

## CHAPTER 5I-4 FORESTRY

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### **5I-4.002 Purpose and Definitions.**

The purpose of this chapter is to provide information regarding the utilization of lands and facilities managed or controlled by the Department. The following words have the meaning indicated:

(1) ALL-TERRAIN VEHICLE: Any motorized off-highway vehicle 50 inches (1270 mm) or less in width, having a dry weight of 600 pounds (273 kg) or less, traveling on three or more low-pressure tires, designated for operator use only with no passengers, having a seat or saddle designed to be straddled by the operator, and having handlebars for steering control.

(2) BICYCLE TRAIL: A designated trail on which human-powered cycles and pedestrians are allowed.

(3) CAMPING FACILITY: An area, other than a hunt camp, designated for overnight camping.

(4) CARRYING CAPACITY: The maximum number of persons, vehicles, or watercraft permitted within any designated area at any one time.

(5) DAY-USE AREA: An established area designated for daytime public recreational activities.

(6) DEPARTMENT: The Florida Department of Agriculture and Consumer Services.

(7) DESIGNATED ROAD: Any land surface area, paved or unpaved, open for public vehicular traffic. All other traffic ways are designated as trails.

(8) HIKING TRAIL: A designated trail on which pedestrian traffic is allowed.

(9) HORSE: Any member of the equine family.

(10) HORSE TRAIL: A designated trail on which horse or pedestrian traffic is allowed.

(11) HUNT CAMP: An area designated for camping by properly licensed hunters.

(12) MANAGED LAND(S): Any land, water body, or facility managed, controlled, or occupied by the Department.

(13) **MOTORIZED CYCLE:** Any motorcycle, all-terrain vehicle or moped.

(14) **NATURE TRAIL:** A hiking trail to be used for environmental education.

(15) **ORGANIZED GROUP:** Any organization or collection of persons using managed lands for the same purpose in an organized or communal fashion.

(16) **PERSON:** Any individual, child, firm, association, joint venture, partnership, estate, trust, business trust, syndicate, fiduciary, corporation, and all other groups or combinations.

(17) **PET:** Any domesticated animal, fowl, reptile or other living thing, except seeing-eye or hearing-ear dogs, which is maintained as a household or family pet.

(18) **RECREATIONAL VEHICLE:** A motor vehicle designed to provide temporary living quarters for recreational, camping, or travel use, which has its own propulsion or is mounted on or towed by another motor vehicle.

(19) **SWIMMING AREA:** Any area designated for sunbathing or swimming.

(20) **VEHICLE:** Any wheeled conveyance, except a baby carriage or invalid wheelchair, intended for the transportation of persons or materials, whether motorized, human-powered, drawn or towed.

(21) **WATERCRAFT:** Any motorized, paddle-propelled or wind-driven means of water-related transportation.

(22) **YOUTH GROUP:** Any organized group of seven or more youths (under the age of 18) who are affiliated with a recognized not-for-profit organization, accompanied by one or more adult (18 years or older) chaperon(s).

*Specific Authority 589.011(4), 589.071, 589.12 FS. Law Implemented 589.011(4), 589.071 FS. History-New 5-24-92, Amended 1-19-95, 11-6-95.*

#### **5I-4.003 Vehicular, Animal and Pedestrian Control.**

(1) All traffic laws of the State are applicable to managed lands except as otherwise provided by these rules.

(2) No person shall operate any vehicle on managed lands controlled by the Department at a speed greater than 30 M.P.H., unless otherwise posted.

(3) The speed limit in developed recreational areas such as camping facilities and day use areas is 10 M.P.H., unless otherwise posted.

(4) No person shall drive any vehicle on managed lands at a speed greater than is reasonable and prudent under existing conditions or in such a manner that disregards the actual and potential hazards.

(5) No person shall operate any vehicle on managed lands except on designated roads, parking areas, or other areas established and specifically identified by the Department.

(6) No person shall operate a vehicle on managed lands, with the exception of designated areas set aside and marked for use by recreational type vehicles, unless the vehicle displays a valid license tag and is operated by a properly licensed driver.

(7) No person shall operate a motorized cycle or dune buggy on any portion of the Citrus Tract of the Withlacoochee State Forest, Jennings State Forest, or- on any sand bar along or within the streams of the Blackwater River State Forest, or on any other area specifically prohibited by the Department.

(8) Except for that portion of the Croom Tract of the Withlacoochee State Forest marked and designated as the Croom Motorcycle Area, no person shall operate a motorized cycle on any portion of the Croom Tract of the Withlacoochee State Forest during the times established for the muzzle loading gun hunt, the general gun hunt, and the small game hunt.

(9) No person shall operate or ride a motorized cycle, and no person under 16 years of age shall operate or ride upon a moped, on managed lands unless such person is wearing protective headgear and adheres to the other operating provisions of Sections 316.211, 316.2074 and 316.2085, Florida Statutes.

(10) No person shall bring horses or horse trailers into camping facilities, except upon showing that special request has been made to and permission granted by the Department upon a determination that there is no threat to the health, safety, and welfare of the camping facilities and that the horses and horse trailers do not constitute a nuisance, as defined herein.

(11) No person shall ride or lead horses off designated roads, horse trails or field trial runs, except upon showing that special request has been made to, and permission granted by, the Department upon a determination that there is no threat to the health, safety, and welfare of these particular areas and that such acts do not constitute a nuisance, as defined herein.

(12) No person shall ride horses after sunset on designated roads.

(13) No person shall have horses on the Croom Tract during the times established for the muzzle loading gun hunt and the general gun hunt.

(14) No person shall bring any horse on managed lands without producing record of a current negative Coggins test for Equine Infectious Anemia as required by Section 5C-18.010, Florida Administrative Code.

(15) Hiking trails and nature trails are for foot traffic only unless the trails follow designated roads or are part of a designated horse or hike trail.

(16) No person shall leave an unattended vehicle on any designated road or trail in such a manner as to obstruct traffic.

*Specific Authority 589.011(4), 589 071 FS. Law Implemented 589.071 FS. History-New 5-24-92, Amended 1-19-95, 11-6-95.*

**5I-4.005 Protection of Managed Lands.**

No person shall:

(1) Willfully mark, deface, damage, displace, remove or tamper with any buildings, facilities, bridges, tables, benches, fireplaces, railings, fences, paving or paving materials, water lines or other utilities, permanent or temporary signs, placards or notices, monuments, stakes, posts, boundary markers, equipment, other structures or property located on managed lands.

(2) Climb on or over any buildings, facilities, structures, or historic ruins.

(3) Ignite or attempt to ignite any fire on managed lands except in camping facilities, hunt camps and day use areas, and no person shall leave a camping facility, hunt camp or day use area without completely extinguishing any fire started by said person.

(4) Dispose of burning matches, smoking materials or other inflammable items on managed lands except in designated receptacles.

(5) Destroy, injure, deface, mar, move, dig, harmfully disturb or remove from any managed lands any soil, sand, gravel, rocks, stones, minerals, plants, artifacts or other materials.

(6) Attach swings, rope, wire, signs, nails or other contrivance, whether permanent or temporary, to any tree, plant, other natural feature, or property within managed lands.

(7) Cut, carve, mark, uproot, damage, break off limbs or branches, destroy or mutilate, or pick the flowers or seeds of any living or dead plant or tree.

(8) Pick up or remove dead wood from managed lands.

(9) Dig in or disturb the natural condition of any area on managed lands.

(10) Remove any plant life from any managed lands.

(11) Hang any operating gas lantern within one foot of the main stem or bole of any tree on managed lands.

(12) Introduce into managed lands any plant or animal species.

(13) Engage in any construction activity on managed lands.

(14) Operate a commercial enterprise on managed lands.

(15) Possess or consume alcoholic beverages on managed lands where designated or posted by the Department.

(16) Use metal detectors on managed lands.

(17) Engage in or create a public nuisance or disturbance on managed lands.

*Specific Authority 589.011(4) FS. Law Implemented 589.011(4) FS. History-New 5-24-92, Amended 1-19-95, 5-15-95, 11-6-95.*

#### **5I-4.006 Recreational Activities and Facilities.**

(1) Swimming and Sunbathing.

(a) All persons shall comply with hours posted by the Department during which use of swimming areas is prohibited.

(b) Swimming areas will be closed to the public, and the use thereof prohibited, at any time the Department determines that such activities are dangerous or otherwise inadvisable.

(c) The washing of persons or objects, with or without soaps or other cleansers, is prohibited in swimming areas.

(d) Pets are prohibited in swimming areas.

(e) Swimming will be prohibited on any water body, or portion thereof, on managed lands at any time the Department determines from a consideration of all surrounding circumstances that conditions exist which may constitute a danger to the life, limb, or property of any human being.

(2) Boating:

(a) Boating is allowed on any water body on managed lands unless the water body is posted otherwise as to use and the type of watercraft propulsion system allowed.

(b) No person shall operate any watercraft in swimming areas.

(3) Fishing:

(a) Fishing by any legal method is allowed in water bodies on managed lands, except where prohibited by the Department. Applicable rules of the Florida Game and Fresh Water Fish Commission apply.

(b) Fishing is prohibited in swimming areas.

(4) Camping and Day-Use:

(a) A limited number of camping facilities and day-use areas on managed lands may be reserved in advance. NOTE: Contact the local Division of Forestry office for availability.

(b) Camping within managed lands is authorized only in designated areas.

(c) Camping within managed lands is limited to 14 consecutive days during any 30-day period.

(d) Camping within managed lands where a fee is required is authorized upon payment of that fee.

(e) Except upon special authorization by the Department and upon the Department's determination that there will be no danger to the health, safety, and welfare of the campgrounds, no more than five persons, with a maximum number of one camper unit or two tents, are allowed per campsite.

(f) Visitors of registered campers are allowed in camping facilities, provided the total number of visitors or their vehicles do not create a nuisance or hazard to other campers, or interfere or obstruct pedestrian or vehicular traffic or other proper use of the camping facility.

(g) No pet is allowed on managed lands unless the pet is restrained on a leash no more than ten feet in length. NOTE: Certain portions of managed lands are closed to pets. Owners should inquire at the local Division of Forestry office.

(h) Firearms are prohibited in camping facilities and day-use areas, with the exception of the hunting season, and no loaded firearm is allowed in a camping facility or day-use area during this period.

(i) Checkout time for campers is 2 p.m. unless otherwise posted.

(j) Chainsaw use in camping facilities is prohibited.

(k) Persons who are not registered campers or visitors of registered campers are not allowed to park in camping facilities or use campsites.

(l) No person shall remain in any facility after its designated closing time.

(m) Unless the area is otherwise posted, no person shall occupy a day-use area from sundown to sunrise.

(n) Quiet time is 10 p.m. until sunrise.

(o) The Department reserves the right to set carrying capacities on lands managed by the Department in order to protect the natural resources.

(p) Organized groups must notify the Department, request reservations from the Department, and have written authorization from the Department to use managed lands. NOTE: Requests for authorization should be made to the local Division of Forestry office.

(5) Hunt Camps:

(a) The maximum number of persons allowed in an authorized campsite, whether licensed hunters or not, is twenty-five persons, except at the Citrus and Croom Hunt Camps where the maximum number of persons allowed per campsite is fifteen.

(b) When overnight campsites are available, no more than five persons are allowed per campsite.

(c) Semi-permanent structures may be erected in hunt camps on managed lands. Any such structure must be removed no later than six days after the end of the hunting season for which the hunt campsite authorization is issued.

(d) Hunt campsite authorizations are to be displayed on the numbered post designating the individual campsite.

(e) Loaded firearms are prohibited in hunt camps.

(6) Croom Motorcycle Area:

(a) Firearms are prohibited within the boundaries of the Croom Motorcycle Area.

(b) No person shall operate a motorized cycle inside the boundaries of the Croom Motorcycle Area unless the vehicle displays a valid motorcycle decal issued by the Department. Decals are available at the Croom Motorcycle Area in Withlacoochee State Forest.

(c) No person shall operate a motorized cycle in the Croom Motorcycle Area between sunset and sunrise.

(d) No person shall operate a motorized cycle within the Croom Motorcycle Area without subscribing to the traffic flow and the established age restrictions for specific areas as designated by the Department.

(e) No person shall operate a motorized cycle within the Croom Motorcycle Area unless such cycle has a muffler system conforming to the requirements of the Florida Highway Patrol Handbook.

(f) No person shall operate a motorized cycle faster than three (3) miles per hour inside the Croom Motorcycle Area camping facility and day-use parking areas.

(g) No person under the age of 16 shall operate or ride a motorized cycle in the Croom Motorcycle Area without the direct supervision of an adult (18 years or older).

(h) Horses are prohibited in the Croom Motorcycle Area.

(7) Bicycles:

No person shall operate a bicycle on managed lands except on designated roads, bicycle trails or within areas specifically designated by the Department.

*Specific Authority 589.011(4), 589.071, 599.12 FS. Law Implemented 589.071 FS. History-New 5-24-92, Amended 1-19-95, 11-6-95.*

**5I-4.007 Garbage, Water Pollution and Glass Containers**

(1) No person shall transport garbage or trash in any form onto managed lands.

(2) No person shall dump or deposit garbage or trash on managed lands.

(3) No person shall dispose of garbage or trash in state dumping facilities on managed lands other than that generated from recreational activities on managed lands.

(4) Garbage and trash generated from activities on managed lands shall be placed in designated containers. If such containers are not available, persons responsible for the generation of garbage or trash shall remove it from managed lands.

(5) No person shall throw, discharge or otherwise place or cause to be placed in any water body on managed lands any substance, matter or thing, liquid or solid, which will or may pollute the waters.

(6) Glass containers are prohibited in and around all waterways within the boundaries of managed lands and on any other area specified by the Department.

*Specific Authority 589.011(4), 589.12 FS. Law Implemented 589.011(1),(4) FS. History-New 5-24-92, Amended 1-19-95, 11-6-95.*

**5I-4.008 Vendors; Authorizations; Fees.**

(1) Any vendor desiring to rent horses, canoes, bicycles, or other animals or equipment, to any person for use on managed lands is required to secure an authorization from the Department on a first come, first served basis. For further information, contact the Division of Forestry, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650.

(2) Authorizations may be purchased at any time during the year but each will expire on June 30th unless otherwise established and noted by the Department. There will be no fee proration for purchases made subsequent to the July 1st commencement of the Department's fiscal year.

*Specific Authority 589.011(4) FS. Law Implemented 589.011(1),(3) FS. History-New 5-24-92, Amended 11-6-95.*

**5I-4.011 Penalties for Violations.**

Section 589.011(4), Florida Statutes, provides that the Division of Forestry (Department) on behalf of the state may adopt and enforce rules necessary for the protection, utilization, occupancy, and development of state forest lands or any lands leased by or otherwise assigned to the Division for management purposes. Any person violating or otherwise failing to comply with any of the provisions of Section 589.011(4) or Section 589.071, Florida Statutes, or rules adopted pursuant to Section 589.011(4), Florida Statutes, is guilty of a non-criminal violation as defined in Section 775.08(3), Florida Statutes, punishable only by fine not to exceed \$500.00.

*Specific Authority 589.071 FS. Law Implemented 589.071 FS. History-New 5-24-92, Amended 1-19-95.*