

**FINAL RULE SUMMARY**  
**68A-9.012 Take of Wildlife on Airport Property**  
**Airport Safety and Wildlife Agenda Item 4C1**  
**June 2010**

The Florida Fish and Wildlife Conservation Commission recognizes that we have to hold the public safety as a pre-eminent objective and as such are proposing to create a new rule that allows airports to take wildlife that pose a safety hazard to aircraft and humans. This rule consolidates other existing rules and proposes allowing take without a permit in certain circumstances.

**What the rule does:**

For federally protected species

- Federally protected species may be taken as authorized by federal permit/authorization. No additional state authorization required.

For state listed species that are not federally protected (also including black bears in the two counties where they are not listed)

- Allows for persistent harassment on airport property of wildlife that poses safety issues for humans and aircraft without a permit.
- Allows for any kind of take, including killing, of wildlife in emergency safety situations. Gopher tortoises may not be killed. Wildlife burrows in the safety area may be destroyed after or while gopher tortoises are live captured.
- Allows for airport authorities operating under a Federal Aviation Authority (FAA) approved wildlife hazard management plan to take, include kill state listed species when persistent harassment of the animal has not been effective at reducing the threat to human and aircraft safety.

For all other wildlife

Allows for take of all other wildlife that pose a potential threat to aircraft and human safety. Live captured bobcats must be released on airport property or off site with landowner permission.

Methods of take not allowed

- Wildlife may be taken by any method except those that are specified.
- Take that is not allowed includes using
  - Pesticides that are not registered by Florida's Department of Agriculture and Consumer Services
  - Leg hold traps except those commercially manufactured padded-jaw traps.
  - Traps, nets and snares unless they are visited at least every day.
  - Any method prohibited pursuant to Section 828.12, F.S.
  - Live capture of any deer, except for the endangered Key deer if authorized by federal permit/authorization.
- The killing of gopher tortoises is not allowed.

#### What happens to the live captured wildlife?

- State listed species may be released on airport property or released off site with other Commission permit or authorization.
- Bobcats must be released.
- Other wildlife:
  - May be released on airport property or
  - May be released off site if it is a native species and the release site is at least 40 acres in the same county as the airport and the airport has landowner permission to release the wildlife on their property or
  - May be euthanized following the humane methods defined by the American Association of Zoo Veterinarians or American Veterinary Medical Association.
- Wildlife may be transported only for release or euthanasia

#### Use of wildlife killed under this rule

- Wildlife killed under this rule may not be used for personal use and must be either incinerated or buried on-site. (Cannot transport the dead carcass off the property without a permit).

#### Reporting

- Killing of any state listed species will require a report to the FWC within five business days.
- Federally protected species have their own reporting requirements that must be followed as is specified in the federal permit.

#### What the rules do not allow

- Taking of wildlife for purposes other than aircraft and human safety. In these cases, such as airport expansion or construction, airport authorities will need to apply for permits as is required for others.
- Except for emergency situations, state listed wildlife may not be killed without a permit unless the airport is following a FAA approved wildlife hazard management plan for that airport.