

## Preserves

### DRAFT RULE LANGUAGE

Draft rule hearing: December 7, 2017  
Agenda Item 12 B

Here is the substantially different language that we are submitting for publication.

#### **68A-12.010 Regulations Governing the Operation of Commercial or Private Hunting Preserves.**

(1) The executive director shall issue a license as provided by Section 379.3712, F.S., for the establishment and operation of a commercial or private hunting preserve to allow the release and taking of captive-raised native and non-native game animals, as specified herein. No commercial or private hunting preserve license shall be issued until the premises of such preserve has been inspected by a representative of the Commission and the requirements of this rule have been met. Licensee must ensure all captive wildlife contained on the licensed property is lawfully removed or transferred prior to dissolution of the preserve.

(2) Definitions: For the purposes of this rule, the following shall be defined as:

(a) Commercial hunting preserve – a preserve operated exclusively for commercial purposes, which is open to the public for which a uniform fee is charged to patrons for hunting privileges. Hunters taking any game on a licensed commercial hunting preserve shall be exempt from licensure requirements, pursuant to subsection 379.3712(2), F.S.

(b) Employee – any person working under a permit or license holder or at a licensed or permitted facility, whether paid or unpaid.

(c) Grassy vegetation – predominantly grasses, grass-like plants, or forbs capable of being grazed.

(d) Nest box or den - An enclosed shelter that provides a retreat area within, attached to, or adjacent to a cage or enclosure of specified size, which shall provide protection from the elements and from extremes in temperature that are detrimental to the health and welfare of the animal.

(e) Paddocks - open-air areas enclosed by fencing, railing or other Commission-approved structures which allows animals to graze or browse.

(f) Predator barrier – supplemental materials added to the exterior of approved fencing to prevent entry of predators. Barrier may include but is not limited to buried fence wire, electrified fence wire, gravel, rocks, concrete, or other natural/manmade materials.

(g) Private hunting preserve - a preserve for which both commercial and private purposes are allowed. Anyone hunting on the preserve shall have all appropriate hunting licenses and any applicable endorsements, as provided in Section 379.354, F.S.

(h) Preserve - refers to both commercial hunting preserves and private hunting preserves.

(i) Refusal - when a licensee, applicant or employee intentionally denies access to the facility, inventory or facility's records for inspection by Commission personnel or directs another to deny such access.

(j) Tame game mammal - does not exhibit the flight characteristics or normal behavioral characteristics for the species when found in the wild.

(k) Tolling – to lead animals outside of an enclosure using a trail of bait.

(l) Woody vegetation – Perennial trees, shrubs, or woody vines that persists above ground all year long.

(3) General qualifications: Licensees or applicants for a commercial or private preserve license shall:

(a) Be no less than 18 years of age, if applying for authorization to possess game mammals of the family Bovidae.

(b) Make reasonable efforts to flush all wild native game species out of the intended preserve area prior to completion of the perimeter fence. Reasonable efforts shall include but not be limited to tolling, baiting and driving.

(c) Not have refused any captive wildlife inspection within three years of the date of application. Any preserve licenses issued to a person who refuses any such inspection shall be revoked.

(d) Not have been convicted of any violation of game farm, hunt preserve, or captive wildlife regulations involving unsafe housing of wildlife or any violation which potentially endangers the public; any violation involving the unlawful commercialization of wildlife; any violation involving cruelty, maltreatment or neglect to animals; or any violation involving importation of wildlife within three years of the date of application.

(e) Meet the experience requirements for Class I *Bovidae* authorization, as outlined in Rule 68A-6.0022, if seeking authorization to possess such Class I wildlife. However, experience requirements shall not apply to applicants for permits to possess Class II *Bovidae* if licensed under Sections 379.3711 and 379.3712, F.S. Experience gained with Class II *Bovidae* while exempt from experience requirements pursuant to the this paragraph shall not meet the requirements of Rule 68A-6.0022, F.A.C. unless the applicant has worked with the wildlife for a minimum of 5 consecutive years.

(4) License application requirements:

An applicant shall make written application to the Commission. The applicant for a preserve license shall provide the following information:

(a) The name of the applicant and the business name of the proposed preserve, where applicable. To be licensed as a corporation, the facility shall be currently registered through the Florida Department of State, Division of Corporations.

(b) The complete mailing address to include city, state and zip code for the applicant.

(c) The complete facility address where the preserve is located to include city, state, parcel number and zip code. If the address is a rural route, the applicant shall provide directions to the entrance of the preserve.

(d) Whether the facility is owned or leased by the applicant. A copy of the valid and current lease agreement shall be submitted with the application in the event that the facility location is under lease to the applicant. If leased, the lease agreement shall be for a term sufficient to cover the term of the license.

(e) The County or Counties where the preserve is located and the size (in acres) of the area to be fenced and utilized for the preserve.

(f) The current estimated inventory of game possessed, identified by species and quantity.

(g) The applicant's printed legal name, signature, and contact information to include home phone number and business phone number.

(h) A copy of the applicants valid driver's license.

(i) E-mail address, if any.

(j) Indication of whether the preserve is operated for private or commercial purposes.

(k) Indication of whether the application is for a commercial hunting preserve license or private hunting preserve license.

(l) Emergency contact information including name and phone number for an individual who is not the licensee or applicant.

(n) Renewal applications shall include the number and species of any animals introduced and removed during the previous licensing period.

(5) Any corporation authorized to do business in Florida may apply for preserve license.

(a) For corporations authorized to possess Class I *Bovidae*, such corporation shall have qualified personnel responsible for the care of such wildlife. The corporation shall provide documentation of experience for at least one person in accordance with Rule 68A-6.0022, F.A.C. Such documentation of experience shall be submitted to the Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, and shall

be subject to approval upon initial application and upon each instance of change in qualified personnel.

(b) Such corporation shall be responsible for any violation(s) committed by their employees or occurring at their facility.

(6) A preserve shall consist of not more than 10,000 acres, including water area, and be owned or leased by the applicant. For the hunting of game mammals, the land shall be located wholly within a legally fenced tract. The boundaries of all preserves shall be posted with signs bearing the words "Licensed Hunting Preserve" which shall be placed at intervals of not more than 500 feet and be easily visible from any point of ingress or egress. Lettering on such signs shall be no less than 2 inches in height. No preserve shall be located within one mile of any wildlife management area, refuge or park established by state or federal law or regulation unless:

(a) The operation of such preserve does not conflict with the management objectives of the affected wildlife management area, refuge or park;

(b) The owner or manager of the affected refuge or park shall be notified of the application and shall be given the opportunity to submit comments or recommendations;

(c) The proposed preserve poses no significant adverse impacts to wildlife or public safety on the affected wildlife management area, refuge or park.

(7) All laws, rules, or regulations pertaining to hunting or pertaining to game shall apply on all preserves except as follows:

(a) The taking of carnivorous animals is prohibited on preserves, except licensees and employees may take nuisance wildlife as provided in Rule 68A-9.010, F.A.C. Only game mammals of the following families: *Cervidae* (such as deer and elk), *Suidae* (hog), *Bovidae* (such as buffalo and antelope), as well as game birds and game mammals native to Florida shall be taken on preserves.

(b) Game mammals shall not be taken on preserves while boxed or caged and shall be taken only in accordance with the conditions and methods outlined in subsection (8) below.

(c) Open season for taking captive reared native game birds shall be from October 1 through April 20. The open season for taking native game mammals, except white-tailed deer, shall coincide with the established open season for the species in the zone wherein the preserve is located. White-tailed deer of either sex may be taken from August 1 through March 1. Non-native game mammals and non-native game birds may be taken year-round on licensed preserves. The method of take for all game shall be as specified by Rule 68A-12.002, F.A.C.

(d) Game mammals shall not be taken within 50 yards of a supplemental feeding station by any person other than the licensee or their employees.

(e) Commission rules prohibiting the taking of game birds over live decoys or bait shall not apply when properly identified captive-reared game birds are being taken.

(f) There shall be no bag limit for captive-reared game taken on preserves.

(g) Game may be trapped on the premises of a preserve for the purposes of veterinary care or sale, provided that any native game incidentally trapped in such operation shall be immediately released.

(8) Facility requirements:

(a) *Cervidae* (deer family) shall be free-roaming on not less than 200 acres, with a minimum of 100 acres covered with woody vegetation. For each additional acre over the initial 200 acres, 10% of the additional acreage shall be covered with woody vegetation. Up to 20% of acreage can include land that formerly had woody vegetation, which will be naturally or artificially regenerated within two years of harvest. The hunting of *Cervidae* with dogs is prohibited; however, a leashed dog shall be allowed for trailing. The preserve shall be completely enclosed with a perimeter fence which meets the following criteria:

1. Fence construction materials, including connecting materials, shall consist of not less than 12.5-gauge high tensile class III galvanized wire with fixed knots or strength equivalent material.

a. Fence shall be no less than eight feet in height. Fences may be installed up to 3 inches above the ground, provided that a strand of high tensile barbed wire not less than 15.5 gauge is strung across the bottom. In

addition, one strand of high tensile barbed wire not less than 15.5 gauge may be strung no greater than 6 inches above the fence panel in order to achieve the 8-foot height requirements. Licensees shall maintain minimum fence height by leveling built up earthen material which has migrated to the base of the fence due to natural causes.

b. To maintain the minimum height, fence(s) shall be constructed of single panels of fencing material. Such fencing material shall be attached to posts in a manner that ensures the fence maintains an above ground 8-foot vertical height and prevents escape. The posts will be securely anchored and braced in corners to keep fence properly stretched and erect.

c. Predator barrier shall not disrupt the integrity of the approved fence material nor provide increased accessibility for non-predator species into fenced enclosure. Predator barrier shall not exceed 20 inches upward from lowest wire on the 8-foot game fence nor can it extend outward from the perimeter fence more than 28 inches.

2. Fencing material shall have no greater than 7 inches between knots and be free of broken wires.

(b) *Bovidae* (such as buffalo and antelope) shall be free-roaming on not less than 300 acres, with a minimum of 200 acres covered with grassy vegetation, except blackbuck which shall be free roaming on not less than 200 acres, with a minimum of 100 acres covered with grassy vegetation. For each additional acre over the initial 300/200 acres, 10% of the additional acreage shall be covered with grassy vegetation. The hunting of *Bovidae* with dogs is prohibited; however, a leashed dog shall be allowed for trailing. The preserve shall be completely enclosed with a perimeter fence which meets the requirements of subparagraphs 68A-12.010(8)(a)1.a.-b, 2., above. Fencing for Class I *Bovidae* shall meet the requirements of paragraph 68A-6.003(3)(c), F.A.C.

(c) *Suidae* (hog) shall be free-roaming on not less than 100 acres, with a minimum of 50 acres covered with woody vegetation. For hunting hogs with dogs the area shall be a minimum of 300 acres, with 200 acres covered with woody vegetation. For each additional acre over the initial 100 acres, 10% of the additional acreage shall be covered with woody vegetation. Up to 20% of acreage can include land that formerly had woody vegetation, which will be naturally or artificially regenerated within two years of harvest. The preserve shall be completely enclosed with a perimeter fence that meets the following criteria:

1. Fence construction materials, including connecting materials, shall consist of not less than 12.5-gauge high tensile class III galvanized wire with fixed knots or strength equivalent material.

a. Fence shall be no less than 4 feet in height.

b. Fence(s) shall be constructed of single panels of fencing material. Such fencing material shall be attached to posts in a manner that ensures the fence maintains a 4-foot vertical height and prevents escape. The posts will be securely anchored and braced to keep fence properly stretched and erect.

c. Predator barrier shall not disrupt the integrity of the approved fence material nor provide increased accessibility for non-predator species into fenced enclosure. Predator barrier shall not exceed 20 inches upward from lowest wire on the 8-foot game fence nor can it extend outward from the perimeter fence more than 28 inches.

2. Fencing material shall have no greater than 7 inches between knots and be free of broken wires.

(d) Hunt Preserves with licenses which are current on effective date will have two years to come into compliance with the above fencing requirement unless they meet the grandfathering conditions below.

1. Facilities with hunt preserve licenses on effective date which have fencing that is a minimum of 12.5-gauge wire or strength equivalent material shall not be required to replace existing fence materials provided that such fencing material is attached to posts in a manner that ensures the fence maintains an above ground 8-foot vertical height and prevents escape. One strand of high tensile barbed wire not less than 15.5 gauge may be strung no greater than 6 inches above the fence panel in order to achieve the 8-foot height requirement. Posts shall be of a solid, singular construction, securely anchored, no greater than 25 feet apart and braced at

corners to keep fence properly stretched and erect. Any new construction or panel replacement greater than 250 feet shall meet the current regulations.

2. Facilities with hunt preserve licenses on effective date which have fencing that is not constructed of single panels of wire mesh shall not be required to replace existing panels with single panels, provided that the existing panels are a minimum of 12.5 gauge wire or strength equivalent material and are connected with strength equivalent material or greater at intervals no greater than 18 inches apart, have knots spaced no greater than 7 inches apart, and the fence remains free of gaps and prevents escape. Such wire or strength equivalent fencing material shall be attached to posts in a manner that ensures the fence maintains an above ground 8-foot vertical height and prevents escape. One strand of high tensile barbed wire not less than 15.5 gauge may be strung no greater than 6 inches above the fence panel in order to achieve the 8-foot height requirement. Posts shall be of a solid, singular construction, securely anchored, no greater than 25 feet apart and braced at corners to keep fence properly stretched and erect. Any new construction or panel replacement greater than 250 feet shall meet the current regulations.

(e) The minimum acreage provisions of subparagraphs (8)(a)-(c) and the yardage requirement in subparagraph (7)(d), shall not apply to those operations licensed prior to July 1, 1996.

(9) Game mammals may be kept in small enclosures only for veterinary or transportation and shall not be hunted on the same day of release or transport into a licensed preserve.

(10) The hunting of game mammals that were produced, raised, or held at a zoological attraction, tame game mammals, or domesticated species is prohibited.

(11) Motorized vehicles shall not be used to drive game mammals during any hunting activity, nor shall game mammals be taken from moving motorized vehicles.

(12) All captive-reared turkeys to be taken on preserves shall be banded to identify point of origin.

(13) No captive reared ducks shall be released or hunted on preserves.

(14) No wild turkeys nor wild ducks shall be taken over baited-areas, nor during the closed season prescribed by the Commission for the region in which the preserve is located.

(15) Preserves shall be equipped and operated in such manner as to provide sufficient food and humane treatment for the game kept thereupon. A continuous source or supply of clean water shall be readily available at all times for all game. The premises, pens, and facilities of all preserves shall be maintained in a sanitary condition. Injured or wounded mammals shall be immediately euthanized, transported to a veterinarian for treatment, or treated by the licensee.

(16) Operators importing game mammals and/or game birds from other states or countries shall maintain copies of all importation permits and health records as required by the Florida Department of Agriculture and Consumer Services and the United States Department of Agriculture. Such records shall be made available for inspection upon request of any Commission employee.

(17) Prior to being transported from a preserve, all carcasses, parts, and meat of game taken on preserves shall be properly identified with a tag or label with the name of the preserve licensee, the name of the preserve, and the date such game was taken and date the game is being transported from the preserve. When transporting game where individual marking is not practical, the container being used to transport such game shall be tagged or labeled as specified above.

(18) Each preserve shall maintain a registration book in which the name, address, hunting license number (or nature of the exemption), date of hunt, quantity and species of game taken by each person hunting on the preserve is recorded. All records and the physical facilities and installations of any preserve shall be open to inspection upon request by the Commission. Such records shall be made available for inspection upon request of any Commission employee.

(19) A current list of employees authorized by the licensee to euthanize game shall be maintained by the licensee and made available for inspection upon request by Commission personnel.

(20) Each preserve shall create and maintain an annual report of all game released and taken on the preserve for each license year. The report shall be in chronological order and shall be made available for inspection by Commission personnel upon request. Records must be provided at the request of the Commission.

(21) Licensed facilities shall report any escapes from the perimeter fencing or the approved facility location. Licensed facilities shall report any escapes from an enclosure, cage, or other constraint when wildlife is away from such approved facility location. Such reporting shall be made to the Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, immediately upon discovery of the escape.

*Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-1-79, Amended 6-4-81, 6-21-82, 7-1-83, Formerly 39-12.10, Amended 8-5-86, 4-11-90, 4-15-92, 10-20-96, 6-23-99, Formerly 39-12.010, Amended 5-29-01, 11-3-02, 7-1-05.*

**Here is the rule as it is currently in the F.A.C. which is proposed to be completely replaced.**

#### **68A-12.010 Regulations Governing the Operation of Private Hunting Preserves.**

(1) The executive director may issue a license as provided by Section 379.3712, F.S., for the establishment and operation of a private hunting preserve to allow the release and taking of captive-raised native and non-native game animals, as specified herein. Application for such license shall be made on Form GFC 333 (incorporated herein by reference, effective April 15, 1992 and available at the Commission's Tallahassee and regional offices). No hunting preserve license shall be issued until the premises of such preserve has been inspected by a representative of the Commission and the requirements of this section have been met.

(2) A hunting preserve shall consist of not more than 10,000 acres, including water area, and be owned or leased by the applicant. For the hunting of game mammals, the land shall be located wholly within a legally fenced tract. The boundaries of all preserves shall be posted with signs bearing the words "Licensed Hunting Preserve" which shall be placed at intervals of not more than 500 feet and easily visible from any point of ingress or egress. No hunting preserve shall be located within one mile of any wildlife management area, refuge or park established by state or federal law or regulation unless:

(a) The operation of such hunting preserve does not conflict with the management objectives of the affected wildlife management area, refuge or park;

(b) The owner or manager of the affected refuge or park shall be notified of the application and shall be given the opportunity to submit comments or recommendations;

(c) The proposed hunting preserve poses no significant adverse impacts to wildlife or public safety on the affected wildlife management area, refuge or park.

(3) In the event the property is under lease to the applicant, said lease shall be for a term of not less than one year from date of application and such lease is subject to review and approval by the Commission as a condition to the granting of said license.

(4) All laws, rules, or regulations pertaining to hunting or pertaining to game shall apply on all hunting preserves except as follows:

(a) The taking of carnivorous animals is prohibited on hunting preserves. Only game birds and game mammals of the following families: Cervidae (such as deer and elk), Suidae (hog), Bovidae (such as buffalo and antelope) shall be taken on hunting preserves.

(b) Game mammals shall not be taken on hunting preserves while boxed or caged and shall be taken only in accordance with the following conditions and methods:

1. Cervidae (deer family) shall be free-roaming on not less than 200 acres, with a minimum of 100 acres

covered with woody vegetation. The hunting of Cervidae with dogs is prohibited, provided that a leashed dog shall be allowed for trailing. The preserve shall be completely enclosed with an eight-foot deer-proof fence.

2. Bovidae (such as buffalo and antelope) shall be free-roaming on not less than 300 acres, with a minimum of 200 acres covered with grassy vegetation. The hunting of Bovidae with dogs is prohibited, provided that a leashed dog shall be allowed for trailing. The preserve shall be completely enclosed with an eight-foot deer-proof fence.

3. Suidae (hog) shall be free-roaming on not less than 100 acres, with a minimum of 50 acres covered with woody vegetation. For hunting hogs with dogs the area shall be a minimum of 300 acres, with 200 acres covered with woody vegetation.

(5) Game mammals may be kept in small enclosures only for veterinary, breeding, transportation or other management purposes and shall not be hunted on the same day of release or transport into the minimum acreage required for taking the species.

(6) The hunting of game mammals that were produced, raised, or held at a zoological attraction, or that are tame game mammals is prohibited. For the purpose of this section, "tame game mammal" shall be defined as one that does not exhibit the flight characteristics or normal for the species when found in the wild. When tame game mammals are maintained in hunting areas for breeding or other purposes, they shall be readily identifiable with a fluorescent collar or other marking device.

(7) Game mammals shall not be taken by non-owners or non-lessees within 50 yards of a supplemental feeding station.

(8) Commission rules prohibiting the taking of game birds over live decoys or bait shall not apply when properly identified captive-reared game birds are being taken.

(9) Motorized vehicles shall not be used to drive game mammals, nor shall game mammals be taken from moving motorized vehicles.

(10) There shall be no bag limit for captive-reared game taken on hunting preserves. Such game may be trapped on the premises of said preserve, provided that any wild game trapped in such operation shall be immediately released.

(11) Open season for taking native game birds shall be from October 1 to April 20. The open season for taking native game mammals shall coincide with the established open season for the species established in the zone wherein the hunting preserve is located. White tailed deer of either sex may be taken from September 1 until March 20. Non-native hoofed stock and non-native game birds may be taken year-round on licensed hunting preserves.

(12) With respect to waterfowl, only captive-reared mallards and captive-reared, Florida-strain mottled ducks may be released for shooting and only in accordance with the provisions of this rule. Such birds may not be handled so as to attract wild waterfowl. No person shall be permitted to shoot game farm ducks on any hunting preserve situated on a marsh, lake, river or any other place where there are concentrations of wild waterfowl or if the operation of the preserve attracts concentrations of wild waterfowl. Mallards may be released for shooting on hunting preserves, including preserves denoted as either private or commercial on GFC Form 333, only by a natural person, firm, or corporation who holds a valid mallard-release endorsement on a valid hunting preserve license issued pursuant to Section 379.3712, F.S., and subsection (1), of this rule, and in accordance with the following:

(a) ENDORSEMENTS: Endorsements shall be issued annually to persons, firms, or corporations that produce documentary evidence demonstrating the following:

1. Commercial release of waterfowl for shooting annually beginning January 1, 1998; and,
2. Continuous licensure as a hunting preserve per Section 276.661, F.S., since July 1, 2001.

(b) LIMITED RELEASES: No more than 9,000 mallards shall be released by a licensee during the open season.

(c) LOCATION: The mallard release operations shall remain within the area indicated in the application for Hunting Preserve license on file with the Commission as of January 1, 1998.

(d) TRANSFERABILITY: A mallard-release endorsement may be transferred, in whole or in part, provided conditions paragraphs (a)-(c), continue to be met by the entity receiving the endorsement or portion thereof. Upon transfer of a mallard-release endorsement, in whole or in part, the existing endorsement shall be surrendered to the Commission along with documentation of the transfer explicitly stating the portion of the endorsement and release quota therein being transferred (in total number of ducks). Upon such submission, the Commission will issue a new endorsement to the entity who received all or a portion of the original endorsement with the release quota adjusted for partial transfers (such endorsement shall only be issued to the receiving entity when that entity is licensed as a Hunting Preserve pursuant to Section 379.3712, F.S., and this rule); the Commission will issue a new endorsement to the original endorsement holder if any portion of the original endorsement is retained, with the release quota reduced by the amount transferred.

(e) NO VESTED RIGHTS: This mallard-release provision does not create any vested rights whatsoever for endorsement holders and may be altered or terminated by the Commission as necessary to protect Florida's wildlife resources or the public interest.

(13) Florida-strain mottled ducks (mottled ducks) may be released for shooting purposes on hunting preserves only in accordance with the following. Preserves shall:

(a) Obtain mottled ducks only from validly permitted in-state breeding facilities or from out-of-state breeding facilities with which the Commission has an agreement for the taking, raising and reimportation of mottled ducks in compliance with subsections (13) and (14), of this rule;

(b) Maintain and provide upon request complete records including certificates of origin for mottled ducks, the number of mottled ducks released annually, and daily harvest records indicating how many of which species of ducks were killed and whether the ducks were wild or released;

(c) Release only mottled ducks meeting minimum standards for genetic purity as determined by the Commission. Purity standards shall be based on phenotypic characteristics or, when available, genetic characteristics that provide the best available indicators of whether a bird is a pure, Florida-strain mottled duck; and,

(d) Be subject to inspection by the Commission.

(14) In order to establish a source of captive-reared, Florida-strain mottled ducks for release on hunting preserves, the Executive Director shall:

(a) Permit the removal of mottled duck eggs and/or birds from the wild for breeding on a limited number of breeding facilities. The number of eggs and/or birds made available by permit for breeding facilities shall be no greater than one-half of the number that the Executive Director determines may be removed from the wild population without negative impacts to the population. This number shall be estimated conservatively, using the best available biological information, so as to safeguard the welfare of the wild mottled duck population in Florida;

(b) Determine the number of breeding facilities to which Florida-strain mottled ducks and/or eggs shall be made available based on the number of ducks and/or eggs an individual breeding facility would need to establish a sustainable captive population and on the number of eggs and/or ducks to be removed from the wild;

(c) Use the following criteria to determine which breeding facilities shall be eligible to receive ducks or eggs. The proposed facility shall:

1. Document a history of successfully breeding ducks,
2. Adhere to accepted husbandry standards to assure safe and optimum breeding of mottled ducks,
3. Possess all required state and federal licenses and permits; and,
4. Not have been adjudicated guilty or pled nolo contendere to any wildlife or game law violation in the state of Florida or other jurisdiction.

(d) Select breeding facilities that shall be permitted to receive ducks and/or eggs based on a random drawing from a pool of breeding facilities that meet the criteria listed in paragraph (14)(c); and,

(e) Enter into agreements with breeding facilities receiving eggs and/or ducks. Mottled ducks produced at facilities with such agreements shall be eligible for release in Florida subject to license and permitting requirements of these rules. Such agreements shall include the following specific requirements for the breeding facility:

1. Rights of inspection,
2. Separation of mottled ducks from other stock,
3. Marking of birds; and,
4. Protocols for culling possible hybrids.

(15) Operators shall maintain documents to demonstrate that birds being released and hunted on the preserve are in healthy condition and were legally produced at a licensed game farm or preserve. All captive reared ducks and turkeys to be taken on preserves shall be banded to identify point of origin. No wild turkeys nor wild ducks shall be taken over baited-areas, nor during the closed season prescribed by the Commission for the region in which the preserve is located.

(16) Hunting preserves shall be equipped and operated in such manner as to provide sufficient food and humane treatment for the game kept thereupon. The premises, pens, and facilities of all hunting preserves shall be maintained in a sanitary condition. All game harvested shall be taken by humane method as specified by Commission rules for the species. Injured or wounded mammals shall be immediately euthanized, transported to a veterinarian for treatment, or treated by the owner.

(17) Operators importing hooved stock from out-of-state, or from foreign countries, shall maintain copies of all importation permits and health records as required by the Department of Agriculture and Consumer Services and the United States Department of Agriculture. Such records shall be made available for inspection upon request of any Commission employee.

(18) Prior to being transported from a preserve, all carcasses, parts, and meat of game taken on preserves shall be properly identified with a tag or label with the name of the licensee, the name of the preserve, and the date such game is being transported from the preserve. In the case of transporting a quantity of game birds, where individual marking is not practical, the container being used to transport such game shall be tagged or labeled as specified above.

(19) Except for those preserves licenses as provided in Section 379.3712(2), F.S., a hunting license as provided by law shall be required of all persons taking game on any hunting preserve.

(20) There shall be a registration book on each hunting preserve in which the name, address, hunting license number (or nature of the exemption), and quantity of game taken by each person hunting on the preserve is recorded. All records and the physical facilities and installations of any hunting preserve shall be open to inspection upon request by personnel of the Commission.

(21) A complete annual report of all game mammals released and taken on said preserve up until June 30 of each year shall be furnished to the Commission by July 31 of each year.

(22) The minimum acreage provisions of subparagraphs (4)(b)1.-3., and the yardage requirement in subsection (7), shall not apply to those operations licensed prior to July 1, 1996.

*Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-1-79, Amended 6-4-81, 6-21-82, 7-1-83, Formerly 39-12.10, Amended 8-5-86, 4-11-90, 4-15-92, 10-20-96, 6-23-99, Formerly 39-12.010, Amended 5-29-01, 11-3-02, 7-1-05.*