

# Handbook of Florida Water Regulation: Fish and Wildlife Conservation Commission<sup>1</sup>

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## Preface

This handbook is designed to provide an accurate, current, and authoritative summary of the principal federal and state (Florida) laws that directly or indirectly relate to agriculture. This handbook provides a basic overview of the many rights and responsibilities that farmers and farmland owners have under both federal and state laws as well as the appropriate contact information to obtain more detailed information. However, the reader should be aware that because the laws, administrative rulings, and court decisions on which this handbook is based are subject to constant revision, portions of this publication could become outdated at any time. Several details of cited laws are also left out due to space limitations.

This handbook is distributed with the understanding that the authors are not engaged in rendering legal or other professional advice, and the information contained herein should not be regarded as a substitute for professional advice. This handbook is not all inclusive in providing information to achieve compliance with the federal and state laws and regulations governing water protection. For these reasons, the use of these materials by any person constitutes an agreement to hold harmless the authors, the Florida Cooperative Extension Service, the Institute of Food and Agricultural Sciences, and the University of Florida for any liability claims, damages, or expenses that

may be incurred by any person as a result of reference to or reliance on the information contained in this handbook.

## FFWCC Overview

The Florida Fish and Wildlife Conservation Commission (FFWCC) came into existence on July 1, 1999, with the approval of a constitutional amendment in the 1998 General Election (Article XII, Section 23, Florida Constitution). Under Article XII, Section 23, the state legislature combined the Marine Fisheries Commission, the Game and Fresh Water Fish Commission, and elements of the Divisions of Marine Resources and Law Enforcement of the Florida Department of Environmental Protection (FDEP) to form FFWCC. The purpose of FFWCC is the management, protection, and conservation of wild animal life and fresh water aquatic life. Some of the agency's activities include:

- Habitat improvement
- Research
- Inspection of construction and development projects
- Development of public recreational areas
- Running a conservation information service program

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- Updating lists of threatened and endangered freshwater aquatic and land species
- Regulating the hunting and fishing of Florida's wildlife through the issuing and enforcement of hunting and fishing licenses and various permits
- Regulating the possession and exploitation of captive wildlife through permitting and licensing various activities, including alligator farms, freshwater fish farms, dealers and buyers of fish or frogs, and the sale and purchase of animal furs and hides

FDEP maintains a list of Florida endangered marine species and the United States Department of Interior maintains a national list (see [FE592](#), Endangered Species Act). The Endangered Species Act makes the killing, harassment, or destruction of these animals or their nests or eggs illegal.

Although FFWCC has jurisdiction over any fresh running waters of the state, FDEP is the agency primarily responsible for enforcement of water regulations. Jurisdictional directives in this area are overlapping, as many agencies have been granted the authority to address this concern.

## What Is the Structure of FFWCC?

The board of commissioners is appointed by the governor and confirmed by the state senate to staggered terms of five years. *Staggered term* refers to the election schedule. Commissioners are elected at different times in order to ensure the continuity of the board's operation. There are currently seven commissioners on the board of commissioners.

The executive director, who serves at the pleasure of the commissioners, is generally responsible for the operation of FFWCC, including the implementation of policies and rules made by the board of commissioners. FFWCC is divided into six agency divisions: Fish and Wildlife Research Institute, Freshwater Fisheries Management, Habitat and Species Conservation, Hunting and Game Management, Law Enforcement, and Marine Fisheries Management. FFWCC is also divided into fourteen agency offices, including the Legislative Affairs Office, the Legal Office, Office of the Inspector General, and the Office of Strategy and Planning. These agency offices and the Division of Fish and Wildlife Research Institute are under the direct supervision of the executive director.

For additional information about FFWCC, see the FFWCC website at <http://myfwc.com/>.

## Source

Chapter 379, Florida Statutes, Section 379.01 to 379.237

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