

NOTICE OF PROPOSED RULEMAKING

FISH AND WILDLIFE CONSERVATION COMMISSION

RULE CHAPTER TITLE: Wildlife and Environmental Areas

RULE TITLES:

RULE NOS.:

General Regulations Relating to Wildlife and Environmental Areas. 68A-17.004

PURPOSE AND EFFECT: The purpose of the proposed rule change is to allow the lead managing agency or landowner of a Wildlife and Environmental Area (WEA) to issue access related permits for vehicles, vessels, camping, horses or other activities not related to the taking of fish and wildlife during non-hunting periods. The effect of the proposed rule change is to enable land management agencies and landowners to better manage public use on WEAs.

SUMMARY: The proposed rule would allow the lead managing agency or landowner of a WEA to issue access related permits for activities not related to the taking of fish and wildlife during non-hunting periods.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: It is estimated that the proposed action will cost the agency approximately \$175 for administrative preparation and \$125 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.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution; Section 372.57, 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-17.004 General Regulations Relating to Wildlife and Environmental Areas.

(1) No Change.

(2) Permits required:

(a) - (c) No Change.

(d) The lead managing agency or landowner of a wildlife and environmental area may issue permits, valid only during periods closed to hunting, for access, vehicles, vessels, camping, or horses, that would allow the permittee to engage in otherwise prohibited activities not related to the taking of fish and wildlife. Permittees must possess a copy of the permit when engaged in such activities.

(3) - (17) No Change.

PROPOSED EFFECTIVE DATE: July 1, 2005.

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,_____.

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.