

NOTICE OF PROPOSED RULEMAKING

FISH AND WILDLIFE CONSERVATION COMMISSION

RULE CHAPTER TITLE: Type I Wildlife Management Areas

RULE TITLES:

RULE NOS.:

Specific Regulations for Wildlife Management Areas –
South Region.

68A-15.064

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

SUMMARY: The proposed 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:

Picayune Strand WMA—The proposed rule would prohibit public access at night (from 1.5 hours after sunset until 1.5 hours before sunrise). Off-highway vehicles (ATVs and off-highway motorcycles) are prohibited except by Division of Forestry permit.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: It is estimated that the proposed action will cost the agency approximately \$275 for administrative preparation and \$375 for legal advertising. No other significant economic impacts are expected.

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

RULEMAKING AUTHORITY: Article IV, Section 9, Florida Constitution; Sections 372.121, 375.313, Florida Statutes.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution; Sections 372.121, 375.313, Florida Statutes.

THE FISH AND WILDLIFE CONSERVATION COMMISSION WILL CONDUCT A PUBLIC

RULEMAKING HEARING ON THE PROPOSED RULES DURING THE REGULAR MEETING OF THE COMMISSION TO BE HELD AT THE TIME, DATE, AND PLACE SHOWN BELOW:

TIME AND DATE: 8:30 a.m. to 5:00 p.m., each day, February 2-4, 2005.

PLACE: Edgewater Beach Resort, 11212 Front Beach Road, 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 calendar days before the workshop/meeting by contacting the ADA Coordinator, at (850)488-6411. If you are hearing or speech impaired, please contact the agency by calling (850)488-9542.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: 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 AS FOLLOWS:

68A-15.064 Specific Regulations for Wildlife Management Areas - South Region.

(1) J. W. Corbett Wildlife Management Area.

(a) Open season:

1. General gun – November ~~5~~ 6 through January ~~1~~ 2.
2. Small game – January ~~2~~ 3 through February ~~12~~ 13.
3. Spring turkey – March ~~4~~ 5 through April ~~9~~ 10 (Saturdays and Sundays only).
4. Archery – August ~~27~~ 28 through September ~~18~~ 19.
5. Muzzleloading gun – October ~~1-16~~ 2-17.
6. Raccoon season – January ~~2~~ 3 through February ~~12~~ 13.
7. Fishing and frogging – Permitted throughout the year except when area is closed to public access.

(b) - (d) No Change.

(2) Hole Land Wildlife Management Area.

(a) Open season:

1. General gun – Walk, October ~~22-30~~ ~~23-31~~.
2. General gun – Vehicle, November ~~5-20~~ ~~6-21~~ (tracked vehicles and airboats only). Deer hunting by permit only during the general gun-vehicle season.
3. Archery – August ~~27~~ ~~28~~ through September ~~18~~ ~~19~~.
4. Muzzleloading gun – October ~~1-16~~ ~~2-17~~.
5. Migratory game birds – Migratory game birds except crows during seasons established by Rules 68A-13.003 and 68A-13.008, F.A.C.
6. Fishing and frogging – Throughout year.

(b) - (e) No Change.

(3) Everglades and Francis S. Taylor Wildlife Management Area.

(a) Open season:

1. General gun – Walk, October ~~22-30~~ ~~23-31~~, Conservation Areas 3A North and 2 only. December ~~3~~ ~~4~~ through January ~~1~~ ~~2~~ 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 ~~5-20~~ ~~6-21~~, in Conservation Areas 3A North, 3A South, 2, and the Francis S. Taylor Wildlife Management Area by permit only.
3. Archery – August ~~27~~ ~~28~~ through September ~~18~~ ~~19~~, Conservation Area 3A North only.
4. Muzzleloading gun – October ~~1-16~~ ~~2-17~~, in Conservation Area 3A North only.
5. 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.

6. Fishing and frogging – Throughout year.

(b) - (e) No Change.

(4) Rotenberger Wildlife Management Area.

(a) Open season:

1. General gun – Walk, October ~~22-30~~ ~~23-31~~.

2. General gun – Vehicle (airboats and tracked vehicles only), November 5-20 ~~6-21~~ by quota permit only.

3. Archery – August 27 ~~28~~ through September 18 ~~19~~.

4. Muzzleloading gun – October 1-16 ~~2-17~~.

5. 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.

6. Fishing and frogging – Permitted throughout the year.

(b) - (d) No Change.

(5) Big Cypress Wildlife Management Area.

(a) Open season:

1. General gun – 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 Stairsteps, Bear Island, Turner River, Corn Dance, and Loop units.

2. Small game – The day following the close of general gun season through February 6.

3. Archery – September 3 ~~4~~ through October 2 ~~3~~ 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 8-23 ~~9-24~~, except in the Deep Lake Unit.

5. Spring turkey – March 4 ~~5~~ through April 9 ~~10~~.

6. Early duck – In the September season as established by Rule 68A-13.003, F.A.C., except on the Bear Island and Deep Lake Units.

7. Fishing and frogging – Permitted throughout the year.

(b) - (d) No Change.

(6) No Change.

(7) Okaloacoochee Slough Wildlife Management Area.

(a) Open season:

1. Archery – September ~~10-16~~ ~~11-17~~ and ~~17-25~~ ~~18-26~~.
2. Muzzleloading gun – October ~~15-17~~ ~~16-18~~.
3. General gun – October ~~29~~ ~~30~~ through November ~~1~~ ~~2~~ and November ~~2-6~~ ~~3-7~~.
4. General gun hog – November ~~19-25~~ ~~20-26~~.
5. Small game – November ~~26~~ ~~27~~ through December ~~18~~ ~~19~~.
6. Spring turkey – March ~~4-7~~ ~~5-8~~ and ~~8-12~~ ~~9-13~~.
7. Dove – Saturdays only during the mourning dove and white-winged dove season established by Rule 68A-13.008, F.A.C.
8. Fishing and frogging – Permitted throughout the year.

(b) - (d) No Change.

(8) Fisheating Creek Wildlife Management Area.

(a) Open season:

1. Archery – September ~~16-18~~ ~~17-19~~ and ~~23-25~~ ~~24-26~~ west of U.S. Highway 27 only.
2. Muzzleloading gun – October ~~14-16~~ ~~15-17~~ and ~~21-23~~ ~~22-24~~ west of U.S. Highway 27 only.
3. General gun – November ~~4-6~~ ~~5-7~~ and ~~25-27~~ ~~26-28~~ west of U.S. Highway 27 only.
4. Spring turkey – March ~~4-7~~ ~~5-8~~, ~~10-13~~ ~~11-14~~, ~~17-20~~ ~~18-21~~, ~~24-27~~ ~~25-28~~ and March 31 through April 3 ~~1-4~~ west of U.S. Highway 27 only.
5. Special-opportunity spring turkey – March ~~4-10~~ ~~5-11~~ and ~~18-24~~ ~~19-25~~ east of U.S. Highway 27 only.
6. General gun hog – December ~~10-11~~ ~~11-12~~ west of U.S. Highway 27 only.
7. Fishing and frogging – Permitted throughout the year.

(b) - (d) No Change.

(9) Picayune Strand Wildlife Management Area.

(a) Open season:

1. Archery – September ~~10-16~~ ~~11-17~~ and ~~17-25~~ ~~18-26~~.
2. Muzzleloading gun – October ~~15-17~~ ~~16-18~~.
3. General gun – October ~~29~~ ~~30~~ through November ~~1~~ ~~2~~ and November ~~2-6~~ ~~3-7~~.
4. Small game – November ~~12-27~~ ~~13-28~~.
5. Spring turkey – March ~~4-7~~ ~~5-8~~ and ~~8-12~~ ~~9-13~~.
6. Fishing and frogging – Permitted throughout the year.

(b) - (c) No Change.

(d) General regulations:

1. Hunting with dogs is prohibited except bird dogs and retrievers may be used during the small game season.
2. The use of tracked vehicles ~~or~~, airboats, ~~or all-terrain vehicles~~ is prohibited. Off-Highway Vehicles (all-terrain vehicles and off-highway motorcycles) are prohibited except by permit from the Division of Forestry only.
3. Vehicles may be operated only on named or numbered roads and trails.
4. Hunters shall check in and out at a designated check station when entering and exiting the area and shall check all game taken.
5. No deer, hog or turkey shall be dismembered until checked at a check station.
6. Fires other than campfires are prohibited.
7. Public access is prohibited from 1.5 hours after sunset until 1.5 hours before sunrise, except in designated camping areas.

(10) Dinner Island Ranch Wildlife Management Area.

(a) Open season:

1. Archery – September ~~10-16~~ ~~11-17~~ and ~~17-25~~ ~~18-26~~.
2. Muzzleloading gun – October ~~15-17~~ ~~16-18~~.
3. General gun – October ~~29~~ ~~30~~ through November ~~1~~ ~~2~~ and November ~~2-6~~ ~~3-7~~.
4. Spring turkey – March ~~4-7~~ ~~5-8~~ and ~~8-12~~ ~~9-13~~.
5. Dove – Saturdays only during the mourning dove and white-winged dove season

established by Rule 68A-13.008, F.A.C.

6. Fishing and frogging – Permitted throughout the year.

(b) - (d) No Change.

(11) Spirit-of-the-Wild Wildlife Management Area.

(a) Open season:

1. Archery – September 10-16 ~~11-17~~ and 17-25 ~~18-26~~.

2. Muzzleloading gun – October 15-17 ~~16-18~~.

3. General gun – October 29 ~~30~~ through November 1 ~~2~~ and November 2-6 ~~3-7~~.

4. Spring turkey – March 4-7 ~~5-8~~ and 8-12 ~~9-13~~.

5. Fishing and frogging – Permitted throughout the year.

(b) - (d) No Change.

PROPOSED EFFECTIVE DATE: July 1, 2005.

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,_____.

NAME OF PERSON(S) ORIGINATING PROPOSED RULE: Mr. Nick Wiley.

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 2, 2004.

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN F.A.W.: December 10,
2004.