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INTEROFFICE MEMORANDUM

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DATE: June 16, 2009

TO: FWC Commissioners

FROM: Julie Jones, Director of Law Enforcement

SUBJECT: Floor Amendment, 68A-12.011, F.A.C., Regulations Governing the Establishment and Operation of Game Farms

This floor amendment is for proposed rule 68A-12.011, F.A.C., Regulations Governing the Establishment and Operation of Game Farms. Staff proposes amending the proposed rule to change the maximum acreage requirement from 640 acres to 2,000 acres.

The statute currently requires game farms not to exceed 640 acres. Draft rule language, which included this acreage requirement, was presented and approved at the April 2009 Commission meeting held in Tallahassee. During this meeting, the Commission also directed law enforcement staff to obtain additional input from the public and biological staff regarding the 640 acre requirement.

To accomplish this task, staff posted a survey on MyFWC.com, solicited public participation via a statewide news release and mass mailing, and consulted FWC biological staff. Additionally, law enforcement staff polled active game farm licensees to determine the acreage used for their game farm operations.

Based on the input received, staff believes a larger acreage requirement would be beneficial, particularly for rearing game mammals, by allowing more acreage to graze or browse, help with disease control and improve conditions for animal welfare.

After further review and input, staff is not supporting elimination of the maximum acreage requirement because it could result in unrestricted installation of high fences on more large tracts of land. This has the potential to alter native wildlife movement and behavior, reduce available habitat for native wildlife populations, and may be detrimental to the management of Florida's native wildlife resources.

For the above stated reasons, staff recommends retaining a maximum limit on game farm acreage, but supports increasing the maximum acreage to 2,000 acres. Upon approval of the proposed amendment, the rule language would read as follows:

68A-12.011 Regulations Governing the Establishment and Operation of Game Farms.  
(1) (a) Such game farm must not exceed an area of 640-2,000 acres owned or leased and no game farm may join or be connected to another game farm. In the event that the facility location is under lease to the applicant, said lease must be for a term sufficient to cover the term of the license and such lease is subject to review and approval by commission personnel as a condition to the granting of the license.

jj/cb

cc: Office of the General Counsel