

**Final Rule**  
**Specific Regulations for Wildlife Management Areas – South Region**  
**Consent Agenda Item 2**  
**December 9, 2009**

**NOTICE OF PROPOSED RULEMAKING**  
**FISH AND WILDLIFE CONSERVATION COMMISSION**

**DIVISION:** Division of Habitat and Species Conservation

**RULE NO.:** 68A-15.064      **RULE TITLE:** Specific Regulations for Wildlife Management Areas – South Region

**PURPOSE AND EFFECT:** The purpose of the proposed rule change is to allow licensed hunters to take Reptiles of Concern pursuant to Rule 68A-6.007(1), F.A.C. and incidental to lawful hunting activities on selected Wildlife Management Areas (WMAs) in the South Region. All Reptiles of Concern taken shall be reported and shall not be transported alive from the area. The effect of the proposed rule changes will be to enable the agency to better manage fish and wildlife resources on WMAs.

**SUMMARY:** The proposed rule change would allow licensed hunters to take Reptiles of Concern pursuant to Rule 68A-6.007(1), F.A.C. and incidental to lawful hunting activities on Holey Land, Everglades and Francis S. Taylor, Rotenberger and Big Cypress Wildlife Management Areas in the South Region. All Reptiles of Concern taken shall be reported and shall not be transported alive from the area.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:** *The agency has determined that this rule will \_\_\_ or will not X have an impact on small business. A SERC has \_\_\_ or has not X been prepared by the agency.*

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

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

**LAW IMPLEMENTED:** Article IV, Section 9, Florida Constitution; Sections 375.313, 379.2223, Florida Statutes.

**A PUBLIC RULEMAKING HEARING ON THE PROPOSED RULES WILL BE HELD AT THE TIME, DATE, AND PLACE SHOWN BELOW:**

**DATE AND TIME:** During the regular meeting of the Commission, December 9-10, 2009, 8:30 a.m. to 5:00 p.m., each day.

**PLACE:** John Boy Auditorium, 1200 South W.C. Owen Ave, Clewiston, FL 33440

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:** Mike Brooks, Section Leader, Division of Habitat and Species Conservation, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600.

**NAME OF PERSON(S) ORIGINATING PROPOSED RULE:** Tim Breault, Director, Division of Habitat and Species Conservation, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600.

**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:** Florida Fish and Wildlife Conservation Commission.

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** September 9, 2009.

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN F.A.W.:** December 5, 2008.

**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 F.A.W.**

**THE FULL TEXT OF THE PROPOSED RULE IS AS FOLLOWS:**

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

(1) No change

(2) Holey Land Wildlife Management Area.

(a) – (c) No change

(d) General regulations:

1. – 14. No change

15. Reptiles of Concern as listed in Rule 68A-6.007(1)(a)-(f) may be taken during established seasons for the taking of game animals or alligators and only by persons properly licensed and permitted to take game animals or alligators.

16. Guns are a prohibited method of take for Reptiles of Concern, except when the use of guns to take game or alligators is authorized.

17. Reptiles of Concern shall not be removed from the areas alive.

18. Persons that take any reptile of concern shall report the take within 36 hours, and shall provide all data requested.

(e) No change

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

(a) – (c) No change

(d) General regulations:

1. – 21. No change

22. Reptiles of Concern as listed in Rule 68A-6.007(1)(a)-(f) may be taken during established seasons for the taking of game animals or alligators and only by persons properly licensed and permitted to take game animals or alligators.

23. Guns are a prohibited method of take for Reptiles of Concern, except when the use of guns to take game or alligators is authorized.

24. Reptiles of Concern shall not be removed from the areas alive.

25. Persons that take any reptile of concern shall report the take within 36 hours, and shall provide all data requested.

(e) No change

(4) Rotenberger Wildlife Management Area.

(a) – (c) No change

(d) General regulations:

1. – 14. No change

15. Reptiles of Concern as listed in Rule 68A-6.007(1)(a)-(f) may be taken during established seasons for the taking of game animals or alligators and only by persons properly licensed and permitted to take game animals or alligators.

16. Guns are a prohibited method of take for Reptiles of Concern, except when the use of guns to take game or alligators is authorized.

17. Reptiles of Concern shall not be removed from the areas alive.

18. Persons that take any reptile of concern shall report the take within 36 hours, and shall provide all data requested.

(e) No change

(5) Big Cypress Wildlife Management Area.

(a) – (c) No change

(d) General regulations:

1. – 15. No change

16. Reptiles of Concern as listed in Rule 68A-6.007(1)(a)-(f) may be taken during established seasons for the taking of game animals or alligators and only by persons properly licensed and permitted to take game animals or alligators.

17. Guns are a prohibited method of take for Reptiles of Concern, except when the use of guns to take game or alligators is authorized.

18. Reptiles of Concern shall not be removed from the areas alive.

19. Persons that take any reptile of concern shall report the take within 36 hours, and shall provide all data requested.

(6) – (11) No change

**PROPOSED EFFECTIVE DATE: As soon as possible after adoption by the Commission.**

*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, 7-1-09, 7-20-09 \_\_\_\_\_.*

**STATEMENT OF FACTS AND CIRCUMSTANCES JUSTIFYING PROPOSED RULES  
FISH AND WILDLIFE CONSERVATION COMMISSION**

**DIVISION:** Division of Habitat and Species Conservation

**RULE NO.:** 68A-15.064      **RULE TITLE:** Specific Regulations for Wildlife Management Areas – South Region.

The purpose of the proposed rule change is to allow licensed hunters to take Reptiles of Concern pursuant to Rule 68A-6.007(1), F.A.C. and incidental to lawful hunting activities on selected Wildlife Management Areas (WMAs) in the South Region. All Reptiles of Concern taken shall be reported and shall not be transported alive from the area. The effect of the proposed rule changes will be to enable the agency to better manage fish and wildlife resources on WMAs.

**STATEMENT OF ESTIMATED REGULATORY COSTS  
FISH AND WILDLIFE CONSERVATION COMMISSION**

**RULE CHAPTER TITLE:** TYPE I WILDLIFE MANAGEMENT AREAS.

**RULE NO.:** 68A-15.064 **RULE TITLE:** Specific Regulations for Wildlife Management Areas – South Region.

**1. A GOOD FAITH ESTIMATE OF NUMBER AND TYPE OF INDIVIDUALS AND ENTITIES LIKELY TO BE REQUIRED TO COMPLY WITH THE RULE:**

**2. A GOOD FAITH ESTIMATE OF THE COST TO FWC AND OTHER GOVERNMENTAL AGENCIES OF IMPLEMENTING AND ENFORCING THE RULE:**

**3. ANTICIPATED EFFECT ON STATE AND LOCAL REVENUES:**

**4. AN ESTIMATE OF TRANSACTIONAL COSTS LIKELY TO BE INCURRED BY INDIVIDUALS AND PUBLIC AND PRIVATE ENTITIES THAT ARE REQUIRED TO COMPLY WITH THE RULE:**

**5. ANALYSIS OF IMPACT ON SMALL BUSINESS AS DEFINED BY SECTION 288.703, F.S.:**

**6. ANALYSIS OF IMPACT ON SMALL COUNTIES AND CITIES AS DEFINED BY SECTION 120.52, F.S.:**

**7. REASONS FOR ACCEPTING (OR REJECTING) A PROPOSAL FOR A LOWER COST REGULATORY ALTERNATIVE:**