed either within one year immediately preceding the date of conveyance of title (i.e., closing) or within 24 months of the close of the applicable State fiscal year to satisfy this requirement, unless otherwise extended as provided at paragraph 67-37.002(6)(i), F.A.C. The expenditure of program income is exempt from this requirement. For purposes of this rule, SHIP recipients may rely on the following expenditures to be considered construction, Rehabilitation or emergency repair costs:

(a) through (f) No change.

(4) ~~The Corporation shall review and Review Committee will~~ approve expenditures for the following categories as Administrative Expenditures:

(a) Salaries of persons directly responsible for preparation of the plans or reporting required as part of the administration of the local SHIP plan. The salary allocated to SHIP

Administrative Expenditures of any employee shall reflect activities involving administration of the SHIP program; no SHIP program funds are permitted to be expended for the administration of activities not involving SHIP funds.

(b) through (c) No change.

(d) Expenditures related to travel, training, education, and public information initiatives necessary for the administration of the SHIP program.

(e) Administrative Expenditures detailed in the local housing assistance plan which do not fit in these categories shall be analyzed by the Review Committee, which shall make a determination as to whether the proposed expenditures shall be approved as Administrative Expenditures.

(f) Small counties and eligible municipalities receiving a local housing distribution of up to \$350,000 may use up to 10 percent of program income for administrative costs.

(5) The balance of the local housing distribution funds and other funds deposited into the local housing assistance trust fund must be used for housing production and finance activities, including: financing the purchase of existing units, providing rental housing, and providing home ownership training to prospective home buyers and owners of homes assisted through the local housing assistance plan. ~~Notwithstanding the provisions of subsections (2) and (3) of this section, program income as defined in Section 420.9071(24), F.S., may also be used to fund activities described in this subsection.~~

(6) The sales price or value of new or existing homes which are sold or rehabilitated under the SHIP Program shall ~~may~~ not exceed 90 percent of the average area purchase price in the statistical area in which the housing is located. The local government at its discretion may set the sales price or value below the 90 percent benchmark. The maximum area purchase price shall not exceed the limit used must be that established by the United States Department of Treasury or that calculated in accordance with Section 420.9075(5)(c), F.S.

(7) Loans issued using local housing distribution funds deposited to the local housing assistance trust fund may not have terms exceeding 30 years, except for ~~D~~deferred ~~P~~ayment Loans or Forgivable Loans that extend beyond 30 years which continue to serve eligible persons.

(8) No change.

(9) Monthly mortgage payments, including taxes and insurance, and monthly rental payments must be affordable for ~~the~~ very low-, low- and moderate-income persons and households ~~who will benefit from the local housing assistance plan.~~

(10) Rental units constructed, rehabilitated or otherwise assisted from the local housing assistance trust fund must be monitored at least annually for 15 years or the term of assistance, whichever is longer, for compliance with tenant income and affordability requirements, except as referenced in Section 420.9075(4)(3)(e), F.S. In determining the maximum

allowable rents, 30 percent of the applicable income category divided by 12 months shall be used based on the number of bedrooms. A one-person household shall be used for an efficiency unit, and for units with separate bedrooms, one and one-half persons per bedroom shall be used. A rental limit chart based on the above calculation adjusted for bedroom size will be provided to the local governments by the Corporation annually.

(11) All Loans and ~~or~~ Grants for houses constructed, rehabilitated or otherwise assisted from the local housing assistance trust fund shall be subject to recapture requirements as described ~~provided~~ by the county or eligibility municipality in its local housing assistance plan. Any strategy proposed that will award funds as a Grant without any recapture requirements shall be submitted to the Corporation denoted as a Grant as part of the local housing assistance plan for approval by the Review Committee.

(12) through (13) No change.

(14) Local housing distribution funds deposited to the local housing assistance trust fund shall ~~may~~ not be used as a pledge of the Debt Service on bonds or as rent subsidies.

~~(15) The Corporation shall monitor the activities of the local governments to determine compliance with program requirements as noted in Rule 67-53.005, F.A.C., and Section 420.9075(3)(e), F.S.~~

Specific Authority 420.9072(9) FS. Law Implemented 420.9072 FS. History—New 11-26-92, Amended 2-9-94, 12-28-94, 1-6-98, Formerly 91-37.007, Amended 12-26-99, 9-22-03, 11-5-06, _____.

67-37.008 Local Housing Assistance Trust Fund.

(1) through (2) No change.

(3) In addition to the Annual Report requirements outlined in Section 420.9075(10), F.S., local governments shall submit information as required on the annual report for:

(a) Foreclosure rates on SHIP loans.

(b) Administrative expenditures separately stated for the costs of the local government and any Sub Recipients administering the program.

(c) Total recaptured funds and program income separately stated for event type (Foreclosure, sale of property, refinance).

(d) A list of Sub Recipients and that administer any portion of the SHIP program. The list shall include name of person or organization, business type, a description of the strategies and responsibilities for each subrecipient or consultant.

~~(4)(3)~~ An Interlocal Entity shall have its local housing assistance trust fund separately audited for each State fiscal year, ~~The which~~ audit shall be forwarded to the Corporation as soon as available, but no later than June 30th of the following fiscal year.

~~(5)~~(4) Local governments which have had an audit, review or investigation involving SHIP funds will send the Corporation a copy of any related report within 10 days of the issuance of such report.

Specific Authority 420.9072(9) FS. Law Implemented 420.9075(5) FS. History--New 11-26-92, Amended 2-9-94, 1-6-98, Formerly 91-37.008, Repromulgated 12-26-99, Amended 9-22-03, 1-30-05, 11-5-06, _____.

67-37.010 Local Affordable Housing Advisory Committees and Incentive Strategies.

(1) The affordable housing advisory committee, as established in Section 420.9076(2), F.S., must approve the local affordable housing incentive strategy recommendations at a ~~such~~ public hearing by affirmative vote of a majority ~~(5)~~ of the membership of the advisory committee.

(2) The affordable housing advisory committee shall evaluate established policies, procedures, ordinances, land development regulations, and the local government comprehensive plan submitted and report to the local government governing board including recommended changes as established in Section 420.9076, F.A.C. The initial report shall be submitted to the local government governing board by December 31, 2008. After this initial submission, the reports are required to be submitted triennially on December 31 of the year preceding the submission of the local housing assistance plan. For local governments required to submit a local housing assistance plan on May 2, 2010, the report submitted by December 31, 2008 shall constitute the required report for December 31, 2009.

(3) The county or eligible municipality shall transmit to the Corporation an electronic copy of the report which has been submitted to the local governing board for consideration by May 2 of the year following the report due date.

(4) A county or eligible municipality which does not have an established affordable housing advisory committee shall establish said committee and appoint all required members by June 30, 2008.

(5) Local governments that administer the SHIP program under an Interlocal Agreement as established in Rule 67-37.011, F.A.C., and have one LHAP may request approval from the Corporation to use the same affordable housing advisory committee. When one advisory committee is utilized for the local governments participating in an Interlocal Agreement, the advisory committee shall comply with all requirements for advisory committees as established in Section 420.9076, F.S., for each of the local governments in the Interlocal Agreement separately.

Specific Authority 420.9072(9) FS. Law Implemented 420.907, 420.9076 FS. History--New 2-9-94, 1-6-98, Formerly 91-37.010, Amended 12-26-99, Repromulgated 9-22-03, Amended _____.

67-37.011 Interlocal Entities.

(1) The interlocal agreement shall specify whether a single report for all jurisdictions or individual reports for each participating local government shall be submitted pursuant to Section 420.9075 (10), F.S. ~~Rule 67-37.016, F.A.C.~~

(2) No change.

(a) through (b) No change.

(3) No change.

Specific Authority 420.9072(9) FS. Law Implemented 420.9072(5) FS. History--New 11-26-92, Amended 2-9-94, 1-6-98, Formerly 91-37.011, Amended 12-26-99, 9-22-03, _____.

67-37.019 Compliance Monitoring for Housing Developed With SHIP Local Housing Distribution Funds.

(1) The local government staff or entity with administrative authority for a local housing assistance plan shall maintain a financial tracking system which ensures that the local housing distribution funds disbursed from the local housing trust fund are Expended in accordance with the set-aside requirements in Rule 67-37.007, F.A.C., within deadlines established in subsection 67-37.005(6), F.A.C. and in compliance with Section 420.9075, F.S. Failure by the local government staff or entity with administrative authority to properly track SHIP funds shall result in the local government being deemed in non-compliance with the SHIP program. In this circumstance, the local government or administrative entity shall be required to receive technical assistance through the Catalyst program.

(2) The combined household annual gross income of an applicant who is applying as an owner/occupant of a residence shall be verified and certified by the SHIP program administrator or designee using one of the following methods:

(a) Section 8 housing assistance payments programs in 24 C.F.R. part 5; or

(b) Annual income as reported under the census long form for the recent available decennial census; or

(c) Adjusted gross income as defined for purposes of reporting under Internal Revenue Service Form 1040 for individual federal annual income tax purposes.

(3) Income shall be calculated by annualizing verified sources of income for the household as the amount of income to be received in a household during the 12 months following the effective date of the determination. Whichever income verification and certification method is used, the annual gross income, as defined in Section 420.9071(4), F.S., must be used and the SHIP Program income limits cannot be exceeded. SHIP funds Expended on households that are determined to not be income qualified through a compliance monitoring or audit shall be repaid in full to the local housing trust fund from non-SHIP funds to be reallocated to an eligible SHIP activity. In this circumstance, the local government or administrative entity may be required to receive technical assistance through the Affordable Housing Catalyst Program.

(4) The local government staff or entity with authority for administering a local housing assistance plan assisting rental developments shall monitor annually and determine tenant eligibility and the amount of subsidy using the same guidelines as specified at subsection (2) above, at least annually for 15 years or the term of assistance, whichever is longer. The Corporation shall monitor the activities of the local governments to determine compliance with program requirements as defined in Section 420.9075(4)(e), F.S.

(5) The local government staff or entity with administrative authority for a local housing assistance plan shall provide documented evidence to the Corporation or its designated monitoring agent, that:

(a) Permits, as defined in Sections 163.3164(7) and (8), F.S., for affordable housing projects are expedited to a greater degree than other projects; and

(b) There is an ongoing process for review of local policies, ordinances, regulations, and plan provisions that increase the cost of housing prior to their adoption.

(6) The Corporation, or any duly authorized representative shall be permitted to inspect the local housing assistance plan, advertisements, applications, income verifications and certifications, plan participation contracts, financial records, tracking system records, construction cost verification including receipts and contracts, rental development annual reviews, Eligible Sponsor and Sub Recipient reviews, Eligible Sponsor and Sub Recipient award lists, SHIP fund recipient lists, and any other applicable documents at any reasonable time with or without notice. Such records shall be maintained within the participating county or eligible municipality at a place accessible to the Corporation staff or its designated monitoring agent.

(7) Subsequent to a local government SHIP program being monitored by the Corporation or its designated agent and receiving a copy of the compliance monitoring report, the local government shall submit a written response to any findings or deficiencies documented in the monitoring report to the Corporation and the designated monitoring agent. The required response shall be submitted within 30 days and shall include an explanation and/or remedy for each item on the compliance monitoring review form scoring less than 70 percent, including:

(b) An explanation of the plan for correcting the issue including changes in policies, procedures, staff responsibilities, technical assistance and training.

(c) For physical inspection findings or deficiencies, an explanation of the corrective work that will be completed to remedy the finding or deficiencies.

(d) A timeline for correcting the deficiencies.

(e) A plan for repayment of ineligible expenses, if any is required.

(8) If Corporation staff or its designated monitoring agent determines that an eligible jurisdiction has established a pattern of violation of the criteria of its local housing assistance plan established under Sections 420.907-9079, F.S., or that an eligible sponsor has established a pattern of violation of the applicable award conditions, the Corporation shall:

(a) Report such pattern of violation to the Executive Office of the Governor at which time the distribution of program funds to the county or eligible municipality shall be suspended.

(b) Require the local government to work with technical assistance provider through the Affordable Housing Catalyst Program, to develop a corrective action plan (CAP).

(c) The CAP shall be submitted to the Corporation within 60 days of the date of the letter from the Corporation notifying the eligible jurisdiction of the pattern of violation.

(d) The CAP must describe the proposed corrective action for each violation and how the correction actions will be implemented within 3 months of an approval of the CAP by the Corporation.

(e) The Corporation shall have 30 days to review and approve or recommend changes to the CAP. Upon approval of the CAP, any undisbursed funds due to the local government shall be distributed.

(9) Projects receiving assistance from the local housing assistance plan and from other State or federal programs which may have conflicting verification, certification, and monitoring requirements, shall comply with requirements of the most restrictive program.

(10) Any local government receiving SHIP funds which administers any portion of the SHIP program through a Sub Recipient shall bear responsibility for actions of the sub recipient and shall monitor all sub recipients to insure compliance is maintained on all SHIP funded activities. Any contract or agreement between the local government and sub recipient shall detail the policies and procedures that shall be adhered to in the management of the SHIP activities (11) Any contract or document establishing the relationship between a SHIP eligible local government and a non-state organization which is a Sub Recipient receiving SHIP funds shall contain the standard audit language on Form DFS-A2-CL (Effective 7/05) of the Florida Single Audit Act in the document.

Specific Authority 420.9072(9) FS. Law Implemented 420.907, 420.9075(3)(e) FS. History-New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Darlene Raker, SHIP Program Manager

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Robert Dearduff, SHIP Program Administrator

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 26, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 28, 2007

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-1.004
RULE TITLE: Definitions

PURPOSE AND EFFECT: The purpose of the proposed rule changes is to revise or establish definitions for muzzleloading gun, wild hog and nuisance wildlife; clarify that all freshwater fish are defined as non-game fish, except grass carp and fish defined as freshwater game fish; delete the reference to redeyed bass and define shoal bass as *Micropterus cataractae*. The effect would be to enable the agency to better manage fish and wildlife resources.

SUMMARY: The proposed rule would clarify the definition of a muzzleloading gun; define nuisance wildlife as that which causes or is about to cause property damage, presents a threat to public safety or causes an annoyance within, under or upon a building; redefine a wild hog as a hog that is free-roaming and cannot be legally claimed as a domestic hog in private ownership; clarify that all freshwater fish are defined as non-game fish, except grass carp and fish defined as freshwater game fish; delete the reference to redeyed bass and define shoal bass as *Micropterus cataractae*.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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 regular meeting of the Commission, February 6-7, 2008, 8:30 a.m. – 5:00 p.m., each day

PLACE: Bay Point Marriott Golf Resort & Spa, 4200 Marriott Drive, Panama City Beach, Florida 32408

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-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 (35) No change.

(36) Freshwater game fish:

(a) The following members of the Genus *Micropterus*:

1. No change.

2. Shoal Redeye (~~Shoal~~) bass (*Micropterus cataractae eosae*)

3. through 4. No change.

(b) through (g) No change.

(37) through (41) No change.

(42) Game mammals – Deer, gray squirrel, rabbits, ~~wild hogs in those areas where specified~~, and non-native species generally considered game such as elk, antelope and buffalo.

(43) No change.

(44) Legal game – Antlered Deer, gray squirrel, rabbit, ~~wild hog (in specified areas)~~, quail, rail, snipe, woodcock, duck, dove, coot and gallinule during open seasons established by Rule 68A-13.003 or 68A-13.004, F.A.C., unless otherwise stipulated for a particular species in a regulation established for a specific wildlife management area.

(45) through (48) No change.

(49) Muzzleloading gun – A firearm that cannot be loaded from the breech using black powder or a non-nitro-cellulose substitute and is fired by wheel lock, flintlock, or percussion cap, or centerfire primer ignition and which is not adaptable to the use of any self-contained cartridge ammunition.

(50) No change.

(51) Non-game fish – All freshwater fish species, except grass carp, not listed in subsection 68A-1.004(36), F.A.C., as freshwater game fish. Bowfin, common carp, catfish, eels, gar, shad, shiners, tilapia, killifish, suckers, topminnows and fishes except grass carp, not listed as freshwater game fish and not taken for sport.

(52) through (54) No change.

(55) Nuisance wildlife – Wildlife that causes or is about to cause property damage, presents a threat to public safety or wildlife causing an annoyance within, under or upon a building.

(55) through (92) renumbered (56) through (93) No change.

~~(94)(93)~~ Wild hog – A hog that is free-roaming and on a “wild hog area” which cannot ~~can not~~ be legally claimed as a domestic hog in private ownership.

~~(94) Wild hog area—A designated area on which hunting of “wild hog” may be permitted only at such times and under such rules as provided by the Commission.~~

(95) through (98) No change.

PROPOSED EFFECTIVE DATE: July 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, 4-1-07, 7-1-08.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE FAW.

NAME OF PERSON ORIGINATING PROPOSED RULE: : Nick Wiley, Director, Division of Hunting and Game Management, 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 5, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 7, 2007

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-4.001 RULE TITLE: General Prohibitions

PURPOSE AND EFFECT: The purpose of the proposed rule changes is to clarify and establish regulations which prohibit the feeding of specific species of wildlife, and prohibit “internet hunting.” The effect of the proposed rule changes will enable the agency to better manage wildlife which may be negatively impacted by feeding or create a public nuisance when fed, and prohibit a method of take.

SUMMARY: The proposed rule changes would clarify the regulation to prohibit the feeding of bears, fox, and raccoon only when it causes a public nuisance. The current rule, as written, makes the simple act of feeding these species a public nuisance. Feeding pelicans will be prohibited when it is

determined to be detrimental to their health. Intentional feeding of sandhill cranes will be prohibited. “Internet hunting” or hunting via remote control methods will be prohibited by persons not physically present at the location of the gun.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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 regular meeting of the Commission, February 6-7, 2008, 8:30 a.m. – 5:00 p.m., each day

PLACE: Bay Point Marriott Golf Resort & Spa, 4200 Marriott Drive, Panama City Beach, Florida 32408

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

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-4.001 General Prohibitions.

(1) through (2) No change.

(3) Intentionally placing food or garbage, allowing the placement of food or garbage, or offering food or garbage in such a manner that it attracts black bears, foxes or; raccoons and in a manner that is likely to create or creates, or sandhill cranes and thereby creates a public nuisance is prohibited.

(4) The intentional feeding or the placement of food that attracts pelicans and modifies the natural behavior of the pelican so as to be detrimental to the survival or health of a local population is prohibited.

(5) The intentional feeding of sandhill cranes is prohibited.

(6) No person shall take or assist in taking wildlife using a method that involves remote control aiming and discharging of a gun when that person is not physically present at the location of that gun.

PROPOSED EFFECTIVE DATE: July 1, 2008.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-1-79, Amended 6-21-82, Formerly 39-4.01, Amended 4-1-96, Formerly 39-4.001, Amended 5-13-02, 7-1-04, 7-1-08.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE FAW.

NAME OF PERSON ORIGINATING PROPOSED RULE: Roland Garcia, Regional Director, 3377 East U.S. Highway 90, Lake City, Florida 32409-1658

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 5, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 7, 2007

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-4.002
RULE TITLE: Possession of Gun While Using a Light Prohibited

PURPOSE AND EFFECT: The purpose of the proposed rule is to list exceptions to the prohibition of gun and light possession as provided for in other Commission rules and to provide for concealed weapons permit holders to possess handguns for personal safety. The effect will be to make Commission approved activities consistent with this rule.

SUMMARY: The proposed rule would reference exceptions for the use of guns and lights provided for in other Commission rules and provide for concealed weapons permit holders to possess handguns for personal safety.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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 FS.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution; 372.664, 372.99(2) 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 6-7, 2008, 8:30 a.m. – 5:00 p.m., each day

PLACE: Bay Point Marriott Golf Resort & Spa, 4200 Marriott Drive, Panama City Beach, Florida 32408

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-4.002 Possession of Gun While Using a Light Prohibited.

(1) Except while engaging in activities provided for in Rules 68A-12.009, 68A-23.002, 68A-24.002, 68A-25.003, 68A-25.032, and 68A-25.042, F.A.C., the displaying or use of a light at night in a place where wildlife or freshwater fish might be found and in a manner capable of disclosing the presence of wildlife or freshwater fish, together with the possession of a gun by one or more persons then and there in the presence of each other is prohibited.

(2) The possession of a gun by one or more persons then and there in the presence of each other while displaying or using a light at night shall constitute prima facie evidence of possession by such persons for the purpose of taking wildlife or freshwater fish in violation of this section.

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

Specific Authority Art. IV, Sec. 9, Fla. Const., 372.021 FS. Law Implemented Art. IV, Sec. 9, Fla. Const., 372.664, 372.99(2) FS. History—New 8-1-79, Amended 6-21-82, Formerly 39-4.02, 39-4.002, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Nick Wiley, Director, Division of Hunting and Game Management, 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 5, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 7, 2007

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-4.007
 RULE TITLE: Exclusion of Certain Areas from Open Season

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is a technical correction of a reference to the Game and Fresh Water Fish Commission. The effect of the proposed rule change is the deletion of an incorrect reference.

SUMMARY: The proposed rule change would update a reference to the former agency name.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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 regular meeting of the Commission, February 6-7, 2008, 8:30 a.m. – 5:00 p.m., each day

PLACE: Bay Point Marriott Golf Resort & Spa, 4200 Marriott Drive, Panama City Beach, Florida 32408

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-4.007 Exclusion of Certain Areas from Open Season.

(1) No change.

(2) Lands to be managed by the ~~Game and Fresh Water Fish~~ Commission or by the Florida Division of Forestry or the water management districts for hunting, fishing and other related outdoor recreational activities may be closed to the taking of wildlife or freshwater fish by executive order to protect fish and wildlife resources. Such executive closure orders shall be issued on an interim basis until appropriate fish and wildlife resource and public-use assessments are made by the Commission and until the area is formally established under Rule 68A-14.001, F.A.C. Lands closed by executive order shall remain closed to the taking or possession of wildlife and freshwater fish for a period of time not to exceed one year. Lands closed pursuant to this subsection shall be posted as closed to the taking of wildlife and freshwater fish.

PROPOSED EFFECTIVE DATE: July 1, 2008.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 372.121 FS. History—New 8-1-79, Formerly 39-4.07, Amended 10-28-97, Formerly 39-4.007, Amended 6-23-99, 7-1-08.

NAME OF PERSON ORIGINATING PROPOSED RULE: Nick Wiley, Director, Division of Hunting and Game Management, 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 5, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 7, 2007

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

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

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to revise Recreational User Permit (RUP) fees and quotas as requested by the landowners of privately owned Wildlife Management Areas (WMAs). The effect of the proposed rule changes will be to enable private landowners to increase the revenues generated by allowing public use of their property.

SUMMARY: The proposed rule changes as requested by the landowners would adjust the RUP fees as follows:

Blue Water Creek WMA – increase the RUP fee from \$200 to \$325.

Relay WMA – increase the RUP fee from \$275 to \$425.
 Ft. McCoy WMA – increase the RUP fee from \$200 to \$350.
 Grove Park WMA – increase the RUP fee from \$325 to \$475.
 Twelve Mile Swamp WMA – increase the RUP fee from \$425 to \$525.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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: 372.121, 372.57, 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 6-7, 2008, 8:30 a.m. – 5:00 p.m., each day

PLACE: Bay Point Marriott Golf Resort & Spa, 4200 Marriott Drive, Panama City Beach, Florida 32408

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

(1) In addition to other licenses, permits and stamps required by law, stamp requirements for hunting, camping, fishing, or other recreational uses on lands owned, leased or managed by the Commission or the State of Florida for the use and benefit of the Commission shall be as provided by Section 372.57(8)(i)1., F.S.

(a) No change.

(b) The cost of recreational user permits as required for hunting on the following privately owned wildlife management areas as provided by Section 372.57(8)(i)1., F.S., shall be:

1. through 2. No change.

3. Blue Water Creek – ~~\$325~~ \$200

4. No change.

5. Twelve Mile Swamp – ~~\$525~~ \$425

6. No change.

7. Relay – ~~\$425~~ \$275

8. Ft. McCoy – ~~\$350~~ \$200

9. No change.

10. Grove Park – ~~\$475~~ \$325

(c) through (f) No change.

(2) No change.

PROPOSED EFFECTIVE DATE: April 1, 2008.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented 372.121, 372.57, 375.313 FS. History–New 8-1-79, Amended 6-4-81, 6-21-82, Formerly 39-9.04, Amended 6-2-86, 11-1-89, 7-16-98, 5-13-99, Formerly 39-9.004, Amended 7-1-00, 5-29-01, 7-22-01, 6-2-02, 7-28-02, 5-1-03, 7-7-03, 10-12-03, 5-12-04, 7-15-04, 6-1-05, 4-1-08.

NAME OF PERSON ORIGINATING PROPOSED RULE: Nick Wiley, Director, Division of Hunting and Game Management, 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 5, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 7, 2007

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-9.007

RULE TITLE: Special-use Permits; Short-term Use Permits; Fees; Special-Opportunity Hunting and Fishing

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is a clarification to the daily-use permit exemption for through-hikers utilizing the Florida Trail on Three Lakes and J.W. Corbett WMAs; and an increase in the price of a daily use permit from \$3 per vehicle to \$4 per person on Tosohatchee WMA to match fees charged by the previous landowner (Department of Environmental Protection). The effect of the proposed rule changes will limit the daily-use permit exemption to through-hikers only; casual trail users will continue to be required to obtain a daily-use permit; and daily use fees at Tosohatchee WMA will be consistent with what has been charged in the past.

SUMMARY: The proposed rule changes will clarify the daily-use permit exemption for persons hiking the Florida Trail and limit that exemption to through-hikers; casual users (day hikers) will be required to obtain the required daily-use permit

at Three Lakes and J.W. Corbett WMAs and the price for a daily use permit will increase from \$3 per vehicle to \$4 per person at Tosohatchee WMA.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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 regular meeting of the Commission, February 6-7, 2008, 8:30 a.m. – 5:00 p.m., each day

PLACE: Bay Point Marriott Golf Resort & Spa, 4200 Marriott Drive, Panama City Beach, Florida 32408

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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-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) No change.
 - (b) Andrews WMA, Three Lakes WMA, Fred C. Babcock/Cecil M. Webb WMA, Chassahowitzka WMA, J.W. Corbett WMA, and those portions of Hilochee WMA in Lake county.

- 1. through 4. No change.
- 5. A daily-use permit shall not be required for persons using the Florida Trail for through-hiking ~~recreational hiking~~.
- 6. through 7. No change.

(c) Tosohatchee WMA.

- 1. A daily-use permit for all outdoor recreational activities (including camping) other than hunting is \$4 per person ~~\$3 per vehicle~~.
 - 2. through 4. No change.
 - 5. A daily-use permit shall not be required for persons using the Florida Trail for through-hiking ~~recreational hiking~~.
 - 6. through 7. No change.
- (d) No change.

PROPOSED EFFECTIVE DATE: July 1, 2008.

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, 7-1-08.

NAME OF PERSON ORIGINATING PROPOSED RULE: Nick Wiley, Director, Division of Hunting and Game Management, 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 5, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 7, 2007

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-9.008 RULE TITLE: Permits for Physically Disabled

PURPOSE AND EFFECT: The purpose of the proposed rule changes is a clarification of the medical conditions which qualify a person for certification as mobility-impaired. The current qualification of “permanently required to use assisting aids to walk” has been interpreted by certifying physicians in a manner inconsistent with the original intent of the mobility-impaired program. Single-leg amputees seeking certification must have an amputation above the knee to qualify for certification. The effect of the proposed rule changes will remove the subjective medical qualifications from future mobility-impaired certification applications.

SUMMARY: The proposed rule changes will remove “permanently required to use assisting aids to walk” from the list of qualifying medical conditions and clarify that single-leg amputations must be above the knee for those persons seeking certification as mobility-impaired. All persons currently certified as mobility-impaired will maintain their certification, unless their certification was obtained under false pretenses. The proposed change includes non-substantive technical changes, such as grammatical corrections, language standardization or clarification of an existing rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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 regular meeting of the Commission, February 6-7, 2008, 8:30 a.m. – 5:00 p.m., each day

PLACE: Bay Point Marriott Golf Resort & Spa, 4200 Marriott Drive, Panama City Beach, Florida 32408

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

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-9.008 Permits for Physically Disabled.

The executive director or his designee may issue permits, to persons who are permanently physically disabled as described below, for activities which would otherwise be regulated or prohibited by these rules. Such permits shall be conditioned as necessary to protect natural resources and to regulate access in accordance with management plans and policies for the area. Individuals not meeting the criteria for a permit set forth in this rule may request accommodation through the process established by the agency:

(1) through (2) No change.

(3) Alternative mobility permits. Permits to operate an all-terrain vehicle will be issued based upon a determination that the applicant has submitted an original certificate from a licensed physician certifying that the individual is mobility impaired in that he or she is one of the following: paraplegic, hemiplegic, quadriplegic, permanently dependent upon a wheelchair for ambulation, permanently required to use braces or prosthesis on both legs, or complete single-leg amputation

above the knee. “All-terrain vehicle” shall be as defined in Rule 68A-1.004, F.A.C., provided that no two-wheeled or two-cycle vehicles will be permitted.

(4) Mobility-impaired ~~quota hunt~~ permits. ~~As specified by subsection 68A 5.005(1), F.A.C., applicants for mobility impaired hunts shall submit an application on forms furnished by the Commission, only via U.S. mail or by a commercially established messenger or courier service, or by online computer services, to the address specified on the application. In addition to the application forms specified, No~~ ~~no~~ person shall be eligible for issuance of a mobility-impaired quota permit unless the person has obtained a mobility-impaired identification card. A mobility-impaired identification card may be obtained by submitting a completed mobility-impaired eligibility certification application (Form QA-801) to on record with the Commission. Certification as Participants in the mobility-impaired hunt shall be restricted to persons who are paraplegic, hemiplegic, or quadriplegic, permanently dependent upon a wheelchair for ambulation, permanently required to use assisting aids to walk, permanently required to use braces or prosthesis on both legs, or who have had complete single-leg amputation above the knee. Certifications issued prior to July 1, 2008 will remain valid, unless obtained under false pretenses.

PROPOSED EFFECTIVE DATE : May 1, 2008.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 5-10-04, Amended 5-1-05, 5-1-08.

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: Susan Weaver, Office of Licensing and Permitting, Fish and Wildlife Conservation Commission, Koger-Berkeley, 2590 Executive Center Circle East, Tallahassee, Florida 32301

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 5, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 7, 2007

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-9.010 RULE TITLE: Taking Nuisance Wildlife

PURPOSE AND EFFECT: The purpose of this proposed new rule is, in conjunction with a rule repeal and rule amendments being proposed at the same time, to consolidate, clarify and simplify regulations relating to nuisance wildlife. The effect of the new provision is to implement a simplified group of regulations in a new and distinct provision which will more clearly articulate FWC's role and policy in nuisance wildlife issues.

SUMMARY: The proposed rule would clarify, standardize and in some instances liberalize the take of nuisance wildlife by a private property owner, airport property personnel or lead manager of public land or their designee; remove the registration requirement for nuisance wildlife trappers; simplify and consolidate the method of take and the listing of species which may not be taken as nuisance wildlife without additional permits; allow the incidental take of bats when using excluding devices or repellants; clarify that the use of registered pesticides or rodenticides is allowed when used according to label; allow off-site transportation of live-trapped nuisance wildlife for the purpose of euthanasia; and eliminate the 300 foot limitation for harassing wildlife at an airport.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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 regular meeting of the Commission, February 6-7, 2008, 8:30 a.m. – 5:00 p.m., each day

PLACE: Bay Point Marriott Golf Resort & Spa, 4200 Marriott Drive, Panama City Beach, Florida 32408

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

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-9.010 Taking Nuisance Wildlife.

Any person owning property may take nuisance wildlife or they may authorize another person to take nuisance wildlife on their behalf except those species listed in subsection (1) below on their property by any method except those methods listed in subsection (2) below. Persons responsible for government owned property are considered "landowners" for the purpose of this rule. The executive director or a designee may authorize the take of additional species of wildlife or additional methods of take for justifiable purposes by permit issued pursuant to Rule 68A-9.002, F.A.C.

(1) Wildlife that may not be taken as nuisance wildlife:

(a) Species listed in Chapter 68A-27, F.A.C.

(b) The following mammals:

1. Black bear.

2. White-tailed deer.

3. Bats – Except that bats may be taken either when:

a. That take is incidental to the use of an exclusion device, a device which allows escape from and blocks re-entry into a roost site located within a structure (including chemical repellants), at any time from August 15 to April 15; or

b. That take is incidental to permanent repairs which prohibit the egress of bats from a roost site located within a structure provided an exclusion device as described in sub-subparagraph a. above is used for a minimum of four consecutive days/nights for which the low temperature is forecasted by the U.S. National Weather Service to remain above 50F prior to repairs and during the time-period specified.

(c) The following birds:

1. All birds listed in 50 C.F.R. §10.13 as protected by the Migratory Bird Treaty Act unless the take is authorized by the U. S. Fish and Wildlife Service by a permit or depredation order.

2. Bobwhite quail.

3. Wild turkey.

(2) Methods that may not be used to take nuisance wildlife:

(a) Gun and light.

(b) Steel traps.

(c) Poison, other than those pesticides that are registered by the Florida Department of Agriculture and Consumer Services without additional authorizations and are only used in a manner consistent with the product labeling.

(d) Bat exclusion devices or any other intentional use of a device or material at a roost site which may prevent or inhibit the free ingress and/or egress of bats from April 16 through August 14.

(e) Any method prohibited pursuant to Section 828.12, F.S.

(3) Transportation and release of nuisance wildlife.

(a) Live captured nuisance wildlife transported under authority of this section may be done only for the purpose of euthanizing the nuisance wildlife, provided any euthanasia shall be humane as defined by the American Association of Zoo Veterinarians. Euthanasia of those species listed in subsection 68A-6.0022(2), F.A.C., is not required.

(b) Live captured nuisance wildlife may be released on the property of the landowner provided the release site and capture site are located on one contiguous piece of property.

(4) Take of nuisance wildlife on airport property.

(a) Wildlife listed in Chapter 68A-27, F.A.C., that pose an imminent jeopardy to aircraft safety and human life, may be harassed by persistent, non-injurious disturbance without physical capture or direct handling to disperse wildlife by airport operators or their agents on airport property in order to prevent collisions between aircraft and wildlife.

(b) Airport personnel may take deer or wild turkey on airport property if their presence poses a potential threat to aircraft safety and human life. Deer may be taken by the use of a gun and light at night. Carcasses of deer or wild turkey taken under this rule shall be buried, incinerated on-site or donated to a charitable, non-profit institution or agency. No deer or wild turkey carcasses taken under this rule shall be retained for use by airport personnel.

PROPOSED EFFECTIVE DATE: July 1, 2008.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 7-1-08.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE FAW.

NAME OF PERSON ORIGINATING PROPOSED RULE: Roland Garcia, Regional Director, 3377 East U.S. Highway 90, Lake City, Florida 32409-1658

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 5, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 7, 2007

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.:
68A-11.003

RULE TITLE:
Use of Motorboats on Certain Waters; Permits

PURPOSE AND EFFECT: The purpose of the proposed rule changes is improved boating access on Lakes Iamonia, Carr and Miccosukee, during the duck and coot seasons, and standardization of equipment restrictions on those lakes. The effect of the proposed rule changes will allow the use of internal-combustion engines, up to 10 horsepower on Lake Miccosukee and remove equipment restrictions, on all lakes, during the Youth Waterfowl hunt.

SUMMARY: The proposed rule changes will remove the current prohibition on internal-combustion engines during the Youth Waterfowl Hunt on Lake Iamonia and Carr Lake in Leon County and Lake Miccosukee in Leon and Jefferson counties. The maximum size of permissible engines during the duck and coot season will be increased from 5 to 10 horsepower on Lake Miccosukee. The proposed change includes non-substantive technical changes, such as grammatical corrections, language standardization or clarification of an existing rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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; Chapters 65-1841, 85-361, Laws of Florida.

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

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

DATES AND TIME: During the regular meeting of the Commission, February 6-7, 2008, 8:30 a.m. – 5:00 p.m., each day

PLACE: Bay Point Marriott Golf Resort & Spa, 4200 Marriott Drive, Panama City Beach, Florida 32408

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-11.003 Use of Motorboats on Certain Waters; Permits.

(1) No change.

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

(3) The above restrictions shall not apply during the ~~Special early~~ September duck season established in paragraph 68A-13.003(3)(a), F.A.C., or during the Youth Waterfowl Hunt established in paragraph 68A-13.003(1)(d), F.A.C.

PROPOSED EFFECTIVE DATE: July 1, 2008.

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

NAME OF PERSON ORIGINATING PROPOSED RULE: Nick Wiley, Director, Division of Hunting and Game Management, 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 5, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 7, 2007

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-12.002 RULE TITLE: General Methods of Taking Game; Prohibitions

PURPOSE AND EFFECT: The purpose of the proposed rule changes is to revise regulations pertaining to the possession of firearms which may no longer be necessary for resource protection, clarify the regulations related to taking turkeys near feeding stations, and clarify the references to “feed” and “feeding stations.” The effect of the proposed rule changes will allow the possession of a gun during a season when game may not legally be taken with that gun, prohibit the take of wild

turkey when a hunter is less than 100 yards from a game feeding station containing feed and standardization of language used to describe “feed” and “feeding stations.”

SUMMARY: The proposed rule would allow the possession of guns in accordance with Chapter 790, F.S.; clarify the current requirement that a wild turkey may not be taken if the hunter is within 100 yards of a feeding station when feed is present; clarify the reference to “feed” consistent with provision paragraph (7)(d) of this rule regarding what constitutes feed (corn, wheat, grain or any other food or substance that has been deposited by other than normal agricultural harvesting or planting); and clarify references to “game feeder” and “game feeding station.”

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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 regular meeting of the Commission, February 6-7, 2008, 8:30 a.m. – 5:00 p.m., each day

PLACE: Bay Point Marriott Golf Resort & Spa, 4200 Marriott Drive, Panama City Beach, Florida 32408

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-12.002 General Methods of Taking Game; Prohibitions.

(1) through (2) No change.

(3) Game birds, crows or game mammals may be taken with any of the following:

(a) No change.

(b) Rifle or pistol.

1. through 3. No change.

4. Taking wildlife with ~~The possession of any centerfire center fire~~ semi-automatic rifle having a magazine capacity of more than five rounds ~~while hunting~~ is prohibited.

5. No change.

6. The take of game, except migratory birds, with any gun other than a bow, crossbow or muzzleloading gun is prohibited ~~No person shall possess any modern firearm while muzzleloading gun hunting~~ during any special muzzleloading gun season.

(c) No change.

(d) Bow or crossbow.

1. through 3. No change.

4. The take of game, except migratory birds, with any gun other than a bow is prohibited ~~No person shall possess any firearm or crossbow while archery hunting~~ during any special archery season.

5. The take of game, except migratory birds, with any gun other than a bow or crossbow is prohibited ~~No person shall possess any firearm while crossbow hunting~~ during any special crossbow season.

(e) No change.

(4) through (7) No change.

(8)(a) Game feeding stations ~~feeders~~ may be maintained for the purpose of propagating quail, turkey, and other wild game under natural conditions.

(b) Non-migratory game ~~other than wild turkey~~ may be taken in proximity to game feeding stations which are maintained with feed (corn, wheat, grain or any other food substance deposited by other than normal agricultural harvesting or planting) throughout the year provided that each feeding station shall have been maintained at least six months prior to the taking of game in proximity thereof. Wild turkey may not be taken if the hunter is less than 100 yards from a game the feeding station when feed is present.

(9) No change.

PROPOSED EFFECTIVE DATE: July 1, 2008.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-1-79, Amended 6-4-81, 11-17-81, 6-21-82, 7-1-83, 7-1-84, 7-1-85, Formerly 39-12.02, Amended 6-1-86, 4-11-90, 4-14-92, 4-20-93, 3-1-94, 3-30-95, 4-1-96, 12-28-98, Formerly 39-12.002, Amended 7-1-05, 7-1-06, 7-1-08.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE FAW.

NAME OF PERSON ORIGINATING PROPOSED RULE: Nick Wiley, Director, Division of Hunting and Game Management, 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 5, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 7, 2007

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.:

RULE TITLE:

68A-12.007

Hunting Dogs; Molesting Game in Closed Season; Training; Field Trials; Prohibited for Certain Hunting

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to revise regulations pertaining to the possession of a gun during deer dog training season. The current rule prohibits the possession of a gun during a deer dog training season; however, the intent of the rule was to prohibit the take of wildlife with a gun during a closed season. The effect of the proposed rule change will allow the possession of a gun, but prohibit the take of wildlife during the closed season.

SUMMARY: The proposed rule change will allow a person participating in a deer dog training season to be in possession of a gun, but the take of wildlife with a gun will be prohibited.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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 regular meeting of the Commission, February 6-7, 2008, 8:30 a.m. – 5:00 p.m., each day

PLACE: Bay Point Marriott Golf Resort & Spa, 4200 Marriott Drive, Panama City Beach, Florida 32408

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-12.007 Hunting Dogs; Molesting Game in Closed Season; Training; Field Trials; Prohibited for Certain Hunting.

(1) through (5) No change.

(6) Deer dogs may be trained during the closed season for taking deer when such dogs are constantly attached to a leash or rope in the hands of the trainer. Deer dogs may be allowed to run free for training purposes only during the period beginning the first Saturday of October and continuing 19 days thereafter, except in the Northwest Zone when the period shall begin the last Saturday of October and continue for 19 days thereafter. Taking wildlife with the possession of any gun while training deer dogs is prohibited.

(7) through (10) No change.

PROPOSED EFFECTIVE DATE: July 1, 2008.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-1-79, Amended 6-22-80, 6-21-82, 7-27-83, 7-5-84, 7-1-85, Formerly 39-12.07, Amended 4-11-90, 3-1-94, 7-1-94, 9-7-97, Formerly 39-12.007, Amended 12-9-99, 8-22-04, 7-17-05, 7-1-08.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE FAW.

NAME OF PERSON ORIGINATING PROPOSED RULE: Nick Wiley, Director, Division of Hunting and Game Management, 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 5, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 7, 2007

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.:	RULE TITLE:
68A-12.009	Taking Destructive Birds and Mammals

PURPOSE AND EFFECT: The purpose of this proposed rule repeal is, in conjunction with other new rules and rule amendments being proposed at the same time, to clarify and simplify regulations relating to nuisance wildlife by removing all nuisance (destructive birds and mammals) wildlife regulations from the chapter dealing with game animals and relocating those regulations to a new Rule 68A-9.010, F.A.C., which will contain all nuisance wildlife regulations. The effect of the proposed rule change will be a clear and simplified presentation of regulations dealing with nuisance wildlife regulation.

SUMMARY: Rule 68A-12.009, F.A.C., relating to the taking of destructive birds and mammals, is proposed to be repealed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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 regular meeting of the Commission, February 6-7, 2008, 8:30 a.m. – 5:00 p.m., each day

PLACE: Bay Point Marriott Golf Resort & Spa, 4200 Marriott Drive, Panama City Beach, Florida 32408

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

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-12.009 Taking Destructive Birds and Mammals.

PROPOSED EFFECTIVE DATE: May 1, 2008.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-1-79, Amended 6-4-81, 6-21-82, 7-1-85, Formerly 39-12.09, Amended 4-14-92, 4-12-98, 6-23-98, 9-21-98, Formerly 39-12.009, Amended 7-6-06, Repealed 5-1-08.

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: Roland Garcia, Regional Director, 3377 East U.S. Highway 90, Lake City, Florida 32409-1658

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 5, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 7, 2007

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

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

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to expand hunting opportunities for waterfowl hunters and falconers. The effect of the proposed rule changes is to allow Canada geese to be taken statewide and allow falconry as a legal method of take for light geese and Canada geese.

SUMMARY: The proposed rule changes would expand the area currently open for Canada goose season from the Florida waters of Lake Seminole in Jackson County that are south of SR 2, north of the Jim Woodruff Dam and east of CR 271 to statewide. Falconers will be allowed to take light geese and Canada geese statewide.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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 regular meeting of the Commission, February 6-7, 2008, 8:30 a.m. – 5:00 p.m., each day

PLACE: Bay Point Marriott Golf Resort & Spa, 4200 Marriott Drive, Panama City Beach, Florida 32408

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

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

- (1) Duck, light goose, and coot season:
 - (a) through (c) No change.
 - (d) In addition to the open season specified in paragraph (1)(a) above, a “Youth Waterfowl Hunt” will be held on the first Saturday and Sunday following the last Sunday in January. Youth hunters must be under 16 years of age and must be accompanied by a non-hunting adult at least 18 years of age. Daily bag limits and species restrictions for ducks, geese, and coots will be as described in paragraphs (1)(f) ~~and (g)~~, and subsection (4). Florida gallinules (common moorhens) may also be taken on the “Youth Waterfowl Hunt;” bag and possession limits for this species will be as specified in Rule 68A-13.008, F.A.C.
 - (e) through (f) No change.
- (2) through (3) No change.
- (4) Canada goose season:
 - (a) Open season:
 - 1. through 3. No change.
 - ~~4. Canada geese may be taken only in the Florida waters of Lake Seminole in Jackson County that are south of SR 2, north of the Jim Woodruff Dam, and east of CR 271.~~
 - (b) through (c) No change.
 - (5) Falconry:

(a) Ducks, mergansers, ~~light~~ geese, and coots may be taken from one-half hour before sunrise until sunset by the use of a falcon during the open season. The daily bag limit for all migratory game bird species shall be three, singly or in the aggregate, and two days' bag may be possessed. ~~Light geese may only be taken north and west of the Suwannee River.~~

(b) No change.

(c) Open season for Canada geese: The open season as specified in paragraph (1)(d) and subsection (4) of this rule.

PROPOSED EFFECTIVE DATE: July 1, 2008.

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

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE FAW.

NAME OF PERSON ORIGINATING PROPOSED RULE: Nick Wiley, Director, Division of Hunting and Game Management, 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 5, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 7, 2007

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-13.004
 RULE TITLE: Open Season for Taking and Bag Limits for Non-Migratory Game and Issuance of Antlerless Deer Permits

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to increase the spring turkey season in Holmes County from 3 days to 16 days with a season bag limit of 1 turkey per season; remove reference to wild hogs; and delete a reference to Rule 68A-12.009, F.A.C. The effect of the proposed rule changes is to enable the agency to better manage fish and wildlife resources and provide additional hunting opportunities.

SUMMARY: The proposed rule amendment would increase the spring turkey season in Holmes County from 3 days to 16 days with no change in the bag limit and strike a reference to a rule that is proposed for deletion and no longer necessary. The proposed change includes non-substantive technical changes, such as grammatical corrections, language standardization or clarification of an existing rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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 regular meeting of the Commission, February 6-7, 2008, 8:30 a.m. – 5:00 p.m., each day

PLACE: Bay Point Marriott Golf Resort & Spa, 4200 Marriott Drive, Panama City Beach, Florida 32408

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-13.004 Open Season for Taking and Bag Limits for Non-Migratory Game and Issuance of Antlerless Deer Permits. The open season and bag limits for non-migratory game shall be as follows unless otherwise amended by the Commission, provided that regulations for hunting on wildlife management areas shall be as established by specific rule.

- (1) Bag and possession limits:
 - (a) No change.
 - (b) Turkey: daily bag, 1; spring season bag, 2 (except in Holmes County where the bag shall be 1); all fall seasons combined bag, 2; possession limit, 2.
 - (c) No change.

~~(d) Wild hog: daily bag, 1; possession limit, 2.~~

(2) Open seasons:

(a) through (b) No change.

(c) Turkey:

1. No change.

2. Spring season (gobblers or bearded turkeys only):

Opening on the first Saturday of March and closing 36 days thereafter in the South Zone. Opening on the third Saturday of March and closing 36 days thereafter in the Central and Northwest Zones except in Holmes County where the season will open on the third Saturday of March and close 15 ~~2~~ days thereafter.

(d) through (f) No change.

~~(g) Wild hog: During open seasons for deer.~~

~~(g)(h)~~ Notwithstanding the provisions of paragraphs (2)(a)-(g) deer of either sex, gobblers or bearded turkeys, gray squirrel; and quail ~~and wild hog~~ may be taken where same are legal game, during an archery season opening 49 days prior to the first day of the antlered deer season and closing 29 days thereafter in the South Zone, opening 49 days prior to the first day of the antlered deer season and closing 29 days thereafter in the Central Zone, and opening 40 days prior to the first day of the antlered deer season and closing 29 days thereafter in the Northwest Zone except that turkey may not be taken in Holmes County.

~~(h)(i)~~ Notwithstanding the provisions of paragraphs (2)(a), (b), (c), (d), (e), and (h), antlered deer, gobblers or bearded turkeys, gray squirrel; and quail ~~and wild hogs~~ may be taken:

1. through 3. No change.

(3) Issuance of antlerless deer permits to landowners – Antlerless deer may be taken under permit from the executive director during the crossbow, muzzleloading gun, archery/muzzleloading gun, and antlered deer seasons in accordance with the following:

(a) A person who owns, leases or otherwise has written permission to take antlerless deer on specifically identified lands may apply for an antlerless deer permit in accordance with this subsection. An antlerless deer permit will be issued for property or an aggregate of contiguous properties not less than 640 acres in size; or for property or an aggregate of contiguous properties not less than 150 acres in size which are contiguous to property under a current antlerless deer permit. Agricultural lands that have been permitted ~~under Rule 68A-12.009, F.A.C.~~, within the previous 12 months for taking of deer for crop depredation purposes shall be exempt from the minimum acreage requirement of this rule.

(b) through (d) No change.

PROPOSED EFFECTIVE DATE: July 1, 2008.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-1-79, Amended 5-19-80, 6-4-81, 6-21-82, 7-1-83, 7-1-84, 7-1-85, Formerly 39-13.04, Amended 6-1-86, 5-10-87, 6-8-87, 5-1-88, 7-1-89, 7-1-90, 7-1-91, 7-1-92, 7-1-93, 3-1-94, 7-1-94, 7-1-96, 10-28-97, 4-27-98, 12-28-98, Formerly 39-13.004, Amended 7-1-01, 5-13-02, 10-16-02, 7-1-05, 7-1-06, 7-1-08.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE FAW.

NAME OF PERSON ORIGINATING PROPOSED RULE: Nick Wiley, Director, Division of Hunting and Game Management, 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 5, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 7, 2007

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.:	RULE TITLE:
68A-13.007	Hunting Regulations on Public Small-Game Hunting Areas

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to revise the regulation for Public Small-Game Hunting Areas (PSGHAs) which prohibits the possession of a firearm other than a shotgun and to require a management area permit for hunting. The effect of the proposed rule changes will allow the possession of any gun, but only allow the take of wildlife with shotguns, except that alligators may only be taken with bang sticks; and require hunters to obtain a management area permit prior to hunting on PSGHAs.

SUMMARY: The proposed rule would allow the possession of guns pursuant to Chapter 790, F.S., subject to state and federal law, provided the gun is securely encased in a vehicle, vessel, camper or tent during periods when the take of wildlife with the gun is prohibited; and require hunters to possess a management area permit when hunting on Public Small-Game Hunting Areas.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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 regular meeting of the Commission, February 6-7, 2008, 8:30 a.m. – 5:00 p.m., each day

PLACE: Bay Point Marriott Golf Resort & Spa, 4200 Marriott Drive, Panama City Beach, Florida 32408

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-13.007 Hunting Regulations on Public Small-Game Hunting Areas.

- (1) No change.
- (2) The general regulations for public small-game hunting areas shall be as follows:
 - (a) through (e) No change.
 - (f) Taking wildlife with The possession of firearms other than bang sticks by persons permitted to take alligators and shotguns is prohibited unless otherwise provided by specific area regulation, except bang sticks are allowed to take alligators by persons permitted to take alligators.
 - (g) through (m) No change.
 - (n) A management area permit as provided by Section 372.57, F.S., in addition to all regular license requirements, is required for persons, except those persons exempted by Section 372.57, F.S.; persons engaging in activities pursuant to Rule 68A-9.007, 68A-25.032 or 68A-25.042, F.A.C.; or by Order of the Executive Director; to take wildlife on a Public Small Game Hunting Area.

PROPOSED EFFECTIVE DATE: July 1, 2008.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 10-4-82, Formerly 39-13.07, Amended 7-1-89, 7-1-96, Formerly 39-13.007, Amended 4-30-00, 7-1-06, 7-1-08.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE FAW.

NAME OF PERSON ORIGINATING PROPOSED RULE: Nick Wiley, Director, Division of Hunting and Game Management, 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 5, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 7, 2007

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-14.001 RULE TITLE: Establishment Orders

PURPOSE AND EFFECT: The purpose of the proposed rule change is to delete the reference to wild hog areas and to make reference to Commission managed shooting ranges. The effect would be to simplify regulations regarding wild hogs and add reference to Commission managed shooting ranges.

SUMMARY: The proposed rule would delete the reference to wild hog areas and add a reference to Commission managed shooting ranges. The rule which establishes wild hog areas is proposed to be deleted as a part of a suite of changes.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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 regular meeting of the Commission, February 6-7, 2008, 8:30 a.m. – 5:00 p.m., each day

PLACE: Bay Point Marriott Golf Resort & Spa, 4200 Marriott Drive, Panama City Beach, Florida 32408

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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-14.001 Establishment Orders.

Whenever the Commission establishes an area to be a wildlife management area; a wildlife and environmental area; a refuge; a bird sanctuary; a restricted hunting area; a critical wildlife area; a fish management area; or a miscellaneous area, it shall do so by an establishment order.

(1) No change.

(2) The establishment orders shall be kept by the Commission in its headquarters office and lists of all orders establishing an area as a wildlife management area; a wildlife and environmental area; a wildlife refuge; a bird sanctuary; a restricted hunting area; a critical wildlife area; a fish management area; a Commission managed shooting range ~~a wild hog area~~ or a miscellaneous area shall be kept by the Commission in its headquarters office and shall be available to the public for inspection.

(3) No change.

PROPOSED EFFECTIVE DATE: July 1, 2008.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-1-79, Amended 6-21-82, Formerly 39-14.01, Amended 10-28-97, 6-30-99, Formerly 39-14.001, Amended 12-20-99, 7-18-00, 5-1-03, 7-1-06, 7-1-08.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE FAW.

NAME OF PERSON ORIGINATING PROPOSED RULE: Nick Wiley, Director, Division of Hunting and Game Management, 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 5, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 7, 2007

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.:	RULE TITLE:
68A-14.0011	Opening or Closing Areas Other Than Restricted Hunting Areas, Bird Sanctuaries or Critical Wildlife Areas; General

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to delete the reference to wild hog areas as part of a suite of rules to change the way wild hogs are managed. The effect would be a simplified set of regulations which address wild hogs as wildlife. This suite of proposed rules would allow hogs to be taken on private land with no size and no bag limits throughout the year. In addition, it would remove the game status of hogs statewide and allow hogs to be managed by area specific rules on public hunting lands.

SUMMARY: The proposed rule would delete the reference to wild hog areas. The rule which establishes wild hog areas is proposed to be deleted as a part of a suite of changes.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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 FS.

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 regular meeting of the Commission, February 6-7, 2008, 8:30 a.m. – 5:00 p.m., each day

PLACE: Bay Point Marriott Golf Resort & Spa, 4200 Marriott Drive, Panama City Beach, Florida 32408

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-14.0011 Opening or Closing Areas Other Than Restricted Hunting Areas, Bird Sanctuaries or Critical Wildlife Areas; General.

The Commission may establish refuges, wildlife management areas, fish management areas, wildlife and environmental areas, ~~wild hog areas~~ and miscellaneous areas and regulate and manage the lands or water therein in the best interest of the state; and in furtherance thereof:

(1) through (3) No change.

PROPOSED EFFECTIVE DATE: July 1, 2008.

Specific Authority Art. IV, Sec. 9, Fla. Const., 372.021 FS. Law Implemented Art. IV, Sec. 9, Fla. Const., 372.121 FS. History—New 6-21-82, Formerly 39-14.011, Amended 11-23-97, Formerly 39-14.0011, Amended 7-1-08.

NAME OF PERSON ORIGINATING PROPOSED RULE: Nick Wiley, Director, Division of Hunting and Game Management, 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 5, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 7, 2007

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

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

PURPOSE AND EFFECT: The purpose of the proposed rule changes is to establish general rules relating to the take of wild hogs, the take of non-protected mammals and the possession of guns or firearms on Wildlife Management Areas. The effect would be a general set of regulations allowing the take of wild

hogs with no size or bag limit, establish shooting hours and prohibit the transport of live wild hogs, except as otherwise provided by area specific rule. Non-protected mammals will be legal to take during any season that allows the take of game mammals, except as provided by area specific rule. Firearms and guns may be possessed throughout the year provided they are securely encased in a vehicle, vessel, camper or tent when they are not a legal method of take.

SUMMARY: The proposed rule changes would allow the possession of guns on WMAs in accordance with Chapter 790, F.S., subject to state and federal law, provided the guns are securely encased in a vehicle, vessel, camper or tent during periods when the take of wildlife with a gun is prohibited; allow wild hogs to be taken from one-half hour before sunrise to one-half hour after sunset during any season open for the taking of game mammals or wild hogs, with no size or bag limit unless otherwise provided by area specific rule, use only methods of take allowed for the taking of game mammals, and not transport wild hogs alive; prohibit target practice except at a shooting range or Commission sponsored event; and allow the take of non-protected mammals during any season open for the take of game mammals with no size or bag limit, unless otherwise provided by area specific rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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, 372.57 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 6-7, 2008, 8:30 a.m. – 5:00 p.m., each day

PLACE: Bay Point Marriott Golf Resort & Spa, 4200 Marriott Drive, Panama City Beach, Florida 32408

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-15.004 General Regulations Relating to Wildlife Management Areas.

(1) No change.

(2) Permits required:

(a) A wildlife management area permit as provided by Section 372.57, F.S., in addition to all regular license requirements, is required for persons, except those exempted in subsection (3) hereof, to ~~take wildlife hunt, trap or be in possession of a gun, trap or other device for taking wildlife or fur-bearing animals~~ on a wildlife management area.

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

(c) through (d) No change.

(3) No change.

(4) Legal to hunt:

(a) through (h) No change.

(i) Wild hogs may be taken in accordance with the following provisions:

1. Wild hogs may only be taken from one-half hour before sunrise to one-half hour after sunset during any season open for the taking of any game mammal or any season established for the taking of wild hog only, with no size or bag limit unless otherwise provided by area specific rule.

2. Methods of take, other than those allowed for the taking of game during each open season, are prohibited.

3. During any season established for the taking of wild hog only, only legal methods of take for game are allowed unless otherwise provided by area specific rule.

4. Wild hogs may not be transported alive.

(j) Non-protected mammals, as defined in paragraph 68A-12.002(9)(a), F.A.C., may be taken during any season open for the taking of game mammals, with no size or bag limit unless otherwise provided by area specific rule.

(5) No change.

(6) Guns:

(a) Possession of guns or firearms is allowed on wildlife management areas pursuant to the provisions of Florida Statutes, unless as otherwise prohibited under the legal authority of the landowner, lead managing agency, military installation commander, or pursuant to federal law. During periods closed to hunting or when the firearm is not a legal method of take, firearms shall be securely encased in a vehicle, vessel, camper, or tent, except those persons in possession of a valid Concealed Weapon or Firearm License may possess concealed handguns. No person shall discharge any gun for testing or target practice, except on a Commission shooting range or at Commission sponsored events. No person shall possess any gun on any wildlife management area during any period in which hunting by the use of a gun is prohibited unless otherwise authorized by permit from the executive director.

(b) Taking wildlife (except migratory birds during migratory bird season) with ~~The possession of~~ a firearm or crossbow is prohibited on any wildlife management area during ~~the~~ established archery season seasons for archery hunting unless otherwise stipulated in a regulation established for a specific area. Taking wildlife (except migratory birds during migratory bird season) with ~~The possession of~~ a gun (except a muzzleloading gun) is prohibited on any wildlife management area during ~~the~~ established muzzleloading gun season seasons for muzzleloading gun hunting. Taking wildlife with ~~The possession of~~ a gun is prohibited on any wildlife management area during any season open only for the taking of fur-bearing animals or frogs unless otherwise stipulated in a regulation established for a specific area.

~~(c) Notwithstanding the provisions of paragraph (a), (b), or (f) or specific area regulations in this chapter generally prohibiting possession of a gun, a person in possession of a valid Concealed Weapon or Firearm License may carry concealed handguns under the provisions of Section 790.06, F.S., throughout the year, unless otherwise preempted pursuant to state or federal law.~~

~~(c)(d)~~ No change.

(d)(e) Taking wildlife with centerfire ~~The possession of~~ center fire rifles is prohibited during small game season.

~~(f) The possession of any firearm containing shells or cartridges, or any capped or primed muzzleloading gun is prohibited on any public campsite or check station area. The discharge of firearms is prohibited on, from or across any campsite or check station area.~~

~~(e)(g)~~ Taking migratory birds with centerfire ~~Centerfire~~ shotguns is allowed ~~are permitted~~ during established area seasons when one or more migratory game birds are legal to take except when prohibited by specific area rule.

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

- 1. through 2. No change.
- (7) through (15) No change.

PROPOSED EFFECTIVE DATE: July 1, 2008.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 372.121, 372.57 FS. History—New 8-1-79, Amended 6-4-81, 6-21-82, 6-9-83, 9-27-83, 7-5-84, 7-1-85, Formerly 39-15.04, Amended 5-7-86, 5-10-87, 4-13-88, 8-18-88, 4-19-90, 4-4-91, 4-14-92, 10-22-92, 7-26-94, 11-6-94, 3-30-95, 10-23-95, 9-15-96, 6-1-97, 7-1-98, 12-28-98, 4-15-99, Formerly 39-15.004, Amended 7-1-00, 6-2-02, 5-1-03, 7-1-04, 7-1-05, 7-1-06, 7-29-07, 7-1-08.

NAME OF PERSON ORIGINATING PROPOSED RULE: Nick Wiley, Director, Division of Hunting and Game Management, 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 5, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 7, 2007

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 amendment is to clarify rules related to the issuance of quota permits; clarify the access exemptions for youth hunters, Mentor License supervisors and the assistant for mobility-impaired hunters on those areas requiring a quota permit for access; and centrally locate rules pertaining to Family Hunts. The effect would be to delete an antiquated rule requiring quota permits during the first nine days of general gun season, while requiring quota permits at specified times; allow a youth hunter, a Mentor License supervisor and an assistant for a mobility-impaired hunter to accompany a quota permit holder on those areas which require a quota permit for access (area specific rules may provide for additional assistants

or supervisors); and streamline and standardize the Florida Administrative Code by moving duplications of the rules for Family Hunts from area specific regulations to Rule 68A-15.005, F.A.C.

SUMMARY: Rule 68A-15.005, F.A.C., is proposed to be amended as follows:

Remove an unnecessary rule that infers quota permits are necessary during the first nine days of general gun season on all areas. Quota permits will continue to be required for those areas and seasons as specified in code.

On some WMAs and WEAs a valid quota permit is required to access the area. This prevents a youth, Mentor License supervisor, and disabled hunter assistant from entering the area to accompany a quota permit holder in one of these categories. This rule proposal would allow one youth, Mentor License supervisor or disabled hunter assistant to accompany the hunter. The youth or Mentor License supervisor may participate in the hunt provided they share a single bag limit with the quota permit holder. The assistant for the disabled hunter may participate in the hunt, but may not take game with a gun.

Remove the standard verbiage included in area-specific rules for each area that has a family hunt and place it in Rule 68A-15.005, F.A.C. The standard language has been included in the area-specific rules for the Northwest and Northeast Regions.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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 regular meeting of the Commission, February 6-7, 2008, 8:30 a.m. – 5:00 p.m., each day

PLACE: Bay Point Marriott Golf Resort & Spa, 4200 Marriott Drive, Panama City Beach, Florida 32408

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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) ~~At During the first nine days of the general hunting season and at other times specified in subsection (2) herein,~~ a quota or special-opportunity permit in addition to other license, permit and stamp requirements, shall be required for any person while hunting on wildlife management areas, wildlife and environmental areas, and fish management areas or specified units thereof, identified in this rule. Those persons exempt from license requirements by Section 372.57(1), F.S., or stamp requirements by Section 372.57(4), F.S., or persons age 65 or over who have obtained a Florida lifetime hunting or lifetime sportsman's license are also exempt from quota permit requirements on all areas except those specified by "(no exemptions)" in this rule. On those areas specified by "(no exemptions)," one person younger than 16 years of age may accompany a person older than 18 years of age who holds a valid ~~regular, special, or spring turkey~~ quota permit and participate in the hunt provided that both hunters must share a single bag limit of game. On those areas specified by "(no exemptions)," one person, acting as a supervisor required by Section 372.5717, F.S., may accompany a Mentor License holder who holds a valid quota permit and participate in the hunt provided that both hunters must share a single daily bag limit of game. On those areas where a quota permit is required to access the area, one youth hunter or mentor license holder may accompany the quota permit holder and participate in the hunt provided that both hunters must share a single bag limit of game. On those areas where a quota permit is required to access the area, one assistant may accompany a mobility-impaired hunter and participate in the hunt, provided the assistant may not take wildlife with a gun; an area specific rule may provide for additional supervisors or assistants unless otherwise provided by area specific regulation. Quota, antlerless deer and special-opportunity permits shall be in the hunter's possession and shall be displayed upon request by any Commission employee. Quota, antlerless deer, and special-opportunity permits shall be transferable, except that special-opportunity permits issued to exempt persons shall be transferable only to another exempt person. Quota and antlerless deer permits issued to an underage applicant may only be transferred to another underage hunter. Quota hunt and antlerless deer permits issued to a disabled applicant may only be transferred to another disabled hunter. Quota hunt and antlerless deer permits issued to a senior citizen may only be transferred to another senior citizen or underage hunter.

(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, ~~2008~~ ~~2007~~, incorporated herein by reference and kept by the Commission at its headquarters office and regional offices.

(3) through (4) No change.

(5) Family Hunts: During a family hunt, one or two persons per quota 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, 2008.

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, 7-1-08.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE FAW.

NAME OF PERSON ORIGINATING PROPOSED RULE: Nick Wiley, Director, Division of Hunting and Game Management, 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 5, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 7, 2007

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

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

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to clarify rules relating to the take of wild hogs, the take of non-protected mammals, the possession of guns or firearms, distribution of food for wildlife and driving metal objects into trees on Kissimmee River Public Use Area. The effect would be a clear set of regulations allowing the take of wild hogs (no change to current hunting opportunity) with no size or bag limits, establish shooting hours and prohibit the transport of live wild hogs. Non-protected mammals will be legal to take during any season that allows the take of game mammals. Firearms and guns may be possessed throughout the year provided they are secured in a vehicle, vessel, travel trailer, camper or tent when they are not a legal method of take. Driving metal objects into trees and the distribution of food for wildlife will be prohibited.

SUMMARY: The proposed rule changes would allow the possession of guns in accordance with Chapter 790, F.S., subject to legal agreements, state law and federal law, provided the guns are securely encased in a vehicle, vessel, camper or tent during periods when the take of wildlife with a gun is prohibited; clarify rules related to wild hogs (the proposal will not reduce any opportunity, just standardize the regulations) which allow wild hogs to be taken from one-half hour before sunrise to one-half hour after sunset during any season open for the taking of game mammals, with no size or bag limit, use only methods of take allowed for the taking of game mammals, and not transport wild hogs alive; prohibit target practice except at a shooting range or Commission sponsored event; allow the take of non-protected mammals during any season open for the taking of game mammals, with no size or bag limit; prohibit the driving of metal objects into trees; and prohibit the distribution of food for wildlife.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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 regular meeting of the Commission, February 6-7, 2008, 8:30 a.m. – 5:00 p.m., each day

PLACE: Bay Point Marriott Golf Resort & Spa, 4200 Marriott Drive, Panama City Beach, Florida 32408

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-15.006 Regulations Relating to Miscellaneous Areas.

(1) The Commission may establish specific regulations for ~~wild hog areas and~~ miscellaneous areas to regulate and manage the lands or waters therein in the best interest of the state.

(2) Kissimmee River Public Use Area.

(a) No change.

(b) Legal to take: All legal game, wild hog, non-protected mammals, furbearers, fish, and frogs. ~~Wild hogs may be taken only during open seasons for deer or squirrel.~~ Antlerless deer may be taken only during the archery seasons and during the eighth and ninth days of the antlered deer seasons for the South and Central Zones, as applicable, established in Rule 68A-13.004, F.A.C. Bag and possession limits and shooting hours shall be those established under Rules 68A-13.003, 68A-13.004 and 68A-13.008, F.A.C., except that shooting hours for turkeys during the spring season shall be from one-half hour before sunrise until 1:00 p.m., ~~and there shall be no bag or size limits on wild hogs.~~

(c) General regulations:

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

2. through 4. No change.

5. Driving a metal object into any tree, or hunting from a tree into which a metal object has been driven, is prohibited.

6. No person shall place, expose or distribute any grain or other food for wildlife except as authorized by permit from the executive director. No person shall take wildlife on any land or waters upon which grain or other food has been deposited.

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

a. Wild hog may only be taken from one-half hour before sunrise to one-half hour after sunset during any season open for the taking of game mammals or any season established for the taking of wild hog only, with no size or bag limit.

b. Methods of take, other than those allowed for the taking of game mammals during each open season, are prohibited.

c. Wild hog may not be transported alive.

8. Non-protected mammals, as defined in paragraph 68A-12.002(9)(a), F.A.C., may be taken during any season open for the taking of game mammals, with no size or bag limit.

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

PROPOSED EFFECTIVE DATE: July 1, 2008.

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

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, 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 5, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 7, 2007

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 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 Southwest Region as follows:

Arbuckle WMA – change the definition of legal to take for antlered deer to those having at least one antler with three or more points, each point one inch or more in length; prohibit the use of centerfire rifles for taking wild turkey during the spring turkey season; move the muzzleloading gun season from November to December; and convert the general gun hog season to a small game season with no quota and allow the take of wild hog.

Chassahowitzka WMA – allow camping by permit at Ryle Creek for persons paddling segment 7 of the Florida Circumnavigational Saltwater Paddling Trail; establish a new general gun hog-dog season consisting of two, 3-day hunts (quota of 75 and each permit would allow one gun, two hunters and three dogs); split the existing 9-day spring turkey season (currently a 4-day and 5-day hunt) into three, 3-day hunts, and conduct the turkey hunts on Fridays, Saturdays and Sundays; add geese as legal to take during the waterfowl season; and restrict horses and bicycles to roads and trails, except bicycles will be allowed “off-road” during hunting and scouting periods.

Croom WMA – prohibit the use of centerfire rifles for taking turkey during the spring turkey season; add geese as legal to take during the waterfowl season; and no longer require hunters to check game after the first 9 days of the general gun season.

Green Swamp WMA – allow camping only at designated campsites; require campers to obtain a non-transferable permit for designated campsites; require campers to attach their names and permit numbers to camping equipment; prohibit kitchen stoves, refrigerators and freezers unless contained in mobile campers; prohibit lumber, sheet metal and other building materials; prohibit the operation of generators between 10 p.m. and 4 a.m. (create quiet hours); prohibit the possession or consumption of intoxicating beverages; and continue to require deer and wild hog to be checked at the check station, but delete an unnecessary rule that requires them to be marked with a physical tag at the check station.

Hickory Hammock WMA – split the small game season into 2 hunts and start the second hunt (last 42 days) after the close of the zonal general gun season; allow the take of wild hog during the last 42 days of small game season; allow waterfowl hunting all day during duck and coot season; and allow the use of rimfire rifles.

Hilochee WMA – prohibit public access from 1.5 hours after sunset until 1.5 hours before sunrise; increase quotas during archery and muzzleloading gun seasons from 5 to 10 quota permits each hunt; increase quota during general gun hog from 30 to 40 each hunt; clarify a rule that prohibits fishing in certain bodies of water; increase the number of fishing permits from 10 to 20; increase fishing opportunity by allowing fishing by permit on Sundays; remove the quota permit requirement for small game season; allow wild hog to be dismembered before being checked at the check station; no longer require hunters to check in or check game during the small game season; close Yancey road during small game season; allow the take of wild hog during small game season; and remove the special-opportunity dove season, rules associated with that season and the quota.

Hilochee WMA – Osprey Unit (NEW) – establish a new wildlife management area with the following open seasons: archery – two 2-day hunts (quota of 40 per hunt, no exemptions); family hunt – 2-day hunt (quota of 15, 1 adult and 2 children per permit, no exemptions); general gun hog-still – 2-day hunt (quota of 40, no exemptions); general gun hog-dog – two 2-day hunts (quota of 10; one gun, two hunters, and three dogs per permit; no exemptions); two 2-day spring turkey hunts (quota of 5, no exemptions); legal to take – all legal game (except deer), fish and furbearers; turkey may be taken only during the spring turkey season; bag limits for fish: no more than 20 bluegill, 10 black crappie and 6 catfish per person; size limits for fish will be no less than 8 inches total length for bluegill and no less than 10 inches total length for black crappie; prohibit public access from 1.5 hours after sunset until 1.5 hours before sunrise; require all persons to enter and exit at a designated entrance; prohibit airboats, tracked vehicles, motorcycles, ATVs and outboard motors larger than 10 horsepower; allow horses during non-hunting periods on designated trails and named or numbered roads; allow bicycles year-round; allow motorized vehicle access only during hunts and one day prior by persons with a quota permit; motorized vehicles must enter and exit on Robert L. Tanner Grade; prohibit nets, fish traps, trotlines, set lines, minnow seines, cast nets and bush hooks; allow bird dogs and dogs with a shoulder height of 15 inches or less for the take of small game; and allow dogs of any size during the general gun hog-dog season.

KICCO WMA – allow the use of handguns and rimfire rifles for taking wildlife.

Lake Marion Creek WMA – change the definition of legal to take for antlered deer to those having at least one antler with three or more points, each point one inch or more in length; add an additional 3-day general gun hog hunt (quota of 50, no exemptions); move the small game season after the general gun hog season and allow the take of wild hog; no longer require wild hog to be checked before quartering; and no longer require hunters to check in or check game during small game season.

Upper Hillsborough WMA – change the definition of legal to take for antlered deer to those having at least one antler with three or more points, each point one inch or more in length; and continue to require deer, turkey and wild hog to be checked at the check station, but delete an unnecessary rule that requires them to be marked with a physical tag at the check station.

Walk-in-the-Water WMA – expand the muzzleloading gun season from one 3-day hunt to two hunts (4 and 5 days respectively, quota of 25 each hunt, no exemptions); move the muzzleloading gun season from October to December; shorten the small game season from 39 days to 18 days; and no longer require hunters to check in and record all game taken at a check station.

Fred C. Babcock/Cecil M. Webb WMA – allow public access from 1.5 hours before sunrise until 1.5 hours after sunset; and allow the take of furbearers during the archery and general gun seasons.

Fred C. Babcock/Cecil M. Webb WMA – Yucca Pens Unit – allow public access from 1.5 hours before sunrise until 1.5 hours after sunset; allow the take of furbearers during the muzzleloading gun and general gun seasons; increase the number of quota permits for general gun and muzzleloading gun from 30 to 50, each hunt, no exemptions; remove the size and bag limits for wild hog; establish scouting days; allow vehicle access for scouting; and expand the time frame when hunting equipment is allowed on the area.

Additional proposed rule changes would simplify and standardize regulations related to the take of wild hog on WMAs; liberalize regulations related to the possession of firearms, in accordance with Florida Statutes; and provide non-substantive technical changes, such as grammatical corrections, language standardization, or clarification of an existing rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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 6-7, 2008, 8:30 a.m. – 5:00 p.m., each day

PLACE: Bay Point Marriott Golf Resort & Spa, 4200 Marriott Drive, Panama City Beach, Florida 32408

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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 ~~8~~ ~~10~~ through January ~~4~~ ~~6~~.

2. Archery – September ~~20~~ ~~22~~ through October ~~19~~ ~~21~~, Fridays, Saturdays and Sundays only.

3. Small game – January ~~10~~ ~~12~~ through February ~~8~~ ~~10~~, Saturdays and Sundays only.

4. Spring turkey – March ~~21~~ ~~15~~ through April ~~26~~ ~~20~~.

5. Fishing and frogging – Permitted during periods in which hunting is allowed; and Saturdays and Sundays from May ~~2~~ ~~3~~ to June ~~14~~ ~~15~~. Fishing and frogging is permitted at all other times provided that access is by foot only.

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

(c) Camping: Allowed by permit only and only within the designated campsites at the Rock Ridge Road and 471 campgrounds. Camping is allowed ~~Permitted only at both campgrounds designated campsites~~ during archery, general gun and spring turkey seasons. Camping is allowed ~~Permitted~~ only at the Rock Ridge Road campground ~~campsite~~ during the ~~designated~~ fishing and frogging season and only at the 471 campground ~~campsite~~ during the ~~designated~~ small game season. Camping permits are non-transferable. Camping along the Green Swamp Hiking Trail (Florida Trail) is prohibited

except by written permission from the Southwest Florida Water Management District. Kitchen stoves, refrigerators and freezers, unless contained in mobile campers are prohibited. Lumber, sheet metal or other building materials is prohibited. The alteration, defacing, moving or tampering in any way with official markings of campsites is prohibited. The use or operation of electrical generators powered by an internal combustion engine is prohibited within the campgrounds beginning each night at 10:00 p.m. until 4:00 a.m. A legible copy of the camping permit or the permittee's name and permit number must be visibly affixed to camping shelters. Camping equipment must be removed by 8:00 p.m. on the last date listed on the camping permit.

(d) General regulations:

1. through 2. No change.

3. No deer or wild hog shall be quartered or otherwise dismembered until checked at a designated check station and tagged.

4. through 7. No change.

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

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

10. The possession or consumption of intoxicating beverages is prohibited.

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

(a) Open season:

1. Special-opportunity turkey – March ~~21-24~~ ~~15-18~~, March ~~30~~ ~~through April 2~~ ~~24-27~~, April ~~4-7~~ ~~March 29~~ ~~through April 1~~, April ~~13-16~~ ~~7-10~~ and ~~18-21~~ ~~12-15~~.

2. Special-opportunity archery – November ~~1-4~~ ~~3-6~~ and ~~13-16~~ ~~15-18~~.

3. Special-opportunity general gun – December ~~11-14~~ ~~13-16~~, January ~~5-8~~ ~~7-10~~ and ~~15-18~~ ~~17-20~~.

4. Special-opportunity hog-still – January 30 through February 1 ~~1-3~~.

5. Special-opportunity hog-dog – February ~~11-13~~ ~~13-15~~.

6. Small game – February ~~20-22~~ ~~22-24~~ and February ~~27~~ ~~29~~ through March ~~1~~ ~~2~~.

7. through 8. No change.

(b) Legal to take: All legal game, ~~wild hog~~, fish, frogs and furbearers (except bobcat and otter). Turkeys may be taken only during the special-opportunity turkey hunts. The bag limit for turkey shall be one gobbler (or bearded turkey) per special-opportunity turkey hunt permit. One antlered deer may be taken per special-opportunity deer hunt permit. Antlerless deer (except spotted fawns) may be taken by antlerless deer permit only. Taking of antlered deer not having at least one antler with four or more points is prohibited. Only wild hog may be taken during the special-opportunity hog-still and special-opportunity hog-dog seasons. ~~No bag or size limit on hog.~~

(c) Camping: Camping is allowed ~~permitted~~ at designated campsites during hunting season and at other times by permit from the Southwest Water Management District. Kitchen stoves, refrigerators, and freezers, unless contained in mobile campers are prohibited. Lumber, sheet metal or other building materials is prohibited. Each camper shall assure that their campsite is clean at all times. The alteration, defacing, moving, tampering in any way with official markings of campsites is prohibited.

(d) General regulations:

1. through 6. No change.

7. Taking wildlife with shotguns is ~~Shotguns~~ are prohibited during the special-opportunity archery hunts.

8. through 9. No change.

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

(a) Open season:

1. Archery – September 6-7.

2. Bird dog training – Bird dogs may be trained in the recreation area September 13 through February 8 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.

~~3.1. General gun – October 25 27 through November 2 4.~~

~~4.2. Small game – Opening twelve days prior to Thanksgiving Day and closing 8 days thereafter, and opening one day prior to Thanksgiving Day and closing 53 days thereafter, provided hunting shall be allowed on Wednesdays, Thursdays, Saturdays, Sundays and the Friday after Thanksgiving Day only.~~

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

~~b. November 21-25, and~~

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

~~5. Field trial quail – January 24-25.~~

~~6.3. Fishing and frogging – Year-round Throughout year.~~

~~4. Archery – September 8-9.~~

~~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.~~

(b) Legal to take: All legal game, fish, frogs and furbearers. During the archery season, antlerless deer may be taken by antlerless deer permit only and the take of turkey is prohibited. The take of wild hog shall only be allowed during the archery season and the first day of general gun season with a bag limit of one per quota hunt permit, per day and a possession limit of two. The take

of wild hog with a shoulder height of less than 15 inches is prohibited. Quail shall be taken by daily quail or field trial quail quota permit only with a bag limit of 6 per day.

~~1. General gun – deer, hog, fish and frogs only. Hogs may be taken only on the first day of the general gun season. Bag limit of one hog per quota hunt permit.~~

~~2. Small game – all legal small game, 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.~~

~~3. Archery – deer, hog, fish and frogs only. Bag limit of one hog per quota hunt permit per day.~~

~~4. Taking of antlered deer not having at least one antler at least 5 inches in length visible above the hairline is prohibited.~~

(c) Camping: Allowed at a Permitted ~~on~~ designated campground only ~~campsites~~ according to provisions of general regulation number 5. Camping is allowed continuously after 8 a.m. eight (8) days prior to the opening of general gun season until the last day of the small game season. During the remainder of the year, camping is allowed from 5:00 p.m. Friday to 9:00 p.m. Sunday and on Memorial Day, Independence Day, Martin Luther King Jr. Day, and Labor Day. Camping equipment shall be allowed on the area only when camping is allowed. The name, address and telephone number of the person responsible for each campsite shall be visibly affixed to camping shelters.

(d) General regulations:

1. No change.

2. All persons shall enter and exit the area at a designated entrance. Users may enter the designated campsite at anytime. All users shall enter and exit the area the remainder of the management area via Tucker Grade (I-75 side). During archery season, hunters shall enter the area no earlier than 5:00 a.m. and shall exit no later than 9:00 p.m. During all other periods open to hunting, hunters shall enter the area no earlier than 5:00 a.m. and shall exit no later than 8:00 p.m. During periods closed to hunting, users shall enter the area no earlier than one-half (1/2) hour before sunrise and shall exit no later than one-half (1/2) hour after sunset.

3. Public access is allowed only from 1.5 hours before sunrise until 1.5 hours after sunset, provided public access to the designated campground is allowed at anytime camping is allowed. Hunting will be permitted on the field trial area and Boy Scout area during the following periods:

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

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

e. Field trial quail – January 26-27.

d. Archery season – by walking hunters.

4. No change.

5. Hunting camps may be set up after 8:00 a.m. October 19 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.

~~5.6. Dogs shall be caged or leashed in camp areas. Taking wildlife Hunting with dogs during the general gun season is prohibited.~~

~~6.7. During periods closed to hunting, 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. The name, address and telephone number of the person responsible for each campsite shall be visibly affixed to camping shelters.~~

~~7.9. Persons may use the shooting range during periods when hunting is not allowed on the area, provided that access shall only be along the most direct route on Tucker Grade between the shooting range and the check station. Guns transported to the shooting range shall be unloaded and cased. Possession of a gun during periods when hunting is not allowed is prohibited except on the shooting range and that portion of Tucker Grade directly between the shooting range and the check station. During periods open to hunting, persons possessing a gun on that portion of the area other than the shooting range or that portion of Tucker Grade directly between the range and the check station shall comply with all stamp and license requirements specified in Section 372.57, F.S., and Commission rules. Users shall not enter the shooting range before sunrise and shall exit the shooting range by sunset.~~

~~8.10. Vehicles shall be operated on named or number roads only, except during the bird dog training, general gun and small game seasons. 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. through 12. renumbered 9. through 10. No change.

11. Taking wildlife with a gun is prohibited during bird dog training season while training bird dogs within the recreation area.

~~12.13. No change.~~

13. The take of quail within the field trial and Boy Scout areas is prohibited, except persons in possession of a field trial quota permit may take quail within the field trial area.

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

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

14. through 15. renumbered 16. through 17. No change.

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

(a) Open season:

1. Muzzleloading gun – October 10-12.

2. General gun – October 25 through November 2.

3. Small game – Opening twelve days prior to Thanksgiving Day and closing 64 days thereafter, provided hunting shall be allowed on Wednesdays, Thursdays, Saturdays, Sundays and the Friday after Thanksgiving Day only.

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

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

~~3. Muzzleloading gun – October 12-14.~~

4. Fishing and frogging – Year-round Throughout the year.

(b) Legal to take: All legal game, fish, frogs and furbearers. Quail may be taken only during the small game season. The bag limit for quail shall be 6 per day. During small game season the take of wild hog is prohibited.

1. General Gun – deer, hog, fish and frogs only.

2. Small Game – all legal game (except deer, hog and turkey), fish, frogs and furbearers. Bag limit for quail is 6 per day.

3. Muzzleloading gun – deer, hog, fish and frogs only.

(c) Camping: ~~Prohibited prohibited.~~

(d) General regulations:

1. All persons shall enter and exit the area at a designated entrance. Muzzleloading gun and general gun hunters shall check in and out during check station hours at the designated check station when entering or exiting the area and check all game taken.

2. All hunters shall check in and out at the designated check station when entering or exiting the area and check all game taken, except during small game season when hunters shall use the Babcock/Webb check station. Small game hunters shall check in and out at the Babcock/Webb check station and check all game taken.

3. Public access is allowed only from 1.5 hours before sunrise until 1.5 hours after sunset. All other users shall check in and out at a designated check station.

4. On hunting days, users may enter the management area only through the designated entrance(s) no earlier than 5:00 a.m. and shall exit no later than 8:00 p.m. On days closed to

hunting, users may enter the area only through designated entrances no earlier than one-half hour before sunrise and shall exit no later than one-half hour after sunset.

5. through 6. renumbered 4. through 5. No change.

6. Motorized vehicular access is allowed only on hunt days, the day prior to each hunt and the weekend (Saturday and Sunday) prior to each hunt, except during the small game season when it is allowed only on hunt days.

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

8.7. No change.

9.8. During periods open to hunting, horses are prohibited. During non-hunting periods horses are allowed on named or numbered roads and designated trails only. Horses are prohibited during periods in which hunting is allowed. At other times, horses may be ridden but only on named and numbered roads or designated trails.

10. Authorized hunting equipment shall be allowed on the area per paragraph 68A-15.004(5)(a) F.A.C., except equipment may also be taken on the area beginning the Saturday prior to the opening of muzzleloading gun and general gun seasons.

(5) Upper Hillsborough Wildlife Management Area.

(a) Open season:

1. Archery – December ~~6-14~~ ~~8-16~~ and January ~~3-11~~ ~~5-13~~, Saturdays and Sundays only.

2. Muzzleloading gun – November ~~8~~ ~~10~~ through November ~~30~~ ~~December 2~~, Saturdays and Sundays only.

3. Small game – January ~~17~~ ~~19~~ through February ~~1~~ ~~3~~, Saturdays and Sundays only.

4. Spring turkey – March ~~25-26~~ ~~19-20~~, April ~~1-2~~ ~~26-27~~, ~~8-9~~ ~~April 2-3~~, ~~15-16~~ ~~9-10~~ and ~~22-23~~ ~~16-17~~.

5. No change.

(b) Legal to take: All legal game, ~~hog~~, fish, frogs, and furbearers. Taking of antlered deer not having at least one antler with three or more point, one inch or more in length, is prohibited. No bag or size limit on hog.

(c) No change.

(d) General regulations:

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

2. through 6. No change.

7. During periods not open for hunting, public access other than on foot (pedestrian) or by bicycle is prohibited to the area is limited to pedestrians.

8. through 9. No change.

10. Hunting equipment Guns and camping equipment may be taken into the area beginning 3:00 p.m. the day before each hunting period and shall be removed by 8:00 p.m. the last day of each hunting period except during spring turkey season when hunting equipment guns and camping equipment shall be removed by 5:00 p.m. the last day of each hunt.

11. During the small game season, wildlife may be taken only with shotguns are permitted. During the spring turkey season only muzzleloading guns, shotguns and bows and arrows are allowed for taking turkeys permitted.

(6) Arbuckle Wildlife Management Area.

(a) Open season:

1. Archery – October ~~11-31~~ ~~13~~ through November ~~2~~.

2. Muzzleloading gun – ~~December 13-21~~ ~~November 3-11~~.

3. Small game – January 3-4 and 24-25.

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

4. Spring turkey – March ~~24-26~~ ~~18-20~~ and April ~~7-9~~ ~~1-3~~.

5. Fishing – Permitted year-round. ~~Frogging – Prohibited.~~

(b) Legal to take: All legal game (except turkeys shall be legal to take only during spring turkey season), furbearers and fish. Taking of antlered deer not having at least one antler with three or more points, one inch or more in length, is prohibited. Deer bag limit – one per day. ~~Wild hog bag limit – no bag or size limits. During the general gun hog season, only wild hog may be taken.~~ During the spring turkey season, the bag limit shall be one gobbler (or bearded turkey) per quota hunt permit.

(c) No change.

(d) General regulations:

1. through 7. No change.

8. The use of centerfire rifles for taking wild turkey during the spring turkey season is prohibited.

(7) KICCO Wildlife Management Area.

(a) Open season:

1. Archery – September ~~20~~ ~~22~~ through October ~~19~~ ~~21~~, Saturdays and Sundays only.

2. Muzzleloading gun – October ~~25~~ ~~27~~ through November ~~2~~ ~~4~~, Saturdays and Sundays only.

3. General gun hog – November ~~8~~ ~~10~~ through December ~~7~~ ~~9~~, Saturdays and Sundays only.

4. Small game – December ~~13~~ ~~15~~ through January ~~4~~ ~~6~~.

5. Spring turkey – March ~~21~~ ~~15~~ through April ~~19~~ ~~13~~, Saturdays and Sundays only.

6. No change.

(b) Legal to take: All legal game, ~~hog~~, fish, frogs, and furbearers (except bobcat and otter). Turkey bag limit – one per quota permit. ~~No size or bag limit on hog.~~ During the general gun hog season, only wild hog may be taken.

(c) No change.

(d) General regulations:

1. through 2. No change.

3. Taking wildlife with ~~The possession or use of centerfire or rimfire rifles or pistols is prohibited.~~

4. through 5. No change.

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

7. No change.

8. The portion of the area north and east of River Ranch Boulevard Road shall be open to hunting only during the general gun hog season.

9. No change.

(8) Hickory Hammock Wildlife Management Area.

(a) Open season:

1. General gun hog – September ~~12-14~~ 14-16, ~~19-21~~ 21-23 and January ~~9-11~~ 11-13.

2. Archery – October ~~17-19~~ 19-21.

3. Muzzleloading gun – October ~~27-29~~ 29-31 and October 31 through November ~~2~~ 2-4.

4. General gun – November ~~7-9~~ 9-11.

5. Small game – November ~~10-23~~ and January 19 through March ~~1~~ 12 through January 6.

~~6. Early duck – In the September season as established by Rule 68A-13.003, F.A.C., until noon.~~

~~6.7. Migratory game birds – During the migratory game bird seasons as established by Rules 68A-13.003 and 68A-13.008, F.A.C. During the duck and coot season, hunting is limited to the period one half (1/2) hour before sunrise until noon.~~

~~8. Falconry – During the falconry season as established by Rules 68A-13.004 and 68A-13.008, F.A.C.~~

~~7.9. Spring turkey – March ~~26-28~~ 20-22 and April ~~16-18~~ 10-12.~~

~~8.10. No change.~~

(b) Legal to take: All legal game, fish, frogs and furbearers. Taking of antlered deer not having at least one antler with three or more points, one inch or more in length, is prohibited. During the muzzleloading gun and general gun seasons the bag limit for antlered deer shall be one per quota permit. During the archery season the bag limit for deer shall be one antlered and one antlerless deer per quota permit. ~~No size or bag limits on wild hog.~~ During spring turkey season, the bag limit shall be one gobbler (or bearded turkey) per quota hunt permit. Only wild hog may be taken during the general gun hog season. During the first fourteen (14) days of small game season the take of wild hog is prohibited.

(c) No change.

(d) General regulations:

1. Taking wildlife with ~~The possession or use of~~ centerfire ~~or rimfire~~ rifles is prohibited.

2. through 6. No change.

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

(a) Open season:

1. Archery – September ~~27-28~~, ~~September 29 through October 2~~, October 3-5, 6-9 and ~~10-12~~ 29 through October 14.

2. Muzzleloading gun – ~~December 6-9 and 10-14~~ October 26-28.

3. General gun hog – January ~~10-13 and 14-18~~ 12-20.

4. Small game – ~~January 31 through February 8 and February 21 through March 1~~ November 17 through December 9 and February 2-17.

5. Fishing – Permitted throughout the year. ~~Frogging is prohibited.~~

(b) Legal to take: All legal game (except turkey), ~~hog~~, furbearers and fish. Deer bag limit – one per day. ~~No size or bag limit on hog.~~ During the general gun hog season only wild hog may be taken.

(c) No change.

(d) General regulations:

1. No change.

~~2. Hunters shall check in at a designated check station when entering and exiting the area, and record all game taken.~~

3. through 8. renumbered 2. through 7. No change.

(10) Hilochee Wildlife Management Area.

(a) Open season:

~~1. Special opportunity dove – The first, second, and fourth Saturdays only during the first phase; the first and third Saturdays only during the second phase; and the first, third, and fifth Saturdays only during the third phase of the mourning dove and white-winged dove season established by Rule 68A-13.008, F.A.C.~~

~~1.2. Spring turkey – March ~~27-29~~ 21-23 and April ~~10-12~~ 4-6.~~

~~2.3. Muzzleloading gun – October 31 through November ~~2~~ 2-4.~~

~~3.4. General gun hog – November ~~28-30~~ through December 2, January ~~9-11~~ 11-13 and ~~16-18~~ 18-20.~~

~~4.5. Small game – January ~~23~~ 25 through February ~~1~~ 3.~~

~~5.6. Archery – October ~~17-19~~ 19-21.~~

~~6.7. Fishing – Permitted only on Peat Lake, Little Peat Lake, Hidden Lake, Stock Lake, and Turtle Pond and only by those in possession of a Hilochee Fishing Permit. The possession of nets (except dip nets), fish traps, trotlines, set lines, minnow seines, cast nets, or bush hooks is prohibited. Fishing is allowed ~~permitted~~ on Saturdays and ~~Sundays~~ only and during daylight hours only. ~~Twenty Ten~~ fishing permits shall be available for each weekend ~~Saturday~~. Permits shall be nontransferable with no exemptions.~~

(b) Legal to take: All legal game, fish (as provided below), and furbearers. Taking of antlered deer not having at least one antler with three or more points, one inch or more in length, is prohibited. ~~There shall be no size or bag limit restrictions on wild hogs.~~ During the spring turkey season, the bag limit shall be one gobbler (or bearded turkey) per quota hunt permit. During the general gun hog season, only wild hog ~~hogs~~ may be taken. ~~During the special opportunity dove hunts, only mourning and white-winged doves may be taken.~~ No person shall kill or possess any largemouth bass from Peat Lake, Little Peat Lake, Stock Lake, Hidden Lake, and Turtle Pond. No person shall take, in any one day, more than 20 bluegill, 10

black crappie, or 6 catfish. No person shall kill or possess any bluegill less than 8 inches total length or black crappie less than 10 inches total length.

(c) No change.

(d) General regulations:

~~1. Persons shall possess a special opportunity dove hunt permit to hunt in posted dove fields.~~

1.2. All users shall enter and exit the area through designated entrances. Hunters shall check in and out at a check station when entering and exiting the area and shall check all game taken, except during the small game season. ~~Special opportunity dove hunters may enter the area one hour before shooting time and shall exit the area by one hour after sunset.~~

~~2.3.~~ No change.

3.4. Motorized vehicles may be operated only on named or numbered roads and shall be parked in designated parking areas or within 25 feet of a named or numbered road. During the small game season vehicles are prohibited on Yancey Road.

~~5. Special opportunity dove hunters must hunt from assigned stations in the posted dove fields. Hunt station assignments may be transferred at the hunt headquarters.~~

~~6. Shooting hours for special opportunity dove hunts shall be from noon until sunset.~~

7. through 8. renumbered 4. through 5. No change.

~~6.9.~~ No deer, ~~wild hog~~, or turkey shall be dismembered until checked at a check station.

~~7.10.~~ No change.

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

(11) Lake Marion Creek Wildlife Management Area.

(a) Open season:

1. Archery – September ~~20-22~~ 22-24 and September ~~26-28~~ 28-30.

2. Muzzleloading gun – October ~~25-27~~ 27-29.

3. General gun – November ~~8-10~~ 10-12 and ~~14-16~~ 16-18.

4. Small game – December ~~26-28~~ 7-9 and January 2-4 ~~14-16~~.

5. General gun hog – ~~December 5-7 and 19-21~~ January 5-7.

6. Spring turkey – March ~~21-23~~ 15-17, ~~April 3-5~~ March 28-30 and ~~17-19~~ April 11-13.

7. No change.

(b) Legal to take: All legal game, fish and furbearers. Taking of antlered deer not having at least one antler with three or more points, one inch or more in length, is prohibited. One antlered deer may be taken per quota permit. No more than one antlerless deer may be taken per ~~archery~~ archery quota permit during the archery season. ~~Antlerless deer may be taken by permit only during the muzzleloading and general gun seasons. There shall be no size or bag limit restrictions on wild hog.~~ During

the spring turkey season, the bag limit for turkey shall be one gobbler (or bearded turkey) per quota permit. Only wild hog may be taken during the general gun hog season.

(c) No change.

(d) General regulations:

1. No change.

2. Hunters shall check in and out at a designated check station when entering and exiting the area and shall check all game taken, except during the small game season.

3. No change.

4. No deer; or wild turkey ~~or wild hog~~ shall be dismembered until checked at a check station.

5. through 6. No change.

(12) Avon Park Air Force Range Wildlife Management Area.

(a) Open season:

1. Archery – September ~~20~~ 22 through October ~~19~~ 21 in areas and during days specified by the Installation Commander.

2. Muzzleloading gun – October ~~25~~ 27 through November ~~2~~ 4 in areas and during days specified by the Installation Commander.

3. General gun – November ~~8~~ 10 through January ~~18~~ 20 in areas and during days specified by the Installation Commander.

4. Small game – December ~~29~~ 31 through March ~~1~~ 2 in areas and during days specified by the Installation Commander.

5. Spring turkey – March ~~21~~ 15 through April ~~26~~ 20 in areas and during days specified by the Installation Commander.

6. Antlerless deer – November ~~15-21~~ 17-23 in areas and during days specified by the Installation Commander.

7. through 8. No change.

(b) Legal to take: All legal game, ~~wild hogs~~, fish, frogs, turtles, and furbearers. Antlered deer, wild hog ~~hogs~~, and quail may be taken only during days specified by the Installation Commander. Taking of antlered deer not having at least one antler with three or more points, one inch or more in length, is prohibited. ~~There shall be no size or bag limit restrictions on wild hogs.~~

(c) through (d) No change.

(13) Croom Wildlife Management Area.

(a) Open season:

1. Muzzleloading gun – October ~~24-26~~ 26-28.

2. General gun – November ~~8-30~~ 10 through ~~December 2~~.

3. Small game – December ~~1~~ 3 through March ~~1~~ 2.

4. Spring turkey – March ~~24-26~~ 18-20, April ~~7-9~~ 1-3 and ~~21-23~~ 15-17.

5. Fox, raccoon and bobcat – December ~~11~~ 13 through March ~~8~~ 9. Hunting is permitted from 5:00 p.m. Thursday to sunrise Sunday with dogs only. Taking wildlife with ~~no~~ guns is prohibited during this season allowed.

6. No change.

7. Duck, geese and coot – During the migratory game bird seasons as established by Rule 68A-13.003, F.A.C.

(b) Legal to take: All legal game, ~~hog~~, fish, frogs and furbearers. ~~No size or bag limit on hog.~~ During spring turkey season, the bag limit shall be one gobbler (or bearded turkey) per quota permit.

(c) No change.

(d) General regulations:

1. Hunting with dogs is prohibited November ~~8-30~~ ~~10 through December 2.~~ Hunting with dogs other than bird dogs is prohibited December ~~1-10~~ ~~3-12~~, 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 3. No change.

4. Taking wildlife with ~~The possession of~~ firearms is prohibited at all times 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.

5. No change.

6. During the first nine days of general gun season, ~~and the entire~~ spring turkey, and muzzleloading gun seasons, all game taken shall be checked at the check station, and no turkey shall be dismembered until checked at the check station.

7. Taking wildlife with ~~The possession of~~ guns is prohibited on the Withlacoochee State Trail. ~~Hunters shall only use designated crossings to transport guns across the State Trail.~~

8. The use of centerfire rifles for taking wild turkey during the spring turkey season is prohibited.

(14) Chassahowitzka Wildlife Management Area.

(a) Open season:

1. Archery – September ~~20~~ ~~22~~ through October ~~19~~ ~~24~~.

2. Muzzleloading gun – October ~~24-26~~ ~~26-28~~.

3. General gun – November ~~8~~ ~~10~~ through January ~~4~~ ~~6~~.

4. General gun hog-dog – January 9-11 and 16-18.

~~5.4.~~ Duck, geese and coot – Wednesdays, Saturdays and Sundays only, during the migratory game bird seasons as established by Rule 68A-13.003, F.A.C.

~~6.5.~~ No change.

~~7.6.~~ Spring turkey – March ~~27-29~~, April 10-12 and 24-26 ~~22-25 and March 26-30~~.

(b) Legal to take: All legal game, fish, frogs and furbearers. The taking of bobcat and otter is prohibited. ~~No size or bag limit on wild hogs.~~ The bag limit for turkeys shall be

one gobbler (or bearded turkey) per spring turkey quota hunt permit. Only wild hog may be taken during the general gun hog-dog season.

(c) Camping: Prohibited, except primitive overnight camping is allowed at a designated site on Ryle Creek by persons paddling Segment 7/Nature Coast segment of the Florida Circumnavigational Saltwater Paddling Trail. Paddlers must obtain a permit from the Commission and have the permit in their possession while camping.

(d) General regulations:

1. Dogs are prohibited south of County Road 550. Hunting with dogs other than retrievers or bird dogs is prohibited west of the Main grade, on the U.S. Fish and Wildlife Service portion of the property ~~and east of the Swamp grade.~~ Hunting with dogs other than retrievers or bird dogs is prohibited east of Swamp Grade, except during the general gun hog-dog season. Dogs with a shoulder height greater than 17 inches are prohibited in that portion of the area lying east of the Main grade and west of the Swamp grade, except during the general gun hog-dog season when dogs are allowed east of Main Grade.

2. through 10. No change.

11. During the general gun hog-dog season, a quota hunt permit shall be required for each group of two hunters, and only one gun may be possessed per permit.

12. The take of wild hog with the aid of dogs is prohibited, except no more than three dogs per general gun hog-dog quota hunt permit may be used during the general gun hog-dog season in that portion of the area east of Main Grade and west of U.S. Hwy. 19.

13. Horses are allowed on named or numbered roads and designated trails only. Bicycles are allowed on named or numbered roads and designated trails only, except during periods open for hunting and 7 days prior to each hunt when bicycles are allowed throughout the area.

(15) Hilochee Wildlife Management Area – Osprey Unit.

(a) Open season:

1. Archery – October 4-5 and 11-12.

2. Family hunt – November 8-9.

3. General gun hog-still – November 22-23.

4. General gun hog-dog – January 3-4 and 24-25.

5. Spring turkey – April 17-18 and 24-25.

6. Trapping – Prohibited

7. Fishing – Allowed year-round.

(b) Legal to take: All legal game (except deer), fish and furbearers. Only wild hog may be taken during the general gun hog-still and general gun hog-dog seasons. Turkey may be taken during the spring turkey season only. During the spring turkey season, the bag limit shall be one gobbler (or bearded turkey) per person. No person shall kill or possess any largemouth bass. No person shall take, in any one day, more

than 20 bluegill, 10 black crappie, or 6 catfish. No person shall kill or possess any bluegill less than 8 inches total length or black crappie less than 10 inches total length.

(c) Camping: Prohibited.

(d) General regulations:

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

2. All persons shall enter and exit the area through a designated entrance.

3. The use of airboats, outboard motors larger than 10 horsepower, tracked vehicles, motorcycles, all-terrain vehicles, or horses is prohibited, except that horses are allowed on named or numbered roads or designated trails during periods closed to hunting.

4. During periods when the area is closed to hunting, public access other than by foot, bicycle, or horse is prohibited, except motorized vehicles shall be allowed one day prior to all hunts by persons in possession of a valid quota hunt permit.

5. Motorized vehicles shall be operated only on named or numbered roads and shall be parked in designated parking areas or within 25 feet of a named or numbered road. Motorized vehicles shall enter and exit the area only at the designated entrance located at the intersection of C. R. 557 and Robert L. Tanner Grade.

6. During periods open for hunting, motorized vehicles shall only be operated by persons in possession of a valid quota hunt permit.

7. The use of dogs, other than bird dogs and dogs with a shoulder height of 15 inches or less, is prohibited except that dogs may be used during the general gun hog-dog season. No more than 3 dogs per general gun quota hunt permit shall be used during the general gun hog-dog season.

8. During the general gun hog-dog season, a permit shall be required for each group of two hunters, and only one gun may be possessed per permit.

9. The possession of nets (except dip nets), fish traps, trotlines, set lines, minnow seines, cast nets, or bush hooks is prohibited.

PROPOSED EFFECTIVE DATE: July 1, 2008.

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, 7-1-08.

NAME OF PERSON ORIGINATING PROPOSED RULE: Nick Wiley, Director, Division of Hunting and Game Management, 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 5, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 7, 2007

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

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

PURPOSE AND EFFECT: The purpose of the proposed rule 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:

Bayard WMA – allow only tent camping and only at designated sites.

Belmore WMA (NEW) – establish a new WMA (approximately 8,737 acres) with the following open seasons: archery – three 3-day hunts (quota of 45 per hunt, no exemptions); muzzleloading gun – 3-day season (quota of 45, no exemptions); family hunt – 2-day hunt (quota of 20, no exemptions); general gun – one 4-day hunt and one 5-day hunt (quota of 45 per hunt, no exemptions); small game – six 3-day hunts; spring turkey – three 3-day hunts (quota of 10 per hunt, no exemptions); and fishing and frogging throughout the year; legal to take – all legal game, fish, frogs and furbearers; bag limits – archery – one antlered or one antlerless deer per person per permit, family hunt – one antlered and one antlerless deer per permit, muzzleloading gun and general gun – one antlered deer per person per permit per season, spring turkey – one gobbler per person per permit; antlered deer must have at least one antler with three or more points, each point one inch or more in length; prohibit use of centerfire rifles during spring turkey season; allow vehicles only on named or numbered roads; prohibit tracked vehicles, airboats, unlicensed motorcycles and ATVs; prohibit camping; prohibit hunting with dogs except bird dogs allowed during the small game and waterfowl seasons; allow horses and bicycles on roads and designated trails only; prohibit public access from 1.5 hours after sunset until 1.5 hours before sunrise and require entry and exit only through designated entrances.

Big Bend WMA, Hickory Mound Unit – require that all persons enter and exit the WMA only at designated entrances; add a section of Swartz Tram (between Cow Creek and J.C. Franklin Grades) open for public use from May 31 through August 31; remove requirement for quota permit after the first 16 days of the general gun season and remove the requirement for a daily permit for waterfowl hunting; and reduce the timeframe when hunters must check all game taken from the entire season to the first 16 days of the archery, general gun and spring turkey seasons.

Big Bend WMA, Jena Unit – eliminate the requirement that hunters check in and out, check all game, and obtain a daily use permit.

Big Bend WMA, Snipe Island Unit – allow trappers to take trapped furbearers with .22s during the trapping season.

Big Bend WMA, Spring Creek Unit – require all persons to enter and exit the WMA only at designated entrances; add roads on which the public could travel year-round; and reduce the timeframe when hunters must check all game taken from the entire season to the first 16 days of the archery, general gun and spring turkey seasons and all days of the muzzleloader gun season.

Big Bend WMA, Tide Swamp Unit – change the definition of legal to take for antlered deer to those having three or more points on at least one antler, each point one inch or more in length; and reduce the timeframe when hunters must check all game taken from the entire season to the first 16 days of the archery, general gun and spring turkey seasons and all days of the muzzleloader gun season.

Big Shoals WMA – prohibit taking turkey with centerfire rifles during the spring turkey season; eliminate the quota and check-in check-out requirements during the small game season; and add wild hog as legal to take during the small game season.

Camp Blanding WMA – prohibit hunting from the right-of-way of Dade, Treat and Impact Roads; allow harvest of wild hog during all seasons except spring turkey, no size or bag limit; and allow the use of bird dogs on the still hunt area after the first 16 days of the general gun season.

Cary WMA – replace five 2-day archery hunts with two 3-day hunts (increase quota from 55 to 60 per hunt), increase muzzleloading gun quota from 55 to 60 per hunt, establish a 2-day family hunt (quota of 40, no exemptions), establish a general gun season with two 3-day hunts (quota of 60 per hunt, no exemptions); eliminate bird dog training season but establish a small game season with six 3-day hunts, and establish a spring turkey season with three 3-day hunts (quota of 10 per hunt, no exemptions); require hunters to enter and exit only at the designated entrance; remove requirement for hunters to check in and out; allow camping at designated sites by permit from the landowner; allow hunting with bird dogs during small game season; and prohibit the use of centerfire rifles.

Citrus WMA – prohibit use of centerfire rifles during spring turkey season; and require turkeys to be checked during the spring turkey season.

Cypress Creek WMA – prohibit ATVs.

Devil's Hammock WMA – allow bicycling and horseback riding year-round.

Flying Eagle WMA – provide a non-hunting scouting day before the second hunts of archery, general gun and spring turkey seasons; and extend scouting hours during the spring turkey season to 1.5 hours before sunrise until 1.5 hours after sunset.

Four Creeks WMA (NEW) – establish a new WMA (approximately 13,147 acres) with the following open seasons: archery – three 3-day hunts (quota of 55 per hunt, no exemptions); muzzleloading gun – 3-day season (quota of 55, no exemptions); family hunt – 2-day hunt (quota of 20, no exemptions); general gun – one 4-day hunt and one 5-day hunt (quota of 55 per hunt, no exemptions); small game – six 3-day hunts; spring turkey – three 3-day hunts (quota of 15 per hunt, no exemptions); waterfowl legal during the statewide seasons; and fishing and frogging throughout the year; legal to take – all legal game, fish, frogs and furbearers; bag limits – archery – one antlered or one antlerless deer per person per permit, family hunt – one antlered and one antlerless deer per permit, muzzleloading gun and general gun – one antlered deer per person per permit per season, spring turkey – one gobbler per person per permit; antlered deer must have at least one antler with three or more points, each point one inch or more in length; prohibit use of centerfire rifles during spring turkey season; allow vehicles only on named or numbered roads; prohibit tracked vehicles, airboats, unlicensed motorcycles and ATVs; prohibit hunting with dogs except bird dogs during the small game season and waterfowl retrievers during waterfowl seasons; allow horses and bicycles on roads and designated trails only; prohibit public access from 1.5 hours after sunset until 1.5 hours before sunrise and require entry and exit only through designated entrances (which includes navigable waterways).

Goethe WMA – prohibit the use of centerfire rifles during spring turkey season; and add frogs as legal to take.

Hatchet Creek WMA (NEW) – establish a new WMA (approximately 2,760 acres) with the following open seasons: archery – three 3-day hunts (quota of 15 per hunt, no exemptions); muzzleloading gun – 3-day season (quota of 15, no exemptions); family hunt – 2-day hunt (quota of 5, no exemptions); general gun – two 3-day hunts (quota of 15 per hunt, no exemptions); spring turkey – three 3-day hunts (quota of 5 per hunt, no exemptions); and fishing and frogging throughout the year; legal to take – all legal game, fish, frogs and furbearers; bag limits – archery – one antlered or one antlerless deer per person per permit, family hunt – one antlered and one antlerless deer per permit, muzzleloading gun and general gun – one antlered deer per person per permit per

season, spring turkey – one gobbler per person per permit; antlered deer must have at least one antler with three or more points, one inch or more in length; prohibit taking wildlife from Boundary Road; allow vehicular access only on hunt days and the day before each hunt; allow vehicles only on named or numbered roads; prohibit tracked vehicles, airboats, unlicensed motorcycles and ATVs; prohibit hunting with dogs; allow bicycles on roads and designated trails only; require a valid quota permit of all persons entering the area on hunt days; require hunters to enter and exit only through designated entrances and require them to check in and out at the check station and check all game.

Homosassa WMA – establish an archery season with three 3-day hunts (quota of 15 per hunt, no exemptions); bag limit for deer of one antlered and one antlerless deer per quota permit; and define legal to take for antlered deer to those having three or more points on at least one antler, each point one inch or more in length.

Jennings Forest WMA – change definition of legal to take antlered deer to those having three or more points on at least one antler, each point one inch or more in length; and prohibit the use of centerfire rifles during spring turkey season; increase the number of hunts during the archery season from three to four and during the general gun season from two to three; open a currently closed area for bird dog training and archery hunting; and redefine the area for youth small-game season.

Little River WMA – add quail as legal to take during the first hunt of the small game season and allow use of bird dogs during that time.

Log Landing WMA (NEW) – establish a new WMA (approximately 1,147 acres) with the following open seasons: archery – two hunts, 16-day and 9-day (no quota permit required); muzzleloading gun – 3-day season (no quota permit required); small game – six 3-day hunts (no quota permit required); spring turkey – 9-day season (no quota permit required); and fishing and frogging throughout the year; legal to take – all legal game, fish, frogs and furbearers; prohibit motorized vehicles; prohibit hunting deer or wild hog with dogs; allow only bird dogs or dogs with a shoulder height of fifteen inches or less and only during the small game season; dogs on a leash may be used for tracking; prohibit fires; prohibit public access from 1.5 hours after sunset until 1.5 hours before sunrise; prohibit taking wildlife with centerfire rifles; and require public access only at designated entrances or via the Suwannee River.

Mallory Swamp WMA – allow horses year-round; and camping year-round with a permit from the landowner.

Middle Aucilla WMA – allow camping year-round with a permit from the landowner.

Nassau WMA – allow take of wild hog during all seasons, except spring turkey, no size or bag limit.

Osceola WMA – restrict motorized vehicles and bicycles to designated roads; and reduce requirement to check deer at a check station from the entire season to only the first 16 days of the general gun season.

PotashCorp – White Springs WMA – allow the take of geese.

Potts WMA – provide for non-hunting scouting days between each of the two hunts of the archery and spring turkey seasons; and extend the scouting hours during spring turkey season to 1.5 hours before sunrise until 1.5 hours after sunset.

Raiford WMA – prohibit ATVs; and eliminate the requirement to sign in and out at a self-service check station.

Ralph Simmons WMA – prohibit the use of centerfire rifles during spring turkey season; and allow camping during the small game season with a permit from the landowner.

San Pedro Bay WMA – eliminate requirement to check in and out at a self-service check station.

Steinhatchee Springs WMA – allow horses year-round; and camping year-round with a permit from the landowner.

Thomas Creek WMA (NEW) – establish a new WMA (approximately 1,753 acres) with the following open seasons: archery – three 3-day hunts (quota of 15 per hunt, no exemptions); muzzleloading gun – 3-day season (quota of 15, no exemptions); family hunt – 2-day hunt (quota of 5, no exemptions); general gun – two 3-day hunts (quota of 15 per hunt, no exemptions); small game – six 3-day hunts (no quota permit required); spring turkey – three 3-day hunts (quota of 5 per hunt, no exemptions); and fishing and frogging throughout the year; legal to take – all legal game, fish, frogs and furbearers; motorized vehicles would be prohibited; bicycles would be allowed on named or numbered roads and designated trails; prohibit hunting deer or wild hog with dogs; allow bird dogs and dogs with a shoulder height of less than 15 inches; allow bicycles on roads and designated trails only; require a valid quota permit of all persons entering the area on hunt days, except the small game season and require entry and exit only through designated entrances.

Twin Rivers WMA – prohibit the use of centerfire rifles during spring turkey season.

Additional proposed rule changes would simplify and standardize regulations related to the take of wild hog on WMAs; liberalize regulations related to the possession of firearms, in accordance with Florida Statutes; and provide non-substantive technical changes, such as grammatical corrections, language standardization, or clarification of an existing rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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 6-7, 2008, 8:30 a.m. – 5:00 p.m., each day

PLACE: Bay Point Marriot Golf Resort & Spa, 4200 Marriott Drive, Panama City Beach, Florida 32408

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-15.062 Specific Regulations for Wildlife Management Areas – North Central Region.

(1) Camp Blanding Wildlife Management Area.

(a) Open season:

1. General gun still – Opening the Saturday before Thanksgiving and continuing for 57 days thereafter, only in the following areas:

a. through b. No change.

~~e. The archery only area, in which only bows may be used, is within the area described by a line beginning at the intersection of County Road 225 and Woodbury Road, then southeast on County Road 225 to State Road 16, then south on State Road 16 and County Road 230 to the Camp Blanding boundary on the east side of County Road 230, then east along the Camp Blanding boundary to Duval Road, then south on Duval Road to Yerkes Road, then west on Yerkes Road to Treat Road, then north on Treat Road to Lightning Strike Road, then west and north on Lightning Strike Road to State Road 230, then west on State Road 230 to the Camp Blanding boundary, then north along the Camp Blanding boundary to State Road 16, then east on the south side of State Road 16 to Lightning Strike Road, then north on Lightning Strike Road to Bessent Road, then north on Bessent Road to the starting point. A disjunct portion of the archery only area is south of County Road 215, east of Rifle Range Road, north of State Road 16 and west of the Camp Blanding boundary.~~

2. General gun dog – Opening the Saturday before Thanksgiving ~~third Saturday of November~~ and continuing for eight days thereafter, and opening the Saturday before Christmas (or Christmas Day when it occurs on a Saturday) and continuing for eight days thereafter. Only in the dog hunt area, which is north of State Road 16 and County Road 215, and east of County Road 225 and West Road.

3. No change.

4. Archery – September ~~23-25~~ 25-27 and September 30 through October 2-4, only in the still hunt areas: ~~and the Saturday before Thanksgiving and continuing for 57 days thereafter in the archery only area, which is within the area described by a line beginning at the intersection of County Road 225 and Woodbury Road, then southeast on County Road 225 to State Road 16, then south on State Road 16 and County Road 230 to the Camp Blanding boundary on the east side of County Road 230, then east along the Camp Blanding boundary to Duval Road, then south on Duval Road to Yerkes Road, then west on Yerkes Road to Treat Road, then north on Treat Road to Lightning Strike Road, then west and north on Lightning Strike Road to State Road 230, then west on State Road 230 to the Camp Blanding boundary, then north along the Camp Blanding boundary to State Road 16, then east on the south side of State Road 16 to Lightning Strike Road, then north on Lightning Strike Road to Bessent Road, then north on Bessent Road to the starting point. A disjunct portion of the archery only area is south of County Road 215, east of Rifle Range Road, north of State Road 16 and west of the Camp Blanding boundary.~~

5. No change.

6. Muzzleloading gun – October ~~7-9~~ 9-11 and 14-16 ~~16-18~~, only in the still hunt areas.

7. No change.

8. Trapping – December 1 through January ~~4~~ 6, only in the still hunt areas.

(b) Legal to take: All legal game, fish and furbearers. Turkeys of either sex may be taken during the archery and muzzleloading gun seasons and the Monday, Tuesday and Wednesday before Thanksgiving Day. Taking of antlered deer not having at least one antler with three or more points, each point one inch or more in length, is prohibited in the archery only and still hunt areas. Antler restrictions shall not apply during the supervised youth hunt. During the supervised youth hunts, only wild hog and one antlered or antlerless deer may be taken per youth.

(c) No change.

(d) General regulations:

1. through 2. No change.

3. Possession or use of a dog, other than a dog on a leash for trailing wounded game, is prohibited except in the dog hunt area: and bird dogs are allowed in still hunt areas 1 and 2 but only after the first 16 days of the general gun season.

4. No change.

5. During the spring turkey quota hunts, hunters will be assigned to a zone and may enter only that zone. ~~Persons assigned to Zone A shall use only Barker and Black Creek roads to enter and exit the area.~~ Hunters may not enter the area before 5 a.m. each day and shall exit by 1 p.m. of each hunt day. During spring turkey hunts, only persons eligible for the hunt are permitted in the area.

6. No change.

7. Only shotguns are permitted for taking turkey during the spring turkey season.

8. Taking wildlife with shotguns is ~~Shotguns are~~ prohibited during the archery season.

9. Only muzzleloading guns are allowed for taking wildlife during the muzzleloading gun season.

10. through 14. No change.

15. It shall be unlawful to take wildlife on, upon or from the rights-of-way of Dade, Treat and Impact Roads.

(2) Cypress Creek Wildlife Management Area.

(a) Open season:

1. Spring turkey – March ~~21-29~~ 15-23.

2. Archery – September ~~20-22~~ through October 5-7.

3. Muzzleloading gun – October ~~24-26~~ 26-28.

4. through 5. No change.

(b) Legal to take: Antlered deer, Deer, hogs, gray squirrel, rabbit, raccoon, and fish. ~~No size or bag limit on wild hogs.~~

(c) Camping is allowed by permit only; from the Suwannee River Water Management District.

(d) General regulations:

1. Taking wildlife ~~Hunting~~ with dogs, other than ~~bird dogs~~ and dogs with a shoulder height of 15 inches or less, is prohibited.

2. No change.

3. The use of all-terrain vehicles is prohibited.

(3) Gulf Hammock Wildlife Management Area.

(a) Open season:

1. General gun – November ~~8-10~~ through January 18-20.

2. Spring turkey – March ~~21-15~~ through April 26-20.

3. Archery – September ~~20-22~~ through October 19-21.

4. Muzzleloading gun – October ~~25-27~~ through November 2-4.

5. No change.

(b) Legal to take: All legal game, fish, frogs and furbearers. Taking wild hog with a shoulder height of less than 15 inches is prohibited. Wild hog: daily bag, 1; possession limit, 2.

(c) through (d) No change.

(4) Lochloosa Wildlife Management Area.

(a) Open season:

1. General gun – November ~~8-21~~ 10-23, November ~~22-24~~ through December ~~7-9~~ and December ~~8-10~~ through January 4-6.

2. Spring turkey – March ~~21-15~~ through April 26-20.

3. Archery – September ~~20-22~~ through October 19-21.

4. Muzzleloading gun – October ~~24-26~~ 26-28.

5. Waterfowl ~~Duck~~ and coot – During the seasons ~~duck and coot season~~ established by Rule 68A-13.003, F.A.C.

6. Small game – January ~~5-7~~ through March 1-2.

7. Fishing and frogging – Throughout the year.

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

(c) Camping: Camping allowed only by permit from the St. Johns River Water Management District; and only at the designated campsite.

(d) General regulations:

1. Taking wild hog ~~The taking of hogs~~ by the use of dogs is prohibited.

2. through 6. No change.

(5) Osceola Wildlife Management Area.

(a) Open season:

1. General gun – November ~~8-10~~ through January 4-6.

2. Small game – January ~~5-7~~ through March 1-2.

3. Spring turkey – March ~~21-15~~ through April 26-20.

4. Archery – September ~~20-22~~ through October 12-14.

5. Muzzleloading gun – October ~~17-24~~ 19-26 in the still hunt area and Big Gum Swamp Wilderness only.

6. Fox, raccoon, opossum and bobcat – August ~~2-4~~ through September ~~23-25~~ in the dog hunt portion of the area only from sunset to sunrise.

7. No change.

8. Fishing and frogging – Throughout the year.

9. Trapping – January ~~5-7~~ through March 1.

(b) Legal to take: All legal game, fish, frogs, and furbearers. ~~Wild hogs may be taken only during the archery, muzzleloading gun, general gun and small game seasons. No size or bag limits on wild hogs.~~

(c) No change.

(d) General regulations:

1. The dog hunt area is within the area created by traversing south on Forest Service Road 237 from its intersection with the north boundary of the Osceola National Forest; southeast on Forest Service Road 263; south on Forest Service Road 234; east and north on County Road 250 to the boundary of the Osceola National Forest; north along the east boundary of the West 1/2 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. Except within the dog hunt areas, the possession or use of dogs, other than bird dogs or retrievers, is prohibited except as provided by paragraph 68A-15.004(7)(c) or (d), F.A.C.

2. Deer dogs may be trained from October 25 ~~27~~ through November 3 ~~5~~, except in the still hunt area.

3. No change.

4. ~~In that portion of the 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 land lying north of Forest Road 36 in Columbia County, Motorized vehicles and bicycles shall be restricted to named or numbered roads or those roads posted as mixed use roads year-round.~~

5. All deer taken during the first 16 days of the general gun season must be checked at a check station. No deer shall be dismembered during that period, until checked at a check station.

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 (east from US 441 into the dog hunt area only), 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.

8. During the general gun and small game seasons, hunting as specified in paragraph 68A-24.002(2)(b), F.A.C. is allowed, but only in the dog hunt area. Persons may possess and use guns year-round on the shooting range. Guns being transported

~~to and from the range shall be unloaded and cased. During periods when hunting is not allowed guns must be transported to and from the range from US 90, north on McCloskey Avenue to Forest Road 278, then west to the gun range; or from Williams Road to Forest Road 217, then easterly on Forest Road 278 to the range.~~

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

(a) Open season:

1. General gun – November 8 ~~10~~ through January 4 ~~6~~.

2. Archery – September 20 ~~22~~ through October 19 ~~21~~.

3. Muzzleloading gun – October 24-26 ~~26-28~~.

4. Small game – January 5 ~~7~~ through March 1 ~~2~~.

5. No change.

6. Waterfowl and coot – During the seasons established by Rule 68A-13.003, F.A.C. Early duck – In the September season established by Rule 68A-13.003, F.A.C.

~~7. Duck and coot – During the duck and coot season established by Rule 68A-13.003, F.A.C.~~

~~7.8.~~ Spring turkey – March 21 ~~15~~ through April 26 ~~20~~.

~~8.9.~~ Trapping – January 5 ~~7~~ through March 1.

(b) Legal to take: All legal game, fish, frogs and furbearers. Taking antlered deer not having at least one antler with three or more points, each point one inch or more in length, is prohibited. Taking wild hog with a shoulder height of less than 15 inches is prohibited. Taking wild hog is prohibited during small game season. Wild hog: daily bag, 1; possession limit, 2.

(c) No change.

(d) General regulations:

1. through 2. No change.

3. During the muzzleloading gun season and the first 16 days of the archery, general gun and spring turkey seasons, hunters ~~Hunters~~ shall check in and out at a check station when entering or exiting the area, obtain a daily hunt permit, which they shall keep on their person, and shall check all game taken, during the general gun, archery, muzzleloading gun, and spring turkey seasons.

4. through 7. No change.

8. All persons shall enter and exit the area only at designated entrances. During the archery, muzzleloading gun, general gun, and spring turkey seasons hunters shall obtain a daily hunt permit, issued at either check station, when entering the area and retain it in their possession while on the area.

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

(a) Open season:

1. General gun – November 8 ~~10~~ through January 4 ~~6~~.

2. Archery – September 20 ~~22~~ through October 19 ~~21~~.

3. Muzzleloading gun – October 24-26 ~~26-28~~.

4. Small game – January 5 ~~7~~ through March 1 ~~2~~.

5. Spring turkey – March 21 ~~15~~ through April 26 ~~20~~.

6. Trapping – January 5 through March 1.

7. Waterfowl and coot – During the seasons established by Rule 68A-13.003, F.A.C. Early duck – In the September season established by Rule 68A-13.003, F.A.C.

~~8. Duck and coot – During the duck and coot season established by Rule 68A-13.003, F.A.C.~~

~~8.9.~~ Fishing and frogging – Throughout the year.

(b) Legal to take: All legal game, fish, frogs and furbearers. Taking wild hog with a shoulder height of less than 15 inches is prohibited. Taking wild hog is prohibited during small game season. Wild hog: daily bag, 1; possession limit, 2.

(c) No change.

(d) General regulations:

1. During the muzzleloading gun season and the first 16 days of the archery, general gun and spring turkey seasons, hunters ~~Hunters~~ shall check in and out at a check station when entering or exiting the area and shall check all game taken.

2. Motorized vehicles may be operated only on named or numbered roads from September 1 through April 30. From May 1 through August 31, motorized vehicles may be operated only on Spring Creek Road, King Road from County Road 361A to its intersection with Mule Wallow Spur; Mule Wallow Spur from its intersection with King Road to the intersection with Swamp Spur, Swamp Spur, Rock Road and Road Spurs 1, 2 and 3.

3. through 6. No change.

7. All persons shall enter and exit the area only at designated entrances.

(8) Big Bend Wildlife Management Area – Hickory Mound Unit.

(a) Open season:

1. General gun – November 8 ~~10~~ through January 4 ~~6~~.

2. Small game – January 5 through March 1 ~~2~~.

3. Spring turkey – March 21 ~~15~~ through April 26 ~~20~~.

4. Archery – September 20 ~~22~~ through October 19 ~~21~~.

5. No change.

6. Waterfowl Duck and coot – Mondays, Wednesdays, Saturdays and the first day of each phase of the duck and coot season on the Hickory Mound Impoundment and permitted every day of the season on the remainder of the area as established by Rule 68A-13.003, F.A.C.

7. No change.

8. Trapping – January 5 through March 1.

(b) Legal to take: All legal game, fish, frogs and furbearers. Taking wild hog with a shoulder height of less than 15 inches is prohibited. Taking wild hog is prohibited during small game season. Wild hog: daily bag, 1; possession limit, 2.

(c) No change.

(d) General regulations;

1. Waterfowl Duck and coot shooting hours for the Hickory Mound Impoundment: From the beginning of shooting hours established pursuant to Rule 68A-13.003, F.A.C., until noon.

2. through 3. No change.

4. Taking wildlife with Possession of shotguns within the Hickory Mound Impoundment is allowed only during days when waterfowl duck and coot hunting is allowed and only for taking migratory game birds.

5. No change.

6. During the first 16 days of the archery, general gun and spring turkey seasons, hunters ~~Hunters~~ shall check in and out at a ~~designated~~ check station when entering or exiting the area, obtain a daily hunt permit which they shall keep on their person, and shall check all game taken, during the archery, general gun, spring turkey, early duck and regular duck and coot seasons. Waterfowl hunters using the Hickory Mound Impoundment must check in and out at the check station whenever it is manned and check all game taken. Hunters shall obtain a daily hunt permit upon checking in and retain it in their possession while on the area.

7. Only shotguns or bows and arrows are allowed for taking wildlife permitted in the Hickory Mound Impoundment.

8. Motorized vehicles may be operated only on named or numbered roads from September 1 through April 30 except that Ward Tram will be open to vehicles only during the general gun season. From May 1 through August 31, motorized vehicles may be operated only on Cow Creek Grade, Coker Road, Swartz Tram west of J.C. Franklin Grade ~~Cow Creek Grade~~ and J.C. Franklin Grade.

9. through 12. No change.

13. All persons shall enter and exit the area only at designated entrances. The Painted Rock Road entrance shall only be used during the general gun season.

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

(a) Open season:

1. General gun – November 8 ~~10~~ through January 4 ~~6~~.

2. Spring turkey – March 21 ~~15~~ through April 26 ~~20~~.

3. Small game – January 5 through March 1 ~~2~~.

4. No change.

5. Waterfowl and coot – During the seasons established by Rule 68A-13.003, F.A.C. Early duck – In the September season established by Rule 68A-13.003, F.A.C.

~~6. Duck and coot – During the duck and coot season established by Rule 68A-13.003, F.A.C.~~

~~6.7.~~ Trapping – January 5 through March 1.

(b) Legal to take: All legal game, fish, frogs and furbearers. Taking wild hog with a shoulder height of less than 15 inches is prohibited. Taking wild hog is prohibited during small game season. Wild hog: daily bag, 1; possession limit, 2.

(c) No change.

(d) General regulations:

1. through 2. No change.

3. During the general gun and small ~~game gun~~ seasons, hunting as specified by paragraph 68A-24.002(2)(b), F.A.C., is ~~allowed~~ permitted.

4. No change.

5. Taking ~~of~~ wild hog hogs by the use of dogs is prohibited.

6. No change.

~~7. Hunters shall check in and out at a check station when entering and exiting the area, and shall check all game taken during the general gun and spring turkey seasons. Hunters shall obtain a daily use permit upon checking in and retain it in their possession while on the area.~~

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

(a) Open season:

1. Archery – September ~~20 22~~ through October ~~19 21~~.

2. Muzzleloading gun – October ~~24-26 26-28~~.

3. General gun – November ~~8-30 10~~ through ~~December 2~~.

4. Small game – January ~~3 5~~ through February ~~1 3~~.

5. Spring turkey – March ~~21-29, March 30~~ through ~~April 5 and April 6-12 15~~ through ~~April 6~~.

6. Trapping – January ~~3 5~~ through March 1.

7. No change.

(b) Legal to take: All legal game, fish, frogs and furbearers. The bag limit for antlered deer shall be one per day. The bag limit for wild turkeys shall be one per person per season. Taking wild hog is prohibited during the small game season. No size or bag limit on hogs.

(c) No change.

(d) General regulations:

1. through 6. No change.

~~7. During the trapping season, taking furbearers with a .22 caliber rimfire firearm is allowed; however, the firearm may only be loaded immediately prior to the shooting of a trapped furbearer.~~

(11) PotashCorp – White Springs Wildlife Management Area.

(a) Open season:

1. Waterfowl ~~Duck~~ and coot – Wednesdays and Saturdays of the ~~duck and coot seasons and Wednesdays and Saturdays of the experimental duck season in September,~~ established by ~~pursuant to~~ Rule 68A-13.003, F.A.C.

2. No change.

(b) Legal to take: Waterfowl ~~Ducks~~ and coots only. Legal shooting hours: From the beginning of shooting hours established pursuant to Rule 68A-13.003, F.A.C., until noon.

(c) No change.

(d) General regulations:

1. No change.

2. Public access is prohibited, except by those persons with written permission from the landowner or by hunters on days open to hunting. Hunters may enter the area beginning at ~~5:00~~ a.m. and shall exit the area by ~~1:00~~ p.m.; except that scouting is permitted during daylight hours two days prior to each phase of the waterfowl seasons.

3. No change.

~~4. The possession or use of rifles or pistols is prohibited.~~

5. through 8. renumbered 4. through 7. No change.

~~8.9. Taking wildlife~~ Hunting with dogs is prohibited, except that waterfowl retrievers may be used.

(12) Raiford Wildlife Management Area.

(a) Open season:

1. Archery – September ~~20 22~~ through October ~~5 7~~.

2. Muzzleloading gun – October ~~24-26 26-28~~.

3. Archery and muzzleloading gun – November ~~8-16 10-18~~.

4. Spring turkey – March ~~21-29 15-23~~.

5. No change.

(b) Legal to take: All legal game, ~~hog,~~ fish, frogs; and furbearers. ~~No size or bag limit on hog.~~ Wild turkey turkeys may be taken during the muzzleloading gun and archery/muzzleloading gun seasons.

(c) No change.

(d) General regulations:

1. through 2. No change.

3. During archery, muzzleloading gun, and archery/muzzleloading gun seasons, hunters are allowed on the area from 1.5 hours before sunrise until 1.5 hours after sunset. During spring turkey season, hunters are allowed on the area from 1.5 hours before sunrise until 1:30 p.m.

4. Vehicles are prohibited in the walk-in area south and west of C.R. 125. In the remainder of the area, vehicles may be operated only on named or numbered roads; except that all-terrain vehicles are prohibited.

5. Only bows, ~~and~~ muzzleloading rifles and muzzleloading shotguns are allowed for taking wildlife permitted.

6. through 7. No change.

~~8. Hunters shall check in and out at the self-service check station near the Shaek Road gate when entering or exiting the area and shall record all game taken.~~

(13) Cedar Key Scrub Wildlife Management Area.

(a) Open season:

1. General gun – November ~~8-16 10-18~~.

2. Archery – September ~~20 22~~ through October ~~5 7~~.

3. Muzzleloading gun – October ~~24-26 26-28~~.

(b) Legal to take: Antlered deer, antlerless deer (during archery only), ~~during the general gun and muzzleloading gun hunts and any deer except spotted fawns during the archery hunts;~~ wild hogs ~~of any size;~~ and gray squirrel squirrels. Taking any other animal is prohibited.

(c) No change.

(d) General regulations:

1. through 5. No change.

6. Taking wildlife with handguns is ~~Handguns are prohibited.~~

(14) Andrews Wildlife Management Area.

(a) Open season:

1. Archery – September ~~26-28 28-30~~ and October ~~3-5 5-7~~.

2. Muzzleloading gun – October ~~24-26 26-28~~ and October 31 through November 2 2-4.

3. General gun – November ~~14-16 16-18~~.

4. Small game – January ~~2-4 4-6, 9-11 11-13~~ and 16-18 18-20.

5. Family hunt – January 31 through February 1 2-3 and February 7-8 9-10.

6. Spring turkey – March ~~27-29 21-23~~ and April ~~17-19 11-13~~.

7. Supervised deer-hog youth hunt – October ~~11-12 13-14~~ and 18-19 20-21.

8. No change.

(b) Legal to take: All legal game, ~~hog~~, fish, frogs and furbearers. The bag limit for deer shall be one ~~deer~~ per quota hunt permit. ~~No size or bag limit on hog~~. During the family hunt, only wild hog may be taken. During the supervised deer-hog youth hunt, only antlered deer, antlerless deer by permit only, and wild hog may be taken.

(c) through (d) No change.

(15) Big Shoals Wildlife Management Area.

(a) Open season:

1. Archery – September ~~22-27 24-29~~, September 29 through October 4 1-6 and October 6-11 8-13.

2. Muzzleloading gun – October ~~24-26 26-28~~ and October 31 through November 2 2-4.

3. Small game – December ~~15-20 17-22~~ and 22-27 24-29.

4. Spring turkey – March ~~26-28 20-22~~ and April ~~16-18 10-12~~.

5. No change.

(b) Legal to take: During the archery season only antlerless and antlered deer, wild hog hogs, turkey of either sex, rabbit, and gray squirrel may be taken. During the muzzleloading gun season only antlered deer, wild hog hogs, rabbit rabbits and gray squirrel squirrels may be taken. During the small game season only wild hog, rabbit rabbits and gray squirrel squirrels may be taken. During the spring turkey season only bearded turkeys or gobblers may be taken. ~~No size or bag limit on wild hogs~~. All legal fish.

(c) No change.

(d) General regulations:

1. No change.

2. Hunters shall check in and out at a check station when entering or exiting the area, and shall check all game taken, except during the small game season.

3. through 5. No change.

6. Persons may enter the area no earlier than one and one-half (~~1.5 1-1/2~~) hours before sunrise and shall exit no later than one and one-half (~~1.5 1-1/2~~) hours after sunset year around.

7. The use of centerfire rifles for taking wild turkey during the spring turkey season is prohibited.

(16) Twin Rivers Wildlife Management Area.

(a) Open season:

1. Archery – September ~~20 22~~ through October ~~5 7~~.

2. Muzzleloading gun – October ~~24-26 26-28~~.

3. General gun – November ~~8-18 10-20~~.

4. Small game – ~~November 29 through December 21 1-23~~.

5. Spring turkey – March ~~27-29 21-23~~ and April ~~17-19 11-13~~.

6. No change.

(b) Legal to take: Antlered deer, ~~wild hogs~~, turkey (archery and spring turkey season only), gray squirrel, quail, rabbit and fish and rabbit. ~~Antlerless deer may be taken during the archery season~~. The bag limit for deer is one per person per season for each of the following seasons: archery, muzzleloading gun and general gun. ~~No size or bag limit on hogs~~. The bag limit for turkey is one per person per hunt during the archery season and one per 3-day hunt period during the spring turkey season. ~~All legal fish~~.

(c) No change.

(d) General regulations:

1. through 6. No change.

7. All-terrain vehicles are prohibited ~~on the area~~.

8. through 9. No change.

10. The use of centerfire rifles for taking wild turkey during the spring turkey season is prohibited. ~~Wild hogs may not be transported alive.~~

11. Taking wild hog ~~of hogs~~ by the use of dogs is prohibited.

(17) Twin Rivers Wildlife Management Area – Blue Springs Unit.

(a) through (c) No change.

(d) General regulations:

1. through 5. No change.

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

7. through 8. No change.

(18) Jennings Forest Wildlife Management Area.

(a) Open season:

1. Archery – September ~~20-23, 24-27~~, September 28 ~~22~~ through October 1 and October 2-5 ~~7~~.

2. Supervised small game – October ~~11-19 13-21~~, east of Yellow Water Creek, and east of the North Fork Black Creek but only south of its convergence with Yellow Water Creek east of Black Creek only.

3. Muzzleloading gun – October ~~24-26 26-28~~.

4. Bird dog training – Only in the Normandy Unit and only on Wednesdays, Saturdays and Sundays from October through January; except that bird dog training is prohibited during the archery season.

~~5.4.~~ General gun – November ~~8-12, 13-17 and 18-23 10-25~~.

~~6.5.~~ Small game – January 9 ~~11~~ through February 8 ~~10~~, Fridays, Saturdays and Sundays only.

~~7.6.~~ Spring turkey – March ~~21-24 15-18 and 25-29 19-23~~.

~~8.7.~~ No change.

(b) Legal to take: All legal game, fish and furbearers except bobcat and otter. Taking antlered deer not having at least one antler with three or more points, each point one inch or more in length, is prohibited. During the archery, muzzleloading gun and general gun seasons, the bag limit for deer shall be one per quota permit. During the spring turkey season, the bag limit for turkeys shall be one gobbler or bearded turkey (bearded turkey) per quota permit. ~~No size or bag limit on hogs.~~

(c) No change.

(d) General regulations:

1. No change.

2. Tracked vehicles, airboats, unlicensed motorcycles, and ~~or~~ all-terrain vehicles are prohibited.

3. Taking wildlife Hunting with dogs is prohibited except that bird dogs are allowed permitted during the small game season except in the Normandy Unit, where bird dogs are allowed only during the bird dog training season.

4. through 6. No change.

7. Taking wildlife with ~~The possession of~~ guns is prohibited in or on permanent wildlife viewing structures.

8. through 9. No change.

10. Wildlife may be taken in the Normandy Unit only during the bird dog training and archery seasons.

11. The use of centerfire rifles for taking wild turkey during the spring turkey season is prohibited.

12. During the bird dog training season blank-firing pistols may be used in the Normandy Unit.

(19) Holton Creek Wildlife Management Area.

(a) Open season:

1. Mobility-impaired general gun – October ~~10-12 12-14, 24-26 26-28~~, October 31 through November ~~2 2-4~~ and December ~~12-14 14-16~~.

2. Mobility-impaired spring turkey – March ~~27-29 21-23~~ and April ~~17-19 11-13~~.

3. No change.

(b) Legal to take: Any deer (except spotted fawns), ~~wild hogs~~, bearded turkey, gray squirrel, ~~and~~ rabbit and fish. The bag limit shall be one deer and one turkey per quota permit. ~~No size or bag limit on hogs. All legal fish.~~

(c) Camping is allowed by permit only; from the Suwannee River Water Management District.

(d) No change.

(20) Goethe Wildlife Management Area.

(a) Open season:

1. Archery – September ~~20 22~~ through October ~~12 14~~.

2. Muzzleloading gun – October ~~24-26 26-28~~.

3. General gun (still hunt) – November ~~8-10 10-12 and 11-13 13-15~~.

4. General gun (dog hunt) – November ~~14-16 16-18 and 17-20 19-22~~.

5. Small game – January ~~10 12~~ through February ~~1 3~~.

6. Spring turkey – March ~~21-27 15-21 and March 28 through April 5 22-30~~.

7. Fishing and frogging – Throughout the year.

(b) Legal to take: All legal game, fish, frogs and furbearers. ~~Feral hogs may be taken during any period when possession of a gun is otherwise authorized with no size or bag limit restrictions. All legal fish.~~

(c) Camping is allowed by permit only; from the Division of Forestry.

(d) General regulations:

1. through 8. No change.

9. Hunters shall check all deer, wild hogs, and turkeys at one of the area check stations before leaving the area.

10. That portion of the area south of County Road 326 and adjacent to the east side of County Road 337 shall be open only for taking doves as established by Rule 68A-13.008, F.A.C. Only shotguns are allowed for taking wildlife on this portion of the area.

11. Public access is prohibited from 1.5 hours after sunset until 1.5 hours before sunrise, except by persons in possession of a camping or special use permit from the Division of Forestry.

12. The use of centerfire rifles for taking wild turkey during the spring turkey season is prohibited.

(21) San Pedro Bay Wildlife Management Area.

(a) Open season:

1. General gun – November ~~8 10~~ through January ~~4 6~~.

2. Small game – January ~~5 7~~ through March ~~1 2~~.

3. Spring turkey – March ~~21 15~~ through April ~~26 20~~.

4. Archery – September ~~20 22~~ through October ~~19 21~~.

5. Muzzleloading gun – October ~~25 27~~ through November ~~2 4~~.

- 6. through 7. No change.
- 8. Trapping – January ~~5~~ 7 through March 1.
 - (b) Legal to take: All legal game, ~~hog~~, fish, frogs, and furbearers. ~~No size or bag limit on hog.~~
 - (c) No change.
 - (d) General regulations:
 - 1. through 3. No change.
 - 4. Public access to the area is prohibited from one and one-half (~~1.5~~ ~~1-1/2~~) hours after sunset to one and one-half (~~1.5~~ ~~1-1/2~~) hours before sunrise.
 - 5. through 8. No change.
 - 9. ~~Hunters shall check in and out at a check station when entering and exiting the area and shall check all game taken.~~
- (22) Citrus Wildlife Management Area.
 - (a) Open season:
 - 1. General gun – December ~~13-14~~ ~~15-16~~ and January ~~3-4~~ ~~5-6~~.
 - 2. Small game – January ~~5~~ 7 through March ~~1~~ 2.
 - 3. Muzzleloading gun – December ~~6-7~~ ~~8-9~~ and ~~December 27-28~~ ~~29-30~~.
 - 4. Archery – November ~~8-30~~ ~~10~~ through ~~December 2~~.
 - 5. Spring turkey – March ~~24-26~~ ~~18-20~~, April ~~7-9~~ ~~1-3~~ and ~~21-23~~ ~~15-17~~.
 - 6. No change.
 - (b) Legal to take: All legal game, ~~hog~~, fish, frogs and furbearers. During the archery ~~season~~, ~~muzzleloading gun and general gun seasons~~, antlerless deer may be taken by permit only. Turkey may be taken only during the spring turkey season. The bag limit shall be one gobbler (or bearded turkey) per spring turkey quota permit. ~~No size or bag limit on hog.~~
 - (c) No change.
 - (d) General regulations:
 - 1. through 3. No change.
 - 4. No deer ~~or turkey~~ shall be dismembered or removed ~~from the area~~ until checked at the check station.
 - 5. through 10. No change.
 - 11. Camping equipment may not be taken into the area prior to 14 days before the archery season and shall be removed by ~~6:00~~ p.m. six days after the close of the small game season.
 - 12. through 13. No change.
 - 14. The use of centerfire rifles for taking wild turkey during the spring turkey season is prohibited.
- (23) Flying Eagle Wildlife Management Area.
 - (a) Open season:
 - 1. Archery – September ~~27-30~~ and ~~October 3-7~~ ~~29~~ through ~~October 7~~.
 - 2. Muzzleloading gun – October ~~24-26~~ ~~26-28~~.
 - 3. General gun – November ~~8-11~~ ~~10-18~~ and ~~14-18~~.
 - 4. Small game – November ~~21-23~~ ~~23-25~~ and December ~~12-14~~ ~~14-16~~.

- 5. Spring turkey – March ~~21-24~~ ~~15-18~~ and ~~27-31~~ ~~19-23~~.
- 6. through 7. No change.
 - (b) Legal to take: All legal game, ~~hog~~, fish, frogs and furbearers (except otter). ~~Antlerless deer may be taken by permit only during the muzzleloading gun and general gun seasons. No size or bag limit on hog.~~
 - (c) No change.
 - (d) General regulations:
 - 1. During periods when the area is closed to hunting, public access other than on foot, bicycle or horseback is prohibited with the following ~~exceptions~~ ~~exception~~: vehicular access is permitted one day prior to each archery, muzzleloading gun and general gun hunt from 8 a.m. ~~until~~ ~~to~~ 6 p.m., and one day prior to each spring turkey hunt from 1.5 hours before sunrise until 1.5 hours after sunset ~~except prior to small game hunts~~.
 - 2. No change.
 - 3. Taking wildlife with ~~The possession of centerfire or and~~ rimfire rifles is prohibited.
 - 4. through 8. No change.
- (24) Potts Wildlife Management Area.
 - (a) Open season:
 - 1. Spring turkey – March ~~21-24~~ ~~15-18~~ and ~~27-31~~ ~~19-23~~.
 - 2. Archery – October ~~4-7~~ and ~~10-14~~ ~~6-14~~.
 - 3. Muzzleloading gun – October 31 through November ~~2~~ ~~2-4~~.
 - 4. General gun hog-dog – November ~~14-16~~ ~~16-18~~.
 - 5. Small game – December ~~5-7~~ ~~7-9~~, January ~~2-4~~ ~~4-6~~, and January 30 through February ~~1~~ ~~1-3~~.
 - 6. through 7. No change.
 - (b) Legal to take: All legal game, ~~hog~~, fish, frogs and furbearers (except bobcat and otter). The bag limit for turkey shall be one gobbler (or bearded turkey) per spring turkey quota permit. ~~No size or bag limit on hog.~~ Only wild hog may be taken during the general gun hog-dog season.
 - (c) Camping: Camping is permitted at designated campsites during hunting seasons and at other times by permit from the Southwest Florida Water Management District. Kitchen stoves, refrigerators, and freezers, unless contained in mobile campers are prohibited. Lumber, sheet metal or other building materials is prohibited. Each camper shall assure that their campsite is clean at all times. The altering, defacing, moving, or tampering in any way with official markings of campsites is prohibited.
 - (d) General regulations:
 - 1. During periods when the area is closed to hunting, public access other than on foot, bicycle or horseback is prohibited ~~unless by permit from the Southwest Florida Water Management District~~ with the following ~~exceptions~~ ~~exception~~: vehicular access is permitted one day prior to each archery, muzzleloading gun and general gun hunt from ~~8:00~~ a.m. to

6:00 p.m., and one day prior to each spring turkey hunt from 1.5 hours before sunrise until 1.5 hours after sunset except prior to small game season.

2. through 9. No change.

(25) Homosassa Wildlife Management Area.

(a) Open season:

1. Archery – September 20-22, October 3-5 and 17-19.

2. Small game – November 8-30 10 through December 2 and December 20 22 through January 4 6.

3. General gun hog – February 5-8 7-10 and 19-22 21-24.

4. Special-opportunity spring turkey – March 21-27 15-21 and March 29 through April 4-10 4.

5. No change.

(b) Legal to take: All legal game, fish, frogs and furbearers. Taking antlered deer not having at least one antler with three or more points, each point one inch or more in length, is prohibited. During the archery season the bag limit for deer shall be one antlered and one antlerless deer per quota permit. Only wild hogs may be taken during the general gun hog season. No size or bag limit on hog. All legal small game and furbearers may be taken during the small game season. Wild turkeys may only be taken during the special-opportunity spring turkey season. The bag limit for turkeys shall be one gobbler (or bearded turkey) per special-opportunity permit. Fish and frogs are legal to take throughout the year.

(c) No change.

(d) General regulations:

1. The use of dogs, other than bird dogs and dogs with a shoulder height of 15 inches or less, is prohibited. Taking wild hog Hunting hogs with dogs is prohibited.

2. through 6. No change.

7. A special-opportunity hunt permit shall be required for every person entering the area during special-opportunity hunts.

7.8. Taking wildlife with The possession of centerfire rifles is prohibited.

(26) Devil's Hammock Wildlife Management Area.

(a) Open season:

1. Archery – September 20-23 22-25, September 24-28 26-30 and September 29 through October 5 4-7.

2. Family hunt – October 11-12 13-14 and 18-19 20-21.

3. Muzzleloading gun – October 24-26 26-28.

4. General gun – November 8-11 10-13 and 12-16 14-18.

5. Small game – November 22 24 through December 21 23.

6. Spring turkey – March 21-24 15-18 and 25-29 19-23.

7. through 8. No change.

(b) Legal to take: All legal game Deer, gray squirrel, rabbit, hog, game birds, and fish. No size or bag limits on hog. Only wild hog may be taken during the family hunt.

(c) No change.

(d) General regulations:

1. through 5. No change.

6. Horses and bicycles are prohibited during periods open to hunting.

(27) Mallory Swamp Wildlife Management Area.

(a) Open season:

1. Archery – September 20 22 through October 19 21.

2. Muzzleloading gun – October 25 27 through November 2 4 (still hunt area only).

3. General gun – November 8 10 through January 4 6.

4. Small game – January 5 7 through February 1 3.

5. Spring turkey – March 21 through April 5 15-30.

6. Waterfowl and coot Duck and coot – During the seasons duck and coot season and the early duck season in September established by pursuant to Rule 68A-13.003, F.A.C.

7. Trapping – January 5 7 through March 1.

8. No change.

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

(c) Camping is allowed by permit only from the Suwannee River Water Management District. Prohibited.

(d) General regulations:

1. Dogs with a shoulder height of more than 17 inches are prohibited, in the dog hunt area, during the general gun season. Taking wildlife Hunting with dogs other than bird dogs, during the general gun season, is prohibited in the still hunt area, which are those portions of the area lying west of Crapps Tower Grade and north of L.A. Bennett Grade, that portion of the area lying west of Crapps Tower Grade and south of Deserter's Hammock Road, and that portion of the area lying south and east of McCall's Chapel Grade and east of East Mainline.

2. No change.

3. The use of tracked vehicles, airboats, motorcycles or all-terrain vehicles is prohibited, except that all-terrain vehicles and motorcycles shall be allowed only by permit from the Suwannee River Water Management District. Horses are permitted only on roads and designated horse trails during daylight hours and only during periods closed to hunting.

4. through 5. No change.

6. During the trapping season, taking furbearers with a .22 caliber rimfire firearm is allowed; however, the firearm may only be loaded immediately prior to the shooting of a trapped furbearer. Licensed trappers may possess .22 rimfire rifles or pistols from February 4 through March 1.

7. During the general gun season, taking Taking wildlife is prohibited south and east of McCall's Chapel Grade and east of East Mainline.

(28) Middle Aucilla Wildlife Management Area.

(a) Open season:

1. General gun – November 8 10 through January 4 6.

2. Muzzleloading gun – October ~~25 27~~ through November ~~2 4~~.

3. Small game – January ~~5 7~~ through March ~~1 2~~.

4. Archery – September ~~20 22~~ through October ~~19 21~~.

5. Spring turkey – March ~~21 15~~ through April ~~26 20~~.

6. through 7. No change.

(b) Legal to take: All legal game, fish; and furbearers.

~~Wild hogs may be taken during the small game season; no size or bag limit on wild hogs.~~

(c) ~~Camping is allowed by permit only from the Suwannee River Water Management District. - Prohibited.~~

(d) General regulations:

1. through 5. No change.

6. ~~Taking wild hog~~ ~~Hunting hogs~~ by the use of dogs is prohibited.

(29) Little River Wildlife Management Area.

(a) Open season:

1. Archery – September ~~20-22 22-24~~, September ~~27-29 29~~ through October ~~1~~ and October ~~4-6 6-8~~.

2. Muzzleloading gun – October ~~24-26 26-28~~.

3. Small game – ~~November 29 through~~ December ~~3 1-5~~ and ~~December 20-24 22-26~~.

4. through 5. No change.

(b) Legal to take: ~~Antlered deer. Deer, wild hogs, rabbit, gray squirrel, quail (only during the first hunt of the small game season) and all legal fish. No size or bag limit on wild hogs.~~

(c) Camping is allowed by permit only; from the Suwannee River Water Management District.

(d) General regulations:

1. through 3. No change.

4. ~~Taking wildlife~~ ~~Hunting~~ with dogs is prohibited, ~~except that bird dogs may be used for hunting quail during the first hunt of the small game season.~~

5. through 6. No change.

(30) Troy Springs Wildlife Management Area.

(a) Open season:

1. Small game – November ~~8 10~~ through January ~~4 6~~, 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. Fishing – ~~Throughout Permitted throughout~~ the year.

(b) Legal to take: Wild ~~hog hogs~~, rabbit, gray squirrel; and fish ~~only. Taking any other animal is prohibited. No size or bag limit on hogs.~~

(c) Camping is allowed by permit only; from the Suwannee River Water Management District.

(d) General regulations:

1. through 5. No change.

(31) Bayard Wildlife Management Area.

(a) Open season:

1. Archery – September ~~20 22~~ through October ~~5 7~~ and November ~~15-23 17-25~~.

2. Muzzleloading gun – October ~~25 27~~ through November ~~2 4~~.

3. through 4. No change.

5. Fishing and frogging – ~~Throughout Permitted throughout~~ the year.

(b) Legal to take: All legal game, fish, frogs; and furbearers. The bag limit shall be one deer per quota permit; ~~wild hogs of any size with no bag limit may be taken during any hunt except spring turkey.~~

(c) Camping: ~~Only tent camping is allowed and only at designated sites. Camping is allowed year-round in Area 1 and during non-hunting periods in Area 3. During periods open to hunting quota permit holders may camp in Area 3. Permitted by hunt permit holders at the designated sites in Area 3 only during periods open to hunting; year-round at designated sites in Area 1 only; and during non-hunting periods at designated campsites in Areas 2 and 3 only.~~

(d) General regulations:

1. through 4. No change.

5. During hunting periods, public access in Areas 2, 3 and 4 is restricted to those individuals with valid quota hunt permits.

6. through 10. No change.

11. Only shotguns may be used for taking wild turkey during the spring turkey season.

12. No change.

(32) Grove Park Wildlife Management Area.

(a) Open season:

1. Archery – September ~~20 22~~ through October ~~19 21~~.

2. Muzzleloading gun – October ~~25 27~~ through November ~~2 4~~.

3. General gun – November ~~8 10~~ through January ~~4 6~~.

4. ~~Waterfowl~~ ~~Duck~~ and coot – During the seasons ~~duck and coot season~~ established by Rule 68A-13.003, F.A.C.

5. Trapping – December 1 through January ~~4 6~~.

6. Spring turkey – March ~~21 15~~ through April ~~26 20~~.

7. No change.

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

(c) through (d) No change.

(33) Steinhatree Springs Wildlife Management Area.

(a) Open season:

1. Archery – September ~~20 22~~ through October ~~19 21~~.

2. Muzzleloading gun – October ~~24-26 26-28~~.

3. General gun – November ~~8-30 10~~ through ~~December 2~~.

4. Small game – January ~~17 19~~ through February ~~15 17~~.

5. Spring turkey – March ~~21 15~~ through April ~~12 6~~.

6. through 7. No change.

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

(c) Camping: ~~Prohibited during periods when area is open to hunting. During periods closed to hunting, camping is allowed by permit only from the Suwannee River Water Management District.~~

(d) General regulations:

1. through 4. No change.

5. Horses are ~~prohibited during periods open to hunting. During periods closed to hunting, horses shall be restricted to designated roads and trails.~~

6. through 7. No change.

(34) Nassau Wildlife Management Area.

(a) Open season:

1. General gun – November ~~8-10~~ through January ~~4-6~~.

2. Small game – January ~~5-7~~ through March ~~1-2~~.

3. Spring turkey – March ~~21-15~~ through April ~~26-20~~.

4. Archery – September ~~20-22~~ through October ~~19-21~~.

5. Muzzleloading gun – October ~~25-27~~ through November ~~2-4~~.

6. No change.

7. Trapping – January ~~5-7~~ through March 1.

(b) through (d) No change.

(35) Cary Wildlife Management Area.

(a) Open season:

1. Archery – ~~September 20-22 and 26-28 October 13-14, November 3-4 and 17-18, December 8-9 and 22-23.~~

2. Muzzleloading gun – ~~October 10-12 and 24-26 December 29-30 and January 12-13.~~

3. ~~Bird dog training – October through January, Wednesdays, Saturdays and Sundays, except during scheduled hunting periods.~~

3. Family hunt – November 8-9.

4. General gun – November 14-16 and 21-23.

5. Small game – November 28 through January 4 (Fridays, Saturdays and Sundays only).

6. Spring turkey – March 21-23, 27-29 and April 3-5.

(b) Legal to take: All legal game except that only wild ~~hog~~ hogs and antlered deer may be taken during the family hunt, and the muzzleloading gun and general gun seasons. ~~No size or bag limit on wild hogs.~~

(c) Camping is allowed by permit only from the Division of Forestry. ~~Prohibited.~~

(d) General regulations:

1. No change.

2. Taking wildlife ~~Hunting~~ with dogs is prohibited except that bird dogs are allowed ~~permitted~~ during the small game ~~bird dog training~~ season.

3. Vehicles may be operated only on named or numbered ~~designated roads only~~.

4. No change.

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

5.6. No change.

7. ~~The possession of firearms other than blank firing pistols is prohibited during bird dog training season.~~

6. Taking wildlife with centerfire rifles is prohibited.

7. Hunters shall enter and exit the area only at designated entrances.

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

(a) Open season:

1. General gun – November ~~15-23~~ 17-25.

2. Archery – September ~~20-28~~ 22-30.

3. Muzzleloading gun – October ~~25-27~~ through November ~~2-4~~.

4. General gun for mobility-impaired – October ~~11-14~~ 13-16.

5. Small game – December ~~15-28~~ 17-30 and January 31 through February 8-10.

6. No change.

7. Spring turkey – The first three days of the Central Zone season, and the Friday, Saturday, and Sunday of the third and fifth weekends of the Central Zone season

8. Fishing and frogging – Throughout Permitted throughout the year.

(b) Legal to take: All legal game, ~~hog~~ fish, frogs and furbearers. The bag limit for deer shall be one antlered and one antlerless deer per quota permit. Antlerless deer (except spotted fawns) may be taken only during the archery and general gun for mobility-impaired seasons. Only one quota permit may be utilized per individual, per season. ~~No size or bag limit on hog.~~

(c) Camping: During quota hunt periods ~~open to hunting~~, hunters in possession of a quota permit shall only camp in the Scotts Landing Road campground. During the small game season ~~and~~ periods closed to hunting, camping in the Scotts Landing Road campground is allowed only by permit from the Florida Division of Forestry. During periods closed to hunting, camping at primitive campsites along the St. Marys River is allowed on a first-come first-served basis.

(d) General regulations:

1. through 4. No change.

5. During periods open to hunting periods, other than small game season, public access is restricted to those individuals with valid quota hunt permits. Two (2) hunter assistants may accompany a mobility-impaired quota permit holder provided that the non-permitted individuals shall not occupy a vehicle separate from the permittee nor take wildlife with a gun except during small game season. No more than two non-disabled helpers may accompany a mobility-impaired permit holder. Non-disabled helpers may not hunt or possess firearms during the general gun for mobility-impaired season.

6. through 8. No change.

9. The use of centerfire rifles for taking wild turkey during the spring turkey season is prohibited.

(37) Lower Econfina River Wildlife Management Area.

(a) Open season:

1. Archery – September ~~20 22~~ through October ~~5 7~~.

2. Muzzleloading gun – October ~~24-26 26-28~~.

3. Small game – January ~~19 24~~ through March ~~1 2~~.

4. Spring turkey – March ~~21-29 15-23~~.

5. No change.

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

(c) General regulations:

1. No change.

2. Taking wild hog Hunting hogs with dogs is prohibited.

3. through 6. No change.

(38) Belmore Wildlife Management Area.

(a) Open season:

1. Archery – September 20-22, 26-28 and October 3-5.

2. Muzzleloading gun – October 24-26.

3. Family hunt – November 8-9.

4. General gun – November 14-16 and 21-23.

5. Small game – November 28 through January 4 (Fridays, Saturdays and Sundays only).

6. Trapping – Prohibited.

7. Spring turkey – March 21-23, 27-29 and April 3-5.

8. Fishing and frogging – Throughout the year.

(b) Legal to take: All legal game, fish, frogs and furbearers. During the archery season the bag limit for deer shall be one antlered or one antlerless deer per person per permit. During the family hunt the bag limit for deer shall be one antlered and one antlerless deer per permit. During the muzzleloading gun and general gun seasons the bag limit for deer shall be one antlered deer per person per permit per season. Taking antlered deer not having at least one antler with three or more points, each point one inch or more in length, is prohibited. During the spring turkey season the bag limit for wild turkey shall be one gobbler or bearded turkey per person per permit.

(c) Camping: Prohibited.

(d) General regulations:

1. Vehicles may be operated only on named or numbered roads.

2. Tracked vehicles, airboats, unlicensed motorcycles and all-terrain vehicles are prohibited.

3. Taking wildlife with dogs is prohibited, except with bird dogs during the small game season.

4. Horses and bicycles are allowed only on named or numbered roads, or designated trails.

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

6. All persons shall enter and exit the area only at designated entrances.

7. The use of centerfire rifles for taking wild turkey during the spring turkey season is prohibited.

(39) Four Creeks Wildlife Management Area.

(a) Open season:

1. Archery – September 20-22, 26-28 and October 3-5.

2. Muzzleloading gun – October 24-26.

3. Family hunt – November 8-9.

4. General gun – November 14-16 and 21-23.

5. Small game – November 28 through January 4 (Fridays, Saturdays and Sundays only).

6. Trapping – Prohibited.

7. Spring turkey – March 21-23, 27-29 and April 3-5.

8. Waterfowl and coot – During seasons established by Rule 68A-13.003, F.A.C.

9. Fishing and frogging – Throughout the year.

(b) Legal to take: All legal game, fish, frogs and furbearers. During the archery season the bag limit for deer shall be one antlered or one antlerless deer per person per permit. During the family hunt the bag limit for deer shall be one antlered and one antlerless deer per permit. During the muzzleloading gun and general gun seasons the bag limit for deer shall be one antlered deer per person per permit per season. Taking antlered deer not having at least one antler with three or more points, each point one inch or more in length, is prohibited. During the spring turkey season the bag limit for turkey shall be one gobbler or bearded turkey per person per permit.

(c) Camping: Prohibited.

(d) General regulations:

1. Vehicles may be operated only on named or numbered roads.

2. Tracked vehicles, airboats, unlicensed and unregistered motorcycles, and all-terrain vehicles are prohibited.

3. Taking wildlife with dogs is prohibited, except with bird dogs during the small game season and waterfowl retrievers during seasons established by Rule 68A-13.003, F.A.C.

4. Horses and bicycles are allowed only on named or numbered roads, or designated trails.

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

6. All persons shall enter and exit the area only at designated entrances or via the Nassau River or Boggy, Mills or Thomas Creeks.

7. The archery area will be open for taking wildlife only during the archery season and only with a bow.

8. The use of centerfire rifles for taking wild turkey during the spring turkey season is prohibited.

(40) Hatchet Creek Wildlife Management Area.

(a) Open season:

1. Archery – September 20-22, 26-28 and October 3-5.
2. Muzzleloading gun – October 24-26.
3. Family hunt – November 8-9.
4. General gun – November 14-16 and 21-23.
5. Trapping – Prohibited.
6. Spring turkey – March 21-23, 27-29 and April 3-5.
7. Fishing and frogging – Throughout the year.

(b) Legal to take: All legal game, fish, frogs and furbearers. During the archery season the bag limit for deer shall be one antlered or one antlerless deer per person per permit. During the family hunt the bag limit for deer shall be one antlered and one antlerless deer per permit. During the muzzleloading gun and general gun seasons the bag limit for deer shall be one antlered deer per person per permit per season. Taking antlered deer not having at least one antler with three or more points, each point one inch or more in length, is prohibited. During the spring turkey season the bag limit for turkey shall be one gobbler or bearded turkey per person per permit.

(c) Camping is allowed by permit only from the St. Johns River Water Management District.

(d) General regulations:

1. Vehicles may be operated only on named or numbered roads.
2. Tracked vehicles, airboats, unlicensed motorcycles and all-terrain vehicles are prohibited.
3. Taking wildlife with dogs is prohibited.
4. Bicycles shall be restricted to named or numbered roads and designated trails.
5. All hunters shall enter and exit the area only at the designated entrance.
6. All hunters must check in and out at the designated check station and check all game taken.
7. Vehicular access is allowed only on hunt days, the day before each hunt, and the weekend before the archery and muzzleloading gun seasons and the family hunt.
8. Taking wildlife from the right-of-way of Boundary Road is prohibited.
9. During periods open to hunting, public access is restricted to individuals with valid quota permits.

(41) Log Landing Wildlife Management Area.(a) Open season:

1. Archery – September 20 through October 5 and November 8-16.
2. Muzzleloading gun – October 24-26.
3. Small game – November 28 through January 4 (Fridays, Saturdays and Sundays only).
4. Trapping – Prohibited.
5. Spring turkey – March 21-29.
6. Fishing and frogging – Throughout the year.

(b) Legal to take: All legal game, fish, frogs and furbearers.

(c) Camping is allowed by permit only from the Suwannee River Water Management District.

(d) General regulations:

1. Motorized vehicles are prohibited.
 2. Taking deer or wild hog with dogs is prohibited.
 3. The possession or use of dogs is prohibited except that bird dogs or dogs with a shoulder height of 15 inches or less are allowed during the small game season and as provided by paragraph 68A-15.004(7)(c) or (d), F.A.C.
 4. Fires are prohibited.
 5. Public access is prohibited from 1.5 hours after sunset until 1.5 hours before sunrise.
 6. All persons shall enter and exit the area only at designated entrances or via the Suwannee River.
 7. Taking wildlife with centerfire rifles is prohibited.
- (42) Thomas Creek Wildlife Management Area – Kings Road Unit.

(a) Open season:

1. Archery – September 20-22, 26-28 and October 3-5.
 2. Muzzleloading gun – October 24-26.
 3. Family hunt – November 8-9.
 4. General gun – November 14-16 and 21-23.
 5. Small game – November 28 through January 4 (Fridays, Saturdays and Sundays only).
 6. Trapping – Prohibited.
 7. Spring turkey – March 21-23, 27-29 and April 3-5.
 8. Fishing and frogging – Throughout the year.
- (b) Legal to take: All legal game, fish, frogs and furbearers. The bag limit for deer shall be one antlered or one antlerless deer per person per permit during the archery season, one antlered deer per person during the family hunt and one antlered deer per person per permit per season during the muzzleloading gun and general gun seasons. During the spring turkey season the bag limit for wild turkey shall be one gobbler or bearded turkey per person per permit.

(c) Camping is prohibited.

(d) General regulations:

1. All persons shall enter and exit the area only at designated entrances.
2. Taking deer or wild hog with dogs is prohibited.
3. Motorized vehicles are prohibited.
4. 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.
5. Fires are prohibited.
6. During periods open to hunting, other than the small game season, public access is restricted to individuals with valid quota permits.

7. Bicycles shall be restricted to named or numbered roads and designated trails.

PROPOSED EFFECTIVE DATE: July 1, 2008.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 6-21-82, Amended 7-1-83, 11-17-83, 7-5-84, 7-1-85, 2-16-86, 5-7-86, 6-10-86, 11-27-86, 5-10-87, 5-1-88, 6-7-88, 7-1-89, 8-17-89, 7-1-90, 9-1-90, 7-1-91, 7-2-91, 7-1-92, 7-2-92, 8-23-92, 10-22-92, 7-1-93, 7-1-94, 2-9-95, 7-1-95, 7-1-96, 9-15-96, 6-1-97, 7-1-98, 7-2-98, 7-1-99, Formerly 39-15.062, Amended 12-9-99, 7-1-00, 7-1-01, 11-11-01, 6-2-02, 10-16-02, 5-25-03, 7-7-03, 9-29-03, 7-1-04, 8-1-04, 7-1-05, 8-1-05, 7-1-06, 7-2-06, 7-1-07, 7-5-07, 7-1-08.

NAME OF PERSON ORIGINATING PROPOSED RULE: Nick Wiley, Director, Division of Hunting and Game Management, 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 5, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 7, 2007

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.:	RULE TITLE:
68A-15.063	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:

Apalachee WMA – allow vehicular access only during periods open to hunting except vehicular access would be allowed year-round on Rock Pond Road and during daylight hours one week prior to the archery season and one day prior to the muzzleloading gun and general gun seasons; increase the number of days that quail hunting is allowed from 12 to 24 days; change the definition of legal to take for antlered deer to those having three or more points on at least one antler, each point one inch or more in length; allow general gun season to be open the Friday after Thanksgiving; and remove daily quota requirement to hunt quail in Zone A.

Apalachicola WMA – establish a quail enhancement area in that portion of the area lying north of Oak Ridge Road, east of State Road 61 and Highway 319, south of State Road 263, and west of State Road 363; allow bird dog training in the enhancement area November 1 through December 31; allow quail hunting in the enhancement area by quota permit only; allow quotas to be established annually by Order of the Executive Director or designee; allow quail hunts on Saturdays only (with a maximum of six Saturdays being hunted); allow up to two quota hunt permits to be issued per day and allow up to two hunters per permit; allow for a bag limit of 12 quail per permit; allow the number of days open for quail hunting to be adjusted each year as needed to achieve a harvest of up to 15% of the fall population, based on an October quail survey; and prohibit shining deer from 12 midnight until one-half hour before sunrise during the general gun season.

Apalachicola WMA – Bradwell Unit – allow antlerless deer to be taken during the archery season; allow wild hogs to be taken during the small game season; and extend the small game season from 9 to 18 days.

Aucilla WMA – allow antlerless deer to be taken during the archery season; allow tent camping along the Aucilla River on property owned by the Suwannee River Water Management District by permit from the District; allow still hunting only on that portion of the eastern dog hunt area north of Goose Pasture Road and east of Oneal Tram; and allow vehicular access to the area at designated entrances only.

Blackwater WMA – prohibit the use of centerfire rifles during spring turkey season; establish a family hunt (quota of 50; still hunting only, no exemptions) in that portion of the area north of Highway 4 and east of Highway 191; and allow the take of up to 3 deer (antlered or antlerless) per quota permit during the family hunt; require hunters to check in and out at a check station during the family hunt; and allow the use of retrievers (dogs) on the Field Trial Area during the dove season.

Blackwater WMA – Hutton Unit – prohibit the use of centerfire rifles during the spring turkey season; establish five 3-day hog-dog hunts (quota of 5 per hunt, no exemptions); allow only wild hog to be taken during the hog-dog hunts; allow the use of no more than 3 dogs per quota permit during the hog-dog hunts; allow up to 2 hunters per quota permit and only one gun per permit during the hog-dog hunts; allow wild hog to be taken during the day or at night by the aid of a light with a firearm provided that no such firearm shall be loaded at any time except immediately prior to the shooting of a bayed hog (hunting of wild hog under this provision by display or use of a light from a moving vehicle, boat or animal is prohibited); no longer require hunters to check in and out at a check station during the spring turkey season; allow limited field trials by permit; and change the quail quota from two groups of three hunters by quail quota application to 8 individual permits at the check station, no exemptions.

Blue Water Creek WMA – allow the take of frogs.

Box-R WMA – allow dove hunting on the opening day of the first phase of mourning dove and white-winged dove season.

Choctawhatchee River WMA – add a new 3-day spring turkey quota hunt (quota of 10; no exemptions).

Econfina Creek WMA – allow vehicular access on certain roads during open seasons and prohibit vehicular access on certain roads during periods closed to hunting.

Eglin WMA – extend the length of time that general gun hunts may occur by 10 days.

Escambia River WMA – allow still hunting only north of State Road 184 in Santa Rosa County and north of Cedartown Road and Daffin Road in Escambia County.

Joe Budd WMA – allow public access from 1.5 hours before sunrise until 1.5 hours after sunset.

Lafayette Creek WMA – prohibit vehicular access during periods closed to hunting except vehicular access would be allowed one day prior to and after each season; and move duplications of the rules for Family Hunts from area specific regulations to Rule 68A-15.005, F.A.C.

Ochlockonee River WMA – allow public access throughout the year from 1.5 hours before sunrise until 1.5 hours after sunset; and prohibit ATVs.

Perdido River WMA – prohibit launching or loading of boats with a motor greater than 10 hp at Fillingam and Pipes boat ramps; allow public access from 1.5 hours before sunrise until 1.5 hours after sunset, except access would be allowed throughout the year on Sand Landing Road, at designated campsites or by permit from the Northwest Florida Water Management District; prohibit vehicular access on Muscogee Regen Road and Red Gate Road from May through September; and move duplications of the rules for Family Hunts from area specific regulations to Rule 68A-15.005, F.A.C.

Pine Log WMA – prohibit the use of centerfire rifles during the spring turkey season; change the definition of legal to take for antlered deer to those having three or more points on at least one antler, each point one inch or more in length; no longer require hunters to check in and out at a check station during the spring turkey season; and allow limited field trials by permit.

Point Washington WMA – prohibit the use of centerfire rifles during the spring turkey season; allow vehicular access on named or numbered roads only; require a quota permit for the last 17 days of the general gun season; and reduce the general gun quota from 300 to 150 (each hunt).

Talquin WMA – prohibit the use of centerfire rifles during the spring turkey season; allow public access from 1.5 hours before sunrise until 1.5 hours after sunset; prohibit ATVs; and allow vehicular access only on named or numbered roads.

Tate's Hell WMA – prohibit the use of centerfire rifles during the spring turkey season; change the definition of legal to take for antlered deer to those having two or more points on at least one antler, each point one inch or more in length; prohibit shining deer from 12 midnight until one-half hour before

sunrise during the general gun season; and reduce the number of quota permits from 1,000 for the first 13 days to 750 for the first 13 days.

Tate's Hell WMA – Womack Creek Unit – prohibit the use of centerfire rifles during the spring turkey season; change the definition of legal to take for antlered deer to those having two or more points on at least one antler, each point one inch or more in length; and allow the possession (not use) of ATVs.

Wakulla WMA – change the definition of legal to take for antlered deer to those having three or more points on at least one antler, each point one inch or more in length; and allow access from 1.5 hours before sunrise until 1.5 hours after sunset.

Yellow River WMA – prohibit vehicular access from May through September on Holt Enhancement Road, North Holt Cross Road and South Holt Cross Road; and no longer require a quota permit for the first 13 days of general gun season or the first 9 days of spring turkey season.

Additional proposed rule changes would simplify and standardize regulations related to the take of wild hog on WMAs; liberalize regulations related to the possession of firearms, in accordance with Florida Statutes; and provide non-substantive technical changes, such as grammatical corrections, language standardization, or clarification of an existing rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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 6-7, 2008, 8:30 a.m. – 5:00 p.m., each day

PLACE: Bay Point Marriott Golf Resort & Spa, 4200 Marriott Drive, Panama City Beach, Florida 32408

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-15.063 Specific Regulations for Wildlife Management Areas – Northwest Region.

(1) Apalachee Wildlife Management Area.

(a) Open season:

1. General gun – November ~~27-30~~ ~~22-25~~ and December ~~13~~ & through February ~~15~~ ~~10~~ (Mondays, Wednesdays and Fridays closed to hunting in Zones A and B, except hunting is allowed the Friday after Thanksgiving).

2. Archery – October ~~18~~ ~~13~~ through November ~~16~~ ~~11~~.

3. No change.

4. Muzzleloading gun – November ~~21-23~~ ~~16-18~~.

5. No change.

6. Duck, ~~geese~~ and coot – On Tuesdays, Thursdays, Saturdays and Sundays of the duck and coot season established in Rule 68A-13.003, F.A.C.

7. No change.

8. Quail (Zone A) – December ~~23~~ ~~18~~ through ~~February 1~~ ~~January 6~~ (Mondays, Wednesdays and Fridays closed to hunting).

9. Spring turkey (Zones B and C) – March ~~21~~ ~~15~~ through April ~~26~~ ~~20~~ (Fridays, Saturdays, and Sundays only).

(b) Legal to take: All legal game, ~~hog~~, fish, frogs and furbearers. Taking of antlered deer not having at least one antler with three or more points, one inch or more in length, is prohibited in Zone A. Antlerless deer may be taken during the general gun season by permit only. Quail may be taken in Zone A only during the archery, and muzzleloading gun, and during the quail seasons by permit only. ~~No size or bag limit on hog.~~

(c) No change.

(d) General regulations:

1. Taking wildlife with dogs is prohibited except that bird dogs and retrievers are permitted during the general gun, muzzleloading gun, early duck, duck, ~~geese~~ and coot, dove, and quail seasons.

2. No change.

3. Vehicles may be operated only on named or numbered roads. During periods closed for hunting, vehicular access is prohibited except on Rock Pond Road and during daylight hours only one week prior to the archery season and one day prior to the muzzleloading gun and general gun seasons.

4. Taking wildlife with ~~The possession or use of rifles is prohibited, except during the muzzleloading gun season.~~

5. through 8. No change.

(2) Apalachicola Wildlife Management Area.

(a) Open seasons:

1. General gun – November ~~27-30~~ ~~22-25~~ and December ~~13~~ & through ~~February 4~~ ~~January 30~~.

2. Small game – November ~~8-26~~ ~~10-21~~, ~~November 26~~ through December ~~1-12~~ ~~7~~ and ~~February 5~~ ~~January 31~~ through March ~~1~~ ~~2~~.

3. Quail (quail enhancement area) – Up to six Saturdays of quail hunting may be allowed in January and February, combined.

~~4.3.~~ Spring turkey – March ~~21~~ ~~15~~ through April ~~26~~ ~~20~~.

~~5.4.~~ Archery – October ~~18~~ ~~13~~ through November ~~16~~ ~~11~~.

~~6.5.~~ Muzzleloading gun – November ~~21-23~~ ~~16-18~~.

~~7.6.~~ Muzzleloading gun and archery – February ~~19~~ through March ~~1~~ ~~14-24~~.

~~8.7.~~ No change.

~~9.8.~~ Fox, raccoon, opossum and bobcat – October 1 through March ~~1~~ ~~2~~ 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.~~

~~10.9.~~ Trapping – ~~February 5~~ ~~January 31~~ through March 1.

~~11.10.~~ No change.

(b) Legal to take: All legal game, ~~hog~~, fish, frogs and furbearers. Bearded turkeys or gobblers may be taken from November ~~27-30~~ ~~22-25~~ and from December ~~13-24~~ ~~8-19~~. Killing quail is prohibited on the quail enhancement area (that portion of the area lying north of Oak Ridge Road, east of State Road 61 and Highway 319, south of State Road 263, and west of State Road 363) except during the quail season. The bag limit for quail on the quail enhancement area is 12 per quota permit. ~~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 ~~1~~ ~~2~~, except on the quail enhancement area where bird dogs may be trained November 1 through December 31. Deer dogs may be trained from October ~~25~~ ~~27~~ through November ~~13~~ ~~15~~ in that portion of the area open to hunting fox, raccoon, opossum and bobcats.

3. No change.

4. During the general gun and small game seasons November 10 through March 2 period, hunting as specified by paragraph 68A-24.002(2)(b), F.A.C., is allowed permitted.

5. through 8. No change.

9. ~~Persons may possess and use guns year-round on the shooting range. Guns being transported to and from the shooting range shall be unloaded and cased.~~

10. A quota permit, as established annually by Order of the Executive Director or designee, shall be required for each group entering the quail enhancement area to take quail. Up to two quota permits may be issued per day and up to two hunters will be allowed per permit. The number of Saturdays open for quail hunting will be adjusted each year as necessary to achieve a harvest of up to 15% of the fall population, based on an October quail survey.

11. During general gun season, the use of a light in a manner capable of disclosing the presence of wildlife from 12 a.m. (midnight) until one-half hour before sunrise is prohibited, except hunting as specified by paragraph 68A-24.002(2)(b), F.A.C. is allowed.

(3) Apalachicola Wildlife Management Area – Bradwell Unit.

(a) Open season:

1. General gun – November 27-30 ~~22-25~~ and December 13-17 ~~8-12~~.

2. Archery – October 18-24 ~~13-19~~ and October 25 through November 2 ~~20-28~~.

3. Muzzleloading gun – November 21-23 ~~16-18~~.

4. Small game – November 8-9 and December 20 through January 4 ~~10-15 and 19-21~~.

5. Spring turkey – March 21-22 ~~15-16~~ and April 3-5 ~~March 28-30~~.

6. through 7. No change.

(b) Legal to take: All legal game, ~~hog~~, fish, frogs, and furbearers. ~~Antlerless deer may be taken by permit only.~~ The bag limit for antlered deer shall be one per quota permit. During spring turkey season, the bag limit for turkey shall be one gobbler or bearded turkey per quota permit. ~~Hog may be taken only during the archery, muzzleloading gun, and general gun seasons. No size or bag limit on hog.~~

(c) 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 27-30 ~~22-25~~ and December 13 ~~8~~ through February 4 ~~January 30~~.

2. Family still hunt (only in that portion of the still hunt area north of Highway 4 and east of Highway 191) – December 6-7.

~~3.2.~~ Small game – November 8-26 ~~10-21~~, ~~November 26 through December 1-12~~ ~~7~~ and February 5 ~~January 31~~ through March 1 ~~2~~.

~~4.3.~~ Spring turkey – March 21 ~~15~~ through April 26 ~~20~~.

~~5.4.~~ Archery – October 18 ~~13~~ through November 16 ~~11~~.

~~6.5.~~ Muzzleloading gun – November 21-23 ~~16-18~~.

~~7.6.~~ Muzzleloading gun and archery – February 19 through March 1 ~~14-24~~.

7. through 9. renumbered 8. through 10. 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 27-30 ~~22-25~~, December 13-28 ~~8-23~~, and January 12 ~~7~~ through February 4 ~~January 30~~.

2. General gun still – December 29 ~~24~~ through January 11 ~~6~~.

3. Family still hunt (only in that portion of the dog hunt area north of Highway 4 and east of Highway 191) – December 6-7.

~~4.3.~~ Small game – November 8-26 ~~10-21~~, ~~November 30 through December 1-12~~ ~~7~~ and February 5 ~~January 31~~ through March 1 ~~2~~.

~~5.4.~~ Spring turkey – March 21 ~~15~~ through April 26 ~~20~~.

~~6.5.~~ Archery – October 18 ~~13~~ through November 16 ~~11~~.

~~7.6.~~ Muzzleloading gun – November 21-23 ~~16-18~~.

~~8.7.~~ Muzzleloading gun and archery – February 19 through March 1 ~~14-24~~.

~~9.8.~~ Fox, raccoon, opossum and bobcat – May 1 through March 15 ~~9~~, in that portion of the dog hunt area east of Belandville Road.

9. through 11. renumbered 10. through 12. 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 18 ~~13~~ through November 16 ~~11~~.

2. Muzzleloading gun and archery – January 16-18 ~~18-20~~.

3. through 4. No change.

5. Quail – February 2-5 ~~4-7~~ and February 16-19 ~~18-21~~.

6. No change.

(d) Legal to take: All legal game, ~~hog~~, fish, frogs and furbearers. During the January 16-18 ~~18-20~~ archery/muzzleloading gun season on the field trial portion of the area any deer (daily bag limit one) except spotted fawns may be taken. During the family still hunt, any deer (bag limit

of three per quota permit) may be taken except spotted fawns. 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) No change.

(f) General regulations:

1. through 2. No change.

3. Taking wildlife with dogs, other than bird dogs or retrievers, is prohibited in the still hunt area, field trial area and during general gun still and family still hunt in the dog hunt area; however, dogs with a shoulder height of 15 inches or less may be used to take small game during small game seasons in both the still hunt and dog hunt areas. Dogs are prohibited in the field trial area, except as specifically authorized by permit, or during the bird dog training, dove or quail hunting seasons.

4. through 7. No change.

8. During the family still hunt, all hunters must check in at the designated check station prior to hunting and check all game taken.

9. The use of centerfire rifles for taking wild turkey during the spring turkey season is prohibited.

(5) Blackwater Wildlife Management Area – Hutton Unit.

(a) Open season:

1. Archery – October 18-21 ~~13-16~~ and 22-26 ~~17-21~~.

2. Muzzleloading gun – November 21-23 ~~16-18~~.

3. Quail – November 8-9 ~~10-11~~, 19-20 ~~21-22~~, 29-30 ~~December 1-2~~, December 8-9 ~~10-11~~, 13-14 ~~15-16~~, 22-23 ~~24-25~~ and December 27-28 ~~29-30~~.

4. General gun – January 17-20 ~~12-15~~ and 21-25 ~~16-20~~.

5. Mobility-impaired general gun – January 30 ~~through February 1~~ ~~25-27~~ and February 6-8 ~~1-3~~.

6. Spring turkey – March 21-23 ~~15-17~~, April 3-5 ~~March 28-30~~ and April 17-19 ~~11-13~~.

7. Hog management hunts – July 18-20, August 22-24 and September 19-21, 2008; and May 22-24 and June 19-21, 2009.

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

(b) Legal to take: All legal game, fish, frogs and furbearers except that only quail may be taken during the quail season. Taking quail is prohibited except during the quail season. The bag limit for quail is 12 per hunting group each day. A group for the purpose of quail hunting shall include up to three persons. Taking of antlered deer not having at least one antler with three or more points, one inch or more in length, is prohibited. The bag limit for antlered deer shall be one per quota hunt permit, except during the mobility-impaired hunts. Two deer (except spotted fawns) may be taken per mobility-impaired quota hunt permit. During the general gun for mobility-impaired season, only mobility-impaired hunters

may take antlerless deer. During spring turkey season, the bag limit shall be one gobbler or bearded turkey per quota hunt permit. During the hog management hunts, only wild hog may be taken. No size or bag limit on wild hog.

(c) No change.

(d) General regulations:

1. No change.

2. Hunters shall check in and out at the check station when entering and exiting the area and shall check all game taken during the archery, muzzleloading gun, quail, general gun and mobility-impaired general gun seasons.

3. Taking wildlife with dogs other than bird dogs or retrievers is prohibited, except during the hog management hunts or as specifically authorized by permit. During the hog management hunts, no more than 3 dogs per quota permit may be used.

4. through 5. No change.

6. Taking wildlife with ~~The possession or use of~~ firearms other than shotguns is prohibited during the quail season.

7. The use of centerfire rifles for taking wild turkey during the spring turkey season is prohibited.

8. ~~7.~~ No change.

9. During the hog management hunts, a quota permit shall be required for each group of two hunters and only one gun may be possessed per quota permit.

10. During the hog management hunts, wild hog may be taken during the day or at night by the aid of a light with a firearm provided that no such firearm shall be loaded at any time except immediately prior to the shooting of a bayed hog. The hunting of wild hog under this provision by display or use of a light from a moving vehicle, boat or animal is prohibited.

(6) Blackwater Wildlife Management Area – Carr Unit.

(a) Open season: Quail: November 8-14 ~~10-16~~, 15-21 ~~17-23~~, November 22-28 ~~24-30~~, November 29 ~~through December 5~~ ~~1-7~~, December 6-12 ~~8-14~~, 13-19 ~~15-21~~, 20-26 ~~22-28~~, December 27 ~~29~~ through January 2 ~~4~~, January 3-9 ~~5-11~~, 10-16 ~~12-18~~, 17-23 ~~19-25~~, 24-30 ~~January 26~~ through February 1, January 31 ~~through~~ February 6 ~~2-8~~, February 7-13 ~~9-15~~, 14-20 ~~16-22~~ and 21-27 ~~23-29~~.

(b) through (c) No change.

(d) General regulations:

1. through 6. No change.

7. Taking wildlife with ~~The possession or use of~~ firearms other than shotguns is prohibited.

8. No change.

(7) Joe Budd Wildlife Management Area.

(a) Open season:

1. Archery – December 12 ~~7~~ through January 11 ~~6~~ (Fridays, Saturdays and Sundays only).

2. Archery and muzzleloading gun – January 16 ~~through February 1~~ ~~11-27~~ (Fridays, Saturdays and Sundays only).

3. Small game – October ~~4~~ ⁶ through December ~~7~~ ² (Saturdays and Sundays only).

4. Spring turkey – March ~~21~~ ¹⁵ through April ~~26~~ ²⁰ (Saturdays and Sundays only).

5. Fishing and other recreational use – Permitted ~~during daylight hours~~ when hunting is not allowed.

(b) Legal to take: All legal game, ~~hog~~, turkey of either sex, fish, frogs and furbearers. During small game season, dove (Saturdays only, during phases established by Rule 68A-13.008, F.A.C.), quail and squirrel may be taken. ~~Antlerless deer may be taken during the archery and muzzleloading gun season by permit only.~~ Antlerless deer is any deer, except a spotted fawn, that is without antlers or whose antlers are less than one inch in length visible above the hairline. Taking of antlered deer not having at least one antler with three or more points, one inch or more in length, is prohibited. ~~No size or bag limit on hog.~~

(c) No change.

(d) General regulations:

1. through 4. No change.

5. Only bows or muzzleloading guns are allowed for taking turkey ~~may be used~~ during spring turkey seasons.

6. Shotguns are prohibited for taking wildlife during the archery season, and centerfire shotguns are prohibited for taking wildlife during the archery and muzzleloading gun season.

7. through 9. No change.

~~10. Guns are prohibited when the area is closed to hunting, except at the designated campsite.~~

~~10.11.~~ No change.

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

(8) Robert Brent Wildlife Management Area.

(a) Open season:

1. General gun – November ~~27-30~~ ²²⁻²⁵ and December ~~13~~ ⁸ through ~~February 4~~ ^{January 30}.

2. Small game – November ~~8-26~~ ¹⁰⁻²¹, ~~December 1-12~~ ^{November 26 through December 7} and ~~February 5~~ ^{January 31} through March ~~1~~ ².

3. Spring turkey – March ~~21~~ ¹⁵ through April ~~26~~ ²⁰.

4. Archery – October ~~18~~ ¹³ through November ~~16~~ ¹¹.

5. Muzzleloading gun – November ~~21-23~~ ¹⁶⁻¹⁸.

6. Archery and muzzleloading gun – February ~~19~~ ^{through March 1} ~~14-24~~.

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 ~~27-30~~ ²²⁻²⁵ and from December ~~13-24~~ ⁸⁻¹⁹. Taking of antlered deer not having at least one antler with three or more points, one inch or more in length, is prohibited. The take of wild hog is prohibited during small game season. Wild hog: daily bag, 1; possession limit, 2.

(c) through (d) No change.

(9) Blue Water Creek Wildlife Management Area.

(a) Open season:

1. General gun – November ~~27-30~~ ²²⁻²⁵ and December ~~13~~ ⁸ through ~~February 4~~ ^{January 30}.

2. Small game – February ~~21~~ ¹⁶ through March ~~1~~ ² (Saturdays and Sundays only).

3. Archery – October ~~18~~ ¹³ through November ~~16~~ ¹¹.

4. Spring turkey – March ~~21~~ ¹⁵ through April ~~26~~ ²⁰.

5. Archery and muzzleloading gun – ~~February 5-18~~ ^{January 31 through February 13}.

6. Muzzleloading gun – November ~~21-23~~ ¹⁶⁻¹⁸.

7. No Change.

(b) Legal to take: All legal game, ~~hog~~, fish, frogs and furbearers. Taking of antlered deer not having at least one antler with three or more points, one inch or more in length, is prohibited. ~~No size or bag limit on hog.~~

(c) through (d) No change.

(10) Point Washington Wildlife Management Area.

(a) Open season:

1. General gun – November ~~27-30~~ ²²⁻²⁵ and December ~~13~~ ⁸ through ~~February 4~~ ^{January 30}.

2. Small game – November ~~8-26~~ ¹⁰⁻²¹, ~~November 26~~ ^{through December 1-12} ⁷ and ~~February 5~~ ^{January 31} through March ~~1~~ ².

3. Spring turkey – March ~~21~~ ¹⁵ through April ~~26~~ ²⁰.

4. Archery – October ~~18~~ ¹³ through November ~~16~~ ¹¹.

5. Muzzleloading gun – November ~~21-23~~ ¹⁶⁻¹⁸.

6. Archery and muzzleloading gun – February ~~19~~ ^{through March 1} ~~14-24~~.

7. through 8. No change.

(b) Legal to take: All legal game, fish, frogs and furbearers. ~~No size or bag limit on wild hog.~~ The take of wild hog is prohibited during small game season.

(c) No change.

(d) General regulations:

1. Vehicles may be operated only on named or numbered ~~established~~ roads.

2. through 8. No change.

9. The use of centerfire rifles for taking wild turkey during the spring turkey season is prohibited.

(11) Talquin Wildlife Management Area.

(a) Open season:

1. General gun – November ~~28-30~~ ²³⁻²⁵ and December ~~13~~ ^{through January 4} ~~8-30~~ (Fridays, Saturdays and Sundays only).

2. Small game – January ~~9~~ ⁴ through March ~~1~~ ² (Fridays, Saturdays and Sundays only).

3. Archery – October ~~18~~ ¹³ through November ~~16~~ ¹¹ (Fridays, Saturdays and Sundays only).

4. Spring turkey – March ~~21~~ ¹⁵ through April ~~26~~ ²⁰ (Saturdays and Sundays only).

5. No change.

6. Fishing and other recreational uses – Throughout the year Permitted during daylight hours only.

(b) Legal to take: All legal game, fish and furbearers. ~~No size or bag limit on wild hog.~~ The take of wild hog is prohibited during small game season.

(c) No change.

(d) General regulations:

1. Vehicles may be operated only on named or numbered roads.

2. through 3. No change.

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

5. All-terrain vehicles are prohibited.

6. The use of centerfire rifles for taking wild turkey during the spring turkey season is prohibited.

(12) Ochlockonee River Wildlife Management Area.

(a) Open season:

1. Archery and muzzleloading gun – November ~~28-30~~ 23-25 and December ~~13 through January 4~~ 8-30 (Fridays, Saturdays and Sundays only).

2. Small game – January ~~9~~ 4 through March ~~1~~ 2 (Fridays, Saturdays and Sundays only).

3. Archery – October ~~18~~ 13 through November ~~16~~ 11 (Fridays, Saturdays and Sundays only).

4. Spring turkey – March ~~21~~ 15 through April ~~26~~ 20 (Saturdays and Sundays only).

5. Fishing and other recreational uses – Throughout the year Permitted during daylight hours when hunting is not allowed.

(b) Legal to take: All legal game including gobblers or bearded turkeys, fish, frogs and furbearers. ~~No size or bag limit on wild hog.~~ The take of wild hog is prohibited during small game season.

(c) No change.

(d) General regulations:

1. through 2. No change.

3. Only modern shotguns, muzzleloading guns and bows are allowed for taking turkey permitted during the spring turkey season.

4. No change.

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

6. All-terrain vehicles are prohibited.

(13) Tate's Hell Wildlife Management Area.

(a) Open season:

1. General gun – November ~~27-30~~ 22-25 and December ~~13~~ 8 through ~~February 4~~ January 30.

2. Small game – November ~~8-26~~ 10-21, ~~November 26~~ through December 1-12 7 and ~~February 5~~ January 31 through March ~~1~~ 2.

3. Archery – October ~~18~~ 13 through November ~~16~~ 11.

4. Muzzleloading gun – November ~~21-23~~ 16-18.

5. Muzzleloading gun and archery – February ~~19~~ 14-24 through ~~March 1~~.

6. No change.

7. Duck, geese and coot – As established by Rule 68A-13.003, F.A.C.

8. No change.

9. Spring turkey – March ~~21~~ 15 through April ~~26~~ 20.

10. through 11. No change.

(b) Legal to take: All legal game, ~~hog~~, fish, frogs and furbearers. 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. The forked antler shall have at least two points one inch or greater in length. No size or bag limit on hog.

(c) No change.

(d) General regulations:

1. Deer dogs may be trained from October ~~25~~ 27 through November ~~13~~ 15.

2. through 5. No change.

6. During general gun season, the use of a light in a manner capable of disclosing the presence of wildlife from 12 a.m. (midnight) until one-half hour before sunrise is prohibited, except hunting as specified by paragraph 68A-24.002(2)(b), F.A.C. is allowed.

7. The use of centerfire rifles for taking wild turkey during the spring turkey season is prohibited.

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

(a) Open season:

1. Archery – October ~~18-26~~ 13-21.

2. Muzzleloading gun – November ~~21-23~~ 16-18.

3. Small game – November ~~8-26~~ 10-21, ~~November 26~~ through December 1-12 7, December ~~22-23~~ 17-22 and January ~~6~~ 5-30 through ~~February 4~~.

4. General gun still – November ~~27-30~~ 22-25 and December ~~13-21~~ 8-16.

5. through 6. No change.

7. Spring turkey – March ~~21-24~~ 15-18, ~~April 2-5~~ March 27-30 and ~~9-12~~ April 3-6.

8. through 9. No change.

(b) Legal to take: All legal game, fish, frogs, and furbearers. 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. The forked antler shall have at least two points one inch or greater in length. The take of wild hog is prohibited during small game season. No size or bag limit on wild hog.

(c) No change.

(d) General regulations:

1. through 2. No change.
3. The ~~use possession~~ of airboats, all-terrain vehicles, or tracked vehicles is prohibited.

4. No change.

5. The use of centerfire rifles for taking wild turkey during the spring turkey season is prohibited.

(15) Aucilla Wildlife Management Area.

(a) Open season:

1. General gun – November ~~8 10~~ through January ~~4 6~~.

2. Small game – January ~~5 7~~ through March ~~1 2~~.

3. Spring turkey – March ~~21 15~~ through April ~~26 20~~.

4. Archery – September ~~20 22~~ through October ~~19 21~~.

5. Muzzleloading gun – October ~~24-26 26-28~~.

6. No change.

7. Duck, ~~geese~~ and coot – During the duck and coot season established by Rule 68A-13.003, F.A.C.

8. No change.

9. Trapping – January ~~5 7~~ through March 1.

(b) Legal to take: All legal game, ~~hog~~, fish, frogs and furbearers. ~~No size or bag limit on hog. Antlerless deer may not be taken during the archery season.~~

(c) Camping: Prohibited, except primitive camping (tents only) is allowed at designated sites along the Florida Trail and primitive camping is allowed by permit from the Suwannee River Water Management District on District managed lands.

(d) General regulations:

1. Taking wild hog by the use of dogs is prohibited, except during general gun season in the dog hunt area (which includes that portion of the area east of State Road 59 and north of U.S. 98, west of Powell Hammock Road and south of Goose Pasture Road and that portion of the area north of Goose Pasture Road and west of Oneal Tram the Aucilla River).

2. Taking wildlife with dogs other than bird dogs or waterfowl retrievers is prohibited in the still hunt area (which includes that portion of the area south of U.S. 98 and that portion of the area north of Goose Pasture Road and east of Oneal Tram the Aucilla River).

3. Vehicles may be operated only on named or numbered roads and shall enter and exit at designated entrances.

4. through 7. No change.

~~8. Shotguns are permitted on the area during the early duck season established by Rule 68A-13.003, F.A.C.~~

~~8.9.~~ No change.

~~9.10.~~ On that portion of the area south of U.S. 98, hunting shall be restricted to small game and wild hog, except deer may be taken by bow during archery and general gun seasons.

(16) Flint Rock Wildlife Management Area.

(a) Open season:

1. Muzzleloading gun – October ~~25 27~~ through November ~~2 4~~.

2. General gun – November ~~8 10~~ through January ~~18 20~~.

3. Small game – January ~~19 21~~ through March ~~1 2~~.

4. Spring turkey – March ~~21 15~~ through April ~~26 20~~.

5. Archery – September ~~20 22~~ through October ~~19 21~~.

6. No Change.

7. Duck, ~~geese~~ and coot – During the duck and coot season established by Rule 68A-13.003, F.A.C.

8. No change.

9. Trapping – January ~~19 21~~ through March 1.

(b) Legal to take: All legal game, fish, frogs, and furbearers. Taking of antlered deer not having at least one antler with three or more points, one inch or more in length, is prohibited. The take of wild hog is prohibited during small game season. Wild hog: daily bag, 1; possession limit, 2. ~~No size or bag limit on wild hog.~~

(c) through (d) No change.

(17) Pine Log Wildlife Management Area.

(a) Open season:

1. Archery – October ~~18 13-28~~ through November 2.

2. Muzzleloading gun – November ~~21-23 16-18~~.

3. General gun – November ~~27-30 22-25~~, January ~~24-27 19-22~~ and January ~~28 23-27~~ through February 1.

4. Small game – December ~~6-31 1-31~~.

5. Spring turkey – March ~~21 15-30~~ through April 5.

6. No change.

(b) Legal to take: All legal game, fish, frogs, and furbearers. Taking of antlered deer not having at least one antler with three or more points, one inch or more in length, is prohibited. The take of wild hog is prohibited during small game season. No size or bag limit on wild hog.

(c) No change.

(d) General regulations:

1. No change.

2. Taking wildlife with dogs other than bird dogs or retrievers is prohibited, except as specifically authorized by permit.

3. through 4. No change.

5. Hunters shall check in and out at a check station when entering and exiting the area and shall check all game taken during the archery, muzzleloading gun and general gun seasons.

6. Taking wildlife with firearms and crossbows is are prohibited in the archery-only area, delineated as that portion of the area lying north of Pine Log Creek, south of Environmental Road, and west of State Road 79.

7. The use of centerfire rifles for taking wild turkey during the spring turkey season is prohibited.

(18) Eglin AFB Wildlife Management Area.

(a) Open season:

1. Archery – October ~~18 13~~ through November ~~16 11~~ in areas and during days specified by the Installation Commander.

2. Muzzleloading gun – November ~~21-23~~ ~~16-18~~ in areas specified by the Installation Commander.

3. General gun – November ~~27-30~~ ~~22-25~~, December ~~13~~ ~~8~~ through February ~~18~~ ~~3~~ in areas and during days specified by the Installation Commander.

4. Archery and muzzleloading gun – February ~~19~~ ~~4-24~~ through March ~~1~~ in areas and during days specified by the Installation Commander.

5. Small game – November ~~8~~ ~~10~~ through March ~~1~~ ~~2~~ in areas and during days specified by the Installation Commander.

6. No change.

7. Spring turkey – March ~~21~~ ~~15~~ through April ~~26~~ ~~20~~ in areas and during days specified by the Installation Commander.

8. through 10. No change.

(b) Legal to take: All legal game, fish (except as provided below), 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. Antlerless deer may be taken during established seasons by permit from the Installation Commander. The take of wild hog is prohibited during small game season.

1. through 2. No change.

(c) through (d) No change.

(19) Escambia River Wildlife Management Area.

(a) Open season:

1. General gun – November ~~27-30~~ ~~22-25~~ and December ~~13~~ ~~8~~ through ~~February 4~~ ~~January 30~~.

2. Archery – October ~~18~~ ~~13~~ through November ~~16~~ ~~11~~.

3. Muzzleloading gun – November ~~21-23~~ ~~16-18~~.

4. Archery and muzzleloading gun – February ~~19~~ ~~14-24~~ through March ~~1~~.

5. Small game – November ~~8-26~~ ~~10-21~~, ~~November 26~~ through December ~~1-12~~ ~~7~~ and ~~February 5~~ ~~January 31~~ through March ~~1~~ ~~2~~.

6. Spring turkey – March ~~21~~ ~~15~~ through April ~~26~~ ~~20~~.

7. through 9. No change.

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

(c) No change.

(d) General regulations:

1. No change.

2. Taking wildlife with dogs, other than bird dogs or retrievers, is prohibited on Parker and Morgan Islands (except in accordance with paragraph 68A-24.002(2)(b), F.A.C., when hunting raccoon) and in that portion of the area north of State Road 184, ~~Mineral Springs Road~~ in Santa Rosa County, and north of Cedartown Road and Daffin Road ~~Bogia Road~~ in Escambia County.

3. through 5. No change.

(20) Tyndall AFB Wildlife Management Area.

(a) Open season:

1. Archery – October ~~18~~ ~~13~~ through November ~~16~~ ~~11~~ during days specified by the Installation Commander.

2. Muzzleloading gun – November ~~21-23~~ ~~16-18~~.

3. General gun – November ~~27-30~~ ~~22-25~~ and December ~~13~~ ~~8~~ through February ~~18~~ ~~13~~ during days specified by the Installation Commander.

4. Supervised youth – November ~~22-23~~ ~~17-18~~, December ~~6-7~~ ~~1-2~~ and ~~20-21~~ ~~15-16~~ (only in areas designated by the Installation Commander).

5. Spring turkey – March ~~21~~ ~~15~~ through April ~~26~~ ~~20~~ during days specified by the Installation Commander.

6. Small game – November ~~8~~ ~~10~~ through March ~~1~~ ~~2~~ 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. 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) through (d) No change.

(21) Choctawhatchee River Wildlife Management Area.

(a) Open season:

1. Archery – October ~~18~~ ~~13~~ through November ~~16~~ ~~11~~.

2. Muzzleloading gun – November ~~21-23~~ ~~16-18~~.

3. General gun – November ~~27-30~~ ~~22-25~~ and December ~~13~~ ~~8~~ through ~~February 4~~ ~~January 30~~ except Holmes Creek Unit and East River Island.

4. Small game – November ~~8-26~~ ~~10-21~~, ~~December 1-12~~ through March ~~1~~ ~~2~~.

5. Archery and muzzleloading gun – February ~~19~~ ~~14-24~~ through March ~~1~~. Holmes Creek Unit and East River Island November ~~27-30~~ ~~22-25~~, December ~~13~~ ~~8~~ through ~~February 4~~ ~~January 30~~ and February ~~19~~ ~~14-24~~ through March ~~1~~.

6. Spring turkey – March ~~21~~ ~~15~~ through April ~~26~~ ~~20~~ 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 ~~21-23~~ ~~15-17~~ and ~~April 3-5~~ in that portion of the area north of the pipeline right-of-way.

7. through 9. No change.

(b) Legal to take: All legal game, ~~hog~~, fish, frogs and furbearers. In that portion of the area north of the pipeline right-of-way, turkey may be taken only during the spring turkey season and the bag limit for turkey shall be one gobbler or bearded turkey per quota permit. ~~No size or bag limit on hog.~~

(c) through (d) No change.

(22) Upper Chipola River Wildlife Management Area.

(a) Open season:

1. Archery – October ~~18-13~~ through November ~~16-11~~.
2. Muzzleloading gun – November ~~21-23-16-18~~.
3. General gun – November ~~27-30-22-25~~ and December ~~13-8~~ through January 1.
4. Small game – November ~~8-26-10-21~~, ~~November-26~~ through December ~~1-12-7~~ and January 2 through March ~~1-2~~.
5. Archery and muzzleloading gun – February ~~21-22-16-17~~ and February 28 through March ~~1-23-24~~.
6. Spring turkey – March ~~21-15~~ through April ~~26-20~~.
7. through 9. No change.

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

(c) No change.

(d) General regulations:

1. No change.
2. Taking or attempting to take deer or wild hog with the aid of dogs is prohibited.
3. No change.

(23) Yellow River Wildlife Management Area.

(a) Open seasons except in the Grassy Point area:

1. Archery – October ~~18-13~~ through November ~~16-11~~.
2. Muzzleloading gun – November ~~21-23-16-18~~.
3. General gun – November ~~27-30-22-25~~ and December ~~13-8~~ through February 4 ~~January-30~~.
4. Small game – November ~~8-26-10-21~~, ~~December-1-12~~ ~~November-26~~ through December ~~7~~ and February 5 ~~January-31~~ through March ~~1-2~~.
5. Archery and muzzleloading gun – February ~~19-14-24~~ through March 1.
6. Spring turkey – March ~~21-15~~ through April ~~26-20~~.
7. through 9. No change.

(b) Open seasons in the Grassy Point area (the area south of Weaver River):

1. General gun – November ~~27-30-22-25~~, January ~~24-27-19-22~~ and January 28 through February 1 ~~23-27~~.
2. Archery – October ~~18-24-13-19~~ and October 25 through November 2 ~~20-28~~.
3. Muzzleloading gun – November ~~21-23-16-18~~.
4. Spring turkey – March ~~21-22-15-16~~, April 4-5 ~~March-29-30~~ and ~~18-19~~ April ~~12-13~~.
5. Small game – November ~~8-16-10-15~~ and ~~19-21~~.
6. No change.

(c) Legal to Take: All legal game, ~~hog~~, fish, frogs and furbearers. ~~No size or bag limit on hog.~~

(d) No change.

(e) General regulations:

1. Vehicles may be operated only on named or numbered roads except vehicular access is prohibited from May through September on Holt Enhancement Road, North Holt Cross Road and South Holt Cross Road.

2. through 4. 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 ~~18-13~~ through November ~~16-11~~.
2. Muzzleloading gun – November ~~21-23-16-18~~.
3. General gun – November ~~27-30-22-25~~ and December ~~13-8~~ through February 4 ~~January-30~~.
4. Small game – November ~~8-26-10-21~~, ~~November-26~~ through December ~~1-12-7~~ and February 5 ~~January-31~~ through March ~~1-2~~.
5. Archery and muzzleloading gun – February ~~19-14-24~~ through March 1.
6. Spring turkey – March ~~21-15~~ through April ~~26-20~~.
7. Raccoon – November ~~8-10~~ through March ~~20-14~~ and April ~~27-21~~ through July 31.
8. Duck, geese and coot – During duck and coot season as established by Rule 68A-13.003, F.A.C.
9. No change.

(b) Open seasons in the mobility-impaired hunt area (area south of County Road 388):

1. General gun – November ~~28-30-23-25~~, January ~~16-18-11-13~~, ~~23-25-18-20~~, January 30 through February 1 ~~25-27~~ and February 4-6 ~~January-30~~ through February 1.
2. Spring turkey – March ~~21-22-15-16~~, ~~27-29-21-23~~, April ~~3-5~~ ~~March-28-30~~, ~~10-12~~ April 4-6, ~~17-19-11-13~~ and ~~24-26-18-20~~.
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 ~~18-24~~ and October 25 through November 2 ~~13-28~~.
2. Muzzleloading gun – November ~~21-23-16-18~~.
3. General gun – November ~~27-30-22-25~~, January ~~24-27-19-22~~ and January 28 through February 1 ~~23-27~~.
4. Small game – December ~~6-21-1-16~~.
5. Spring turkey – March ~~21-23-15-17~~, April 3-5 ~~March-28-30~~ and ~~17-19~~ April ~~11-13~~.
6. through 7. No change.

(d) Legal to Take: All legal game, ~~hog~~, fish (except as provided below), frogs and furbearers. In the mobility-impaired hunt area, antlerless deer (bag limit of two per three-day hunt) may be taken during general gun hunts only by persons possessing valid mobility-impaired certificates. ~~No size or bag limit on hog.~~

(e) No change.

(f) General regulations:

1. During periods open to hunting, vehicles may be operated only on named or numbered roads except in the mobility-impaired hunt area. During periods open to hunting in

the mobility-impaired hunt area, vehicles may be operated only by persons possessing a mobility-impaired quota permit or their guest mobility-impaired certificates. During periods closed to hunting, vehicular access is prohibited on Dog roads 1-8, 10, 13-17, 19, 20-28 and 33-37, Hobbs Pasture Road, Enfinger Road, Cedar Creek Loop and in the mobility-impaired area.

2. through 10. No change.

(25) Box-R Wildlife Management Area.

(a) Open season:

1. Archery – October ~~18-24~~ ~~13-19~~ and October 25 through November 2 ~~20-28~~.

2. Small game – November ~~8-20~~ ~~10-15~~.

3. Muzzleloading gun – November ~~21-23~~ ~~16-18~~.

4. General gun – November ~~27-30~~ ~~22-25~~, January ~~8-11~~ ~~3-6~~, ~~15-18~~ ~~10-13~~ and ~~22-25~~ ~~17-20~~.

5. Hog – December ~~6-12~~ ~~4-7~~.

6. Spring turkey – March ~~21-24~~ ~~15-18~~, ~~April 2-5~~ ~~March 27-30~~ and ~~16-19~~ ~~April 10-13~~.

7. Dove – Opening day during the first phase and during the remainder of the mourning dove and white-winged dove season established by Rule 68A-13.008, F.A.C., that coincides with the archery, small game, muzzleloading gun, general gun, general gun hog and spring turkey seasons.

~~8-7~~ No change.

(b) Legal to take: All legal game, ~~hog~~, fish, frogs and furbearers. The bag limit for deer shall be one antlered deer per quota permit. Antlerless deer may be taken by permit only. Taking of antlered deer not having at least one antler with three or more points, one inch or more in length, is prohibited. During spring turkey season, the bag limit for turkey shall be one gobbler or bearded turkey per quota permit. The take of wild hog is prohibited during small game season. Hog may be taken only during the archery, muzzleloading gun, hog, and general gun seasons. No size or bag limit on hog.

(c) through (d) No change.

(26) Lafayette Creek Wildlife Management Area.

(a) Open season:

1. Archery – October ~~18-24~~ ~~13-19~~ and October 25 through November 2 ~~20-28~~.

2. Muzzleloading gun – November ~~21-23~~ ~~16-18~~.

3. Family hunt – November ~~27-30~~ ~~22-25~~.

4. General gun – January ~~24-27~~ ~~19-22~~ and January 28 through February 1 ~~23-27~~.

5. Small game – December 5 through January 18 ~~November 30 through January 13~~ (Fridays, Saturdays and Sundays only).

6. Spring turkey – March ~~21~~ ~~15~~ through April ~~26~~ ~~20~~ (Saturdays and Sundays only).

7. through 8. No change.

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

(c) No change.

(d) General regulations:

1. During periods open to hunting, vehicles may be operated only on named or numbered roads. During periods when the area is closed to hunting, vehicular access is prohibited except vehicles may be used one day immediately prior to and after each season.

2. through 5. No change.

~~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.~~

(27) Wakulla Wildlife Management Area.

(a) Open season:

1. Archery – October ~~18~~ ~~13~~ through November ~~16~~ ~~11~~ (Fridays, Saturdays and Sundays only).

2. Archery and muzzleloading gun – November ~~28-30~~ ~~23-25~~, December ~~13-14~~ ~~8-9~~, ~~26-28~~ ~~21-23~~, January ~~9-11~~ ~~4-6~~ and ~~23-25~~ ~~18-20~~.

3. Small game – January ~~26~~ ~~21~~ through February ~~22~~ ~~17~~.

4. Spring turkey – March ~~21~~ ~~15~~ through April ~~26~~ ~~20~~ (Saturdays and Sundays only).

5. No change.

(b) Legal to take: All legal game, ~~hog~~, fish, frogs and furbearers. Taking of antlered deer not having at least one antler with three or more points, one inch or more in length, is prohibited. No size or bag limit on hog.

(c) No change.

(d) General regulations:

1. through 3. No change.

4. Only modern shotguns, muzzleloading guns and bows are allowed for taking turkeys during the spring turkey season.

5. No change.

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

(28) Perdido River Wildlife Management Area.

(a) Open season:

1. Archery – October ~~18~~ ~~13~~ through November ~~16~~ ~~11~~.

2. Muzzleloading gun – November ~~21-23~~ ~~16-18~~.

3. Family hunt – November ~~27-30~~ ~~22-25~~ and January ~~9-11~~ ~~4-6~~.

4. General gun – January ~~17-23~~ ~~12-18~~ and January 24 through February 1 ~~19-27~~.

5. Archery and muzzleloading gun – February ~~19~~ through March 1 ~~14-24~~.

6. No change.

7. Spring turkey – March ~~21-29~~ ~~15-23~~ and March ~~30~~ ~~24~~ through April ~~12~~ ~~6~~.

8. through 10. No change.

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

(c) No change.

(d) General regulations:

1. Vehicles may be operated only on named or numbered roads, except vehicles may not be operated on Muscogee Regen Road and Red Gate Road from May through September.

2. through 5. No change.

6. The launching or loading of any vessel with an internal combustion engine larger than 10 horsepower is prohibited at the Fillingam and Pipes boat ramps. 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.

7. Public access is prohibited from 1.5 hours after sunset until 1.5 hours before sunrise, except access is allowed throughout the year on Sand Landing Road, at designated campsites or by permit from the Northwest Florida Water Management District.

PROPOSED EFFECTIVE DATE: July 1, 2008.

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, 7-1-08.

NAME OF PERSON ORIGINATING PROPOSED RULE: Nick Wiley, Director, Division of Hunting and Game Management, 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 5, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 7, 2007

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.:	RULE TITLE:
68A-15.064	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:

Allapattah Flats WMA – allow hunters to operate vehicles on numbered trails during the small game season; and require persons to enter and exit the area only at designated entrances.

Big Cypress WMA – remove general gun quota requirement on Corn Dance, Loop and Stairsteps Units; remove daily general gun quota requirement from the 17th day of the general gun season through December 21 on the Bear Island Unit; remove general gun quota requirement on Bear Island and Turner River Units from the 10th through 16th days and from December 22 through the last day of the general gun season; remove muzzleloading gun daily quota requirement from the 10th through 16th days on Bear Island; and remove quota requirement for second archery on Deep Lake Unit.

Dinner Island Ranch WMA – establish a 114-day small game season; and change the definition of legal to take for antlered deer to those having three or more points on at least one antler, each point one inch or more in length.

Everglades and Francis S. Taylor WMA – establish a 105-day small game season; allow the take of geese, rail and gallinule during the statewide migratory bird season; allow the use of ATVs for hunting purposes only and only during archery, muzzleloading gun and general gun-walk seasons; allow the use of ATVs for scouting purposes two weeks prior to archery season and one week prior to the start of muzzleloading gun and general gun-walk seasons; allow airboats and vehicles in Conservation Areas 3A and 2 during the second general gun-walk season; prohibit commercial recreational activities in that portion of Conservation Area 3A leased to the Miccosukee Tribe of Indians of Florida unless authorized by the Miccosukee Tribe; clarify that nothing in law shall limit, diminish or abridge uses by the Miccosukee Tribe and its members who have rights guaranteed under the Indian Land Claims Settlement Act, Lease Agreement and other laws; require checking of deer and wild hog at a manned check station before quartering, dismembering, or removing them from the area on Saturdays and Sundays during the archery, muzzleloading gun and general gun-walk seasons; and allow airboats in Conservation Areas 3A South, 3B and all of 2 during the general gun-vehicle season.

Fisheating Creek WMA – expand the migratory bird hunting season to match the statewide season west of U.S. Highway 27 only.

Holey Land WMA – establish a 105-day small game season; allow the use of ATVs for hunting purposes only and only during archery, muzzleloading gun and general gun-walk seasons; and allow the use of ATVs for scouting purposes two weeks prior to archery season and one week prior to the start of muzzleloading gun and general gun-walk seasons.

J.W. Corbett WMA – expand the migratory bird hunting season to match the statewide season; prohibit use of centerfire rifles south and east of Stumper’s Grade; and require persons to enter and exit the area only at designated entrances.

Okaloacoochee Slough WMA – eliminate the dove hunts; eliminate the general gun hog hunt; establish a 2-day family hunt (quota of 40, no exemptions); make wild hog legal to take during small game season; change the definition of legal to take for antlered deer to those having three or more points on at least one antler, each point one inch or more in length; and prohibit use of centerfire rifles during spring turkey season.

Picayune Strand WMA – prohibit use of centerfire rifles during spring turkey season.

Rotenberger WMA – establish a 105-day small game season; allow the use of ATVs for hunting purposes only and only during archery, muzzleloading gun and general gun-walk seasons; allow the use of ATVs for scouting purposes two weeks prior to archery season and one week prior to the start of muzzleloading gun and general gun-walk seasons; expand the migratory bird hunting season for geese, rail and gallinule to match the statewide migratory bird season; and allow airboats during the archery, muzzleloading gun, general gun-walk and general gun-vehicle seasons for the purpose of waterfowl hunting on days when waterfowl hunting is allowed.

Spirit-of-the-Wild WMA – establish a 114-day small game season; establish dove hunts during Saturdays of the dove season (100 quota permits at check station, each hunt); change the definition of legal to take for antlered deer to those having three or more points on at least one antler, each point one inch or more in length; allow take of wildlife with bird dogs or retrievers during general gun and small game seasons and on the posted dove field during dove hunts; require dove hunters to hunt from assigned stations in the posted field and allow them to transfer assignments at the check station; issue dove permits on a first-come, first-served basis at the check station each day of a dove hunt; establish shooting hours for the dove hunts; and establish times when hunters may enter and exit the posted dove field.

Additional proposed rule changes would simplify and standardize regulations related to the take of wild hog on WMAs; liberalize regulations related to the possession of firearms, in accordance with Florida Statutes; and provide non-substantive technical changes, such as grammatical corrections, language standardization, or clarification of an existing rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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 6-7, 2008, 8:30 a.m. – 5:00 p.m., each day

PLACE: Bay Point Marriott Golf Resort & Spa, 4200 Marriott Drive, Panama City Beach, Florida 32408

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-15.064 Specific Regulations for Wildlife Management Areas – South Region.

(1) J. W. Corbett Wildlife Management Area.

(a) Open season:

1. through 6. No change.

7. Migratory game birds – Migratory game birds during seasons established by Rules 68A-13.003 and 68A-13.008, F.A.C.

8.7. Fishing and frogging – ~~Allowed Permitted~~ throughout the year except when area is closed to public access.

(b) Legal to take: All legal game, fish, furbearers and frogs. Deer daily bag one, annual bag two; wild hog annual bag one. The take of wild hog with a shoulder height of less than 20 inches is prohibited. The take of wild hog is prohibited after the first nine days of the general gun season and during small game season. Only hogs with a shoulder height of 20 or more inches may be taken. The taking of hogs will be permitted

during the archery and muzzleloading gun seasons, and the first 9 days of the general gun season. Turkeys may not be taken during the archery season.

(c) Camping: Camping is allowed from the beginning of archery season through the general gun season, only on designated campsites. Camping equipment may be set up and occupied no earlier than 8 a.m. the day prior to the opening of archery season and all vehicles, camps, tents, other camping equipment and litter removed no later than 24 hours after the close of the general gun season. During the remainder of the year when the area is open for public access, camping is allowed at designated campsites on Fridays, Saturdays and Sundays only, but campsites may not be left unattended for more than 24 hours. Campsites are available on a first-come, first-served basis. Each camper shall assure that their campsite is clean at all times. At least camping areas L and M (and 1/2 of B during archery season only) shall be designated for short-term camping, with camping being limited to no longer than three days. The alteration, defacing, moving or tampering in any way with official markings of campsites is prohibited. Only tents, trailers, or self-propelled camping vehicles may be used for camping. Kitchen stoves, refrigerators, and freezers, unless contained in mobile campers, and lumber, sheet metal or other building materials are prohibited. Permitted continuously during archery through general gun seasons, and on Fridays, Saturdays and Sundays only during the remainder of the year when the area is open.

(d) General regulations:

1. The use of rifles is prohibited within one-fourth mile of the Seaboard Coastline Railroad, the Pratt-Whitney fence and Mecca Farms. The use of centerfire rifles is prohibited south and east of Stumper's Grade.

2. through 3. No change.

4. ~~Camping is permitted from the beginning of archery season through general gun seasons, only on designated campsites. Campsites are available on a first-come, first-served basis. Each camper shall assure that their campsite is clean at all times. At least camping areas L and M (and 1/2 of B during archery season only) shall be designated for short-term camping, with camping being limited to no longer than three days. Campsites may be set up and occupied no earlier than 8:00 a.m. the day prior to the opening of archery season and all vehicles, camps, tents, and other camping equipment and litter removed no later than 24 hours after the close of the general gun season. The alteration, defacing, moving or tampering in any way with official markings of campsites is prohibited. Only tents, trailers, or self-propelled camping vehicles may be used for camping. Kitchen stoves, refrigerators, and freezers, unless contained in mobile campers, lumber, sheet metal or other building materials is prohibited. For the remainder of the year when the area is open camping is permitted at designated campsites on Fridays, Saturdays, and Sundays only but campsites may not be left unattended for more than 24 hours.~~

~~4.5.~~ No change.

~~5.6.~~ During dog training season and open periods other than designated hunting seasons, motorized vehicles may be operated only on the North, South, and Stumper's grades, on Trail 6, on Trail 3 between its junction with Tomato Field Grade and its junction with Trail 5, on Trail 5 between its junction with Trail 3 and the L-8 levee, and on the Tomato Field grade east of the Big Gopher canal. These vehicle access prohibitions shall not apply from 8:00 a.m. one day before the opening of muzzleloading gun and general gun seasons through the close of muzzleloading gun and general gun seasons.

~~6.7.~~ No deer or wild hog shall be quartered or dismembered in the hunt area or removed from the area unless checked at a check station.

~~7.8.~~ Take of wildlife with dogs is prohibited, except during general gun, small game, raccoon and dog training seasons. During small game season, only bird dogs, dogs with a shoulder height of 15 inches or less, and raccoon dogs are allowed. Dogs shall be removed the last day of the small game season. Dogs other than bird dogs, dogs with a shoulder height of 15 inches or less, or raccoon dogs are prohibited after the last day of the general gun season.

~~8.9.~~ No change.

~~9.10.~~ Deer dogs and bird dogs may be trained beginning 14 days prior to the opening of the general gun season and ending 5 days prior to the opening of the general gun season. Taking wildlife with ~~The possession of~~ guns is prohibited while training dogs.

~~10.11.~~ Within the still hunt areas, vehicles ~~Vehicles~~ may be operated only on named or numbered roads or trails ~~within the still hunt area.~~

~~11.12.~~ During raccoon season, firearms and dogs as specified in paragraph 68A-24.002(2)(b), F.A.C., may be used except in the still hunt areas.

13. through 14. renumbered 12. through 13. No change.

~~14.15.~~ Public access is allowed ~~permitted~~ throughout the year except from the Sunday two weeks prior to the opening of archery season until 8:00 a.m. the day prior to the archery season. Hiking on the Florida Trail and use of the Hungryland Boardwalk is allowed ~~permitted~~ throughout the year.

~~15.16.~~ No change.

~~16.17.~~ Dogs, vehicles, and taking wildlife with firearms or ~~and~~ crossbows are prohibited in the Bruce Bowman archery still hunt area, delineated as that portion of the area lying north of the Stumpers Grade, east of the powerline, south and west of Game Canal to the buggy bridge and west of the youth camp road to the intersection of the Stumpers Grade except that vehicles may be used on established roads to access parking lots at the youth camp, shooting range and nature interpretive center, ~~and firearms and crossbows may be possessed at Commission functions specifically authorizing their use.~~

~~17.18.~~ Taking wildlife ~~Hunting~~ on or from the nature trail, boardwalk, entrance road or parking lot in the Bruce Bowman archery still hunt area is prohibited.

~~18.19.~~ No change.

19. Persons shall enter and exit the area only at designated entrances.

(2) Hole Land Wildlife Management Area.

(a) Open season:

1. General gun – Walk, October ~~18-26~~ 20-28.

2. General gun – Vehicle, November ~~1-16~~ 3-18 (tracked vehicles ~~and airboats only~~). Deer hunting by quota permit only during the general gun-vehicle season.

3. Archery – August ~~23~~ 25 through September ~~14~~ 16.

4. Muzzleloading gun – September ~~27~~ 29 through October ~~12~~ 14.

5. Small game – November 17 through March 1.

5. through 6. renumbered 6. through 7. No change.

(b) Legal to take: All legal game (except wild turkeys), fish, frogs and furbearers. Take of antlerless deer is prohibited during ~~During~~ the archery season ~~only antlered deer may be taken~~. The bag limit for wild hog ~~of hogs~~ shall be one per day; annual bag two. The take of wild hog with a shoulder height of less than 15 inches is prohibited. The take of wild hog is prohibited during small game season. During the general gun-vehicle season, a bag limit of one wild hog per day per vehicle shall apply. The bag limit for antlered ~~of~~ deer shall be one during archery season, one during muzzleloading gun season, one during general gun-walk season and one per tag during the general gun-vehicle season.

(c) Camping – Only tents, trailers or self-propelled camping vehicles may be used for camping. Camps may not be set up in the area prior to 7 days before archery season and all vehicles, camps, tents, other camping equipment and litter must be removed no later than 6 p.m. 7 days after the close of the general gun season. The erection of any permanent structure is prohibited. During the remainder of the year, camping is allowed on Fridays, Saturdays and Sunday only, but campsites may not be left unattended for more than 24 hours. Camping is allowed only on the L-5 Levee and the Miami Canal Levee. Permitted in accordance with the provisions below.

(d) General regulations:

1. During the archery, muzzleloading gun and general gun-walk seasons, all-terrain vehicles are allowed but only for the purpose of hunting; all other vehicles are prohibited, except on levees. All-terrain vehicle access for scouting shall be allowed two weeks prior to the archery season and one week prior to the muzzleloading gun and general gun-walk seasons. During the remainder of the year, all-terrain vehicles are prohibited. During the archery, muzzleloading gun, and general gun-walk seasons, only all-terrain vehicles are permitted for hunting and all other vehicles are prohibited in the area except on levees. Airboats are prohibited during the archery,

muzzleloading, general gun-walk, and general gun-vehicle seasons except airboats used for the purpose of waterfowl duck and coot ~~duck and coot~~ hunting on days when waterfowl duck and coot ~~duck and coot~~ hunting is allowed under Rule 68A-13.003, F.A.C. While an all-terrain vehicle is in motion, no person shall occupy any platform or structure attached thereto. No all-terrain vehicle may be equipped with a steering mechanism that would enable the all-terrain vehicle to be operated from a platform or structure attached thereto.

2. Vehicles are prohibited on tree islands, strands and ~~of~~ wildlife islands.

3. No change.

4. On Saturdays and Sundays during the archery, muzzleloading gun, general gun-walk and general gun-vehicle seasons deer and wild hog may not be quartered, dismembered or removed from the area until checked at a manned check station. All hunters shall check out at a check station and record their game harvest.

5. No change.

~~6. Rifles and pistols are prohibited after the end of the general gun-vehicle season.~~

6.7. Hunting with dogs is allowed ~~permitted~~ only during the general gun-vehicle season, except that retrievers may be used during waterfowl season.

8 through 11. renumbered 7. through 10. No change..

~~12. Only tents, trailers or self-propelled camping vehicles may be used for camping. Camps may not be set up in the area prior to 7 days before archery season and all vehicles, camps, tents and other camping equipment and litter must be removed no later than 6 p.m. seven days after the close of the general gun season. The erection of any permanent structure is prohibited.~~

~~13. Camping during the period from 8 days following the close of the general gun season to 8 days prior to the archery season is permitted but only on Fridays, Saturdays and Sundays, and camps may not be left unattended for more than 24 hours during this period.~~

~~14. Camping is permitted only on the L-5 Levee and the Miami Canal Levee.~~

15. through 18. renumbered 11. through 14. No change.

(e) No change.

(3) Everglades and Francis S. Taylor Wildlife Management Area.

(a) Open season:

1. General gun – Walk, October ~~18-26~~ 20-28 Conservation Areas 3A North and 2 only. November 29 through December ~~28~~ 1-30 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 ~~1-16~~ ~~3-18~~, in Conservation Areas 3A North, 3A South, 2, and the Francis S. Taylor Wildlife Management Area by permit only.

3. Archery – August ~~23~~ ~~25~~ through September ~~14~~ ~~16~~, Conservation Area 3A North only.

4. Muzzleloading gun – September ~~27~~ ~~29~~ through October ~~12~~ ~~14~~, in Conservation Area 3A North only.

5. Small game – November 17 through March 1.

~~6.5. Migratory game birds Duck, coot, and snipe – Migratory game birds except mourning dove and white-winged dove during seasons established by Rules 68A-13.003 and 68A-13.008, F.A.C. Ducks and coots during the duck and coot season established by Rule 68A-13.003, F.A.C., and snipe during the snipe season established by Rule 68A-13.008, F.A.C.~~

~~7.6.~~ No change.

(b) Legal to take: All legal game (except turkeys), fish, frogs and furbearers. 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. The forked antler shall have at least two points one inch or greater in length. Take of antlerless deer is prohibited during ~~During the archery season only antlered deer may be taken.~~ The bag limit for wild hog ~~of hogs~~ shall be one per day and two annually. During the general gun-vehicle season, a bag limit of one wild hog per day per vehicle shall apply. The take of wild hog with a shoulder height of less than 15 inches is prohibited. The take of wild hog is prohibited during small game season. The bag limit for antlered ~~of~~ deer shall be one per season during archery, muzzleloading gun and general gun-walk seasons and one per tag during the general gun-vehicle season.

(c) Camping: Only tents, trailers or self-propelled camping vehicles may be used for camping. Camps may not be set up in the area prior to 7 days before archery season and all vehicles, camps, tents, other camping equipment and litter must be removed no later than 6 p.m. seven days after the close of the general gun season. Kitchen stoves, refrigerators, and freezers, unless contained in mobile campers or an existing permanent camp, are prohibited. The erection of any permanent structure is prohibited. Camping during the period from 8 days following the close of the general gun season to 8 days prior to the archery season is allowed but only on Fridays, Saturdays and Sundays and camps may not be left unattended for more than 24 hours during this period. Overnight camping is prohibited in areas posted as closed to camping. Permitted in accordance with the provisions below.

(d) General regulations:

1. Taking wildlife with ~~The possession of~~ guns on the levee bordering the Hillsboro Canal (L-39) is prohibited.

2. The possession of rifles or pistols is prohibited after the end of general gun walk season in Conservation Area 3A between the old Miami Canal (Mud Canal) and the New Miami

~~Canal, and after the general gun-vehicle season in Conservation Area 2 and the Francis S. Taylor Wildlife Management Area (Area 3B), and the remaining portions of Conservation Area 3A.~~

~~2.3.~~ Vehicles and airboats are prohibited on tree islands, wildlife islands and ~~or~~ tree strands. Vehicles and airboats are prohibited in that portion of the area between the Old Miami Canal (Mud Canal) and the New Miami Canal.

3.4. During the archery, muzzleloading gun and general gun-walk seasons, all-terrain vehicles are allowed but only for the purpose of hunting. All other vehicles are prohibited except vehicles are allowed on levees and during the second general gun-walk season, other vehicles and vessels are allowed in Conservation Area 3A North outside of that portion of the area between the Old Miami Canal (Mud Canal) and the New Miami Canal. All-terrain vehicle access for scouting shall be allowed two weeks prior to the archery season and one week prior to the muzzleloading gun and general gun-walk seasons. During the remainder of the year, all-terrain vehicles are prohibited. During the archery, muzzleloading gun and general gun-walk seasons, only all-terrain vehicles are permitted for hunting. While an all-terrain vehicle is in motion, no person shall occupy any platform or structure attached thereto. No all-terrain vehicle may be equipped with a steering mechanism that would enable the all-terrain vehicle to be operated from a platform or structure attached thereto.

~~4.5.~~ Access into Conservation Area 2A during the general gun-walk season is allowed ~~permitted~~ only from the L-6 Levee.

~~5.6.~~ During archery, and muzzleloading gun, ~~seasons and the first general gun-walk seasons, airboats and other vehicles except all-terrain vehicles~~ are prohibited in Conservation Area 3A North and Conservation Area 2 during legal shooting hours. Archery equipment, muzzleloading guns, and guns may be transported on boats (other than airboats) and all-terrain vehicles in Conservation Area 3A North and Conservation Area 2 during the archery, and muzzleloading gun ~~seasons and the first general gun-walk seasons,~~ respectively.

7. through 8. renumbered 6. through 7. No change.

~~8.9.~~ On Saturdays and Sundays during the archery, muzzleloading gun, general gun-walk and general gun-vehicle seasons deer and wild hog ~~hogs~~ may not be quartered or dismembered or removed from the area until checked at a manned check station.

~~9.10.~~ During the general gun-vehicle season, Conservation Areas 3A North, 3A South, ~~that portion of 2A north of the east west trail, 2B, and the Francis S. Taylor Wildlife Management Area~~ are ~~is~~ closed during legal shooting hours to vehicles and airboats except those authorized by permit. Exceptions include those vehicles and airboats authorized by permit and airboats used for the purpose of duck and coot hunting in Conservation Areas 2, 3A South, and 3B when duck and coot hunting is allowed under Rule 68A-13.003, F.A.C.

Frogging (by airboat only) in Conservation Area 3A North is allowed permitted from one hour after sunset to one hour before sunrise.

11. through 12. renumbered 10. through 11. No change.

12.13. Hunting with dogs is allowed permitted only during the general gun-vehicle season except that retrievers may be used during waterfowl season.

14. through 15. renumbered 13. through 14. No change.

16. ~~Only tents, trailers or self-propelled camping vehicles may be used for camping. Camps may not be set up in the area prior to 7 days before archery and all vehicles, camps, tents and other camping equipment and litter must be removed no later than 6:00 p.m. seven days after the close of the general gun season. The erection of any permanent structure is prohibited.~~

17. ~~Camping during the period from 8 days following the close of the general gun season to 8 days prior to the archery season is permitted but only on Fridays, Saturdays and Sundays and camps may not be left unattended for more than 24 hours during this period.~~

18. ~~Overnight camping is prohibited in areas posted as closed to camping.~~

19. through 20. renumbered 15. through 16. No change.

17.21. ~~Dogs may be trained in Francis S. Taylor Wildlife Management Area beginning the first Saturday in October and ending nine days thereafter. Taking wildlife with The possession of guns in the Francis S. Taylor Wildlife Management Area during the dog training season is prohibited.~~

22. through 23. renumbered 18. through 19. No change.

20. ~~Commercial recreational activities, such as but not limited to airboat rides, guide services or other tourist services, are prohibited in that portion of Conservation Area 3A South leased to the Miccosukee Tribe of Indians of Florida unless authorized by the Miccosukee Tribe, which has the exclusive right to provide such services in the Leased Area.~~

21. ~~Notwithstanding anything to the contrary suggested herein, nothing in law shall limit, diminish or abridge uses by the Miccosukee Tribe and its members who have rights guaranteed under the Indian Land Claims Settlement Act, Lease Agreement and other laws.~~

(e) No change.

(4) Rotenberger Wildlife Management Area.

(a) Open season:

1. General gun – Walk, October 18-26 ~~20-28~~.

2. General gun – Vehicle (~~airboats and~~ tracked vehicles only), November 1-16 ~~3-18~~ by quota permit only.

3. Archery – August 23 ~~25~~ through September 14 ~~16~~.

4. Muzzleloading gun – September 27 ~~29~~ through October 12 ~~14~~.

5. ~~Small game – November 17 through March 1.~~

6.5. ~~Migratory game birds – Migratory game birds except mourning dove and white-winged dove during the seasons established for these species in Rules 68A-13.003 and~~

68A-13.008, F.A.C. ~~Duck, coot, and snipe – Ducks and coots during the duck and coot season established by Rule 68A-13.003, F.A.C., and snipe during the snipe season established by Rule 68A-13.008, F.A.C.~~

7.6. ~~Fishing and frogging – Allowed Permitted~~ throughout the year.

(b) Legal to take: All legal game (except turkeys), furbearers, fish and frogs. Take of antlerless deer is prohibited during ~~During the~~ archery season ~~only antlered deer may be taken.~~ Wild hog Hog daily bag limit one; two annually. During the general gun-vehicle season, a bag limit of one wild hog per day per vehicle shall apply. The take of wild hog with a shoulder height of less than 15 inches is prohibited. The take of wild hog is prohibited during small game season. The bag limit for antlered ~~of~~ deer shall be one per season during archery, ~~one~~ ~~during the muzzleloading gun and one during the~~ general gun-walk seasons and one per tag during the general gun-vehicle season.

(c) Camping: Camping is allowed only on the Miami Canal, Manley Ditch and Powerline levees. Only tents, trailers or self-propelled camping vehicles may be used for camping. Camps may not be set up in the area prior to 7 days before archery season and all vehicles, camps, tents, other camping equipment and litter must be removed no later than 6:00 p.m. seven days after the close of the general gun-vehicle season. Kitchen stoves, refrigerators and freezers, unless contained in mobile campers, and lumber, sheet metal or other building materials is prohibited. The erection of any permanent structure is prohibited. Camping during the period from 8 days following the close of the general gun season to 8 days prior to the archery season is allowed but only on Fridays, Saturdays and Sundays, and camps may not be left unattended for more than 24 hours during this period. Permitted in accordance with the provisions below.

(d) General regulations:

1. No change.

2. Vehicles are prohibited on wildlife islands, tree islands, and ~~or~~ tree strands.

3. ~~The possession of rifles and pistols is prohibited after the end of the general gun-vehicle season.~~

3.4. ~~Nochange.~~

4.5. ~~On Saturdays and Sundays during the archery, muzzleloading gun, general gun-walk and general gun-vehicle seasons deer and wild hog may not be quartered, dismembered or removed from the area until checked at a manned check station. All hunters shall check out at a check station and record their game harvest.~~

6. ~~Camping is permitted only on the Miami Canal, Manley Ditch and Powerline levees. Only tents, trailers or self-propelled camping vehicles may be used for camping. Camps may not be set up in the area prior to 7 days before archery and all vehicles, camps, tents and other camping equipment and litter must be removed no later than 6:00 p.m.~~

seven days after the close of the general gun-vehicle season. Kitchen stoves, refrigerators and freezers, unless contained in mobile campers, lumber, sheet metal or other building materials is prohibited. The erection of any permanent structure is prohibited.

~~7. Camping during the period from 8 days following the close of the general gun season to 8 days prior to the archery season is permitted but only on Fridays, Saturdays and Sundays, and camps may not be left unattended for more than 24 hours during this period.~~

~~5.8. No change.~~

~~6.9. During the archery, muzzleloading gun and general gun-walk seasons, all-terrain vehicles are allowed but only for the purpose of hunting. All other vehicles are prohibited except on levees. During the archery, muzzleloading gun and general gun-walk seasons, airboats are prohibited except airboats may be used for the purpose of waterfowl hunting on days when waterfowl hunting is allowed under Rule 68A-13.003, F.A.C. All-terrain vehicle access for scouting shall be allowed two weeks prior to the archery season and one week prior to the muzzleloading gun and general gun-walk seasons. During the remainder of the year, all-terrain vehicles are prohibited. During the archery, muzzleloading gun and general gun-walk seasons only all-terrain vehicles are permitted for hunting. While an all-terrain vehicle is in motion, no person shall occupy any platform or structure attached thereto. No all-terrain vehicle may be equipped with a steering mechanism that would enable the all-terrain vehicle to be operated from a platform or structure attached thereto. Additionally, during the archery, muzzleloading gun and general gun-walk seasons, other vehicles may be operated only on levees and airboats are prohibited.~~

~~7.10. The area is closed to all vehicles and airboats during the general gun-vehicle season except vehicles those authorized by permit and airboats used for the purpose of waterfowl hunting on days when waterfowl hunting is allowed under Rule 68A-13.003, F.A.C.~~

~~11. through 17. renumbered 8. through 14. 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 13.~~

~~3. Archery – August 30 through September 28 1-30 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 4-19 6-21, except in the Deep Lake Unit.~~

~~5. Spring turkey – March 7 1 through April 12 6.~~

~~6. No change.~~

7. Fishing and frogging – ~~Allowed~~ Permitted throughout the year.

(b) Legal to take: All legal game, ~~including only deer with at least one antler five inches in length, fish, frogs, snails, and furbearers furbearing animals~~ (except bobcat and otter). ~~The take of wild hog with a shoulder height of less than 15 inches is prohibited. The take of wild hog is prohibited during small game season.~~ The taking of raccoons with a gun and light is prohibited. ~~The taking of antlerless deer is prohibited.~~ The taking of turkeys ~~or antlerless deer~~ during the archery season is prohibited. Deer, turkey and ~~wild~~ hog bag limit one per day; two annually.

(c) Camping – Permitted in accordance with the general regulations of the National Park Service. ~~Additionally, camping is allowed on the Bear Island Unit by the use of tents, trailers, and self-propelled vehicles at designated campsites only. Camping is allowed on designated campsites on other units. Primitive camping is not limited to designated campsites except on Bear Island Unit.~~

(d) General regulations:

~~1. Camping is permitted on the Bear Island Unit by the use of tents, trailers, and self-propelled vehicles at designated campsites only. Camping is permitted on designated campsites on other units. Primitive camping is not limited to designated campsites except on Bear Island.~~

~~1.2. Hunting with dogs (other than bird dogs and waterfowl retrievers) is prohibited. Hunting deer or wild hog hogs with dogs is prohibited. All dogs are prohibited in the Loop unit. The possession of dogs (other than bird dogs and waterfowl retrievers for hunting purposes) is prohibited except as authorized by National Park Service regulations. Leashed dogs may not be used for trailing wounded game.~~

~~3. through 5. renumbered 2. through 4. No change.~~

~~5.6. All hunters shall check in at a designated check station when entering the area, retain in their possession a check station pass while hunting and check out at the same check station when exiting the area and shall check all game taken. Deer, wild hog hogs and turkey may be divided or consumed in the field but each portion shall be identified by the number of the license of the person killing it and be readily traceable to the portion of the animal bearing sex identification. Jaw bones of the deer shall be saved for use by the Commission.~~

~~6.7. No change.~~

~~7.8. Taking of wildlife by use of a gun on or from rights-of-way of County Roads 839, 841, 837 or Burns Road or State Road 84 or 94 or U.S. 41 is prohibited as provided by Rule 68A-4.008, F.A.C.~~

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

~~10.11. The collection of plants, rocks, minerals, animal life, or other natural objects is allowed permitted only in accordance with written permits obtained in advance from the National Park Service.~~

~~11.12~~: No change.

~~12.13~~: Fires are allowed ~~permitted~~ only on designated camping areas or in back country campsites and must be completely extinguished prior to the user leaving the campsite.

14. through 16. renumbered 13. through 15. No change.

(6) Frog pond – Dade County.

(a) Open season:

Dove – The first, second and fourth Saturdays only during the first phase; the first and third Saturdays only during the second phase; and the first, third, and fifth Saturdays only during the third phase of the mourning dove and white-winged dove season established by Rule 68A-13.008, F.A.C.

(b) Legal to take: Mourning and white-winged doves.
Shooting hours: Noon until sunset.

(c) Camping: Prohibited. ~~Legal to take: Mourning and white-winged doves.~~

(d) General regulations:

1. through 2. No change.

3. Taking wildlife with Possession of firearms other than shotguns is prohibited. Taking wildlife with Possession of shotshells containing shot sizes other than No. 7 1/2, 8, 8 1/2; and 9 is prohibited.

4. through 6. No change.

7. Shooting hours: Noon until sunset.

(7) Okaloacoochee Slough Wildlife Management Area.

(a) Open season:

1. Archery – September ~~6-12~~ 8-14 and ~~13-21~~ 15-23.

2. Muzzleloading gun – October ~~11-13~~ 13-15.

3. Family Hunt – October 18-19.

~~4.3~~: General gun – October ~~25-28~~ 27-30 and October ~~29~~ 31 through November ~~2~~ 4.

4. ~~General gun hog – November 17-23.~~

5. Small game – November ~~22~~ 24 through December ~~14~~ 16.

6. Spring turkey – March ~~7-10~~ 1-4 and ~~11-15~~ 5-9.

~~7. Dove – Saturdays only during the mourning dove and white-winged dove season established by Rule 68A-13.008, F.A.C.~~

~~7.8~~: Fishing and frogging – Allowed ~~Permitted~~ throughout the year.

(b) Legal to take: All legal game, fish, frogs and furbearers. During the archery, muzzleloading gun, family and general gun ~~and general gun hog~~ seasons, the bag limit for deer shall be one per quota permit ~~and wild hogs may be taken with no size or bag limit. Only wild hogs may be taken during the general gun hog season.~~ The taking of antlerless deer is prohibited during archery season. During the spring turkey season, the bag limit for turkey shall be one gobbler (or bearded turkey) per quota permit. Taking of antlered deer not having at least one antler with three or more points, one inch or more in length, is prohibited.

(c) Camping: Camping is allowed ~~permitted~~ only at designated campsites during archery, muzzleloading gun, general gun, family and spring turkey ~~and general gun hog~~ seasons by individuals or parties in possession of a quota hunt permit. During the remainder of the year, camping is allowed ~~permitted~~ by Special-Use Permit issued by Division of Forestry. Only tents, trailers, or self-propelled camping vehicles may be used for camping.

(d) General regulations:

1. Hunting with dogs is prohibited except bird dogs and retrievers may be used ~~on posted dove fields during established dove hunts and throughout the area~~ during small game season.

2. No change.

3. Vehicles may be operated only on named or numbered roads. During the archery, muzzleloading gun, family and general gun, ~~and general gun hog~~ seasons, vehicles also may be operated on named or numbered trails by individuals possessing a valid quota hunt permit.

4. Horses are allowed ~~permitted~~ on named or numbered roads or designated trails only.

5. No change.

6. No deer, wild hog or turkey shall be dismembered until checked at a check station.

7. No change.

8. The use of centerfire rifles for taking wild turkey during the spring turkey season is prohibited. ~~Shooting hours for dove hunts shall be from noon until sunset. Hunters may enter the posted field one hour before shooting time and shall exit the field within one hour after sunset.~~

~~9. Dove hunters shall hunt from assigned stations in the posted field. Hunt station assignments may be transferred at the check station.~~

~~10. Dove field permits shall be issued on a first come, first served basis at the check station on the day of each dove hunt.~~

(8) Fisheating Creek Wildlife Management Area.

(a) Open season:

1. Archery – September ~~12-14~~ 14-16 and ~~19-21~~ 21-23 west of U.S. Highway 27 only.

2. Muzzleloading gun – October ~~10-12~~ 12-14 and ~~17-19~~ 19-21 west of U.S. Highway 27 only.

3. General gun – ~~October 31 through~~ November ~~2~~ 2-4 and ~~21-23~~ 23-25 west of U.S. Highway 27 only.

4. Spring turkey – March ~~7-10~~ 1-4, ~~13-16~~ 7-10, ~~20-23~~ 14-17, ~~27-30~~ 21-24 and ~~April 3-6~~ 28-31 west of U.S. Highway 27 only.

5. Special-opportunity spring turkey – March ~~7-13~~ 1-7 and ~~21-27~~ 15-21 east of U.S. Highway 27 only.

6. General gun hog – December ~~6-7~~ ~~8-9~~ west of U.S. Highway 27 only.

7. Migratory game birds – Migratory game birds during seasons established by Rules 68A-13.003 and 68A-13.008, F.A.C. west of U.S. Highway 27 only.

~~8.7. Fishing and frogging – Allowed Permitted~~ throughout the year.

(b) Legal to take: All legal game, fish, frogs and furbearers except that turkeys may not be taken during the archery season. The bag limit for deer shall be one per quota hunt permit. ~~Wild hogs may be taken with no size or bag limit.~~ During the spring turkey and special-opportunity spring turkey seasons, the bag limit for turkey shall be one gobbler (or bearded turkey) per permit. During the general gun hog season, only wild hog hogs may be taken.

(c) Camping: Primitive camping is allowed permitted year-round throughout the area, except at the concessionaire-operated public campground in Palmdale. At the Palmdale campground, camping Camping at the Palmdale campground shall be by permit only; and only tents, trailers or self-propelled camping vehicles may be used.

(d) General regulations:

1. through 6. No change.

~~7. Only tents, trailers, or self-propelled camping vehicles may be used for camping.~~

~~7.8. No change.~~

(9) Picayune Strand Wildlife Management Area.

(a) Open season:

1. Archery – September ~~6-21~~ ~~8-23~~.

2. Muzzleloading gun – October ~~11-13~~ ~~13-15~~.

3. General gun – October ~~25-28~~ ~~27-30~~ and October ~~29~~ ~~31~~ through November ~~2~~ ~~4~~.

4. Small game – November ~~8-23~~ ~~10-25~~.

5. Spring turkey – March ~~7-10~~ ~~1-4~~ and ~~11-15~~ ~~5-9~~.

6. No change.

7. Fishing and frogging – Allowed Permitted throughout the year.

(b) Legal to take: All legal game, fish, frogs and furbearers. During the archery season, the bag limit for deer and wild hog hogs shall be one each. During the muzzleloading gun and general gun seasons, the bag limit for deer and wild hog hogs shall be one each per quota permit. Wild hog: daily bag, 1; possession limit, 2. The take of wild hog with a shoulder height of less than 15 inches is prohibited. The take of wild hog is prohibited during small game season. Only wild hogs with a shoulder height of 15 inches or greater may be taken. The taking of antlerless deer and turkey is prohibited during archery season. During the spring turkey season, the bag limit for turkey shall be one gobbler (or bearded turkey) per quota permit.

(c) Camping: Camping is allowed permitted by Special-Use Permit issued by the Division of Forestry. Only tents, trailers, or self-propelled camping vehicles may be used for camping.

(d) General regulations:

1. through 4. No change.

5. No deer, wild hog or turkey shall be dismembered until checked at a check station.

6. No change.

7. The use of centerfire rifles for taking wild turkey during the spring turkey season is prohibited.

(10) Dinner Island Ranch Wildlife Management Area.

(a) Open season:

1. Archery – September ~~6-12~~ ~~8-14~~ and ~~13-21~~ ~~15-23~~.

2. Muzzleloading gun – October ~~11-13~~ ~~13-15~~.

3. General gun – October ~~25-28~~ ~~27-30~~ and October ~~29~~ ~~31~~ through November ~~2~~ ~~4~~.

4. Small game – November 10-14 and November 17 through March 1.

~~5.4. Family hunt – November 8-9~~ ~~10-11~~ and ~~15-16~~ ~~17-18~~.

~~6.5. Spring turkey – March 7-10~~ ~~1-4~~ and ~~11-15~~ ~~5-9~~.

~~7.6. No change.~~

~~8.7. Fishing and frogging – Allowed Permitted~~ throughout the year.

(b) Legal to take: All legal game, fish, frogs and furbearers. The bag limit for deer, turkey, and wild hog hogs shall be one per person per quota hunt permit. The taking of antlerless deer and turkey is prohibited during archery season. Taking of antlered deer not having at least one antler with three or more points, one inch or more in length, is prohibited. The take of deer is prohibited during the family hunt. The take of wild hog with a shoulder height of less than 15 inches is prohibited. The take of wild hog is prohibited during small game season. Wild hog: daily bag, 1; possession limit, 2. During the family hunt, only wild hog may be taken.

(c) Camping: Camping is allowed permitted only at designated campsites. Only tents, trailers, or self-propelled camping vehicles may be used for camping.

(d) General regulations:

1. through 3. No change.

4. Horses are prohibited during archery, muzzleloading gun, general gun, family hunt and spring turkey seasons periods open to hunting except during dove hunts on the established dove field. Horses are allowed permitted on named or numbered roads and named or numbered designated equestrian trails only.

5. No change.

6. No deer, wild hog or turkey shall be dismembered until checked at a check station.

7. through 10. No change.

(11) Spirit-of-the-Wild Wildlife Management Area.

(a) Open season:

1. Archery – September ~~6-12~~ ~~8-14~~ and ~~13-21~~ ~~15-23~~.
2. Muzzleloading gun – October ~~11-13~~ ~~13-15~~.
3. General gun – October ~~25-28~~ ~~27-30~~ and October ~~29~~ ~~31~~ through November ~~2~~ ~~4~~.
4. Small game – November 8 through March 1.
- 5.4. Spring turkey – March ~~7-10~~ ~~1-4~~ and ~~11-15~~ ~~5-9~~.
6. Dove – Saturdays only during the mourning dove and white-winged dove season established by Rule 68A-13.008, F.A.C.
7. ~~5.~~ Fishing and frogging – ~~Allowed~~ ~~Permitted~~ throughout the year.
 - (b) Legal to take: All legal game, fish, frogs and furbearers. The bag limit for deer, turkey, and wild ~~hog~~ ~~hogs~~ shall be one per quota hunt permit. The taking of antlerless deer and turkey is prohibited during archery season. Taking of antlered deer not having at least one antler with three or more points, each point one inch or more in length, is prohibited. The take of wild hog with a shoulder height of less than 15 inches is prohibited. The take of wild hog is prohibited during small game season. Wild hog: daily bag, 1; possession limit, 2.
 - (c) No change.
 - (d) General regulations:
 1. Taking wildlife ~~Hunting~~ with dogs is prohibited ~~except bird dogs or retrievers are allowed on the posted dove field during established dove hunts and during general gun and small game seasons.~~
 2. through 3. No change.
 4. Horses are prohibited during periods open to hunting. During non-hunting periods, horses are ~~allowed~~ ~~permitted~~ on named or numbered roads and on designated equestrian trails only.
 5. No change.
 6. No deer, wild hog or turkey shall be dismembered until checked at a check station.
 7. No change.
 8. Shooting hours for dove hunts shall be from noon until sunset. Hunters may enter the posted field one hour before shooting time and shall exit the field within one hour after sunset.
 9. Dove hunters shall hunt from assigned stations in the posted field. Hunt station assignments may be transferred at the check station.
 10. Dove field permits shall be issued on a first-come, first-served basis at the check station on the day of each dove hunt.
- (12) Allapattah Flats Wildlife Management Area.
 - (a) Open season:
 1. Archery – September ~~6-12~~ ~~8-14~~ and ~~13-21~~ ~~15-23~~.
 2. Muzzleloading gun – October ~~11-13~~ ~~13-15~~.
 3. Family hunt – October ~~25-28~~ ~~27-30~~.
 4. General gun – October ~~29~~ ~~31~~ through November ~~2~~ ~~4~~.

5. Small game – November ~~8~~ ~~10~~ through the first Sunday in January.
 6. Spring turkey – March ~~7-10~~ ~~1-4~~ and ~~11-15~~ ~~5-9~~.
 7. Fishing – ~~Allowed~~ ~~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) No change.
 - (d) General regulations:
 1. No change.
 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. During the small game season, vehicles may be operated on numbered trails and named or numbered roads.
 3. through 6. No change.
 7. Horses are ~~allowed~~ ~~permitted~~ on named equestrian trails and designated equestrian areas only.
 8. Taking wildlife with ~~The possession or use of~~ firearms other than shotguns is prohibited during the small game season.
 9. Persons shall enter and exit the area only at designated entrances.
- PROPOSED EFFECTIVE DATE: July 1, 2008.
- 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, ~~7-1-08~~.
- NAME OF PERSON ORIGINATING PROPOSED RULE: Nick Wiley, Director, Division of Hunting and Game Management, 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 5, 2007
- DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 7, 2007

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 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 Northeast Region as follows:

Buck Lake WMA – add a five day gap between the first and second archery hunt.

Bull Creek WMA – change the definition of legal to take for antlered deer to those having at least one antler with three or more points, each point one inch or more in length; require camping equipment to be removed one day after the end of the muzzleloading gun, small game, and spring turkey seasons; and remove the requirement that hunters obtain a daily check station permit for the Crabgrass Creek portion of the WMA during small game season.

Caravelle Ranch WMA – change the definition of legal to take for antlered deer to those having at least one antler with three or more points, each point one inch or more in length and a bag limit of one antlered or one antlerless deer per permit, per person, per season during the archery season; a bag limit of one antlered deer per permit, per person, per season during the muzzleloading gun and general gun seasons, allow only one quota permit to be utilized per person per season during all seasons which deer are legal to take; and change the opening day of the supervised small game season from Sunday to Saturday.

Dunns Creek WMA – allow a youth or mentor license holder to accompany a quota permit holder.

Etoniah Creek WMA – prohibit the use of centerfire rifles during the spring turkey season; no longer require that hunters check in and out at self-service boxes and report all game taken; and allow horses on the area year-round.

Fort Drum WMA – establish a bag limit of one antlered deer per special-opportunity permit, per person, per season; establish a bag limit of one gobbler (or bearded turkey) per special-opportunity permit, per person, per season; allow only one special-opportunity permit to be utilized per person, per season; allow tent camping only at the designated campsite; and require that deer, wild hog and turkey be checked at the check station before being dismembered.

Guana River WMA – change the definition of legal to take for antlered deer to those having at least one antler with three or more points, each point one inch or more in length and a bag limit of one antlered or one antlerless deer per permit, per person, per hunt during the archery season; a bag limit of one antlered deer per permit, per person, per hunt during the muzzleloading gun and general gun seasons; allow only one quota permit to be utilized per person per hunt during all seasons which deer are legal to take; and establish a spring turkey season with two, 3-day hunts (quota of six, no exemptions);

Half Moon WMA – technical changes to clarify rules related to the taking of deer.

Jumper Creek WMA – add geese as legal to take during the waterfowl season.

Lake George WMA – prohibit the use of centerfire rifles during the spring turkey season.

Lake George WMA – Dexter/Mary Farms Unit – establish a bag limit of one antlered and one antlerless deer per quota permit during the archery season; eliminate the special-opportunity dove season; eliminate the general gun hog season; add wild hog as legal to take during the small game season; and prohibit the use of centerfire rifles during the spring turkey season.

Lake Panasoffkee WMA – convert the special-opportunity hog seasons to general gun hog seasons; and extend scouting hours during spring turkey season to 1.5 hours before sunrise until 1.5 hours after sunset.

Matanzas WMA – prohibit the use of centerfire rifles during spring turkey season; and move duplications of the rules for Family Hunts from area specific regulations to Rule 68A-15.005, F.A.C.

Ocala WMA – establish a 9-day general gun still hunt (quota of 225) one week after the general gun dog hunt on the Church Lake Unit; prohibit hunting from the right-of-way of Deerhaven Road and North Boulevard; and eliminate the quota on the Pipeline Unit during the general gun season.

Relay WMA – allow the take of wild hogs, without the use of dogs, during the small game season; require camping equipment be removed by the Saturday following spring turkey season; and no longer require that hunters check in and out at self-service boxes and report all game taken.

Richloam WMA – establish a new 3-day general gun hog-dog season (no quota); and reduce the requirement for hunters to check game to the first nine days of the general gun season and during the spring turkey season.

Richloam WMA: Baird Unit – change the definition of legal to take for antlered deer to those having at least one antler with three or more points, each point one inch or more in length and a bag limit of one antlered or one antlerless deer per permit, per person, per hunt during the archery season; a bag limit of one antlered deer per permit, per person, per hunt during the muzzleloading gun and general gun seasons; allow only one

quota permit to be utilized per person per hunt during all seasons which deer are legal to take; and establish a new 3-day general gun hog season (quota of 50, no exemptions); prohibit use of centerfire rifles for taking turkey during the spring turkey season; and remove requirement to check game during the small game season.

Rock Springs Run WMA – allow possession of handguns on the area but prohibit their use for taking wildlife; require hunters to enter and exit only at designated entrances; require hunters to obtain a permit at the check station to hunt the West BMK portion of the area; and require that hunters access the West BMK portion only from Old McDonald Road.

Ross Prairie WMA – no longer require that hunters check in and out at self-service boxes and report all game taken.

Seminole Forest WMA – change the definition of legal to take for antlered deer to those having at least one antler with three or more points, each point one inch or more in length and a bag limit of one antlered and one antlerless deer per permit, per person, per hunt during the archery season; a bag limit of one antlered deer per permit, per person, per hunt during the muzzleloading gun and general gun seasons; allow only one quota permit to be utilized per person per hunt during all seasons which deer are legal to take; and prohibit the use of centerfire rifles during the spring turkey season.

Seminole Forest WMA: Lake Tracy Unit – increase the quota for archery, muzzleloading gun, and general gun hunts from 10 to 20; increase the quota for spring turkey season from 5 to 10; and prohibit the use of centerfire rifles during the spring turkey season; and no longer require that hunters check in and out at self-service boxes and report all game taken.

Seminole Ranch WMA – allow centerfire rifles during the general gun season; allow handguns; and revise quota for the general gun hog hunt by issuing 25 permits by general gun quota application for the first two days of the season and issue 25 permits first-come, first-served at the check station for the last five days of the season.

Three Lakes WMA – eliminate the second general gun dog hunt; and require camping equipment to be removed one day after the end of the muzzleloading gun, small game, and spring turkey seasons

Three Lakes WMA – Prairie Lakes Unit – allow waterfowl hunters to access the Lake Jackson boat ramp during all open seasons.

Tiger Bay WMA – prohibit the use of centerfire rifles during the spring turkey season; and no longer require that hunters check in and out at self-service boxes and report all game taken.

Tiger Bay WMA: Rima Ridge Unit – prohibit the use of centerfire rifles during the spring turkey season; and no longer require that hunters check in and out at self-service boxes and report all game taken.

Tosohatchee WMA – increase the daily-use permit fee from \$3 per car to \$4 per person to match the previous lead managing agency's fee structure; and add fish and frogs as legal to take.

Triple N Ranch WMA – establish a bag limit of one antlered deer per special-opportunity permit, per person, per season; establish a bag limit of one gobbler (or bearded turkey) per special-opportunity permit, per person, per season; allow only one special-opportunity permit to be utilized per person, per season; allow take of wild hog with no size or bag limit; and allow authorized hunting equipment to be taken onto the area when vehicular access is allowed.

Additional proposed rule changes would simplify and standardize regulations related to the take of wild hog on WMAs; liberalize regulations related to the possession of firearms, in accordance with Florida Statutes; and provide non-substantive technical changes, such as grammatical corrections, language standardization, or clarification of an existing rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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 6-7, 2008, 8:30 a.m. – 5:00 p.m., each day.

PLACE: Bay Point Marriott Golf Resort & Spa, 4200 Marriott Drive, Panama City Beach, Florida 32408

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-15.065 Specific Regulations for Wildlife Management Areas – Northeast Region.

(1) Bull Creek Wildlife Management Area.

(a) Open season:

1. General gun – November ~~8-10~~ through January ~~4-6~~.

2. Small game – January ~~5-7~~ through March ~~1-2~~.

3. Spring turkey – March ~~21-15~~ through April ~~26-20~~.

4. Archery – September ~~20-22~~ through October ~~19-21~~. An archery/muzzleloading gun A special quota permit will be required for the September 20-21 22-23 hunt.

5. Muzzleloading gun – October ~~24-26 26-28~~.

6. No change.

(b) Legal to take: All legal game, ~~wild hogs~~, fish, frogs and furbearers (except bobcat and otter). Any deer except spotted fawns may be taken during the archery season. During the muzzleloading gun and general gun seasons, antlerless deer may be taken by permit only. Taking of antlered deer not having at least one antler with three or more points, one inch or more in length, is prohibited. Taking wild hog is prohibited during small game season. There shall be no bag or size limit restrictions on wild hogs.

(c) Camping: Allowed Permitted only at designated campgrounds during periods in which hunting is allowed and throughout the year at designated campsites on the Florida National Scenic Trail provided that access to area is via the Trail. Camping equipment is only allowed on the area after 8 a.m. seven days prior to the archery season until 6 p.m. one day after the muzzleloading gun season, after 8 a.m. seven days prior to the general gun season until 6 p.m. one day after the small game season, and after 8 a.m. seven days prior to the spring turkey season until 6 p.m. one day after the spring turkey season. Camping equipment may be taken onto the area after 8 a.m. seven days prior to the opening of archery season and shall be removed from the area before 6 p.m. seven days following the end of the spring turkey season. Camping shall be allowed from 8 a.m. one day prior to each season through 6 p.m. one day following each season. Only tents, trailers or self-propelled camping vehicles may be used for camping.

(d) General regulations:

1. Persons hunting on the Crabgrass Creek portion of the area shall have a daily permit issued from the check station in their possession (except during the small game season) and shall enter and exit at the designated entrance point on Crabgrass Road.

2. through 3. No change.

4. No deer or wild hog shall be quartered or otherwise dismembered in the hunt area.

5. through 6. No change.

7. The use of centerfire rifles for taking wild turkey during the spring turkey season is prohibited. The possession of centerfire rifles is prohibited during spring turkey season.

8. No change.

(2) Ft. McCoy Wildlife Management Area.

(a) Open season:

1. General gun – November ~~8-10~~ through January ~~4-6~~.

2. Small game – January ~~5-25 7-27~~.

3. Archery – September ~~20-22~~ through October ~~19-21~~.

4. Muzzleloading gun – October ~~25-27~~ through November ~~2-4~~.

5. Spring turkey – March ~~21-15~~ through April ~~26-20~~.

6. No change.

(b) Legal to take: All legal game, fish, frogs and furbearers. Taking of wild hog with a shoulder height of less than 15 inches is prohibited. The take of wild hog is prohibited after the first nine days of the general gun season and during small game season. Wild hog – daily bag 1, possession limit 2. Wild hogs may be taken only during archery or muzzleloading gun seasons and during the first 9 days of the general gun season.

(c) No change.

(d) General regulations:

1. through 5. No change.

6. The use of centerfire rifles for taking wild turkey during the spring turkey season is prohibited. The possession of centerfire rifles is prohibited during spring turkey season.

7. No change.

(3) Ocala Wildlife Management Area.

(a) Open season:

1. General gun – November ~~8-10~~ through January ~~4-6~~ (Church Lake Unit – first 9 days only).

2. General gun still – November 22-30 (Church Lake Unit only).

~~3.2.~~ Small game – January ~~5-7~~ through March ~~1-2~~.

~~4.3.~~ Archery – September ~~20-22~~ through October ~~19-21~~.

~~5.4.~~ Muzzleloading gun – October ~~24-26 26-28~~, on the Church Lake, Hopkins Prairie and Lake Delancy Management Units only.

~~6.5.~~ Fox, bobcat and raccoon – November ~~8-10~~ through April ~~12-13~~.

~~7.6.~~ No change.

~~8.7.~~ Spring turkey – March ~~26-29 20-23~~, April ~~2-5 27-30~~, ~~9-12 April 3-6~~ and ~~16-19 10-13~~.

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

(b) Legal to take:

1. All legal game (except antlerless deer), fish, frogs and furbearers. During the spring turkey season the bag limit shall be one gobbler or bearded turkey per quota hunt permit. Antlered deer Deer may only be taken in the Church Lake Unit during the archery season, muzzleloading gun season, ~~and~~ the first 9 days of general gun season and the general gun still season. Deer daily bag one, no season bag.

2. Furbearing animals – During the November ~~8~~ ~~10~~ 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 ~~2~~ ~~3~~ through April ~~12~~ ~~13~~ 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 ~~5~~ ~~7~~ through April ~~12~~ ~~13~~, 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 3. No change.

4. Hunting with dogs is prohibited in the Hopkins Prairie and Lake Delancy management units, except bird dogs and retrievers are allowed during small game, early duck, dove, and duck and coot seasons. Taking deer with dogs is prohibited in the Church Lake Unit during the general gun still hunt. Caged or leashed hunting dogs may be transported on established numbered roads.

5. Taking of wildlife by use of a gun on or from rights-of-way of all paved roads, Forest Road 538 from State Road 42 to County Road 445, Forest Road 573, Forest Road 588, Blue Creek Lodge Road, Deerhaven Road, North Boulevard, Forest Road 10 east of Forest Road 65, Forest Road 65 south of Forest Road 10, Forest Road 79 south of Forest Road 76 or that portion of any road adjacent to posted lands, and all Forest Service, county and state roads in the Church Lake Unit is prohibited as provided by Rule 68A-4.008, F.A.C.

6. through 7. No change.

8. Dogs may be used to pursue rabbits from January ~~5~~ ~~7~~ through April ~~12~~ ~~13~~ 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. The use of centerfire rifles for taking wild turkey during the spring turkey season is prohibited. The possession of centerfire rifles is prohibited during the spring turkey season.

(e) No change.

(4) Richloam Wildlife Management Area.

(a) Open season:

1. General gun – November ~~8~~ ~~10~~ through January ~~4~~ ~~6~~.

2. Spring turkey – March ~~21~~ ~~15~~ through April ~~26~~ ~~20~~.

3. Archery – September ~~20~~ ~~22~~ through October ~~19~~ ~~21~~.

4. Fishing and frogging – Throughout the year except on the fish hatchery.

5. Trapping – January ~~5~~ ~~7~~ through March 1.

6. General gun hog-dog – January 6-8.

(b) Legal to take: All legal game (except antlerless deer), fish, frogs and furbearers. Only wild hog may be taken during the general gun hog-dog season. No size or bag limit on wild hogs.

(c) No change.

(d) General regulations:

1. All persons ~~Hunters~~ shall enter or exit the area at designated entrances ~~located on State Roads 471, 50, 565, Lacoochee Grade and Center Grade.~~

2. No change.

3. During the spring turkey season and the first nine days of general gun season, hunters ~~Hunters~~ shall check all game taken at a check station before leaving the area.

4. through 6. No change.

7. The taking of wild hogs by the use of dogs is prohibited, except during the general gun hog-dog season.

8. No change.

9. The use of centerfire rifles for taking wild turkey during the spring turkey season is prohibited. The possession of centerfire rifles is prohibited during the spring turkey season.

10. through 11. No change.

(5) Richloam Wildlife Management Area – Baird Unit.

(a) Open season:

1. Archery – September ~~20~~ ~~22~~ through October ~~5~~ ~~7~~.

2. Muzzleloading gun – October ~~24-26~~ ~~26-28~~.

3. General gun – November ~~8-11~~ and ~~12-16~~ ~~10-18~~.

4. General gun hog – January 6-8.

~~5.4.~~ Spring turkey – March ~~21-23~~ ~~15-17, 27-29~~ ~~21-23~~ and April 3-5 ~~28-30~~.

~~6.5.~~ Small game – January ~~10~~ ~~12~~ through February ~~15~~ ~~17~~.

~~7.6.~~ No change.

(b) Legal to take: All legal game, ~~hog~~, fish, frogs and furbearers. One antlered and one antlerless deer may be taken per person per permit during the archery season. One antlered deer may be taken per person per permit during the muzzleloading gun and general gun seasons. Taking of antlered deer not having at least one antler with three or more points, one inch or more in length, is prohibited. Only one quota permit may be utilized per person, per season. Only wild hog may be taken during the general gun hog season. Antlerless deer may be taken by permit only during the muzzleloading gun and general gun seasons. No size or bag limits on hog.

(c) No change.

(d) General regulations:

1. through 6. No change.

~~7. Small game hunters shall sign in and out upon entry or exit and record their harvest at a game registration box.~~

~~7.8.~~ Taking wildlife with Possession of guns is prohibited on the James A. Van Fleet State Trail except at designated crossings. Hunters shall transport guns across the State Trail only at designated crossings.

~~8.9.~~ No change.

9. The use of centerfire rifles for taking wild turkey during the spring turkey season is prohibited.

(6) Three Lakes Wildlife Management Area.

(a) Open season:

1. General gun – November ~~8-10~~ through January ~~4-6~~.
2. Small game – January ~~5-7~~ through March ~~1-2~~.
3. Spring turkey – March ~~21-15~~ through April ~~26-20~~.
4. Archery – September ~~20-22~~ through October ~~19-21~~.
5. No change.
6. Muzzleloading gun – October ~~24-26~~ ~~26-28~~.
7. General gun for mobility impaired – ~~October 31 through November 2~~ ~~November 2-4~~.

8. General gun-dog – December ~~4-7~~ ~~6-9~~, ~~20-23~~ and ~~25-28~~ ~~27-30~~ in that area between the Florida Turnpike and U.S. 441 only.

9. No change.

(b) Legal to take: All legal game, fish, alligators as specified in Rule 68A-25.042, F.A.C., frogs and furbearers. The take of wild hog is prohibited during small game season and general-gun dog season. ~~Hogs may be taken only during the archery, muzzleloading gun, general gun for the mobility impaired, and the general gun seasons with no size or bag limit. Taking of hogs during the general gun dog seasons shall be prohibited.~~

(c) Camping: Permitted only at designated hunter campsites during the periods in which hunting is allowed and at designated campsites on the Florida Trail throughout the year. Camping equipment is only allowed on the area after 8 a.m. seven days prior to the archery season until 6 p.m. one day after the muzzleloading gun season, after 8 a.m. seven days prior to the general gun season until 6 p.m. one day after the small game season, and after 8 a.m. seven days prior to the spring turkey season until 6 p.m. one day after the spring turkey season. ~~Camping equipment may be taken onto the area after 8:00 a.m. seven days prior to the opening of archery season and shall be removed from the area before 6:00 p.m. seven days following the end of the spring turkey season. Camping shall be allowed from 8 a.m. one day prior to each season through 6:00 p.m. one day following each season.~~

(d) General regulations:

1. through 6. No change.

7. No deer or wild hog shall be quartered or otherwise dismembered until it has been checked and tagged at a check station.

8. through 9. No change.

10. The use of centerfire rifles for taking wild turkey during the spring turkey season is prohibited. ~~The possession of centerfire rifles is prohibited during the spring turkey season.~~

11. through 13. No change.

(e) No change.

(7) Three Lakes Wildlife Management Area – Prairie Lakes Unit, Three Lakes Wildlife Management Area.

(a) Open season:

1. Archery – September ~~26-28~~ ~~28-30~~ and October ~~3-5~~ ~~5-7~~.

2. Muzzleloading gun – October ~~24-26~~ ~~26-28~~.

3. General gun – November ~~14-16~~ ~~16-18~~ and ~~21-23~~ ~~23-25~~.

4. Small game – December ~~6-28~~ ~~8-30~~.

5. Spring turkey – March ~~21-23~~ ~~15-17~~, ~~April 3-5~~ ~~28-30~~ and ~~17-19~~ ~~April 11-13~~.

6. No change.

7. General gun hog – November ~~28-30~~ ~~30~~ through ~~December 2~~ and January ~~2-4~~ ~~4-6~~.

(b) Legal to take: All legal game, fish, frogs and furbearers. During the archery, muzzleloading gun and general gun seasons, antlerless deer may be taken by permit only. The bag limit for antlered deer shall be one per quota hunt permit. The take of wild hog is prohibited during small game season. During the spring turkey season the bag limit for turkey shall be one gobbler or bearded turkey per quota hunt permit. Only wild hogs may be taken during the general gun hog season. ~~There shall be no bag or size limit restrictions on hogs.~~

(c) No change.

(d) General regulations:

~~1. A quota hunt permit shall be required for every hunter entering the area except during the small game season.~~

~~1.2. The use of centerfire rifles for taking wild turkey during the spring turkey season is prohibited.~~ ~~The possession of centerfire rifles is prohibited during the spring turkey season.~~

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

~~6.7.~~ No deer, wild hog or turkey shall be dismembered until checked at the check station.

(8) Tiger Bay Wildlife Management Area.

(a) Open season:

1. General gun – November ~~8-10~~ through January ~~4-6~~.

2. Archery – September ~~20-22~~ through October ~~19-21~~.

3. Muzzleloading gun – October ~~24-26~~ ~~26-28~~.

4. Small game – January ~~5-7~~ through March ~~1-2~~.

5. Spring turkey – March ~~21-23~~ ~~15-17~~, ~~April 3-5~~ ~~28-30~~ and ~~17-19~~ ~~April 11-13~~.

6. No change.

(b) 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) No change.

(d) General regulations:

1. through 2. No change.

~~3. All persons shall register at designated entrances and record their game or fish harvest upon leaving.~~

4. through 5. renumbered 3. through 4. No change.

5. The use of centerfire rifles for taking wild turkey during the spring turkey season is prohibited.

6. through 8. No change.

(9) Tiger Bay Wildlife Management Area – Rima Ridge Unit.

(a) Open season:

1. General gun – November ~~8-16~~ ~~10-18~~.
2. Archery – September ~~20-22~~ through October ~~5-7~~.
3. Muzzleloading gun – October ~~24-26~~ ~~26-28~~.
4. Small game – November ~~20-22~~ through December ~~28-30~~.
5. Spring turkey – March ~~21-23~~ ~~15-17~~, ~~April 3-5~~ ~~28-30~~ and ~~April 17-19~~ ~~11-13~~.
6. through 7. No change.

(b) Legal to take: All legal game, turkeys, fish, frogs and furbearers. The take of wild hog is prohibited during small game season. During the archery, muzzleloading gun and general gun seasons, the bag limit for deer shall be one per hunter. ~~No size or bag limit on wild hogs.~~ During the spring turkey season, the bag limit shall be one gobbler (or bearded turkey) per quota permit.

(c) No change.

(d) General regulations:

1. through 2. No change.
3. ~~All persons shall register at designated entrances and record their game or fish harvest upon leaving.~~

~~3.4. No change.~~

4. The use of centerfire rifles for taking wild turkey during the spring turkey season is prohibited.

5. through 6. No change.

(10) Relay Wildlife Management Area.

(a) Open season:

1. General gun – November ~~8-10~~ through January ~~4-6~~.
2. Archery – September ~~20-22~~ through October ~~19-21~~.
3. Muzzleloading gun – October ~~25-27~~ through November ~~2-4~~.
4. Small game – January ~~5-7~~ through March ~~1-2~~.
5. Spring turkey – March ~~21-15~~ through April ~~26-20~~.
6. No change.

(b) Legal to take: All legal game, fish, frogs and furbearers. The take of wild hog with a shoulder height of less than 15 inches is prohibited. Wild hog – daily bag 1, possession limit 2.

(c) Camping:

1. No change.
2. Camping equipment may be taken on the area the weekend prior to the opening of the archery season and during periods open to hunting. Camping equipment must be removed by the Saturday following the last day of the spring turkey season.

(d) General regulations:

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

~~1.2. No change.~~

~~2.3. Access to the area is permitted only from the Saturday two weeks prior to the archery season through the Saturday following the last day of the spring turkey season.~~

~~3.4. Taking wildlife with Possession of centerfire rifles (other than muzzleloading) or pistols is prohibited.~~

~~5. Camping equipment may be brought onto the area only during the weekend before the archery season and during periods when hunting is allowed on the area.~~

~~4.6. No change.~~

5. Taking wild hog with the use of dogs is prohibited during the small game season.

(11) Tosohatchee Wildlife Management Area.

(a) Open season:

1. Archery – September ~~25-28~~ ~~27-30~~ and October ~~2-5~~ ~~4-7~~.
2. Muzzleloading gun – October ~~9-12~~ ~~11-14~~ and ~~16-19~~ ~~18-21~~.
3. General gun – November ~~13-16~~ ~~15-18~~ and ~~21-23~~ ~~23-25~~.
4. Spring turkey – March ~~21-23~~ ~~15-17~~, ~~April 3-5~~ ~~March 28-30~~ and ~~17-19~~ ~~April 11-13~~.
5. General gun hog – January ~~9-15~~ ~~11-17~~ and February ~~6-12~~ ~~8-14~~.

6. No change.

(b) Legal to take: Any deer except spotted fawn, turkeys, wild hog, fish, frogs and coyote. No other wildlife species may be taken. A limit of one antlerless and one antlered deer per quota permit is established. Only one archery/muzzleloading gun or general gun regular or special quota permit may be utilized per person, per hunt. ~~No size or bag limit on wild hogs.~~ Only wild hogs may be taken during the general gun-hog season. Turkeys may be taken only during the spring turkey season.

(c) No change.

(d) General regulations:

1. through 5. No change.
6. The use of centerfire rifles for taking wild turkey during the spring turkey season is prohibited. Handguns are prohibited. The possession of centerfire rifles is prohibited during the spring turkey season.

7. through 8. No change.

(12) Seminole Ranch Wildlife Management Area.

(a) Open season:

1. Archery – October ~~3-5~~ ~~5-7~~ and ~~10-12~~ ~~12-14~~.
2. Muzzleloading gun – October ~~25-26~~ ~~27-28~~ and November ~~1-2~~ ~~3-4~~.
3. General gun – November ~~14-16~~ ~~16-18~~.
4. Small game – November ~~22-23~~, ~~29-30~~, ~~24-25~~ and December ~~6-7~~ ~~1-2~~, ~~8-9~~ and January ~~3-4~~ ~~5-6~~.
5. Spring turkey – March ~~21-23~~ ~~15-17~~, ~~27-29~~ ~~21-23~~ and April 3-5 ~~28-30~~.
6. General gun hog – January ~~24-30~~ ~~26~~ through February ~~4~~.

7. No change.

(b) Legal to take: All legal game, fish, ~~frogs~~ and furbearers (except bobcat and otter). A limit of one antlerless and one antlered deer per person per hunt is established. Any deer (except spotted fawn) may be taken during the archery season. Antlerless deer may be taken by permit only during the muzzleloading and general gun seasons. ~~There shall be no size limit or bag limit restrictions on wild hogs.~~ Only wild hogs may be taken during the general gun-hog season.

(c) No change.

(d) General regulations:

1. through 5. No change.

6. During the spring turkey season only shotguns are allowed for the taking of turkey permitted. ~~Centerfire rifles are prohibited during the general gun hunts.~~

~~7. The possession of handguns is prohibited.~~

~~7.8.~~ No deer, wild hog or turkey shall be dismembered until checked at the check station.

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

(13) Jumper Creek Wildlife Management Area.

(a) Open season:

1. Archery – September ~~20 22~~ through October ~~19 21~~.

2. Muzzleloading gun – October ~~24-26 26-28~~.

3. General gun – November ~~8 10~~ through January ~~4 6~~.

4. Small game – January ~~5-25 7-27~~.

5. Spring turkey – March ~~21 15~~ through April ~~26 20~~.

6. No change.

7. Duck, geese and coot – During the migratory game bird seasons as established by Rule 68A-13.003, F.A.C.

(b) Legal to take: All legal game (except antlerless deer), ~~hog~~, fish, frogs and furbearers. ~~No size or bag limit on hog.~~

(c) No change.

(d) General regulations:

1. through 4. No change.

5. The use of centerfire rifles for taking wild turkey during the spring turkey season is prohibited. ~~The possession of centerfire rifles is prohibited during the spring turkey season.~~

(14) Rock Springs Run Wildlife Management Area.

(a) Open season:

1. Archery – September ~~26-28 28-30~~ and October ~~3-5 5-7~~.

2. Muzzleloading gun – October ~~10-12 12-14~~ and ~~17-19 19-21~~.

3. General gun – November ~~7-9 9-11~~ and ~~14-16 16-18~~.

4. Small game – November 29-30, December 6-7 1-2, 8-9 and January ~~3-4 5-6~~.

5. No change.

(b) Legal to take: Only deer and wild hogs may be taken during the archery, general gun and muzzleloading gun seasons. Taking of antlered deer not having at least one antler with three or more points, one inch or more in length, is prohibited. Antlerless deer may be taken during the archery

season. Antlerless deer may be taken by antlerless deer permit during the muzzleloading gun and general gun seasons. Only rabbits, gray squirrels and bobwhite quail may be taken during the small game season. Taking wild hog is prohibited during small game season. The bag limit for deer shall be one antlered and one antlerless deer per quota permit. Only one archery/muzzleloading gun or general gun regular or special quota permit may be utilized per person, per hunt. ~~No size or bag limit on wild hogs.~~

(c) No change.

(d) General regulations:

1. Taking wildlife with handguns is Handguns ~~are~~ prohibited.

2. through 4. No change.

5. Hunters shall enter and exit the area only at designated entrances.

6. Individuals hunting on the West BMK portion of the area shall have a daily permit issued from the check station in their possession and shall enter and exit at the designated entrance point on Old McDonald Road.

5. through 7. renumbered 7. through 9. No change.

(15) Guana River Wildlife Management Area.

(a) Open season:

1. No change.

2. General gun – November ~~14-16 16-18~~ and ~~21-23 23-25~~.

3. Muzzleloading gun – October ~~24-26 26-28~~ and October 31 through November 2-4.

4. Archery – October ~~10-12 12-14~~ and ~~17-19 19-21~~.

5. Small game – November ~~28-30 through December 2, December 5-7 7-9, January 2-4 4-6, 9-11 11-13, 16-18 18-20 and 23-25 25-27.~~

6. Spring turkey – March 27-29 and April 3-5.

6. through 7. renumbered 7. through 8. No change.

(b) Legal to take: All legal game (~~except turkeys~~), fish, frogs and furbearers. One antlered and one antlerless deer may be taken per quota permit during the archery season. One antlered deer may be taken per permit during the muzzleloading gun and general gun seasons. Taking of antlered deer not having at least one antler with three or more points, one inch or more in length, is prohibited. Only one archery/muzzleloading gun or general gun quota permit may be utilized per person, per hunt. Taking of wild hogs during the last two weekends of the small game season is prohibited. Legal shooting hours for ducks and coots: From the beginning of legal shooting hours established pursuant to Rule 68A-13.003, F.A.C., until noon. Turkey may only be taken during the spring turkey season.

(c) No change.

(d) General regulations:

1. Scouting is permitted one day prior to each 3-day hunt during the archery, muzzleloading, general gun, ~~and~~ small game and spring turkey hunts from 7:00 a.m. until 9:00 p.m.

during Eastern Daylight Saving Time and from 7:00 a.m. until 8:00 p.m. during Eastern Standard Time. Waterfowl scouting is permitted on Lake Ponte Vedra from 5:00 a.m. until 5:00 p.m. Eastern Standard Time on the Saturday prior to the opening of each phase of the regular duck and coot season established in Rule 68A-13.003, F.A.C.

2. through 15. No change.

16. Taking wildlife with ~~The possession of~~ guns at the visitor interpretive center or on the wildlife observation towers or nature trail boardwalk ~~board walk~~ is prohibited.

17. through 20. No change.

(e) Notwithstanding any other provisions of this subsection, alligator hunt participants may use airboats and outboard motors larger than 10 h.p. on Lake Ponte Vedra ~~Verda~~ when taking alligators.

(16) Half Moon Wildlife Management Area.

(a) Open season:

1. Archery – October 3-5 ~~5-7~~ and 10-12 ~~12-14~~.

2. Muzzleloading gun – October 24-26 ~~26-28~~.

3. General gun – November 8-10 ~~10-12~~ and 14-16 ~~16-18~~.

4. Small game – November 28-30 ~~through December 2, December 5-7~~ ~~7-9~~ and 12-14 ~~14-16~~.

5. General gun hog – January 10-11 ~~12-13~~ and 17-18 ~~19-20~~.

6. Spring turkey – March 27-29 ~~21-23~~, April 3-5 and 10-12 ~~28-30~~ and April 4-6.

7. No change.

(b) Legal to take: All legal game, fish, frogs and furbearers. Taking of antlered deer not having at least one antler with three or more points, one inch or more in length, is prohibited. During the archery, ~~muzzleloading gun, and general gun~~ seasons, antlerless deer may be taken by permit only. During the archery, muzzleloading gun and general gun seasons the bag limit for antlered deer shall be one per quota hunt permit. Taking wild hog is prohibited during small game season. During the spring turkey season, the bag limit for turkey shall be one gobbler (or bearded turkey) per quota hunt permit. ~~No bag or size limit on wild hogs.~~ Only wild hog may be taken during the general gun hog season.

(c) No change.

(d) General regulations:

1. through 5. No change.

6. No deer, wild hog or turkey shall be dismembered until checked at the check station.

~~7. A quota hunt permit shall be required for every hunter entering the area.~~

7.8. No change.

(17) Caravelle Ranch Wildlife Management Area.

(a) Open season:

1. Archery – September 20-28 ~~22-30~~.

2. Supervised small game – October 4-12 ~~7-15~~.

3. Muzzleloading gun – October 24-26 ~~26-28~~.

4. General gun – November 8-16 ~~10-18~~.

5. No change.

6. Small game – November 20 ~~22~~ through January 4 ~~6~~ (Thursdays, Fridays, Saturdays and Sundays only).

7. Spring turkey – March 21-24 ~~15-18~~ and 25-29 ~~19-23~~.

8. through 9. No change.

(b) Legal to take: All legal game, ~~wild hogs~~, fish, frogs and furbearers (except bobcat and otter). During the archery, muzzleloading gun and general gun seasons the bag limit for deer shall be one per quota permit per season ~~hunter~~. Only one archery/muzzleloading gun or general gun quota permit may be utilized per person, per season. Taking of antlered deer not having at least one antler with three or more points, one inch or more in length, is prohibited. There shall be no bag or size limit restrictions on wild hogs. During the spring turkey season the bag limit for turkey shall be one gobbler (or bearded turkey) per hunter.

(c) through (d) No change.

(18) Lake George Wildlife Management Area.

(a) Open season:

1. Archery – September 20 ~~22~~ through October 19 ~~21~~.

2. Muzzleloading gun – October 24-26 ~~26-28~~.

3. General gun – November 8-23 ~~10-25~~.

4. Small game – November 24 ~~26~~ through March 1 ~~2~~.

5. Spring turkey – March 21-23 ~~15-17~~, April 3-5 ~~28-30~~ and April 17-19 ~~11-13~~.

6. No change.

(b) Legal to take: All legal game, ~~wild hogs~~, fish, frogs and furbearers (except bobcat and otter). ~~No bag or size limit restrictions on wild hogs.~~

(c) No change.

(d) General regulations:

1. through 3. No change.

4. The use of centerfire rifles for taking wild turkey during the spring turkey season is prohibited.

(19) Lake George Wildlife Management Area – Dexter/Mary Farms Unit.

(a) Open season:

1. Small game – November 22 ~~24~~ through December 7 ~~9~~ and December 20 ~~22~~ through January 4 ~~6~~.

2. Special-opportunity turkey – March 21-27 ~~15-21~~, ~~March 29 through April 4-10~~ and April 18-24 ~~12-18~~.

3. General gun hog – January 12-15, 16-21 and 22-27.

4. Special-opportunity dove. ~~The first, second and fourth Saturdays only during the first phase; the first and third Saturdays only during the second phase; and the first, third and fourth Saturdays only during the third phase of the mourning dove and white winged dove season established by Rule 68A 13.008, F.A.C. No dove hunting is permitted on posted dove fields other than on these dates.~~

3.5. No change.

~~4.6. Archery – September 20-22 through October 5-7.~~

~~5.7. Muzzleloading gun – October 24-26 26-28.~~

~~6.8. General gun – November 8-16 10-18.~~

(b) Legal to take: All legal ~~small~~ game, fish, frogs and furbearers.

1. ~~One antlered and one antlerless deer may be taken per quota permit during the archery season. One antlered deer may be taken per quota permit during the muzzleloading gun and general gun seasons. One deer may be taken per quota hunt permit during the archery, muzzleloading gun and general gun seasons.~~ Taking of antlered deer not having at least one antler with three or more points, one inch or more in length, is prohibited. ~~Antlerless deer may be taken during the archery season only.~~ Only one ~~archery/muzzleloading gun regular or general gun special~~ quota permit may be utilized per person, per hunt. Turkeys may be taken only during special-opportunity turkey hunts. The bag limit for turkey shall be one gobbler or bearded turkey per special-opportunity turkey hunt permit. ~~Only hogs may be taken during the general gun hog season. No size or bag limit on hogs.~~

2. No change.

(c) No change.

(d) General regulations:

1. The use of dogs, other than bird dogs and dogs with a shoulder height of 15 inches or less during the small game season ~~and on the posted dove fields during special-opportunity dove hunts~~, is prohibited.

2. through 3. No change.

4. Vehicular access is permitted from 1.5 hours before sunrise to 1.5 hours after sunset one day prior to each season (except small game ~~and special-opportunity dove~~), and during periods when the area is open to hunting. Individuals in possession of a special-opportunity turkey hunt permit shall also have vehicular access to the area from sunrise to sunset on the Saturday and Sunday preceding each hunt. Vehicular access is permitted only by permit from the Division of Forestry at all other times, except the Bluffton Recreation Area shall be open to vehicular access throughout the year from sunrise to sunset via the St. Johns River Road.

5. No change.

6. Deer, ~~turkey turkeys~~, and ~~wild hog hogs~~ must be checked at the hunt headquarters prior to being dismembered or taken from the area.

~~7. Persons shall possess a special-opportunity dove hunt permit to hunt in posted dove fields.~~

~~8. Shooting hours for special-opportunity dove hunts shall be from noon until sunset. Hunters may enter the area one hour before shooting time and shall exit the area by one hour after sunset.~~

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

9. The use of centerfire rifles for taking wild turkey during the spring turkey season is prohibited.

(e) No change.

(20) Seminole Forest Wildlife Management Area.

(a) Open season:

1. Archery – September ~~20-23 22-25~~ and September ~~24-28 26-30~~.

2. Muzzleloading gun – October ~~24-26 26-28~~.

3. General gun – November 29 through December 2 and December ~~3-7 1-4 and 5-9~~.

4. Small game – January ~~10-25 12-27~~ (Saturdays and Sundays only).

5. Spring turkey – March ~~21-24 15-18 and 25-29 19-23~~.

6. General gun for mobility-impaired – October ~~17-19 19-21~~.

7. No change.

(b) Legal to take: All legal game, fish, except as provided below, frogs and furbearers except otter and bobcat. One antlered and one antlerless deer may be taken per quota permit during the archery season. One antlered deer may be taken per quota permit during the muzzleloading gun and general gun seasons. Only one archery/muzzleloading gun or general gun quota permit may be utilized per person, per hunt. Taking of antlered deer not having at least one antler with three or more points, one inch or more in length, is prohibited. Antlerless deer may be taken by permit only during muzzleloading gun and general gun seasons. The take of wild hog is prohibited during small game season. No size or bag limit on wild hogs.

1. through 2. No change.

(c) No change.

(d) General regulations:

1. through 9. No change.

10. The use of centerfire rifles for taking wild turkey during the spring turkey season is prohibited.

(21) Triple N Ranch Wildlife Management Area.

(a) Open season:

1. General gun hog – January ~~23-25 25-27~~, January 30 through February 1-3 and February ~~6-8 8-10 and 13-15~~.

2. Special-opportunity deer – October ~~25-31 27 through November 2~~ and November ~~8-14 10-16~~.

3. Small game – November ~~22 24~~ through January ~~18 20~~.

4. Special-opportunity turkey – March ~~21-27 15-21, March 29 through~~ April 4-10 and April ~~18-24 12-18~~.

5. through 6. No change.

(b) Legal to take: ~~Wild hogs, with a daily bag of 2, no size limit.~~ One antlered deer may be taken per special-opportunity deer hunt permit per season. Only one special-opportunity deer permit may be utilized per season. Antlerless deer (except spotted fawns) may be taken by antlerless deer permit only. Taking antlered deer not having at least one antler with four or more points is prohibited. Only wild hog may be taken during the general gun hog season. The take of wild hog is prohibited during small game season. All legal small game and furbearers during the small game season. Turkey during the

special-opportunity turkey hunts. The bag limit for turkey shall be one gobbler (or bearded turkey) per special-opportunity turkey hunt permit per season. Only one special-opportunity turkey permit may be utilized per person per season. ~~Fish and frogs throughout the year.~~

(c) No change.

(d) General regulations:

1. through 6. No change.

7. Individuals in possession of a special-opportunity hunt permit may have vehicle access to the area from sunrise to sunset on the Saturday and Sunday preceding the hunt. Authorized hunting equipment may be taken onto the area during this time.

8. Wild hog ~~Hogs~~, deer and turkey ~~turkeys~~ must be checked at the hunt headquarters prior to being dismembered and taken from the area.

9. No change.

(22) Etoniah Creek Wildlife Management Area.

(a) Open season:

1. Archery – September ~~20~~ 22 through October ~~5~~ 7.

2. Muzzleloading gun – October ~~24-26~~ 26-28.

3. General gun – November ~~8-16~~ 10-18.

4. Small game – Thanksgiving Day through the first weekend in January.

5. Spring turkey – March ~~21-23~~ 15-17, ~~27-29~~ 21-23 and ~~April 3-5~~ 28-30.

6. No change.

(b) Legal to take: All legal game, fish, frogs and furbearers. The bag limit for deer shall be one per quota permit. Taking wild hog is prohibited during small game season. ~~There shall be no bag or size limit restrictions on wild hogs.~~ During the spring turkey season the bag limit for turkeys shall be one gobbler (or bearded turkey) per hunter.

(c) No change.

(d) General regulations:

1. through 3. No change.

4. Vehicular access is permitted from 1.5 hours before sunrise to 1.5 hours after sunset one day prior to each season (except small game), and during periods when the area is open to hunting. Public access other than on foot (pedestrian), horseback (equestrian), or bicycle is prohibited at all other times. ~~Horses are prohibited during periods when the area is open to hunting, except during the small game season.~~

5. The use of centerfire rifles for taking wild turkey during the spring turkey season is prohibited. ~~Hunters shall check in at a designated check station when entering and exiting the area, and record all game taken.~~

(23) Little Big Econlockhatchee Wildlife Management Area – Kilbee Unit.

(a) Open season:

1. Archery – October ~~3-5~~ 5-7 and ~~10-12~~ 12-14.

2. Muzzleloading gun – October 31 through November ~~2-4~~.

3. General gun – November ~~14-16~~ 16-18.

4. Small game – December ~~6-21~~ 8-23 (Saturdays and Sundays only).

5. General gun hog – January ~~9-11~~ 11-13 and ~~23-25~~ 25-27.

6. No change.

(b) Legal to take: All legal game, fish, frogs and furbearers. Antlerless deer may be taken by permit only during the muzzleloading gun and general gun seasons. Taking wild hog is prohibited during the small game season. Only wild hogs may be taken during the general gun hog season. ~~No size or bag limit on wild hogs.~~

(c) No change.

(24) Lake Panasoffkee Wildlife Management Area.

(a) Open season:

1. Special-opportunity turkey – March ~~26-29~~ 20-23, April ~~7-10~~ 1-4 and ~~23-26~~ 17-20.

2. Special-opportunity archery – September ~~25-28~~ 27-30, October ~~2-5~~ 4-7, ~~14-17~~ 16-19, October 30 through November ~~2~~ 1-4, ~~November 11-14~~ 13-16, ~~27-30~~ November 29 through ~~December 2~~, December ~~9-12~~ 11-14 and January ~~1-4~~ 3-6.

3. General gun ~~Special-opportunity~~ hog-still – January ~~9-11~~ 11-13.

4. General gun ~~Special-opportunity~~ hog-dog – January ~~21-23~~ 23-25.

5. Small game – January 30 through February ~~1-3~~ and ~~February 6-8~~ 8-10.

6. through 7. No change.

(b) Legal to take: All legal game, ~~hog~~, fish, frogs and furbearers (except bobcat and otter). Turkeys may be taken only during the special-opportunity turkey hunts. The bag limit for turkey shall be one gobbler (or bearded turkey) per special-opportunity turkey hunt permit. One antlered deer may be taken per special-opportunity deer hunt permit. Antlerless deer (except spotted fawns) may be taken by antlerless deer permit only. Taking of antlered deer not having at least one antler with four or more points is prohibited. Only wild hog may be taken during the general gun ~~special-opportunity~~ hog-still and general gun ~~special-opportunity~~ hog-dog seasons. ~~No bag or size limit on hog.~~

(c) No change.

(d) General regulations:

1. through 4. No change.

5. During periods open to hunting, the operation ~~Operation~~ of a vehicle on the area is prohibited ~~during the period~~ from 1.5 hours after sunset until 1.5 hours before sunrise ~~8:00 p.m. to 5:00 a.m.~~, unless camping at designated hunter campsites during periods open to hunting ~~special-opportunity~~ hunts or by permit from the Southwest Florida Water Management District.

6. During periods when the area is closed to hunting, vehicular access is restricted to the main entrance road to the horse stable facility. Individuals in possession of a special-opportunity archery or general gun quota hunt permit shall have vehicle access to the area from 8:00 a.m. to 6:00 p.m. on the day preceding the hunt, and those in possession of a special-opportunity turkey permit shall have vehicle access to the area from 1.5 hours before sunrise until 1.5 hours after sunset on the day preceding the hunt.

7. No change.

8. Taking wildlife with shotguns is ~~Shotguns are~~ prohibited during the special-opportunity archery hunts.

9. through 10. No change.

11. The use of dogs, other than bird dogs and dogs with a shoulder height of 15 inches or less during the small game season, is prohibited except that dogs may be used during the general gun ~~special-opportunity~~ hog-dog season. During the general gun ~~special-opportunity~~ hog-dog season, no more than 3 dogs per general gun quota ~~special-opportunity~~ permit shall be allowed. During non-hunting periods the possession of dogs shall only be as authorized by the Southwest Florida Water Management District.

12. During the general gun ~~special-opportunity~~ hog-dog season, a quota permit shall be required for each group of two hunters, and only one gun may be possessed per quota permit.

(25) Ross Prairie Wildlife Management Area.

(a) Open season: Supervised small game – October 11-17 ~~13-19~~, November 15-21 ~~17-23~~, December 13-19 ~~15-21~~ and January 10-16 ~~12-18~~.

(b) Legal to take: All legal small game and furbearers. The take of wild hog is prohibited.

(c) No change.

(d) General regulations:

1. through 2. No change.

~~3. All hunters shall register at designated entrances and record their game harvest upon leaving.~~

4. through 5. renumbered 3. through 4. No change.

5.6. Taking wildlife with ~~The possession of~~ firearms other than shotguns is prohibited.

~~6.7.~~ No change.

(26) Buck Lake Wildlife Management Area.

(a) Open season:

1. Archery – September 20-28 ~~22-30~~ and October 4-10 ~~1-7~~.

2. Muzzleloading gun – October 24-26 ~~26-28~~.

3. General gun – November 8-11 ~~10-13~~ and 12-16 ~~14-18~~.

4. Small game – November 29 through December 14 ~~1-16~~.

5. Spring turkey – March 21-24 ~~15-18~~ and 25-29 ~~19-23~~.

6. General gun hog – January 1-4 ~~3-6~~ and 15-18 ~~17-20~~.

7. No change.

(b) Legal to take: All legal game, fish, frogs and furbearers (except bobcat and otter). A limit of one antlerless and one antlered deer per person per hunt is established. Antlerless deer may be taken by permit only during muzzleloading gun and general gun season. The take of wild hog is prohibited during small game season. Only wild hogs may be taken during the general gun hog season. ~~No size or bag limit on wild hogs.~~ During the spring turkey season, the bag limit shall be one gobbler (or bearded turkey) per quota hunt permit.

(c) No change.

(d) General regulations:

1. through 6. No change.

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

(27) Fort Drum Wildlife Management Area.

(a) Open season:

1. Special-opportunity deer – November 8-14 ~~10-16~~.

2. Small game – December 6-21 ~~8-23~~.

3. Special-opportunity turkey – March 21-27 ~~15-21~~, ~~March 29 through~~ April 4-10 and April 18-24 ~~12-18~~.

4. Special-opportunity wild hog – October 3-5 ~~5-7~~, 10-12 ~~12-14~~ and 17-19 ~~19-21~~.

5. No change.

(b) Legal to take: All legal game and fish. Turkeys may be taken only during the special-opportunity turkey hunts. The bag limit for turkey shall be one gobbler (or bearded turkey) per special-opportunity turkey hunt permit per season. One antlered deer per special-opportunity deer hunt permit per season. Only one special-opportunity hunt permit may be utilized per person per season. Antlerless deer (except spotted fawns) may be taken by antlerless deer permit only. Taking of antlered deer not having at least one antler with four or more points is prohibited. ~~No bag or size limit on wild hogs.~~ Taking of wild hogs during the small game season ~~special-opportunity turkey hunt~~ is prohibited.

(c) Camping: Only tent camping is allowed, and Permitted only at designated campsites.

(d) General regulations:

1. through 8. No change.

9. No deer, wild hog or turkey may be dismembered until checked at the check station.

(28) Ocklawaha River Wildlife Management Area – Gores Landing Unit.

(a) Open season:

1. Archery – September 20 ~~22~~ through October 5 ~~7~~.

2. Muzzleloading gun – October 24-26 ~~26-28~~.

3. General gun – November 8-16 ~~10-18~~.

4. Small game – November 29 through December 14 ~~1-16~~.

5. Spring turkey – March 21-24 ~~15-18~~ and 25-29 ~~19-23~~.

6. No change.

(b) Legal to take: All legal game, ~~wild hogs~~, fish, frogs and furbearers. During archery, muzzleloading gun, and general gun seasons, the bag limit for deer shall be one per hunter. The take of wild hog is prohibited during small game season. ~~There shall be no bag or size limits on wild hogs.~~ During the spring turkey season, the bag limit shall be one gobbler (or bearded turkey) per hunter.

(c) through (d) No change.

(29) Seminole Forest Wildlife Management Area – Lake Tracy Unit.

(a) Open season:

1. Archery – September ~~20-22~~ 22-24.
2. Muzzleloading gun – October ~~24-26~~ 26-28.
3. General gun – November ~~8-10~~ 10-12.
4. Spring turkey – March ~~21-23~~ 15-17 and ~~27-29~~ 21-23.
5. No change.

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

(c) Camping: Prohibited.

~~(d)~~ (e) General regulations:

1. through 3. No change.
4. Hunters shall enter and exit the area only at designated entrances, ~~register upon entering, and record all game taken.~~
5. The use of centerfire rifles for taking wild turkey during the spring turkey season is prohibited. ~~Camping: Prohibited.~~

(30) Twelve Mile Swamp Wildlife Management Area.

(a) Open season:

1. Archery – September ~~20~~ 22 through October ~~19~~ 21.
2. Muzzleloading gun – October ~~25~~ 27 through November ~~2~~ 4.
3. General gun – November ~~8~~ 10 through January ~~4~~ 6.
4. Small game – January ~~5~~ 7 through March ~~1~~ 2.
5. Spring turkey – March ~~21~~ 15 through April ~~26~~ 20.
6. No change.
7. Trapping – January ~~5~~ 7 through March 1.

(b) through (d) No change.

(31) Upper St. Johns River Marsh Wildlife Management Area.

(a) Open season:

1. Archery – September ~~20~~ 22 through October ~~19~~ 21.
2. Muzzleloading gun – October ~~25~~ 27 through November ~~2~~ 4.
3. General gun – November ~~8~~ 10 through January ~~18~~ 20.
4. Small game – January ~~19~~ 21 through March ~~1~~ 2.
5. Spring turkey – March ~~21~~ 15 through April ~~26~~ 20.
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 ~~15-16~~ 17-18. Turkey of either sex may be taken during the muzzleloading gun season. The period of November ~~8~~ 10 through January ~~4~~ 6 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. No change.
2. Taking wildlife with ~~The possession of any gun firearm containing shells or cartridges or any capped or primed muzzleloading gun is prohibited on, upon or from the right-of-way of the~~ Fellsmere Grade, the C-54 right-of-way, and all levees.

~~3. Taking of wildlife by use of a gun on or from the right of way of the Fellsmere Grade is prohibited as provided by Rule 68A-4.008, F.A.C.~~

~~4. The possession or use of any device capable of discharging, emitting spray, or introducing any pollutants is prohibited.~~

~~3.5.~~ No change.

~~4.6.~~ During the duck and coot season in the Stick Marsh/Farm 13, Kenansville Lake, and as posted in the Blue Cypress Water Management Area, taking wildlife with ~~the possession or use of~~ guns other than shotguns is prohibited.

~~5.7.~~ No change.

~~6.8.~~ 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 wild hog hunting during the period January ~~21-25~~ 23-27.

9. through 12. renumbered 7. through 10. No change.

(32) Dunns Creek Wildlife Management Area.

(a) Open season:

1. Archery – September ~~20~~ 22 through October ~~5~~ 7 and November ~~15-23~~ 17-25.
2. Muzzleloading gun – October ~~25~~ 27 through November ~~2~~ 4.
3. Wild hog – January ~~17-25~~ 19-27.
4. Spring turkey – March ~~21-23~~ 15-17, April 3-5 ~~28-30~~ and ~~April 17-19~~ 11-13.
5. through 6. No change.

(b) Legal to take: All legal game, fish, frogs, and furbearers. The bag limit shall be one antlered and one antlerless deer per quota hunt permit. ~~No bag or size limits on wild hogs.~~ Only wild hogs may be taken during the wild hog season.

(c) No change.

(d) General regulations:

1. through 4. No change.
5. During hunting periods, public access is restricted to those individuals with valid quota hunt permits.
6. through 9. No change.
10. Taking wildlife with ~~The possession of~~ rimfire or centerfire rifles or pistols is prohibited during the spring turkey and wild hog seasons.

11. No change.

(33) Salt Lake Wildlife Management Area.

(a) Open season:

1. Archery – September ~~20-28~~ ~~22-30~~ and September 29 through October 5 ~~1-7~~.

2. Muzzleloading gun – October ~~24-26~~ ~~26-28~~.

3. General gun – November ~~8-11~~ ~~10-13~~ and 12-16 ~~14-18~~.

4. Small game – November 29 through December 14 ~~1-16~~.

5. General gun hog – January 15-18 ~~17-20~~.

6. Spring turkey – March 21-24 ~~15-18~~ and 25-29 ~~19-23~~.

7. No change.

(b) Legal to take: All legal game, fish, frogs and furbearers. A bag limit of one antlerless and one antlered deer per person per hunt. Taking wild hog is prohibited during small game season. ~~No size or bag limit on wild hogs.~~ Only wild hogs may be taken during the general gun hog season. During the spring turkey season, the bag limit shall be one gobbler (or bearded turkey) per quota hunt permit.

(c) No change.

(d) General regulations:

1. through 9. No change.

(34) Matanzas Wildlife Management Area.

(a) Open season:

1. Archery – September ~~20-28~~ ~~22-30~~ and September 29 through October 5 ~~1-7~~.

2. Muzzleloading gun – October ~~24-26~~ ~~26-28~~.

3. Family hunt – November 8-9 ~~10-11~~.

4. General gun – November 10-16 ~~12-18~~.

5. General gun hog – November 29 through December 7 ~~1-9~~.

6. Small game – January 5-20 ~~7-22~~.

7. Spring turkey – March 21-24 ~~15-18~~ and 25-29 ~~19-23~~.

8. No change.

(b) Legal to take: All legal game, fish, frogs and furbearers. Only wild hog may be taken during the general gun hog season. During the spring turkey season, the bag limit shall be one gobbler (or bearded turkey) per quota hunt permit.

(c) No change.

(d) General regulations:

1. through 4. No change.

5. The use of centerfire rifles for taking wild turkey during the spring turkey season is prohibited. ~~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, 2008.

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, 8-22-06, 7-1-07, ~~7-1-08~~.

NAME OF PERSON ORIGINATING PROPOSED RULE: Nick Wiley, Director, Division of Hunting and Game Management, 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 5, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 7, 2007

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-17.004

RULE TITLE:

General Regulations Relating to Wildlife and Environmental Areas

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to establish general rules relating to the take of wild hogs, the take of non-protected mammals and the possession of guns or firearms on Wildlife and Environmental Areas (WEA). The effect would be a general set of regulations allowing the take of wild hogs with no size or bag limits, establish shooting hours and prohibit the transport of live wild hogs, except as provided by area specific rule. Non-protected mammals will be legal to take during any season that allows the take of game mammals, except as provided by area specific rule. Firearms and guns may be possessed throughout the year provided they are securely encased in a vehicle, vessel, camper or tent during periods when the take of wildlife with a gun is prohibited.

SUMMARY: The proposed rule changes would allow the possession of guns on WEAs in accordance with Chapter 790, F.S., subject to state and federal law, provided the guns are securely encased in a vehicle, vessel, camper or tent during periods when the take of wildlife with a gun is prohibited; allow wild hogs to be taken from one-half hour before sunrise to one-half hour after sunset during any season open for the taking of game mammals or wild hogs, with no size or bag limit unless provided by area specific rule, using only methods of take allowed for the taking of game mammals, and not transport wild hogs alive; prohibit target practice except at a shooting range or Commission sponsored event; and allow the

take of non-protected mammals during any season open for the taking of game mammals with no size or bag limit, unless otherwise provided by area specific rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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 regular meeting of the Commission, February 6-7, 2008, 8:30 a.m. – 5:00 p.m., each day

PLACE: Bay Point Marriott Golf Resort & Spa, 4200 Marriott Drive, Panama City Beach, Florida 32408

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-17.004 General Regulations Relating to Wildlife and Environmental Areas.

(1) No change.

(2) Permits required:

(a) All regular licenses are required for persons, except those exempted in subsection (3) hereof, to take wildlife hunt, trap or be in possession of a gun, trap or other device for taking wildlife or fur-bearing animals on a wildlife and environmental area.

(b) A wildlife management area stamp as provided by Section 372.57, F.S., in addition to all regular license requirements, is required for persons, except those exempted in subsection (3) hereof, to take wildlife hunt, trap or be in possession of a gun, trap or other device for taking wildlife or fur-bearing animals on a wildlife and environmental area.

(c) through (d) No change.

(3) No change.

(4) Legal to Hunt: Legal game shall be only those game species identified in specific area regulations.

(a) through (b) No change.

(c) Wild hogs may be taken in accordance with the following provisions:

1. Wild hogs may only be taken from one-half hour before sunrise to one-half hour after sunset during any season open for the taking of game mammals or any season established for the taking of wild hog only, with no size or bag limit unless provided by area specific rule.

2. Methods of take, other than those allowed for the taking of game mammals during each open season, are prohibited.

3. During any season established for the taking of wild hog only, only legal methods of take for game are allowed unless otherwise provided by area specific rule.

4. Wild hogs may not be transported alive.

(d) Non-protected mammals, as defined in paragraph 68A-12.002(9)(a), F.A.C., may be taken during any season open for the taking of game mammals, with no size or bag limit unless otherwise provided by area specific rule.

(5) No change.

(6) Guns:

(a) Possession of guns or firearms is allowed on wildlife and environmental areas pursuant to the provisions of Florida Statutes, unless as otherwise prohibited under the legal authority of the landowner, lead managing agency, military installation commander, or pursuant to federal law. During periods closed to hunting or when the firearm is not a legal method of take, firearms shall be securely encased in a vehicle, vessel, travel trailer, camper, or tent, except those persons in possession of a valid Concealed Weapon or Firearm License may possess concealed handguns. No person shall fire any gun for testing or target practice, except on a Commission shooting range or at Commission sponsored shooting events. No person shall possess any gun on any wildlife and environmental area during any period in which hunting by the use of a gun is prohibited unless otherwise authorized by permit from the executive director.

(b) Taking wildlife with The possession of a firearm or crossbow is prohibited on any wildlife and environmental area during the established seasons for archery hunting unless otherwise stipulated in a regulation established for a specific area. Taking wildlife with The possession of a gun (except a muzzleloading gun) is prohibited on any wildlife and environmental area during the established season seasons for muzzleloading gun hunting. Taking wildlife with The possession of a gun is prohibited on any wildlife and environmental area during any season open only for the taking of fur-bearing animals or frogs unless otherwise stipulated in a regulation established for a specific area.

~~(e) Notwithstanding the provisions of paragraph (a), (b), or (f) or specific area regulations in this chapter generally prohibiting possession of a gun, a person in possession of a valid Concealed Weapon or Firearm License may carry concealed handguns under the provisions of Section 790.06, Florida Statutes, throughout the year, unless otherwise prohibited pursuant to state or federal law.~~

~~(c)(d)~~ No change.

~~(d)(e) Taking wildlife with centerfire~~ The possession of center fire rifles is prohibited during small game season.

~~(f) The possession of any firearm containing shells or cartridges, or any capped or primed muzzleloading gun is prohibited on any public campsite or check station area. The discharge of firearms is prohibited on, from or across any campsite or check station area.~~

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

1. through 2. No change.

(7) through (17) No change.

PROPOSED EFFECTIVE DATE: July 1, 2008.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 372.57 FS. History—New 4-12-98, Amended 12-28-98, Formerly 39-17.004, Amended 7-1-00, 7-1-04, 7-1-05, 7-1-06, 7-29-07, 7-1-08.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Nick Wiley, Director, Division of Hunting and Game Management, 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 5, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 7, 2007

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-17.005
RULE TITLE: Specific Regulations for Wildlife and Environmental Areas

PURPOSE AND EFFECT: The purpose of the proposed rule 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 WMAs.

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) as follows:

Lake Wales Ridge WEA – Royce Unit – establish two new wild hog weekend hunts (quota of 20 per hunt, no exemptions); establish two new 3-day archery hunts (quota of 10 per hunt, no exemptions); delete the quota permit requirement for small game season; and no longer require hunters to check in and out or check game at the check station.

Suwannee Ridge WEA – allow dogs on leashes for trailing wounded game and eliminate the fishing season.

CREW WEA – establish a 28-day small game season; prohibit the take of bobcat and otter; and allow the take of wildlife with dogs only during general gun and small game seasons.

John C. and Mariana Jones/Hungryland – extend the small game season from 16 days to 30 days; expand the migratory game bird season to match the statewide season; change the definition of legal to take for antlered deer to those having three or more points on at least one antler, each point one inch or more in length; and allow motorized vehicles on named or numbered roads and in designated parking areas unless otherwise posted as closed.

John G. and Susan H. Dupuis, Jr. – allow the mobility-impaired season to start prior to general gun season; allow the take of migratory birds during migratory bird season when it coincides with the archery, muzzleloading gun, general gun, general gun for mobility-impaired, and small game seasons; allow registered and licensed motorcycles; and eliminate the quotas for the general gun hog hunts.

Southern Glades WEA – establish a 114-day small game season.

The proposed rule changes would simplify and standardize regulations related to the take of wild hogs on WEAs by area specific rule; liberalize regulations related to the possession of firearms, in accordance with Florida Statutes; and provide non-substantive technical changes, such as grammatical corrections, language standardization, or clarification of an existing rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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 6-7, 2008, 8:30 a.m. – 5:00 p.m., each day

PLACE: Bay Point Marriott Golf Resort & Spa, 4200 Marriott Drive, Panama City Beach, Florida 32408

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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) No change.

(b) Hickey Creek Mitigation Park – Lee County.

1. Taking wildlife with ~~Hunting or possession of~~ guns is prohibited.

2. through 7. No change.

(c) Platt Branch Mitigation Park – Highlands County.

1. Taking wildlife with ~~Hunting or possession of~~ guns is prohibited.

2. through 6. No change.

(d) through (e) No change.

(f) Lake Wales Ridge Wildlife and Environmental Area – Royce Unit – Highlands County.

1. Open season:

a. Archery – October 10-12 and 17-19.

~~b. a.~~ General gun – November ~~14-16~~ 16-18.

~~c. b.~~ Small game – December ~~5-7~~ 7-9 and ~~19-21~~ 21-23, January ~~16-18~~ 18-20 and ~~23-25~~ 25-27.

d. General gun hog – January 3-4 and 10-11.

~~e. e.~~ Spring turkey – March ~~20-22~~ 14-16 and April 3-5 ~~March 28-30.~~

~~f. d.~~ Fishing and frogging – Permitted throughout the year.

2. Legal to take: All legal game, ~~wild hogs~~, fish, frogs, and furbearers. The bag limit for antlered deer shall be one per quota hunt permit. Antlerless deer may be taken by permit only. Only wild hog may be taken during the general gun hog season. During the spring turkey season, the bag limit for

turkey shall be one gobbler (or bearded turkey) per quota hunt permit. ~~There shall be no size or bag limit restrictions on wild hogs.~~

3. General regulations:

a. through d. No change.

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

~~e. f.~~ Hunting with dogs is prohibited except bird dogs and retrievers may be used during the small game season. Hunting ~~wild hog hogs~~ with dogs is prohibited.

(g) Perry Oldenburg Mitigation Park – Hernando County.

1. Taking wildlife with guns ~~Hunting or possession of firearms~~ is prohibited.

2. through 6. No change.

(h) No change.

(2) North Central Region.

(a) Santa Fe Swamp – Bradford County.

1. Open season (hunting prohibited at other times):

a. Archery – September ~~20~~ 22 through October ~~19~~ 21.

b. Muzzleloading gun – October ~~24-26~~ 26-28.

c. Archery and muzzleloading gun – November ~~8~~ 10 through January ~~4~~ 6.

d. Spring turkey – March ~~21~~ 15 through April ~~26~~ 20.

e. No change.

2. Legal to take: Wild hogs, gray squirrel, rabbit, deer with one or more antlers at least five inches in length and fish. Deer (except spotted fawns) and turkey of either sex may be taken during the archery season. Only bearded turkey or gobblers may be taken during the spring turkey season. ~~No size or bag limit on hogs.~~

3. General regulations:

a. through b. No change.

c. Centerfire or rimfire rifles, shotguns, pistols, and crossbows are prohibited for taking wildlife.

d. No change.

~~e. Wild hogs may not be transported alive.~~

(b) No change.

(c) Suwannee Ridge – Hamilton County.

1. Open season:

a. Mobility-impaired general gun – October 10-12, 24-26, October 31 through 12-14, 26-28, November ~~2-4~~ and December ~~12-14~~ 14-16.

b. Mobility-impaired spring turkey – March 27-29 ~~21-23~~ and April 17-19 ~~11-13.~~

c. Fishing – Throughout year.

2. Legal to take: Any deer (except spotted fawn), wild hogs, bearded turkey (during spring turkey season only), gray squirrel, and rabbit. The bag limit shall be two deer or two bearded turkeys per quota permit. Only mobility-impaired hunters may take an antlerless deer.

3. General regulations:

a. through f. No change.

g. The possession of dogs or horses is prohibited, except as provided by paragraph 68A-15.004(7)(d), F.A.C.

h. No change.

(d) Brannan Field Mitigation Park Duval and Clay counties.

1. Taking wildlife with guns ~~Hunting or possession of firearms~~ is prohibited.

2. through 3. No change.

(3) Northwest Region.

(a) Judges Cave Jackson County.

1. Taking wildlife with ~~Hunting or possession of guns~~ is prohibited.

2. through 5. No change.

(b) Apalachicola River Gulf, Franklin, and Liberty counties.

1. Hunting shall be allowed only during the open seasons established for migratory birds in Rules 68A-13.003 and 68A-13.008, F.A.C., and during open seasons established for deer, turkey, quail, and squirrel, ~~and wild hogs~~ in Rule 68A-13.004, F.A.C., except for the following:

a. through d. No change.

e. Wild hog may only be taken during the archery, muzzleloading gun, general gun and archery/muzzleloading gun seasons. ~~No size or bag limit on wild hogs.~~

2. No change.

3. General regulations:

a. Camping is limited to tents, trailers, or self-propelled camping vehicles only. Camping is permitted throughout the area, except where posted as no camping. Kitchen stoves, refrigerators, and freezers, unless contained in mobile campers, lumber, sheet metal, or other building materials are ~~is~~ prohibited.

b. through g. No change.

(c) No change.

(4) South Region.

(a) Southern Glades Dade County.

1. Open season:

a. Archery September 6 ~~8~~ through October 5 ~~7~~.b. Muzzleloading gun October 10-12 ~~12-14~~.c. General gun October 25 ~~27~~ through November 30 ~~December 2~~.d. Small game November 8 through March 1.e. ~~Ducks~~, geese, coots, and snipe During the seasons established for these species in Rules 68A-13.003 and 68A-13.008, F.A.C.

e. through f. renumbered f. through g. No change.

2. Legal to take: Deer with one or more antlers at least five inches in length, and wild hogs with a shoulder height of 15 inches or more; duck, ~~Ducks~~, coots, and snipe; fish and frogs.~~may be taken during seasons established for these species in Rules 68A-13.003 and 68A-13.008, F.A.C. The take of wild hog is prohibited during small game season. Wild hog: daily bag, 1; possession limit, 2.~~

3. No change.

(b) John G. and Susan H. Dupuis Jr. Palm Beach and Martin counties.

1. Open season:

a. Archery September 5-7 ~~7-9~~, 12-14 ~~14-16~~ and 19-21 ~~21-23~~.b. Muzzleloading gun October 3-5 ~~5-7~~, 10-12 ~~12-14~~ and 17-19 ~~19-21~~.c. General gun for mobility-impaired ~~General gun~~ October 25-26 ~~26-28~~ and November 2-4.d. General gun for mobility-impaired October 31 through November 2 and November 7-9 ~~10-11~~.e. General gun hog November 11-13 ~~13-15~~, 18-20 ~~20-22~~, 25-27 ~~27-29~~ and December 2-4 ~~4-6~~. Wild hogs only. No bag or size limit.f. Spring turkey March 10-12 ~~4-6~~, 20-22 ~~14-16~~ and 27-29 ~~21-23~~.g. Small game December 6 ~~8~~ through January 25 ~~27~~.

h. through j. No change.

2. Legal to take:

a. All legal game, gobblers or bearded turkeys (during spring season only), fish and furbearers (except otter). Taking of antlered ~~Antlered~~ deer not having with at least one antler with having three or more points, one inch or more in length, is prohibited. Antlerless deer (except spotted fawns) may be taken during the archery and general gun for the mobility-impaired seasons; and by antlerless deer permit only during the muzzleloading gun and general gun seasons. The bag limit for deer shall be one per quota hunt permit, except during the general gun for mobility-impaired season when one (1) antlered and one (1) antlerless deer may be taken per quota permit. ~~Wild hogs may be taken with no size or bag limit. The bag limit for turkey shall be one per quota hunt permit. The take of wild hog is prohibited during small game season.~~b. ~~Spring turkey season Gobblers or bearded turkeys only. The bag limit for turkey shall be one per quota hunt permit.~~c. ~~Small game season Quail, gray squirrel, rabbit, armadillo, bobcat, raccoon, opossum, coyote, and skunk. Any migratory game bird may be taken during those portions of seasons established for these species in Rules 68A-13.003 and 68A-13.008, F.A.C., that coincide with the small game season.~~3. Camping During the archery, muzzleloading gun, general gun, general gun for mobility-impaired, and spring turkey, and general gun hog seasons, no person shall camp on the area except those possessing a current Dupuis quota hunt permit; and during the general gun hog season, only general gun hog hunters may camp on the area; camping ~~Camping~~ is permitted only on ~~in~~ the campsite adjacent to Gate 3.

Authorized camping equipment may be taken on the area after 8:00 a.m. one day before each three-day hunt of the archery, muzzleloading gun, general gun, general gun hog, general gun for mobility-impaired, and spring turkey seasons. Authorized camping equipment shall be removed from the area before 5:00 p.m. one day following each three-day hunt of the archery, muzzleloading gun, general gun, general gun hog, general gun for mobility-impaired, and spring turkey seasons. During the remainder of the year, camping is permitted only at designated primitive sites on hiking trails, the ~~Family General~~ Use campground on Jim Lake Grade, and at the designated equestrian staging area at Gate 3. Small game hunters shall utilize the ~~Family General~~ Use campground on Jim Lake Grade or the primitive sites on the hiking trails.

4. General regulations:

~~a. Unauthorized removal or cutting of live or dead trees or plants is prohibited.~~

b. through g. renumbered a. through f. No change.

~~g.h.~~ The use of tracked vehicles, buggies, airboats, ~~motorcycles~~, or all-terrain vehicles is prohibited except all-terrain vehicles may be used during the general gun for mobility-impaired season. The operation of a motorcycle that is not registered and licensed is prohibited.

~~h.i.~~ Horses are prohibited during the archery, muzzleloading gun, general gun, general gun for mobility-impaired, spring turkey, and general gun hog seasons. During the remainder of the year horses may be used only on designated equestrian trails and named or numbered roads. ~~The use of horses on all other roads and trails is prohibited.~~ Persons horseback riding on the area shall enter and exit only at Gate 3.

~~i.j.~~ During the archery, muzzleloading gun, general gun, general gun for mobility-impaired, spring turkey, and general gun hog seasons, hunters shall check in and out at the check station at Gate 3 and check all game taken. No deer, wild hog, or turkey may be dismembered until checked at the check station. During the small game season, hunters shall enter and exit the area through Gate 1.

~~j.k.~~ No change.

~~k.l.~~ During the archery, muzzleloading gun, general gun, general gun for mobility-impaired, spring turkey, and general gun hog seasons, no person shall enter or exit the area except through Gate 3 and all such persons shall possess a valid quota hunt permit for the area ~~except that one person younger than 16 years of age may accompany a person older than 18 years of age who possesses a valid quota permit.~~

~~l.m.~~ No change.

~~n.~~ The designated campsite for hunters is at Gate 3 and may be used by hunters only during the archery, muzzleloading gun, general gun, general gun for mobility impaired, spring turkey, and general gun hog seasons. Authorized camping equipment may be taken on the area after 8:00 a.m. one day before each three day hunt of the archery, muzzleloading gun, general gun, general gun hog, general gun for

mobility-impaired, and spring turkey seasons. Authorized camping equipment shall be removed from the area before 5:00 p.m. one day following each three-day hunt of the archery, muzzleloading gun, general gun, general gun hog, general gun for mobility-impaired, and spring turkey seasons.

~~o.~~ Each person hunting during the general gun for mobility impaired season shall possess quota hunt permit for the hunt.

p. through s. renumbered m. through p. No change.

(c) CREW Collier and Lee Counties.

1. Open season:

a. Archery September ~~6-14~~ 8-16.

b. Muzzleloading gun October ~~11-13~~ 13-15.

c. General gun October ~~25-27~~ through November 2-4.

~~d.~~ Small game November 29 through December 26.

~~e.d.~~ Spring turkey March ~~7-10~~ 1-4 and ~~11-15~~ 5-9.

e. through g. renumbered f. through g. No change.

2. Legal to take: All legal game, fish, frogs, and furbearers (except bobcat and otter). The bag limit for deer shall be one per quota hunt permit. The taking of deer is prohibited in the Corkscrew Marsh Unit. During the spring turkey season, the bag limit for turkey shall be one gobbler (or bearded turkey) per quota hunt permit. The taking of turkey is prohibited during the archery season. ~~There shall be no bag limit restrictions on wild hogs.~~ The take of wild hog is prohibited during small game season.

3. Camping: Camping ~~Primitive camping~~ is allowed at designated sites by individuals with written authorization from the South Florida Water Management District or by individuals in possession of a valid quota hunt permit.

4. General regulations:

~~a.~~ ~~The use of trailers or recreational vehicles for camping is prohibited.~~

~~a.b.~~ No change.

~~e.~~ ~~Unauthorized removal, cutting, or possession of live or dead trees or plants is prohibited.~~

~~b.d.~~ Take of wildlife with dogs is prohibited except bird dogs or retrievers may be used during general gun and small game seasons. ~~Dogs are prohibited, except that dogs not normally used for hunting and kept under restraint may be possessed. No person shall allow any dog to pursue or molest wildlife.~~

e. through f. renumbered c. through d. No change.

~~e.g.~~ The use or possession of horses is prohibited, except by individuals with written authorization from the South Florida Water Management District restricted to designated equestrian trails.

~~f.h.~~ Persons may enter and exit the area only at designated access points and hunters must check in and out at the designated check station and shall check all game taken.

i. through j. renumbered g. through h. No change.

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

l. through m. renumbered i. through j. No change.

~~k. Taking wildlife with centerfire or Centerfire and rimfire rifles is are prohibited.~~

(d) Florida Keys Monroe County.

1. Taking wildlife with ~~Hunting or possession of~~ firearms or guns is prohibited.

2. through 4. No change.

(e) John C. and Mariana Jones / Hungryland Palm Beach and Martin Counties.

1. Open season:

a. Archery September ~~6-9 8-11, 13-16 15-18, 20-23 22-25~~ and September ~~27-30 29 through October 2.~~

b. Muzzleloading gun October ~~11-13 13-15.~~

c. General gun October ~~25-27 27-29~~ and November ~~1-3 3-5 and 8-10 10-12.~~

d. Small game November ~~15 17~~ through December ~~14 2.~~

e. No change.

2. Legal to take: Deer, ~~wild hog~~, quail, gray squirrel, rabbit, ~~armadillo~~, raccoon, opossum, coyote, skunk, fish, frogs and migratory game birds as established by Rules 68A-13.003 and 68A-13.008, F.A.C., when migratory game bird season coincides with the archery, muzzleloading gun, general gun, or small game season. The bag limit for deer shall be one each per quota permit. ~~No size or bag limits on wild hogs.~~ The taking of antlerless deer is prohibited during the archery season. Taking of antlered deer not having at least one antler with three or more points, one inch or more in length, is prohibited.

3. Camping: Camping is permitted only at designated primitive sites. Only tents may be used for camping.

4. General regulations:

~~a. Unauthorized removal or cutting of live or dead trees or plants is prohibited.~~

~~a.b.~~ No change.

~~b.e.~~ Motorized vehicles ~~Vehicles~~ may be operated only on named or numbered roads and in designated parking areas, unless otherwise posted as closed. Vehicles are prohibited on the Old Jupiter-Indiantown Grade.

d. through g. renumbered c. through f. No change.

~~g.h.~~ Taking wildlife with centerfire or ~~Centerfire and rimfire rifles is are~~ prohibited.

i. through i. renumbered h. through i. No change.

(5) Northeast Region. Split Oak Forest Mitigation Park – Orange and Osceola counties.

~~(a) Taking wildlife with guns~~ ~~Hunting or possession of~~ ~~firearms~~ is prohibited.

(b) through (h) No change.

PROPOSED EFFECTIVE DATE: July 1, 2008.

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, 7-1-08.

NAME OF PERSON ORIGINATING PROPOSED RULE: Nick Wiley, Director, Division of Hunting and Game Management, 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 5, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 7, 2007

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-18.004
 RULE TITLE: Regulations in Wildlife Refuges
 PURPOSE AND EFFECT: The purpose of the proposed rule changes is to revise regulations prohibiting the possession of guns on wildlife refuges. The effect of the proposed rule changes is to help the agency better manage fish and wildlife resources.

SUMMARY: The proposed rule changes would allow the possession of guns on wildlife refuges, as long as the guns are not used for taking wildlife.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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 regular meeting of the Commission, February 6-7, 2008, 8:30 a.m. – 5:00 p.m., each day

PLACE: Bay Point Marriott Golf Resort & Spa, 4200 Marriott Drive, Panama City Beach, Florida 32408

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-18.004 Regulations in Wildlife Refuges.

No person shall take or possess any wildlife on any area established as a wildlife refuge; or take or possess any freshwater fish on any area closed to the taking of freshwater fish. In any wildlife refuge, no person shall be in possession of a ~~gun, dog, or trap or other device~~ for taking wildlife. In any refuge where taking freshwater fish is prohibited, no person shall be in possession of any device for taking freshwater fish.

PROPOSED EFFECTIVE DATE: July 1, 2008.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 372.121 FS. History—New 8-1-79, Amended 6-21-82, 7-1-84, Formerly 39-18.04, 39-18.004, Amended 7-1-08.

NAME OF PERSON ORIGINATING PROPOSED RULE: Nick Wiley, Director, Division of Hunting and Game Management, 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 5, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 7, 2007

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-20.005
 RULE TITLE: Specific Fish Management Area Regulations

PURPOSE AND EFFECT: The purpose of the proposed rule changes are to: clarify prohibition of gun or firearm possession on 38 Fish Management Areas, standardize cast net use in all Fish Orlando! Fish Management Areas and remove lakes Lorna Doone, Richmond, Dot and Kirkman Pond from the Fish Orlando! Fish Management Program; to use Executive Order

to change dates the Joe Budd Fish Management Area is open to fishing; to increase ability to add designated entry points, change name and fishing access requirements of two lakes, eliminate the check-in requirements for alligator hunters, redefine location of possession and discharge of firearms, and redefine dog possession on Teneroc Fish Management Area. The effect would be to enable the agency to better manage fisheries resources.

SUMMARY: The proposed rule would eliminate the use of cast nets on two Fish Orlando! Fish Management Areas, and remove the Fish Management Area designation and associated rules from four small lakes; increase the flexibility to change dates Joe Budd Pond Fish Management Area is open to public fishing; increase ability to add designated entry points, change the name and increase fishing utilization by changing fishing access requirements of two lakes, exempt alligator hunters from check-in requirements, clarify the physical location for possession and discharge of firearms, redefine dog possession on Teneroc Fish Management Area, and clarify prohibition of gun or firearm possession on 38 Fish Management Areas.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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 regular meeting of the Commission, February 6-7, 2008, 8:30 a.m. – 5:00 p.m., each day

PLACE: Bay Point Marriott Golf Resort & Spa, 4200 Marriott Drive, Panama City, 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 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, 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) Northwest Region:
- (a) through (b) No change.
- (c) Merritts Mill Pond, Jackson County:
1. The taking of fish and wildlife with possession of rifles or gigs is prohibited.
 2. The possession of gigs is prohibited.
 3. Trotlines may be used.
 4. No person shall take in any one day more than 10 redear sunfish (shellcracker).
 5. No person shall kill or possess any redear sunfish that is less than 10 inches in total length.
 6. No daily creel limit for channel catfish.
- (d) through (g) No change.
- (h) Joe Budd Pond, Gadsden County:
1. Closed to fishing, except as follows:
 - a. From July through September, open to fishing during daylight hours as specified by Order of the Executive Director. From 12:01 a.m. the first Saturday July to 12:01 a.m. Tuesday following Labor Day. on weekends and Labor Day
 - b. No change.
 2. through 6. No change.
- (i) Lake Piney Z, Leon County:
1. Swimming, taking of fish or wildlife with possession of firearms, or possession of alcoholic beverages is prohibited.
 2. through 7. No change.
- (2) North Central Region:
- (a) No change.
1. Guns are prohibited for taking of fish or wildlife, except during the designated hunting season for Camp Blanding Wildlife Management Area.
 2. through 6. No change.
- (b) No change.
- (c) Suwannee Lake, Suwannee County:
1. through 2. No change.
 3. Taking of fish or wildlife with Possession of firearms is prohibited.
 4. through 8. No change.
- (d) Koon Lake, Lafayette County:
1. Taking of fish or wildlife with Possession of firearms is prohibited.
 2. No change.
- (e) Watertown Lake, Columbia County:
1. Taking of fish or wildlife with Possession of firearms is prohibited.
 2. through 5. No change.
- (f) through (g) No change.
- (h) Lang Lake, Hamilton County:
1. through 5. No change.
 6. Taking of fish or wildlife with Possession of firearms is prohibited, except by written permission of the landowner.
- (i) Eagle Lake, Hamilton County:
1. through 2. No change.
 3. Swimming and taking of fish or wildlife with possession of firearms is prohibited.
- (j) No change.
- (k) Lake Rachael, Madison County:
1. through 2. No change.
 3. Taking of fish or wildlife with Possession of firearms is prohibited.
- (l) St. Augustine Road Ponds, St. Augustine Road, North Pond and South Pond – Duval County:
1. through 3. No change.
 4. Swimming, taking of fish or wildlife with possession of firearms, possession of alcoholic beverages or use of cast nets is prohibited.
 5. No change.
- (m) Oceanway Pond, Duval County:
1. Swimming, taking of fish or wildlife with possession of firearms, possession of alcoholic beverages or use of cast nets is prohibited.
 2. through 5. No change.
- (n) Hanna Park Ponds, Duval County:
1. Taking of fish or wildlife with Possession of firearms, possession of alcoholic beverages or use of cast nets is prohibited.
 2. through 5. No change.
- (o) Pope Duval East Pond, Duval County:
1. Swimming, taking of fish or wildlife with possession of firearms, possession of alcoholic beverages or use of cast nets is prohibited.
 2. through 5. No change.
- (p) Pope Duval West Pond, Duval County:
1. Swimming, taking of fish or wildlife with possession of firearms, possession of alcoholic beverages or use of cast nets is prohibited.
 2. through 5. No change.
- (q) Bethesda Pond, Duval County:
1. through 3. No change.
 4. Swimming, taking of fish or wildlife with possession of firearms, possession of alcoholic beverages or use of cast nets is prohibited.
 5. No change.
- (r) Huguenot Pond, Duval County:
1. through 3. No change.
 4. Swimming, taking of fish or wildlife with possession of firearms, possession of alcoholic beverages or use of cast nets is prohibited.
 5. No change.
- (s) Crystal Springs Park, Duval County:
1. through 3. No change.

4. Swimming, taking of fish or wildlife with possession of firearms, possession of alcoholic beverages or use of cast nets is prohibited.

5. through 6. No change.

(3) Northeast Region:

(a) through (g) No change.

~~(h) Lake Lorna Doone, Orange County:~~

~~1. Swimming, possession of firearms or possession of alcoholic beverages is prohibited.~~

~~2. Boats are prohibited.~~

~~3. No person shall take in any one day more than 20 panfish, in the aggregate.~~

~~(i) Lake Richmond, Orange County:~~

~~1. Swimming, possession of firearms or possession of alcoholic beverages is prohibited.~~

~~2. Boats are prohibited.~~

~~3. No person shall take in any one day more than 20 panfish, in the aggregate.~~

~~(h)(f) Lake Ivanhoe, Orange County:~~

1. Swimming, taking of fish or wildlife with possession of firearms or possession of alcoholic beverages is prohibited.

2. No change.

3. Cast nets are prohibited

~~(i)(k) Lake Santiago in Demetree Park, Orange County:~~

1. Swimming, taking of fish or wildlife with possession of firearms or possession of alcoholic beverages is prohibited.

2. through 3. No change.

4. Cast nets are prohibited.

~~(j)(4) Hal Scott Lake, Orange County:~~

1. Swimming, taking of fish or wildlife with possession of firearms or possession of alcoholic beverages is prohibited.

2. through 5. No change.

~~(k)(m) Secret Lake Park, Seminole County:~~

1. Swimming, taking of fish or wildlife with possession of firearms or possession of alcoholic beverages is prohibited.

2. through 5. No change.

~~(n) Lake Dot, Seminole County:~~

~~1. Swimming, possession of firearms or possession of alcoholic beverages is prohibited.~~

~~2. Boats propelled by gasoline motors are prohibited.~~

~~3. Cast nets are prohibited.~~

~~4. No person shall take in any one day more than 20 panfish, in the aggregate.~~

~~5. No person shall kill or possess any black bass.~~

~~(l)(e) All waters in Bear Creek Park, Orange County:~~

1. Swimming, taking of fish or wildlife with possession of firearms or possession of alcoholic beverages is prohibited.

2. through 3. No change.

~~(m)(p) All waters in Shadow Bay Park, Orange County:~~

1. Swimming, taking of fish or wildlife with possession of firearms or possession of alcoholic beverages is prohibited.

2. through 5. No change.

~~(n)(q) Clear Lake, Orange County:~~

1. Swimming, taking of fish or wildlife with possession of firearms or possession of alcoholic beverages is prohibited.

2. No change.

~~(r) Kirkman Pond, Orange County:~~

~~1. Swimming, possession of firearms or possession of alcoholic beverages is prohibited.~~

~~2. Use or possession of cast nets is prohibited.~~

~~3. No person shall take in any one day more than five bluegill. No person shall kill or possess any bluegill less than 12 inches in total length.~~

~~4. No person shall kill or possess any black bass.~~

~~(o)(s) Lake Lawne, Orange County:~~

1. Swimming, taking of fish or wildlife with possession of firearms or possession of alcoholic beverages is prohibited.

2. No change.

~~(p)(t) No change.~~

~~(q)(u) Turkey Lake, Orange County:~~

1. Swimming, taking of fish and wildlife with possession of firearms or possession of alcoholic beverages is prohibited.

2. through 5. No change.

~~(r)(v) Lake Underhill, Orange County:~~

1. Swimming, taking of fish or wildlife with possession of firearms or possession of alcoholic beverages is prohibited.

2. through 4. No change.

(w) through (aa) renumbered (s) through (w) No change.

(4) Southwest Region:

(a) through (h) No change.

(i) Tenoroc Fish Management Area:

1. General regulations for all Tenoroc lakes, except Lake Crago:

a. All visitors, except alligator hunt participants when taking alligators, shall check in and out at designated entry points. All designated entry points will be posted at the Tenoroc Fish Management Area headquarters. ~~the designated entry point.~~

b. through g. No change.

h. No person shall discharge any gun for testing or target practice, except on a Commission shooting range or at a Commission sponsored event. ~~During closed seasons, guns are prohibited except on the shooting range and that portion of the Tenoroc Mine Road between the front entrance and the shooting range. Guns transported to and from the shooting range shall be unloaded and eased.~~

i. No change.

j. Dogs are prohibited unless leashed or as authorized by Commission provided by Rule 68A-13.007, F.A.C.

k. through p. No change.

2. No change.

3. Specific regulations:

- a. through b. No change.
- c. Pine Lakes East Pasture, West Pasture and Derby.
- (I) through (IV) No change.
- (V) No person 16 years of age or older shall fish on Pine Lakes or Derby Lake unless accompanied by a child under 16 years of age.
- (VI) through (VII) No change.
- d. No change.
- 4. Notwithstanding any provisions of this subparagraph, special-opportunity alligator hunt participants may ~~possess and~~ use guns and baits as specified in Rule 68A-25.042, F.A.C., when taking alligators.
- (k) Freedom Lake Park, Pinellas County:
 - 1. through 3. No change.
 - 4. Swimming, taking of fish and wildlife with possession of firearms or possession of alcoholic beverages is prohibited.
- (l) Dover District Park Lake, Hillsborough County:
 - 1. through 3. No change.
 - 4. Swimming, taking of fish and wildlife with possession of firearms or possession of alcoholic beverages is prohibited.
- (m) Steven J. Wortham Park Lake, Hillsborough County:
 - 1. through 3. No change.
 - 4. Swimming, taking of fish and wildlife with possession of firearms or possession of alcoholic beverages is prohibited.
- (n) Al Lopez Park Lake, Hillsborough County:
 - 1. through 3. No change.
 - 4. Swimming or taking of fish and wildlife with possession of firearms is prohibited.
- (o) Walsingham Park Lake, Pinellas County:
 - 1. No change.
 - 2. Swimming, taking of fish or wildlife with possession of firearms or possession of alcoholic beverages is prohibited.
 - 3. through 8. No change.
- (p) Middle Lake, Pasco County:
 - 1. No change.
 - 2. Swimming, taking of fish or wildlife with possession of firearms, camping, or open fires at the boat launch site are prohibited.
 - 3. through 4. No change.
- (q) No change.
- (r) Bobby Hicks Park Pond, Hillsborough County:
 - 1. through 4. No change.
 - 5. Swimming or taking of fish or wildlife with possession of firearms is prohibited.
 - 6. No change.
- (s) Gadsden Park Pond, Hillsborough County:
 - 1. through 4. No change.
 - 5. Swimming or taking of fish or wildlife with possession of firearms is prohibited.
 - 6. No change.

- (t) Mosaic Fish Management Area, Polk and Hardee counties:
 - 1. General regulations:
 - a. through g. No change.
 - h. Taking of fish or wildlife with gGuns is are prohibited.
 - i. through m. No change.
 - 2. No change.
- (u) Hardee County Park, Hardee County:
 - 1. General regulations:
 - a. through j. No change.
 - k. Taking of fish and wildlife with gGuns is are prohibited.
 - l. through o. No change.
 - (v) Largo Central Park Nature Preserve, Pinellas County:
 - 1. through 4. No change.
 - 5. Swimming, taking of fish or wildlife with possession of firearms or possession of alcoholic beverages is prohibited.
- (5) South Region:
 - (a) through (e) 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, 4-1-07, _____.

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: Darrell Scovell, Director, Division of Freshwater Fisheries 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 5, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 7, 2007

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NOS.:	RULE TITLES:
68A-21.002	Establishment
68A-21.004	General Regulations Relating to Wild Hog Areas

PURPOSE AND EFFECT: The purpose of the proposed rule repeal is to delete Wild Hog Area general regulation rules as part of a suite of rule change proposals to change the way wild hogs are managed. The effect would be a simplified set of regulations which treat wild hogs as wildlife. This suite of proposed rules would allow wild hogs to be taken on private land with no size and no bag limits throughout the year. In addition, it would remove the game status of wild hogs statewide and allow wild hogs to be managed by area-specific rules on public hunting lands.

SUMMARY: Rule 68A-21.002, F.A.C., which provides for the establishment of wild hog areas, is proposed to be repealed. Rule 68A-21.004, F.A.C., which provides general regulations for wild hogs, is proposed to be repealed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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 FS.

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

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

DATES AND TIME: During the regular meeting of the Commission, February 6-7, 2008, 8:30 a.m. – 5:00 p.m., each day

PLACE: Bay Point Marriott Golf Resort & Spa, 4200 Marriott Drive, Panama City Beach, Florida 32408

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: 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 RULES IS:

68A-21.002 Establishment.

PROPOSED EFFECTIVE DATE: July 1, 2008.

Specific Authority Art. IV, Sec. 9, Fla. Const., 372.021 FS. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 8-1-79, Amended 6-21-82, Formerly 39-21.02, 39-21.002, Repealed 7-1-08.

68A-21.004 General Regulations Relating to Wild Hog Areas.

PROPOSED EFFECTIVE DATE: July 1, 2008.

Specific Authority Art. IV, Sec. 9, Fla. Const., 372.021 FS. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 8-1-79, Amended 6-4-81, 6-21-82, Formerly 39-21.04, 39-21.004 Repealed 7-1-08.

NAME OF PERSON ORIGINATING PROPOSED RULE: Nick Wiley, Director, Division of Hunting and Game Management, 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 5, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 7, 2007

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.:	RULE TITLE:
68A-23.002	General Methods of Taking Freshwater Fish

PURPOSE AND EFFECT: The purpose of the proposed rule is to clarify the use of cast net in taking freshwater fish. Cast nets with mesh not greater than 1 inch stretched may be used statewide to take non-game fish less than eight inches (8") total length and golden shiners of any size, unless specifically prohibited; cast nets of any size may be used for taking of non-game fish of any size in South, Northeast, and Southwest Regions and Citrus County with some specific exceptions. The effect would be to simplify rule for greater public understanding and enable the agency to better manage fisheries resources.

SUMMARY: The proposed rule will allow the use of cast nets of any size mesh for taking of any non-game freshwater fish in South, Southwest, Northeast Regions and Citrus County, unless specifically prohibited; cast nets with stretched mesh not greater than 1 inch can be used statewide to take non-game fish less than 8 inches total length and golden shiners of any size, unless specifically prohibited.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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 regular meeting of the Commission, February 6-7, 2008, 8:30 a.m. – 5:00 p.m., each day

PLACE: Bay Point Marriott Golf Resort & Spa, 4200 Marriott Drive, Panama City Beach, 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 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, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-23.002 General Methods of Taking Freshwater Fish.

(1) through (2) No change.

(3) Nongame fish may be taken by hook and line, rod and reel or by trotlines, set lines or bush hooks (as specified in Rule 68A-23.004, F.A.C.), or by traps, nets or other devices as specified in Rule 68A-23.003, F.A.C. Nongame fish may be taken for personal use by any person possessing a valid freshwater fishing license by the use of not more than one slat basket or one wire trap, made as specified in Rule 68A-23.003, F.A.C., in those waters where the use of wire traps or slat baskets is permitted for commercial purposes as specified in subsection 68A-23.003(2), F.A.C. Nongame fish may be taken at night by bow and arrow and gigs and during daylight hours by manually operated spears, gigs, snatch hooks, crossbow or bow and arrow from a boat or from shore except at the spillways of the Eureka and Rodman Dams on the Oklawaha River or on the spillway of the Jim Woodruff Dam on the Apalachicola River or in Dade County canals south of the C-4 and east of the L-31N and L-31W canals inclusively. Nongame

fish may be taken by the use of cast nets of any mesh size in the South and Northeast Regions, in Citrus and Glades Counties, and in the Southwest Region, except that possession or use of cast nets in waters adjoining Saddle Creek Fish Management Area, Polk County, confined by Morgan Combee Road, U.S. Highway 92 and Fish Hatchery Road are prohibited.

(4) through (5) No change.

(6) Minnows of Non-game fish less than eight inches (8") total length and golden shiners (Notemigonus chrysoleucas) of any size excluding catfish may be taken:

(a) By the use of a dip net not over four feet in diameter.

(b) By the use of a trap not exceeding twenty-four inches (24") in length, and twelve inches (12") in diameter having a funnel entrance not more than one inch (1") in spread.

(c) By the use of a cast net having a mesh size not greater than one inch (1") stretched in fresh waters of the state unless specifically prohibited. Non-game fish of any size may be taken by cast nets of any mesh size in the South, Southwest and Northeast regions and Citrus County as specified in subsection 68A-23.002(3), F.A.C.

(d) By the use of a minnow seine having a mesh size not greater than one inch (1) stretched and not to exceed twenty feet (20") in length and four feet (4") in depth.

(7) through (11) No change.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-1-79, Amended 5-19-80, 6-4-81, 6-21-82, 7-1-84, Formerly 39-23.02, Amended 6-1-86, 4-13-88, 7-1-89, 7-1-90, 4-20-93, 7-1-93, 7-1-94, 7-1-95, 4-1-96, 7-1-98, 4-15-99, Formerly 39-23.002, Amended 7-1-00, 7-1-01, 7-1-04, 7-1-06, _____.

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: Darrell Scovell, Director, Division of Freshwater Fisheries 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 5, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 7, 2007

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-23.003
RULE TITLE: Commercial Fishing Devices; Provision for Use in Certain Waters

PURPOSE AND EFFECT: The purpose of the proposed rule is to have commercial fishing devices permanently and legibly marked with the owners name address while being fished or possessed in or upon waters of the state. The effect would be to enable the agency to better manage fish and wildlife resources. SUMMARY: The proposed rule will require commercial fishing devices to be marked with owner name and address to ensure devices are attended while fishing in or upon waters of the state.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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 regular meeting of the Commission, February 6-7, 2008, 8:30 a.m. – 5:00 p.m., each day

PLACE: Bay Point Marriott Golf Resort & Spa, 4200 Marriott Drive, Panama City Beach, 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 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, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-23.003 Commercial Fishing Devices; Provision for Use in Certain Waters.

(1) Persons licensed under Section 372.65, F.S., may use certain commercial fishing devices only in the manner and in the areas specified in this rule, except as specified in subsection 68A-23.002(10), F.A.C. All fishing devices authorized by this section shall be clearly and legibly marked with the harvester's name and address while being used or possessed in or upon the waters of the state. Any game fish taken by these devices shall be immediately returned to the water unharmed.

(2) through (11) No change.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 372.65 FS. History--New 8-1-79, Amended 10-23-79, 5-19-80, 6-22-80, 6-4-81, 6-21-82, 7-1-83, 7-1-84, 7-1-85, Formerly 39-23.03, Amended 6-1-86, 4-13-88, 7-1-90, 1-1-92, 7-1-92, 10-22-92, 4-20-93, 7-1-95, 4-1-96, 7-1-97, 7-1-98, Formerly 39-23.003, Amended _____.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE FAW.

NAME OF PERSON ORIGINATING PROPOSED RULE: Darrell Scovell, Director, Division of Freshwater Fisheries 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 5, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 7, 2007

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-23.004
RULE TITLE: Lawful Methods for Using Trotlines and Bush Hooks or Set Lines

PURPOSE AND EFFECT: The purpose of the proposed rule is to have commercial fishing devices permanently and legibly marked with the owners name address while being fished or possessed in or upon waters of the state. The effect would be to enable the agency to better manage fish and wildlife resources. SUMMARY: The proposed rule will require commercial fishing devices to be marked with owner name and address to ensure devices are attended while fishing in or upon waters of the state.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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 regular meeting of the Commission, February 6-7, 2008, 8:30 a.m. – 5:00 p.m., each day

PLACE: Bay Point Marriott Golf Resort & Spa, 4200 Marriott Drive, Panama City Beach, Florida

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Darrell Scovell, Director, Division of Freshwater Fisheries Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-23.004 Lawful Methods for Using Trotlines and Bush Hooks or Set Lines.

(1) Trotlines, bush hooks or set lines are permitted statewide except in that portion of the Ochlockonee River between State Road 20 and the Lake Talquin Power Dam; that portion of the Apalachicola River between U.S. Highway 90 and the Jim Woodruff Dam; Bear Gully Lake in Seminole County; the Oklawaha River upstream from the Eureka Bridge; Lake Jackson in Walton County; Silver Lake on the Withlacoochee River; Lakes Jessamine and Holden in Orange County; Triplett lakes in Seminole County; Lake Helen in Volusia County; in Martin County east of the Sunshine State Parkway; in that portion of the St. Johns River and its tributaries south of State Road 46 and north of U.S. Highway 192, including lakes Poinsett, Winder and Washington. Trotlines are prohibited in Little Bay Lake in Orange County except under permit. All fishing devices authorized by this

section shall be permanently and legibly marked with the harvester's name and address while being used or possessed in or upon the waters of the state.

(2) through (7) No change.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History--New 8-1-79, Amended 5-19-80, 6-4-81, 6-21-82, Formerly 39-23.04, Amended 12-12-88, 4-4-91, 4-14-92, 4-1-96, Formerly 39-23.004, Amended _____.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE FAW.

NAME OF PERSON ORIGINATING PROPOSED RULE: Darrell Scovell, Director, Division of Freshwater Fisheries 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 5, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 21, 2007

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.:	RULE TITLE:
68A-23.005	Bag Limits, Length Limits, Open Season: Freshwater Fish

PURPOSE AND EFFECT: The purpose of the proposed rule is to establish an 18 minimum length limit on black bass on Lake Okeechobee, establish a 10 minimum length limit on black crappie on Lake Okeechobee, clarify Lake Okeechobee freshwater fisheries regulation boundaries, and establish an 18 minimum length limit on black bass on Lake Trafford. The effect would be to enable the agency to better manage fisheries resources.

SUMMARY: The proposed rule will change the regulation of black bass on Lake Okeechobee from a 13 to 18 inch protective slot limit to an 18 inch minimum length limit; establish a minimum size limit of 10 inches for black crappie on Lake Okeechobee; add the portion of C-41-A Canal, southeast of the S-84 structure to the definition of Lake Okeechobee; and change the black bass regulation to an 18 minimum length limit on Lake Trafford.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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 regular meeting of the Commission, February 6-7, 2008, 8:30 a.m. – 5:00 p.m., each day

PLACE: Bay Point Marriott Golf Resort & Spa, 4200 Marriott Drive, Panama City Beach, 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 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, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-23.005 Bag Limits, Length Limits, Open Season: Freshwater Fish.

(1) through (7) No change.

(8) In that portion of the state south and east of the Suwannee River to the line established by reference to certain counties in subsection (9) below, bag or length limits or areas closed to fishing are as follows:

(a) through (h) No change.

(i) Lake Okeechobee: ~~No person shall kill or possess any black bass that is 13 inches or more in total length and less than 18 inches in total length.~~

1. Lake Okeechobee is Defined as any point lakeward of a boundary line delineated by the following points:

Intersection of St. Rd. 78 and U.S. 441, U.S. 441 SE to St. Rd. 5 (“80”)

St. Rd. 5 (“80”) to St. Rd. 25 (U.S. 27)

St. Rd. 25 (U.S. 27) to St. Rd. 78

St. Rd. 78 to U.S. 441

Including:

Harney Pond Canal (C-41) north of St. Rd. 78 to South Florida Water Mgmt. District (SFWMD) structure S-71

C-41-A Canal, southeast of the S-84 structure

Indian Prairie Canal (C-40) north of St. Rd. 78 to SFWMD structure S-72

All of Taylor Creek and Nubbin Slough in Okeechobee County C-38/Kissimmee River south of SFWMD structure S-65E to St. Rd. 78

2. Black bass – No person shall kill or possess any black bass less than eighteen inches (18") in total length.

3. Crappie – No person shall kill or possess any crappie less than ten inches (10") in total length.

(9) In the counties of Martin (except: north of a line from the St. Lucie Inlet along the south shore of the St. Lucie River to the St. Lucie Canal, north of the St. Lucie Canal, and west of U.S. Highway 441), Palm Beach (east of U.S. Highway 441 and south of State Road 80), Hendry (south of State Road 80), Broward, Collier, Dade, Lee (south of State Road 80), and Monroe;

(a) No person shall take in any one day more than one (1) black bass fourteen inches or greater in total length, except for Lake Trafford, Collier County.

(b) Lake Trafford, Collier County – No person shall kill or possess any black bass that is less than eighteen inches (18") in total length. No person shall take in any one day more than 5 black bass of which only one may be twenty-two inches (22") or longer in total length.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 8-1-79, Amended 5-19-80, 6-4-81, 6-21-82, 7-1-83, Formerly 39-23.05, Amended 2-27-86, 5-10-87, 3-1-88, 4-13-88, 7-1-89, 4-11-90, 7-1-92, 8-23-92, 4-20-93, 7-1-94, 9-15-94, 4-1-96, 7-1-98, 10-20-98, Formerly 39-23.005, Amended 7-1-00, 7-1-01, 7-1-04, 7-1-05, 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: Darrell Scovell, Director, Division of Freshwater Fisheries 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 5, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 7, 2007

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-24.002
 RULE TITLE: Methods of Taking Fur-Bearing Animals; Possession; Open Season

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to revise regulations prohibiting the possession of guns while chasing fox or bobcat with dogs. The effect of the proposed rule changes is an opportunity for FWC to proactively change its rules to better reflect the intent of the Florida legislature, who has made it clear that state agencies should not restrict the legal possession of firearms.

SUMMARY: The proposed rule changes would allow the possession of guns while chasing fox or bobcat with dogs.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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 FS.

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

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

DATES AND TIME: During the regular meeting of the Commission, February 6-7, 2008, 8:30 a.m. – 5:00 p.m., each day

PLACE: Bay Point Marriott Golf Resort & Spa, 4200 Marriott Drive, Panama City Beach, Florida 32408

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

- (1) No change.

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

- (a) through (b) No change.

(c) Bobcat or otter may be taken only from December 1 through March 1 by live traps, guns, dogs or snares. Fox and bobcats may be chased by the use of free-running dogs throughout the year. ~~The possession of a gun while hunting fox is prohibited. The possession of a gun while chasing bobcat is prohibited from March 2 through November 30.~~ No person shall kill or possess fox unless authorized by permit from the executive director.

- (d) No change.

- (3) No change.

PROPOSED EFFECTIVE DATE: July 1, 2008.

Specific Authority Art. IV, Sec. 9, Fla. Const., 372.021 FS. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 8-1-79, Amended 6-22-80, 6-4-81, 6-21-82, 7-1-83, 7-5-84, 7-1-85, Formerly 39-24.02, Amended 10-8-87, 4-11-90, Formerly 39-24.002, Amended 5-13-02, 7-1-08.

NAME OF PERSON ORIGINATING PROPOSED RULE: Nick Wiley, Director, Division of Hunting and Game Management, 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 5, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 7, 2007

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-24.005
 RULE TITLE: Transporting and Shipping Live Raccoons

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to allow landowners to deal with nuisance wildlife issues involving raccoons. The effect of the proposed rule change will be to allow persons to transport nuisance raccoons for the purpose of euthanasia.

SUMMARY: A proposed new Rule 68A-9.010, F.A.C., contains a provision to allow the transportation of nuisance wildlife, including raccoons, for the purpose of euthanasia; however, Rule 68A-24.005, F.A.C., currently prohibits the transportation of wild-trapped raccoons. The proposed rule would allow off-site transportation of live-trapped nuisance raccoons for the purpose of euthanasia.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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 regular meeting of the Commission, February 6-7, 2008, 8:30 a.m. – 5:00 p.m., each day

PLACE: Bay Point Marriott Golf Resort & Spa, 4200 Marriott Drive, Panama City Beach, Florida 32408

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

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-24.005 Transporting and Shipping Live Raccoons.

No person shall transport within, into, or from the state any wild-trapped, live raccoon, except as authorized by Rule 68A-9.010, F.A.C.

PROPOSED EFFECTIVE DATE: July 1, 2008.

Specific Authority Art. IV, Sec. 9, Fla. Const., ~~372.024~~ FS. Law Implemented Art. IV, Sec. 9, Fla. Const., ~~120.53~~ FS. History—New 8-1-79, Amended 7-5-84, Formerly 39-24.05, 39-24.005, Amended 7-1-08.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE FAW.

NAME OF PERSON ORIGINATING PROPOSED RULE: Roland Garcia, Regional Director, 3377 East U.S. Highway 90, Lake City, Florida 32409-1658

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 5, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 7, 2007

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.:	RULE TITLE:
68A-25.004	Regulations Governing the Operation of Alligator Farms

PURPOSE AND EFFECT: The purpose of the proposed rule is to prohibit the alteration of the locking mechanism of CITES tags. The effect will be to strengthen enforcement actions on persons trying to subvert tagging requirements.

SUMMARY: The proposed rule would make it illegal to alter the locking mechanism of CITES tags.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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; 372.6673 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 6-7, 2008, 8:30 a.m. – 5:00 p.m., each day

PLACE: Bay Point Marriott Golf Resort & Spa, 4200 Marriott Drive, Panama City Beach, Florida 3240

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-25.004 Regulations Governing the Operation of Alligator Farms.

Alligator farms may be established and operated and alligators, eggs, and hides may be possessed by alligator farmers and their agents subject to the following:

- (1) No change.
- (2) Licensing and permitting:
 - (a) No change.
 - (b) Alligator farm permittees and their agents shall be licensed at a fee of \$250 and \$50, respectively, as required by Section 372.6673, F.S.
 - (c) through (j) No change.
 - (3) through (6) No change.
 - (7) Harvest of alligators:

(a) Any alligator killed under the authority of this section or that dies on a farm shall be recorded in the farm inventory records and either tagged within 24 hours with a CITES tag, furnished at no cost to the alligator farm permittee by the Commission, or destroyed. The CITES tag shall remain attached to the alligator hide until the hide is tanned, taxidermy mounted, or exported from the state. CITES tags may not be altered to compromise the locking mechanism in any way and shall be used only one time. The possession of any alligator hide or carcass not tagged as prescribed herein or any unskinned, untagged, frozen alligator carcass is prohibited, and such hides and carcasses shall be subject to seizure and forfeiture to the Commission under the provisions of Section 372.73, F.S.

- (b) through (f) No change.
- (8) No change.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 372.6673 FS. History—New 8-1-79, Amended 6-21-82, Formerly 39-25.04, Amended 8-24-87, 6-7-88, 2-14-89, 4-11-90, 4-4-91, 4-15-92, 7-1-94, 3-30-95, 4-1-96, 9-15-96, 11-12-98, Formerly 39-25.004, Amended 4-30-00, 3-30-06,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Nick Wiley, Director, Division of Hunting and Game Management, 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 5, 2007
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 7, 2007

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-25.031	RULE TITLE: Regulations Governing Alligator Egg and Hatchling Collections on Lands Not Included in Alligator Management Programs
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PURPOSE AND EFFECT: The purpose of the proposed rule is to eliminate references to specific quotas and the numbers of tags that may be requested, make hatchling tags non-refundable, and allow agents of other licensed alligator farmers to assist hatchling collection permittees with collections if in the presence of the alligator farmer under whom they are licensed. The effect will be to streamline hatchling collection participation requirements.

SUMMARY: The proposed rule would eliminate references to specific quotas and the numbers of tags that may be requested, make hatchling tags non-refundable, and allow agents of other licensed alligator farmers to assist hatchling collection permittees with collections if in the presence of the alligator farmer whom they are licensed under.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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; 372.6672, 372.6673, 372.6674 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 6-7, 2008, 8:30 a.m. – 5:00 p.m., each day

PLACE: Bay Point Marriott Golf Resort & Spa, 4200 Marriott Drive, Panama City Beach, Florida 32408

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-25.031 Regulations Governing Alligator Egg and Hatchling Collections on Lands Not Included in Alligator Management Programs.

(1) Conditions governing alligator hatchling collections:

(a) No change.

(b) Alligator hatchling collection quota limits will be established by the executive director for individual counties or other specified management units. Such quotas will be ~~from zero to 500 and will be~~ based on the quantity of alligator habitat in each individual county and the best biological information that indicates the number of hatchlings that can be removed from the system without long-term adverse impacts on population levels. ~~The maximum and minimum numbers of alligator hatchlings that a farm permittee may request and take are 1,000 and 50, respectively.~~

(c) through (d) No change.

(e) Each farm permittee selected in the assignment process will be authorized to receive a hatchling collection permit and a number of hatchling tags up to the combined collection quotas for the hatchling collection areas assigned to him. Each farm permittee shall remit hatchling tag fees for the total collection quota of each hatchling collection area that is assigned to him and from which he would like to take hatchlings. Upon receipt of hatchling tag fees, the Commission will issue a hatchling collection permit and the total authorized number of hatchling tags to the farm permittee. The fee for alligator hatchling tags provided under this section shall be fixed, pursuant to Section 372.6674, F.S., at a cost of \$5 each and are non-refundable.

(f) through (m) No change.

(n) Alligator hatchling tags issued to a permittee shall remain the sole property of the Commission until attached as provided herein. The permittee's agents licensed pursuant to Section 372.6673, F.S., and any licensed alligator farmer and licensed agent(s) for that farmer while in the presence of that farmer ~~In addition to the permittee, only persons licensed as alligator farming agents under the permittee's license and any licensed alligator farmer who is authorized to do so by the permittee may possess unused hatchling tags and take alligator hatchlings as specified in the permit and this section. Persons licensed as alligator farming agents other than those licensed under the permittee's alligator farming license are not authorized to possess unused hatchling tags or to take hatchlings pursuant to this section.~~ Licensees taking hatchlings independent of the permittee shall be in possession of a copy of the harvest permit. The permittee shall be strictly liable to ensure that all alligator hatchling tags remain in his possession, the possession of licensed alligator farmers he has authorized to take hatchlings, or the possession of his licensed agent(s).

(o) No change.

(2) No change.

(3) Procedures and requirements for alligator egg collections on Type A egg collection areas:

(a) through (o) No change.

(p) Each collection day at the egg inspection site the coordinator shall provide Commission personnel completed copies of FWC form 1005AF (effective June 26, 1994, incorporated herein by reference and available from the Commission) signed by the coordinator and indicating the number of eggs to be transferred to each participating farm or to a designated temporary storage facility. Eggs may be temporarily stored at the designated storage facility for up to 30 ~~45~~ days following collection before transfer to the participating farms.

(q) through (r) No change.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 372.6672, 372.6673, 372.6674 FS. History—New 8-24-87, Amended 6-7-88, 2-14-89, 4-11-90, 4-15-92, 4-29-93, 6-26-94, 3-30-95, 4-1-96, 9-15-96, 4-12-98, Formerly 39-25.031, Amended 4-30-00, 5-13-02, 4-11-04, 3-30-06,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Nick Wiley, Director, Division of Hunting and Game Management, 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 5, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 7, 2007

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.:	RULE TITLE:
68A-25.032	Regulations Governing the Establishment of Alligator Management Programs on Private Lands

PURPOSE AND EFFECT: The purpose of the proposed rule is to expand the options for establishing non-hatchling quotas to include any unused quota from the previous year and establishing provisions for utilizing previous years' data to establish alligator nest and hatchling collection quotas similar to the provisions for non-hatchling quotas; eliminate the slot limit restriction; allow agents of other licensed alligator trappers and farmers to assist permittees with non-hatchling, hatchling, and egg harvests if in the presence of the alligator trapper or farmer whom they are licensed under; prohibit the alteration of the locking mechanism of CITES tags; and clarify that the use of a light in conjunction with listed methods of take

is permissible. The effect will be to streamline participation requirements and strengthen enforcement actions on persons trying to subvert tagging requirements.

SUMMARY: The proposed rule would expand the options for establishing non-hatchling quotas to include any unused quota from the previous year and establishing provisions for utilizing previous years' data to establish alligator nest and hatchling collection quotas similar to the provisions for non-hatchling quotas; eliminate the slot limit restriction; allow agents of other licensed alligator trappers and farmers to assist permittees with non-hatchling, hatchling, and egg harvests if in the presence of the alligator trapper or farmer whom they are licensed under; prohibit the alteration of the locking mechanism of CITES tags; and clarify that the use of a light in conjunction with listed methods of take is permissible.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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; 372.6672 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 6-7, 2008, 8:30 a.m. – 5:00 p.m., each day

PLACE: Bay Point Marriott Golf Resort & Spa, 4200 Marriott Drive, Panama City Beach, Florida 32408

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-25.032 Regulations Governing the Establishment of Alligator Management Programs.

Alligator management programs designed for the taking of alligator eggs and hatchlings and the trapping of non-hatchling alligators may only be established on private lands and on public lands, other than sovereign submerged lands, for which a governmental entity can demonstrate an ownership interest or a leasehold interest and approval of the owner (referred to as "public lands" in this section) under the following conditions:

(1) Alligator Management Program – Application and review procedures.

(a) through (f) No change.

(g) Designees shall be licensed in accordance with the provisions of Section 372.6673, F.S., prior to the issuance of their permits. A permittee's agents shall be licensed prior to said agents taking non-hatchling alligators, alligator hatchlings, or alligator eggs and prior to relocating nuisance alligators.

(h) No change.

(2) Procedures governing the issuance of harvest permits and the taking of non-hatchling alligators.

(a) No change.

(b) With respect to alligator population surveys submitted pursuant to subparagraphs (2)(a)2. and 3.:

1. through 2. No change.

3. A one-time request for a harvest quota may be submitted to utilize any unused harvest quota specific to the property from the previous year, provided other provisions for establishing a harvest quota have not been utilized.

(c) No change.

~~(d) Alligators greater than nine feet in length and alligators less than six feet in length may be taken from April 1 through August 31 and non-hatchling alligators may be taken from September 1 through March 31.~~

~~(d)(e)~~ Alligators may be taken by the use of firearms, live traps, sethooks, and snares; baited, wooden pegs less than two (2) inches in length attached to a hand-held restraining line; harpoons, gigs, and snatch hooks; and manually operated spears, spearguns, gig-equipped bang sticks, crossbows, and bows with projectiles attached to a restraining line. ~~Sethooks may only be used during the period September 1 through March 31.~~ The use of firearms other than bang sticks and gig-equipped bang sticks is prohibited from sunset to sunrise. Notwithstanding Rule 68A-4.002, F.A.C., a light may be used in conjunction with these methods of take.

~~(e)(f)~~ The designee's agents licensed pursuant to Section 372.6673, F.S., and any licensed alligator trapper and licensed agent(s) for that trapper while in the presence of that trapper in addition to the designee, his licensed agents and any licensed alligator trapper may take non-hatchling alligators provided they are authorized to do so by the designee. Authorized licensees taking non-hatchling alligators independently of the

designee shall be in possession of a copy of the harvest permit. ~~Persons licensed as alligator trapping agents other than those licensed under the permittee's alligator trapping license are not authorized to take alligators pursuant to this subsection.~~

~~(f)(g)~~ Any alligators captured shall be killed before the permittee or his authorized licensee leaves the property described in the Alligator Management Program Application (FWC form 1000PW). An identifying alligator CITES tag issued by the Commission shall be locked through the skin of the alligator within six (6) inches of the tip of the tail immediately upon killing or, if the alligator is killed from or in a boat, no later than immediately upon return to shore and before leaving the property. If there is a permitted alligator processing facility on the property, alligators must be tagged immediately upon capture except that alligators captured from a boat must be tagged no later than immediately upon return to shore and before leaving the property. The identifying alligator CITES tag shall remain attached to the alligator hide until the hide is tanned, taxidermy mounted, or exported from the state. CITES tags may not be altered to compromise the locking mechanism in any way and shall be used only one time, and ~~The~~ the possession of any alligator hide not tagged as prescribed herein is prohibited, and such hide shall be subject to seizure and forfeiture to the Commission under the provisions of Section 372.73, F.S.

~~(g)(h)~~ No change.

(3) Procedures governing the issuance of collection permits and the taking of alligator eggs and hatchlings.

(a) through (b) No change.

(c) With respect to alligator nest and hatchling pod surveys submitted pursuant to paragraph (3)(b):

1. Only one alligator nest and hatchling pod survey may be submitted each year.

2. A harvest quota may be requested without submitting a current alligator nest or hatchling pod survey in the year immediately following two consecutive years of alligator nest or hatchling pod surveys, and in alternate years thereafter, provided the surveyed areas and survey methodologies are comparable between surveys.

(e) through (f) renumbered (d) through (g) No change.

(h)(g) The designee's agents licensed pursuant to Section 372.6673, F.S., and any licensed alligator farmer and licensed agent(s) for that farmer while in the presence of that farmer ~~in addition to the designee, his licensed agents and any licensed alligator farmer~~ may take alligator eggs or hatchlings as provided in the harvest permit provided they are authorized to do so by the designee. Authorized licensees taking alligator hatchlings or eggs independently of the designee shall be in possession of a copy of the harvest permit. ~~Persons licensed as alligator farming agents other than those licensed under the permittee's alligator farming license are not authorized to take alligator eggs or hatchlings pursuant to this subsection.~~

(h) through (i) renumbered (i) through (j) No change.

(4) through (5) No change.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 372.6672 FS. History—New 5-5-88, Amended 2-14-89, 4-11-90, 4-4-91, 4-15-92, 10-22-92, 4-29-93, 4-10-94, 3-30-95, 4-1-96, 9-15-96, 4-12-98, Formerly 39-25.032, Amended 5-28-00, 10-10-00, 5-13-02, 3-30-06, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Nick Wiley, Director, Division of Hunting and Game Management, 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 5, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 7, 2007

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.:	RULE TITLE:
68A-25.042	Regulations Governing Statewide Alligator Trapping, Permitting, Taking and Sale

PURPOSE AND EFFECT: The purpose of the proposed rule is to clarify the use of baited wooden pegs and expand the legal methods of take to include the use of artificial lures; allow agents of other licensed alligator trappers to assist permittees if in the presence of the alligator trapper under whom they are licensed; clarify that taking of alligators does not include the activities of driving the vessel or the use of a light; prohibit the alteration of the locking mechanism of CITES tags; clarify that the use of a light in conjunction with listed methods of take is permissible; and extend the legal hunting hours to 1 hour before sunset and 1 hour after sunrise. The effect will be to streamline participation requirements and strengthen enforcement actions on persons trying to subvert tagging requirements.

SUMMARY: The proposed rule would clarify the use of baited wooden pegs and expand the legal methods of take to include the use of artificial lures; allow agents of other licensed alligator trappers to assist permittees if in the presence of the alligator trapper under whom they are licensed; clarify that taking of alligators does not include the activities of driving the vessel or the use of a light; prohibit the alteration of the locking mechanism of CITES tags; clarify that the use of a light in conjunction with listed methods of take is permissible; and extend the legal hunting hours to 1 hour before sunset and 1 hour after sunrise.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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; 372.6672, 372.6673 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 6-7, 2008, 8:30 a.m. – 5:00 p.m., each day

PLACE: Bay Point Marriott Golf Resort & Spa, 4200 Marriott Drive, Panama City Beach, Florida 32408

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-25.042 Regulations Governing Statewide Alligator Trapping, Permitting, Taking and Sale.

No person shall take non-hatchling alligators from the wild except as provided herein and under other applicable rules of the Commission.

(1) through (2) No change.

(3) Alligator trapping requirements:

(a) No change.

(b) Alligators may be taken from 1 1/2 hour before sunset to 1 1/2 hour after sunrise each day during the harvest period specified in the harvest permit. Harvest periods shall be from 1 1/2 hour before sunset on September 12 through 1 1/2 hour after sunrise on November 1, and from either 1 1/2 hour before sunset on August 15 through 1 1/2 hour after sunrise on August 22, or 1 1/2 hour before sunset on August 22 through 1 1/2 hour after sunrise on August 29, or 1 1/2 hour before sunset on August 29 through 1 1/2 hour after sunrise on September 5, or

1 1/2 hour before sunset on September 5 through 1 1/2 hour after sunrise on September 12, except as otherwise provided in the harvest permit.

(c) No change.

(d) Alligators may be taken only by the use of artificial lures or baited, wooden pegs less than two (2) inches in length attached to hand-held restraining lines or restraining lines attached to a vessel occupied by the permittee ~~line~~ and hand-held snares, harpoons, gigs, snatch hooks, and manually operated spears, spearguns, crossbows and bows with projectiles attached to a restraining lines ~~line~~. The use of baited hooks, gig-equipped bang sticks, or firearms for taking alligators is prohibited except that bang sticks are permitted for taking alligators attached to a restraining line. Notwithstanding Rule 68A-4.002, F.A.C., a light may be used in conjunction with these methods of take.

(e) Any persons actively participating in the taking of alligators as provided herein shall possess an alligator trapping license or alligator trapping agent's license. However, for the purposes of this provision, the taking of alligators does not include the activities of driving the vessel or the use of a light.

~~(f)~~(e) No change.

(g)(f) The permittee's agents licensed pursuant to Section 372.6673, F.S., and any licensed alligator trapper and licensed agent(s) for that trapper while in presence of that trapper may take alligators as provided in the harvest permit but only in the presence of the permittee. ~~Persons licensed as alligator trapping agents other than those licensed under the permittee's alligator trapping license are not authorized to take alligators pursuant to this section.~~

~~(h)~~(g) No change.

(i)(h) Immediately upon killing, a CITES tag issued by the Commission and a harvest tag, if issued, shall be locked through the skin of the carcass within six (6) inches of the tip of the tail. The CITES tag shall remain attached to the alligator hide until the hide is tanned, taxidermy mounted, or exported from the state. The harvest tag, if issued, shall remain attached to the alligator until processing. CITES tags may not be altered to compromise the locking mechanism in any way and shall be used only one time. ~~The and the~~ possession of any alligator hide not tagged as prescribed herein is prohibited, and such hide shall be subject to seizure and forfeiture to the Commission under the provisions of Section 372.73, F.S.

(i) through (k) renumbered (j) through (l) No change.

(4) through (5) No change.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 372.6672, 372.6673 FS. History—New 5-5-88, Amended 2-14-89, 4-11-90, 4-14-92, 4-29-93, 7-1-94, 3-30-95, 4-1-96, 9-15-96, 4-12-98, Formerly 39-25.042, Amended 4-30-00, 5-13-02, 4-11-04, 3-30-06,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Nick Wiley, Director, Division of Hunting and Game Management, 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 5, 2007
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 7, 2007

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-27.002 RULE TITLE: Provision for Harassment of Endangered, Threatened and Species of Special Concern on Airport Property

PURPOSE AND EFFECT: The purpose of the proposed rule change is to update a referenced rule in this section. The effect of the proposed rule changes will be to enable the agency to better manage fish and wildlife resources.

SUMMARY: The proposed rule change would be a technical change to update a rule reference.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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 6-7, 2008, 8:30 a.m. – 5:00 p.m., each day

PLACE: Bay Point Marriott Golf Resort & Spa, 4200 Marriott Drive, Panama City Beach, Florida 32408

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-27.002 Provision for Harassment of Endangered, Threatened and Species of Special Concern on Airport Property.

Species of birds and mammals protected in Rules 68A-27.003, 68A-27.004, and 68A-27.005, F.A.C., may be harassed on airport property as specified in Rule 68A-9.010 ~~68A-12.009(7)~~, F.A.C., if aircraft safety and human lives are in imminent jeopardy.

PROPOSED EFFECTIVE DATE: July 1, 2008.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-1-79, Amended 6-21-82, 7-1-84, 7-1-85, Formerly 39-27.02, Amended 6-1-86, 5-10-87, 4-13-88, 4-11-90, 6-23-98, 6-23-99, Formerly 39-27.002, Amended 7-1-08.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Nick Wiley, Director, Division of Hunting and Game Management, 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 5, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 7, 2007

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-31.001 RULE TITLE: Regulations Related to Commission Managed Shooting Ranges

PURPOSE AND EFFECT: The purpose of the proposed rule is to establish regulations for Commission managed shooting ranges that address public safety, access, and activities. The effect of the proposed rule will be to enable the agency to better manage public use of Commission managed shooting ranges.

SUMMARY: The proposed rule would prohibit the possession of open containers of intoxicating beverages; allow public access on unsupervised ranges from sunrise to sunset; allow public access on supervised shooting ranges as established by order of the Executive Director; and prohibit unsafe or destructive shooting.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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 6-7, 2008, 8:30 a.m. – 5:00 p.m., each day

PLACE: Bay Point Marriott Golf Resort & Spa, 4200 Marriott Drive, Panama City Beach, Florida 32408

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-31.001 Regulations Related to Commission Managed Shooting Ranges.

(1) Commission managed shooting ranges shall be established by order of the Executive Director and maintained on a list titled "Commission Managed Shooting Ranges," dated July 1, 2008, incorporated herein by reference and kept at its headquarters office and regional offices.

(2) The following rules shall apply on Commission managed shooting ranges:

(a) The possession of open containers of intoxicating beverages is prohibited.

(b) Public access is prohibited from sunset until sunrise, except on supervised shooting ranges where dates and hours of operation will be as established by order of the Executive Director.

(c) Persons shooting rifles or handguns shall allow a minimum of two (2) seconds between each round fired unless otherwise authorized during a Commission sanctioned shooting event or Commission established practice. Practice

sessions shall be established by the Commission as to date, time and designated range by posting at the designated shooting range and on the Commission's internet site.

(d) Discharging a gun on a range in a manner that is careless or reckless or in a manner that results in projectiles escaping the shooting range property is prohibited.

(e) Shooting or attempting to shoot structures or facilities at Commission shooting ranges that are not designated targets or within designated firing lanes is prohibited.

PROPOSED EFFECTIVE DATE: May 1, 2008.

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 5-1-08.

NAME OF PERSON ORIGINATING PROPOSED RULE: Nick Wiley, Director, Division of Hunting and Game Management, 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 5, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 7, 2007

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NO.:	RULE TITLE:
68B-14.005	Regulation and Prohibition of Certain Harvesting Gear: Allowable Gear, Incidental Bycatch, Violation

PURPOSE AND EFFECT: Participants in the black sea bass fishery have requested a volumetric equivalency for the current specifications on black sea bass traps similar to the existing equivalency provision in the stone crab and blue crab rules for traps for these species. The purpose of this rule amendment is to allow for a less narrowly-defined configuration for black sea bass traps for the commercial harvest of black sea bass. The effect will be to allow the legal use of black sea bass traps to 8 cubic feet in volume.

SUMMARY: The proposed amendment to paragraph (1)(b) of Rule 68B-14.005, F.A.C., would modify the language that specifies black sea bass trap requirements to substitute a volumetric equivalency for the current dimension specifications.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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 regular meeting of the Commission, February 6-7, 2008, 8:30 a.m. – 5:00 p.m., each day

PLACE: Bay Point Marriott Golf Resort & Spa, 4200 Marriott Drive, Panama City Beach, Florida 32408

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: Mark Robson, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850)487-0554

THE FULL TEXT OF THE PROPOSED RULE IS:

68B-14.005 Regulation and Prohibition of Certain Harvesting Gear: Allowable Gear, Incidental Bycatch, Violation.

(1) Allowable gear.

(a) No change.

(b)1. The outer dimensions do not exceed 2 feet in height, 2 feet in width, and 2 feet in depth or a volume of 8 cubic feet, and the throat or entrance does not exceed 5 inches in height and 2 inches in width at its narrowest point.

2. through 6. No change.

(2) through (3) No change.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 12-11-86, Amended 2-1-90, 3-1-94, 10-4-95, 7-15-96, 1-1-98, 12-31-98, 6-1-99, Formerly 46-14.005, Amended 1-1-03, 3-1-05, 7-17-05, 7-1-07.

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: Mark Robson, Director, Division of Marine Fisheries 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, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 5, 2007

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NOS.:	RULE TITLES:
68B-14.0035	Size Limits: Amberjacks, Black Sea Bass, Gray Triggerfish, Grouper, Hogfish, Red Porgy, Snapper
68B-14.00355	Size Limits for Importation and Sale
68B-14.0036	Recreational Bag Limits: Snapper, Grouper, Hogfish, Black Sea Bass, Red Porgy, Amberjacks, Tilefish, Exception, Wholesale/Retail Purchase Exemption
68B-14.0038	Recreational Red Snapper Season
68B-14.0045	Commercial Harvest Requirements; Licenses, Season Closures, Bag and Trip Limits
68B-14.005	Regulation and Prohibition of Certain Harvesting Gear: Allowable Gear, Incidental Bycatch, Violation

PURPOSE AND EFFECT: The purpose of these rule amendments is to modify the Commission’s Reef Fish rules to become consistent with federal reef fish regulations for red snapper in the Gulf of Mexico. Based on federally established benchmarks, the red snapper stocks in the Gulf of Mexico are overfished and have been undergoing overfishing since the late 1980’s. The most recent red snapper stock assessment (2005) indicates continued overfishing is compromising the objectives of the Gulf of Mexico Fishery Management Council’s red snapper rebuilding plan, which is designed to end overfishing of red snapper by 2009 and to rebuild the red snapper stock to sustainable levels by 2032. The Gulf of Mexico Fishery Management Council developed regulatory actions in Amendment 27 to their Reef Fish Fishery Management Plan, and Amendment 14 to their Shrimp Fishery Management Plan. Amendment 27/14 addresses recreational and commercial harvest of red snapper, and establishes bag limits, size limits, and seasons. The success of the red snapper rebuilding plan depends not only upon consistency with the bag limit, size limit, and the fishing season regulations in federal waters, but also with the five states in the Gulf of Mexico adopting rules

that are consistent with the federal rules in Gulf state waters. Florida plays a particularly important role in the success of the red snapper rebuilding plan because Florida's recreational fishery accounts for a large proportion of the recreational red snapper catch, which is the primary source of red snapper fishing mortality in the eastern Gulf of Mexico. Not doing so will not only directly affect the rebuilding plan, but may affect Florida's recreational red snapper fishery to a greater extent if it results in further restrictions on harvest in federal waters in the future, as the majority of the state's recreational fishery occurs in federal waters. These rule amendments further clarify commercial licensing requirements for Gulf reef fish harvest, including recent federal licensing changes for red snapper. The effect of these rule amendments is that federal and state regulations will be consistent and consistently applied. Where practicable, this minimizes confusion with the public and aids enforceability.

SUMMARY: Rule 68B-14.0035, F.A.C., (Size Limits: Amberjacks, Black Sea Bass, Gray Triggerfish, Grouper, Hogfish, Red Porgy, Snapper) would be amended to reduce the minimum size of red snapper harvested commercially from the Gulf of Mexico from 15 inches to 13 inches total length (TL). Rule 68B-14.00355, F.A.C., (Size Limits for Importation and Sale) would be amended to reduce the minimum size of imported red snapper from 15 inches to 13 inches TL. Rule 68B-14.0036, F.A.C., (Recreational Bag Limits: Snapper, Grouper, Hogfish, Black Sea Bass, Red Porgy, Amberjacks, Tilefish, Exception, Wholesale/Retail Purchase Exemption) would be amended to reduce the recreational red snapper bag limit in the Gulf of Mexico from 4-fish to 2-fish red snapper per person per day. The rule would also be amended to establish a zero daily bag and possession limit of red snapper for captains and crew on for-hire vessels in the Gulf of Mexico. Rule 68B-14.0038, F.A.C., (Recreational Red Snapper Season) would change the recreational fishing season for red snapper in the Gulf of Mexico from: April 15 – October 31 to June 1 through September 30 (122 days). Rule 68B-14.0045, F.A.C., (Commercial Harvest Requirements; Licenses, Season Closures, Bag and Trip Limits) would be amended to reduce the commercial bag and trip limit of red snapper in Gulf state waters from 4-fish to 2-fish per day. This amendment also clarifies commercial licensing requirements for Gulf reef fish harvest, including recent federal licensing changes for red snapper. Rule 68B-14.005, F.A.C., (Regulation and Prohibition of Certain Harvesting Gear: Allowable Gear, Incidental Bycatch, Violation) would be amended to allow only non-stainless steel circle hooks to be used to harvest any reef fish species specified in subsection 68B-14.001(2), F.A.C., when using natural baits. In addition, a venting tool and a de-hooking device must be present onboard vessels harvesting any reef fish species specified in subsection 68B-14.001(2), F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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 regular meeting of the Commission, February 6-7, 2008, 8:30 a.m. – 5:00 p.m., each day

PLACE: Bay Point Marriott Golf Resort & Spa, 4200 Marriott Drive, Panama City Beach, Florida 32408

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: Mark Robson, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850)487-0554

THE FULL TEXT OF THE PROPOSED RULES IS:

68B-14.0035 Size Limits: Amberjacks, Black Sea Bass, Gray Triggerfish, Grouper, Hogfish, Red Porgy, Snapper.

No person shall land, possess, unnecessarily destroy, purchase, exchange, sell or offer for sale any of the following species harvested in or from state waters, of a length less than set forth as follows:

- (1) through (6) No change.
- (7) Snapper (measured in terms of total length).
 - (a) through (i) No change.
 - (j)1. Red snapper harvested recreationally from the Gulf of Mexico 16 inches.
 - 2. Red snapper harvested commercially from the Gulf of Mexico 13 ~~15~~ inches.
 - (k) through (o) No change.

PROPOSED EFFECTIVE DATE: April 1, 2008.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 12-31-98, Amended 3-1-99, Formerly 46-14.0035, Amended 1-1-00, 1-1-01, 1-1-01, 1-1-03, 9-16-05, 7-1-06, 7-1-07, 4-1-08.

68B-14.00355 Size Limits for Importation and Sale.

(1) No person shall possess for purposes of sale, purchase, sell, or exchange any of the following species of a length less than set forth as follows:

- (a) through (e) No change.
- (f) Snapper (measured in terms of total length).
 1. Cubera snapper 12 inches.
 2. Dog snapper 12 inches.
 3. Gray (mangrove) snapper 12 inches.
 4. Lane snapper 8 inches.
 5. Mahogany snapper 12 inches.
 6. Mutton snapper 16 inches.
 7. Red snapper 13 ~~15~~ inches.
 8. Schoolmaster snapper 10 inches.
 9. Vermilion snapper 10 inches.
 10. Yellowtail snapper 12 inches.
- (2) through (4) No change.

PROPOSED EFFECTIVE DATE: April 1, 2008.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 1-1-03, Amended 9-16-05, 7-1-06, 7-1-07, 4-1-08.

68B-14.0036 Recreational Bag Limits: Snapper, Grouper, Hogfish, Black Sea Bass, Red Porgy, Amberjacks, Tilefish, Exception, Wholesale/Retail Purchase Exemption.

- (1) Snapper.
 - (a) through (b) No change.
 - (c) Red snapper. Except as provided elsewhere in this rule, no recreational harvester shall harvest in or from state waters of the Atlantic Ocean, nor possess while in or on state waters of the Atlantic Ocean, more than 2 red snapper per day, nor shall a recreational harvester harvest in or from state waters of the Gulf of Mexico, nor possess while in or on state waters of the Gulf of Mexico, more than 2 ~~4~~ red snapper per day. On any vessel licensed to carry customers wherein a fee is paid, either directly or indirectly, for the purpose of taking or attempting to take marine fish, the applicable bag and possession limit specified in this rule shall not extend to the operator of such vessel or any person employed as a crewman of such vessel. Such bag and possession limit shall be counted for purposes of the aggregate snapper bag and possession limit prescribed in paragraph (a).
 - (d) through (f) No change.
 - (2) through (9) No change.

PROPOSED EFFECTIVE DATE: April 1, 2008.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 12-31-98, Amended 3-1-99, Formerly 46-14.0036, Amended 10-22-99, 1-1-00, 3-6-00, 3-1-01, 1-1-03, 1-3-05, 9-16-05, 1-1-06, 7-1-06, 7-1-07, 4-1-08.

68B-14.0038 Recreational Red Snapper Season.

In all state waters of the Gulf of Mexico, the season for the recreational harvest and possession of red snapper shall be from June 1 through September 30 ~~April 15 through October 31~~, each year. Except for persons harvesting red snapper for commercial purposes pursuant to Rule 68B-14.0045, F.A.C., from October 1 through May 31 ~~November 1 through April 14~~, no person shall harvest in or from state waters of the Gulf of Mexico, nor possess while in or on state waters of the Gulf of Mexico, any red snapper.

PROPOSED EFFECTIVE DATE: April 1, 2008.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 10-20-98, Formerly 46-14.0038, Amended 12-30-99, 4-1-08.

68B-14.0045 Commercial Harvest Requirements; Licenses, Season Closures, Bag and Trip Limits.

- (1) Licenses.
 - (a) Each person harvesting any of the species listed in subsection 68B-14.001(2), F.A.C., for commercial purposes in state waters shall possess a valid saltwater products license with a restricted species endorsement and:
 1. If fishing in state waters of the Atlantic Ocean, either a valid transferable commercial permit or a trip-limited commercial permit for South Atlantic snapper-grouper.
 2. If fishing in state waters of the Gulf of Mexico, a valid commercial reef fish permit, except as provided in subparagraph 3.
 3. For a person aboard a vessel, for which a commercial vessel permit for Gulf reef fish has been issued, to fish for, possess, or land red snapper, regardless where harvested or possessed, a Gulf red snapper IFQ vessel endorsement issued to and possessed aboard the vessel.
 - (b) The requirement of a valid commercial vessel permit for Gulf reef fish in subsection (1) shall not apply to the harvest of bank sea bass, black sea bass, rock sea bass, or red porgy for commercial purposes in the Gulf of Mexico.

- (c)~~(b)~~ Each person harvesting any of the species listed in subsection 68B-14.001(2), F.A.C., for commercial purposes in the Atlantic Ocean who is required to possess either or both of the federal permits listed in paragraph (a) is subject to any federal vessel possession limits that apply in the adjacent EEZ and shall not possess in or on state waters of the Atlantic Ocean more fish or pounds than specified in the federal regulations.
- (d)~~(c)~~ No person harvesting for commercial purposes pursuant to this subsection shall sell or attempt to sell any of the indicated species, or any part of the indicated species, without possessing and presenting to the purchaser the state and federal licenses and permits specified in paragraph (a). No wholesale dealer, as defined in Section 370.07(1), F.S., shall purchase any of these species, or any part thereof, without confirming that the seller thereof possesses the state and federal licenses and permits specified in this rule.

- (2) No change.
- (3) Bag and Trip Limits.
- (a) Snapper.

1. Cubera snapper. No person harvesting for commercial purposes shall harvest in or from state waters more than 2 cubera snapper 30 inches in total length or larger per day and no more than 2 such cubera snapper shall be possessed aboard any vessel in or on state waters, at any time.

2. Mutton snapper. During May and June of each year, no person harvesting for commercial purposes shall possess more than 10 mutton snapper per day or 10 mutton snapper per trip, whichever is more restrictive.

3. Red snapper. No person harvesting for commercial purposes shall harvest in or from state waters of the Atlantic Ocean, more than 2 red snapper per day. No person harvesting for commercial purposes shall harvest in or from state waters of the Gulf of Mexico, more than 2 4 red snapper per day.

- (b) through (e) No change.

PROPOSED EFFECTIVE DATE: April 1, 2008.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 2-1-90, Amended 12-31-92, 10-18-93, 3-1-94, 6-15-95, 1-1-96, 11-27-96, 12-31-98, 3-1-99, Formerly 46-14.0045, Amended 1-1-00, 3-6-00, 1-1-01, 3-1-01, 6-1-01, 1-1-03, 7-15-04, 5-20-05, 9-16-05, 3-10-06, 7-1-07, 4-1-08.

68B-14.005 Regulation and Prohibition of Certain Harvesting Gear: Allowable Gear, Incidental Bycatch, Violation.

- (1) through (2) No change.

(3) Required gear in the Gulf reef fish fishery. For a person on board a vessel harvesting any of the species listed in subsection 68B-14.001(2), F.A.C., the vessel must possess on board and such person must use the gear specified in subparagraphs 1., 2., and 3.

1. Non-stainless steel circle hooks. Non-stainless steel circle hooks are required to be used on hook and line gear when fishing with natural baits.

2. Dehooking devices. At least one dehooking device is required and must be used to remove hooks embedded in Gulf reef fish with minimum damage. The dehooking device must be constructed to allow the hook to be secured and the barb shielded without re-engaging during the removal process. The dehooking device must be blunt, and all edges rounded. The device must be of a size appropriate to secure the range of hook sizes and styles used in the Gulf reef fish fishery.

3. Venting tool. At least one venting tool is required and must be used to deflate the swimbladders of Gulf reef fish to release the fish with minimum damage. This tool must be a sharpened, hollow instrument, such as a hypodermic syringe with the plunger removed, or a 16-gauge needle fixed to a hollow wooden dowel. A tool such as a knife or an ice-pick may not be used. The venting tool must be inserted into the fish

at a 45-degree angle approximately 1 to 2 inches (2.54 to 5.08 centimeters) from the base of the pectoral fin. The tool must be inserted just deep enough to release the gases, so that the fish may be released with minimum damage.

(4)(3) Violation. Possession of any of the species specified in subsection 68B-14.001(2), F.A.C., beyond the bycatch allowance in paragraph (2)(a), aboard a vessel fishing in state waters, while also in possession of unauthorized gear, constitutes a violation of subsections (1) and (2).

PROPOSED EFFECTIVE DATE: April 1, 2008.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 12-11-86, Amended 2-1-90, 3-1-94, 10-4-95, 7-15-96, 1-1-98, 12-31-98, 6-1-99, Formerly 46-14.005, Amended 1-1-03, 3-1-05, 7-17-05, 7-1-07, 4-1-08.

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: Mark Robson, Director, Division of Marine
 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, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 21, 2007

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

RULE NO.: 69A-64.005
 RULE TITLE: Adjustments to Reflect Consumer Price Index

PURPOSE AND EFFECT: To adopt price level changes relating to firefighter death benefits in Section 112.191, Florida Statutes, for the year 2007-2008.

SUMMARY: The rule sets Section 112.191(2)(a), F.S. benefits at \$57,759.00. The rule sets Section 112.191(2)(b), F.S. benefits at \$57,759.00. The rule sets Section 112.191(2)(c), F.S. benefits at \$173,278.31.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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: 112.191 FS.

LAW IMPLEMENTED: 112.191 FS.

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

DATE AND TIME: Wednesday, January 23, 2008, 10:00 a.m. PLACE: Third Floor Conference Room, The Atrium Building, 325 John Knox Road, Tallahassee, Florida 32308

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Terry Hawkins, (850)413-3170. 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: Harriett Abrams, Assistant Director, Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, Florida 32399-0340, phone: (850)413-3170; Fax: (850)922-1235

THE FULL TEXT OF THE PROPOSED RULE IS:

69A-64.005 Adjustments to Reflect Consumer Price Index.

(1) No change.

(2) The amounts payable for the period from July 1, 2007 through June 30, 2008 2007, using the Consumer Price Index for all urban consumers published by the United States Department of Labor for March, 2007 2006, which is the most recent month for which data is available as of the time of the adjustment, are:

(a) For those benefits paid or to be paid under paragraph (a) of subsection (2) of Section 112.191, F.S.: \$57,759.00 55,835.12.

(b) For those benefits paid or to be paid under paragraph (b) of subsection (2) of Section 112.191, F.S.: \$57,759.00 55,835.12.

(c) For those benefits paid or to be paid under paragraph (c) of subsection (2) of Section 112.191, F.S.: \$173,278.31 167,505.33.

Specific Authority 112.191 FS. Law Implemented 112.191 FS. History--New 3-13-03, Amended 7-10-03, Formerly 4A-64.005, Amended 7-13-04, 6-30-05, 8-1-06.

NAME OF PERSON ORIGINATING PROPOSED RULE: Harriett Abrams, Assistant Director, Division of State Fire Marshal

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Jim Goodloe, Chief, Bureau of Fire Prevention, Division of State Fire Marshal

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 5, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 21, 2007

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 ENVIRONMENTAL PROTECTION

RULE NO.: 62-204.800 RULE TITLE: Federal Regulations Adopted by Reference

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 33, No. 51, December 21, 2007 issue of the Florida Administrative Weekly.

The proposed effective date of the rule as shown in the history note is corrected from 2-1-07 to 2-1-08.

Specific Authority 403.061, 403.8055 FS. Law Implemented 403.031, 403.061, 403.087, 403.8055 FS. History--New 3-13-96, Amended 6-25-96, 10-7-96, 10-17-96, 12-20-96, 4-18-97, 6-18-97, 7-7-97, 10-3-97, 12-10-97, 3-2-98, 4-7-98, 5-20-98, 6-8-98, 10-19-98, 4-1-99, 7-1-99, 9-1-99, 10-1-99, 4-1-00, 10-1-00, 1-1-01, 8-1-01, 10-1-01, 4-1-02, 7-1-02, 10-1-02, 1-1-03, 4-1-03, 10-1-03, 1-1-04, 4-1-04, 7-1-04, 10-1-04, 1-1-05, 4-1-05, 7-1-05, 10-1-05, 1-1-06, 4-1-06, 7-1-06, 9-4-06, 9-6-06, 1-8-07, 1-31-07, 4-2-07, 5-31-07, 7-2-07, 10-1-07, 2-1-08 2-1-07.

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.: 67-53.005 RULE TITLE: Compliance Monitoring for Housing Developed With SHIP Local Housing Distribution Funds

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 33, No. 39, September 28, 2007 issue of the Florida Administrative Weekly has been withdrawn.