

**Background Report
Draft Rule 68A-9.004
Agenda Item 11 A
December 6, 2012**

DRAFT RULE

RULE NO: 68A-9.004

RULE TITLE: Permits for Hunting or Other Recreational Use on Wildlife Management Areas.

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to better manage fish and wildlife resources by establishing a permit requirement, issuance criteria, and appropriate guidelines for special events that the public may wish to conduct on Commission managed lands. The effect of the proposed rule amendment will be to enable the public conduct special events on Commission managed lands that may otherwise be prohibited while limiting liability to the Commission and protecting fish, wildlife, natural and cultural resources.

SUMMARY: The proposed rule amendment would require a permit for special events on lands where the Commission is landowner or lead land manager; define a special event as one that is in violation of Commission rules, requires Commission resources (personnel or equipment), requires additional infrastructure, or would have significant impacts on cultural or natural resources; and would allow the Commission to impose such reasonable permit conditions to assure that the use or activity authorized will limit liability to the Commission and protect fish, wildlife, natural and cultural resources.

THE FULL TEXT OF THE PROPOSED RULE IS AS FOLLOWS:

68A-9.004 Permits for Hunting or Other Recreational Use on Wildlife Management Areas.

(1) In addition to other licenses, permits and stamps required by law, stamp requirements for hunting, camping, fishing, or other recreational uses on lands owned, leased or managed by the Commission or the State of Florida for the use and benefit of the Commission shall be as provided by Sections 379.354(8)(g) and (h), F.S.

(a) The cost of permits as required for hunting on wildlife management areas as provided by Section 379.354(8)(g)1., F.S., shall be \$25.

(b) The cost of recreational user permits as required for hunting on the following privately owned wildlife management areas as provided by Section 379.354(8)(h)1., F.S., shall be:

1. Nassau WMA – \$385
2. Flint Rock – \$206
3. Twelve Mile Swamp – \$625
4. Relay – \$425
5. Gulf Hammock – \$275
6. Grove Park – \$475

(c) The total number of permits available for each of the following privately owned wildlife management areas established pursuant to Section 379.354(8)(h)1., F.S., shall be:

1. Nassau WMA – 200
2. Flint Rock – 450
3. Twelve Mile Swamp – 125
4. Relay – 300
5. Gulf Hammock – 550
6. Grove Park – 200

(d) Recreational user permits required for hunting on privately owned wildlife management areas shall also authorize the permittee to engage in all activities authorized for wildlife management area permits.

(e) Recreational user permits for privately owned wildlife management areas designated herein shall be non-transferable.

(f) A recreational use permit for privately owned wildlife management areas designated herein shall be

renewable for two consecutive years provided that proper application and payment is received prior to June 1.

(2) Additional stamp requirements may be promulgated for each individual wildlife management area and are set forth in Chapter 68A-15, F.A.C.

(3) On those lands where the Commission is the landowner or lead managing agency, a permit is required for special events that are in violation of Commission rules, require Commission resources (personnel or equipment), require additional infrastructure, or would have significant impacts on natural resources, cultural resources or public use. A special event is an organized occasion that includes, but is not limited to, events such as sport competitions, recreational events and fundraisers. The Commission shall issue a permit when the applicant proposes natural or cultural resource related activities that do not unduly impact the resource, interfere with other users, or impose significant costs to the Commission. The Commission shall impose upon a Special Use Permit issued pursuant to this subsection such reasonable conditions as are necessary to assure that the use or activity authorized will limit liability to the agency and protect fish, wildlife, natural and cultural resources.

PROPOSED EFFECTIVE DATE: July 1, 2013

Rulemaking Authority Art. IV, Sec. 9, Fla. Const., 379.354 FS. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.1025, 379.2223, 375.313, 375.591 FS. History—New 8-1-79, Amended 6-4-81, 6-21-82, Formerly 39-9.04, Amended 6-2-86, 11-1-89, 7-16-98, 5-13-99, Formerly 39-9.004, Amended 7-1-00, 5-29-01, 7-22-01, 6-2-02, 7-28-02, 5-1-03, 7-7-03, 10-12-03, 5-12-04, 7-15-04, 6-1-05, 4-3-08, 4-1-09, 7-20-09, 7-1-10, 5-5-11, 8-11-11, 5-2-12, 7-1-13.