

Notice of Proposed Rule

FISH AND WILDLIFE CONSERVATION COMMISSION

Vessel Registration and Boating Safety

RULE NO.: RULE TITLE:

68D-24.0035 Protection Zones for Springs

PURPOSE AND EFFECT: The rule is being amended to comport with legislative changes to section 327.45, which now requires a showing of significant harm to the springs and allow for modified anchoring, mooring, beaching or grounding as necessary to protect springs and associated spring runs.

SUMMARY: This amendments to the rule are necessary so that it is consistent with section 327.45, FS, and provides notice of the harm to the springs which must be demonstrated and the ability to modify anchoring, beaching, mooring, or grounding.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency. The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein:

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.

RULEMAKING AUTHORITY: 327.04; 327.45, FS

LAW IMPLEMENTED: 327.45, FS

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Captain Rachel Bryant, Division of Law Enforcement, Boating and Waterways Section, 620 South Meridian St., Tallahassee, Florida 32399-1600, (850) 717-2124, rachel.bryant@myfwc.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

68D-24.0035 Protection Zones for Springs.

(1) The Commission will establish a springs protection zone restricting speed and operation or that prohibit or modify the allowable means of anchoring, mooring, beaching, or grounding of vessels within a first, second, or third magnitude spring or spring group, and associated spring runs when evidence demonstrates that a zone will protect or prevent the spring, spring group, or spring run from significant harm as described by and of the type identified in Section 327.45, F.S.

(2) No change.

(3) No change.

(4) No change.

(5) No change.

Rulemaking Authority 327.04, 327.45 FS. Law Implemented 327.45 FS. History 2-7-22, New _____.