

NOTICE OF PROPOSED RULEMAKING  
FISH AND WILDLIFE CONSERVATION COMMISSION  
DIVISION OF HUNTING AND GAME MANAGEMENT

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

PURPOSE AND EFFECT: The purpose of the proposed rule changes is to establish Florida Fish and Wildlife Conservation Commission (FWC) short-term use permits and fees for Tosohatchee Wildlife Management Area (WMA) to provide for a management authority transition from the Department of Environmental Protection to the Fish and Wildlife Conservation Commission. Currently, all access fees are collected by the Florida Department of Environmental Protection. Consideration of these rules for final adoption will be contingent upon a final decision by the state to proceed with this transfer of lead management authority.

SUMMARY: The proposed rule changes would establish public access fees for Tosohatchee WMA as follows: \$3 per vehicle for a daily-use permit for all outdoor recreational activities (including camping) other than hunting; \$1 for a daily-use permit for bicyclists and pedestrians; and \$50 for a daily-use permit for groups of 25 or more people. The proposed rule would further establish that a daily-use permit would not be required for persons participating in Commission-sponsored meetings or activities. A daily-use permit would not be required for persons using the Florida Trail for recreational hiking. A daily-use permit would not be required for persons exempt from management area permit requirements by Section 372.562, F.S. A daily-use permit would not be required for the spouse or dependent children of persons in possession of a management area permit while traveling in the same vehicle or in the company of the permit holder.

A STATEMENT OF ESTIMATED REGULATORY COST HAS NOT BEEN PREPARED REGARDING THESE PROPOSED RULES.

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 DATE, TIME, AND PLACE SHOWN BELOW:

DATE AND TIME: Each day, June 7 -8, 2006, 8:30 a.m. to 5:00 p.m.

PLACE: Marriott West Palm Beach, 1001 Okeechobee Boulevard, West Palm Beach, FL.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 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-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) – (3) No Change.

(4) The Commission establishes short-term permits and fees as follows:

(a) - (b) No Change.

(c) Tosohatchee WMA

1. A daily-use permit for all outdoor recreational activities (including camping) other than hunting is \$3 per vehicle.

2. For bicyclists and pedestrians, a daily-use permit is \$1.

3. For groups of 25 or more people, a daily-use permit is \$50.

4. A daily-use permit shall not be required for persons participating in Commission-sponsored meetings or activities.

5. A daily-use permit shall not be required for persons using the Florida Trail for recreational hiking.

6. A daily-use permit shall not be required for persons exempt from management area permit requirements by Section 372.562, F.S.

7. A daily-use permit shall not be required for the spouse or dependent children of persons in possession of a management area permit while traveling in the same vehicle or in the company of the permit holder.

PROPOSED EFFECTIVE DATE: August 1, 2006.

*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,\_\_\_\_\_.*

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 26, 2006.

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN F.A.W.: November 23, 2005.