

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

RESOLUTION NO. 2010- _____

A RESOLUTION OF THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT AUTHORIZING THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION TO ESTABLISH VACANT UNDESIGNATED LANDS CONSISTING OF APPROXIMATELY 100 ACRES IN THE FROG POND DETENTION PROJECT, MIAMI-DADE COUNTY, AS A PUBLIC SMALL GAME HUNTING AREA FOR THE 2010-11 AND SUBSEQUENT HUNTING SEASONS AND MANAGE SAID LANDS SOLELY AS A DOVE FIELD, SUBJECT TO TERMS AND CONDITIONS; PROVIDING AN EFFECTIVE DATE

WHEREAS, pursuant Rule 40E-7.521(30), F.A.C., District lands greater than ten (10) acres that are not otherwise designated as a Management Area, a Stormwater Treatment Area, an Impoundment or Right of Way, as those terms are defined in Rule 40E-7.521, F.A.C., are defined as “vacant undesignated lands”; and

WHEREAS, approximately 100 acres located in the Frog Pond Detention Project in Miami-Dade County, identified on Exhibit “A-1” attached hereto and incorporated herein by reference (the “Frog Pond Site”), qualify as “vacant undesignated lands” under Rule 40E-7.521(30), F.A.C.; and

WHEREAS, pursuant to Rule 40E-7.5382(2), F.A.C., hunting on vacant undesignated lands is prohibited unless otherwise authorized by the Governing Board and administered by the Florida Fish and Wildlife Conservation Commission (“FWC”); and

WHEREAS, the Governing Board of the South Florida Water Management District deems it necessary, appropriate, and in the public interest to authorize the FWC to (i) establish the Frog Pond Site as a Public Small Game Hunting Area, in accordance with Rule 68A-13.007, F.A.C., and (ii) manage said lands solely as a dove field; and

WHEREAS, in addition to all applicable laws, statutes and regulations concerning small game hunting areas administered by the FWC, hunting on the Frog Pond Site will be subject to the following site specific restriction: (1) it shall be legal to take only doves; (2) no person shall possess any gun during any period in which the taking of wildlife by the use of a gun is prohibited except that a person in possession of a valid Concealed Weapon or Firearm License may carry concealed handguns under the provisions of Section 790.06, F.S., throughout the year, unless otherwise preempted

pursuant to state or federal law; (3) fires shall be prohibited; (4) vehicles shall be prohibited; and (5) camping shall be prohibited; and

WHEREAS, the FWC will provide an on-site hunt manager, and will routinely patrol the areas for enforcement purposes; and

WHEREAS, the District and the FWC are negotiating a lease agreement (the "Lease") whereby the District would lease the Frog Pond Site to the FWC for the purpose of managing a dove field on said property in accordance with the terms and conditions referenced hereinabove and all applicable laws, statues, regulations and other requirements; and

WHEREAS, District staff recommends that the Governing Board's approval of the authorizations set forth in this resolution be contingent upon the District and the FWC entering into the Lease.

NOW THEREFORE, be it resolved by the Governing Board of the South Florida Water Management District:

Section 1. The Governing Board of the South Florida Water Management District hereby authorizes the Florida Fish and Wildlife Conservation Commission to establish that portion of the Frog Pond Detention Project area in Miami-Dade County identified on Exhibit "A-1" as a Public Small-Game Hunting Area for the 2010-11 and subsequent hunting seasons, in accordance with Rule 68A-13.007, F.A.C., manage said lands solely as a dove field, contingent upon the District and the FWC entering into a lease agreement whereby the District shall lease the Frog Pond Site to the FWC for the purpose managing a dove field thereon in accordance with the terms and conditions referenced hereinabove and all applicable laws, statutes, regulations and other requirements.

Section 2. This resolution shall take effect immediately upon adoption.

PASSED and ADOPTED this _____ day of _____, 2010.

ATTEST:

**SOUTH FLORIDA WATER
MANAGEMENT DISTRICT, BY ITS
GOVERNING BOARD**

By: _____
District Clerk/Secretary

By: _____
Chairman

Approved as to form:

By: _____
Office of Counsel

