

Dear FWC Commission,

We represent 251 organizations, stakeholders and community leaders who understand the importance of waterfowl hunting in Florida, as well as the rich heritage that hunting encompasses. As Floridians, we also recognize the scale of development in our State, as well as the intersection between waterfront property owners and duck hunters.

The Commission is currently in the process of hosting webinars and receiving comments on the proposed language changes to FAC Rule 68A-19.002. As hunters and conservationists who value the public lands of Florida, some of the proposed language is unacceptable.

Throughout the rulemaking process, FWC staff has shown time and again a willingness to work with stakeholders to create a better hunting environment in Florida. However, the current draft rule proposal language favors increased development with no protections for waterfowl and upland bird hunters as the State moves towards the future.

Regarding the current proposed language of a “restricted hunting area prohibiting hunting within 300 feet of a dwelling”, we instead would like to see proposed language that is similar to the hunting regulations established by the State of New York. (New York is used as comparison due to proximity in both size (28th) and population (4th) to Florida (22nd, 3rd))

As per New York’s Department of Environmental Conservation:

*You may hunt waterfowl with a firearm or bow, over water, within 500 feet of a dwelling or public structure **as long as neither are within 500 feet (for a firearm) or 150 feet (for a bow) in the direction you are shooting.** You may not hunt waterfowl with a crossbow. (emphasis added)*

Source: New York State Department of Environmental Conservation, Hunting Regulations (<https://www.dec.ny.gov/outdoor/28182.html>)

Further, the State of New York has provided an explanation to educate homeowners:

The Environmental Conservation Law (ECL) generally prohibits discharge of firearms within 500 feet of a dwelling or other occupied structure, unless permission is received from the owner. However, for waterfowl hunting, the NYS Legislature recognized that human settlement patterns and waterfowl habits warranted special consideration. When hunting ducks or geese that congregate on near-shore waters, it is safer for a hunter to shoot away from shore than to shoot toward shore from open water. In recognition of this, the ECL specifies that when hunting waterfowl and shooting over water, discharge of firearms within 500 feet of a dwelling is allowed, as long as there is not any dwelling, public structure, livestock, or person within 500 feet of the shooter in the direction they are shooting (ECL Section 11-0931).

A waterfowl hunter may legally hunt from shore, a boat, or blind even if there is a house less than 500 feet behind him or her, as long as shooting occurs out over the water and away from the house.

Source: New York State Department of Environmental Conservation, Avoiding Conflicts Between Hunters and Property Owners
(<https://www.dec.ny.gov/outdoor/94213.html>)

It would be appropriate for Florida to adopt similar rule language that would allow hunting within the 300' restricted hunting area as long as the direction a hunter is shooting is away from the dwelling. Given our State's rapid growth and development, this would ensure that hunters are able to continue to enjoy the public resource. We would like to note that education of property owners and hunters on this rule and why it is in place would be important to increasing the understanding between the two groups.

It is also important to note the rule language we are proposing would align with Florida Statute 790.15(4), providing for recreational protections for shooting sports on public waters.

This rule proposal provides a common sense solution that has already been successfully implemented in a state with a similar population size. Further, it would allow for protection of waterfowl hunting as natural shorelines continue to be filled in with houses and strip malls in addition to meeting the measures of the State as noted above. To illustrate potential impacts, we have attached a list of significant high value waterfowl water bodies (see attachment).

We implore you to include the above recommendations in the proposed rule language and put an end to the weaponization of Restricted Hunting Areas on our public waters and traditions.

Sincerely,

National Shooting Sports Foundation
Safari Club International
Delta Waterfowl
Congressional Sportsmen's Foundation
National Wildlife Federation
Vanishing Paradise
American Daughters of Conservation
Sportsmen's Alliance
Artemis Sportswoman
Florida Chapter of Backcountry Hunters and Anglers

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Christian Farris, Palm Harbor, FL
Stephen Fentress, DeLand, FL
Ty Fleming, Jennings, FL
Gisell Francisco, Satellite Beach, FL
Kevin Franklin, Bartow, FL
Josh Freemyer, Winter Garden, FL
Benjamin Fulford, Crestview, FL
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Garrett Goodwin, Labelle, FL
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Terry Griffin, Saint Cloud, FL

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Fletcher Hallett, Jacksonville, FL
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Andrew Higginbotham, Lakeland, FL
Donald Higginbotham, Lakeland, FL
Mike Hilinski, Apopka, FL
William House, Davie, FL
Vincent Howard, Geneva, FL
Charlie Howell, Tampa, FL
Harry Huff, Sebring, FL
Taylor Huffman, Palm Harbor, FL
Ty Hunt, Frostproof, FL
Blake Hutchinson, Land O Lakes, FL
Jimmy Jones, Bryceville, FL
Newton Jones, Orlando, FL
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Jaclyn Matherly, Brooksville, FL
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Patrick McDonald, Dunedin, FL
Jake McFadden, Cocoa, FL
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Mark McNaboe, Ft. Lauderdale, FL
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