

MEMORANDUM



To: Florida Fish and Wildlife Conservation Commissioners

From: Kipp Frohlich, Director, Habitat and Species Conservation
Lt. Colonel Brian Smith, Division of Law Enforcement

Date: September 27, 2018

Subject: Invasive Fish and Wildlife Update

Purpose:

Provide an overview of issues associated with nonnative invasive species of fish and wildlife in Florida, the programs and measures used to control and manage existing invasive species, and the tools FWC employs to prevent the establishment of nonnative species. Seek approval for changes to FWC rules to enhance clarity and understanding and to continue working with stakeholders to improve our ability to address the risk of nonnative species before they become established by focusing on prevention.

Summary:

Invasive nonnative species are those that are not native to an area, whose introduction would likely result in establishment of a reproducing population and cause harm to the economy, environment and/or human health. Invasive nonnative species are considered the second most significant threat to biodiversity globally, after habitat loss. Unlike other regions of the United States, Florida's subtropical climate, and extensive natural habitats such as the Everglades, creates an environment where many nonnative species survive and often thrive. Florida has gained notoriety for becoming home to a variety of unwanted and damaging species including pythons; large lizards, such as tegus, monitors and iguanas; many freshwater fish species; and marine species, such as lionfish. As the issues associated with invasive wildlife in Florida have increased in frequency and severity over the last decade the cost to the FWC continues to rise with more than \$3,000,000 spent annually on efforts related to regulation, prevention, control, and removal. With additional funding provided by the Legislature, FWC has directed resources and personnel to address this growing problem. Efforts include prevention activities, such as education and outreach programs like the Exotic Pet Amnesty Program; early detection and rapid response to remove recently detected species; removal efforts to contain or reduce the impact of invasive species; and risk assessment of species that may pose a threat to Florida's environment and ecology, economy, or human health and safety.

FWC's Division of Law Enforcement plays a critical role in preventing and addressing potentially invasive wildlife. FWC has one of the most robust captive wildlife programs in the nation. FWC's captive wildlife rules include those that help to ensure proper caging and licensure to reduce risks to human safety. Captive wildlife and nonnative fish and wildlife rules also address possession of animals not native to Florida for personal or commercial use, including regulating importation of these species into the state. FWC's port and facility inspectors compliment the work conducted by U.S. Fish and Wildlife Service (USFWS) customs officers to search for illegal wildlife trade.

Although there are a number of ways that nonnative fish and wildlife can enter and become established in Florida, it is widely accepted that the greatest pathway is through escape or release from the pet trade. Wildlife trade is one of the largest and most complex commercial exchanges in the world, and the Port of Miami is one of the top three areas in the U.S. that receives wildlife imports. Over 224 million individual animals are imported into the United States each year. The trade in wild animals has also been increasing; the number of declared animal shipments has doubled since 2000. Between 1999-2010 over 12 million wild caught reptiles from elsewhere in the world were imported into the U.S. and of these over 9 million reptiles

were imported through Florida ports alone. Because of Florida's role in importing exotic wildlife, there is a significant and economically robust trade in Florida revolving around breeding and selling many species of animals, both to customers in the state and across the U.S. and international markets.

Despite current regulations, a robust Captive Wildlife program and an expanding Nonnative Fish and Wildlife Program, Florida continues to experience impacts from nonnative fish and wildlife that escape captivity. Prevention tools such as alternatives to releasing pets into the wild are helpful. However, it is not enough when potential impacts from new species are coming into Florida every day, and interest and access to new exotic pets increases.

In April, staff provided Commissioners information regarding a recent federal court ruling that increases the risk of invasive "Injurious" species being brought into Florida. The Federal Lacey Act provides authority to the Secretary of the Interior to designate "Injurious" wildlife and ensure the humane treatment of wildlife shipped into the United States. Many species federally listed as "Injurious" have a high potential to become invasive in Florida but are not presently regulated by FWC as Conditional or Prohibited and therefore can be imported into the State. As directed by the Commission, staff have met with zoo and aquarium representatives, other exhibitors, members of the reptile industry, and the Florida Department of Agriculture and Consumer Services' Division of Aquaculture to receive input on possession of specific species on the Federal "Injurious" list, importation of these and other nonnative species, and potential rule changes. In addition, to take a more targeted approach to the Federal Injurious List staff have begun conducting risk screenings that utilize available scientific information regarding the biology of the specific nonnative species, history of invasion elsewhere, and climate and habitat modeling.

During the process of meeting with stakeholders over the last few months, it became apparent that the structure of Chapter 68-5, F.A.C. is confusing, cumbersome and difficult for the public to understand. To address this, staff has undertaken a restructure of Chapter 68-5. While this step is non-substantive – it does not change the specifics of the rule, and neither increases or decreases regulatory requirements – it will help improve clarity and conciseness and set the stage for future amendments. In order to appropriately respond to the challenges presented by invasive species, next steps include holding a series of public workshops that will focus on adding high risk species to the Prohibited list, developing definitions for the rule, and clarifying permitting issuance requirements for importation of nonnative species.

Staff Recommendation:

Approval of the proposed restructuring of Chapter 68-5, F.A.C. as presented. If approved, the restructuring will be advertised and filed for adoption without further hearing, unless requested by a member of the public. Approve staff's proposal to conduct workshops to gather public input to develop future proposed rule changes that would be presented at a subsequent Commission meeting.

Staff Contacts and/or Presenters:

Kristen Sommers, Leader, Wildlife Impact Management Section
Major Rob Beaton, Captive Wildlife, Division of Law Enforcement