

NOTICE OF PROPOSED RULE - 68A-27

RULE TITLE: Florida Endangered and Threatened Species List; Prohibitions,
Designation of Species of Special Concern; Prohibitions; Permits.

PURPOSE AND EFFECT: Commission staff convened Biological Review Groups to evaluate the status of 5 species of special concern in 2016 and 2017. Based on these evaluations, staff made listing status recommendations to the Commission which were approved in July 2017 and December 2017. The staff recommendation was that only one species warranted listing on Florida's Endangered and Threatened Species List and that 5 species should be removed from the Species of Special Concern list. However, as specified by rule, any listing status changes were not to be implemented until a management plan for the species was approved. The Imperiled Species Management Plan (ISMP) covering these species was approved in 2016 and changes will be made to the ISMP and Species Action Plans to reflect the changes in status. This revision includes reclassifying one species from Species of Special Concern to State designated Threatened and reclassifying 5 species from Species of Special Concern to unlisted and removing them from the list. Additionally, there were changes to scientific names of 4 species and errors found with the common names of two species. Proposed revisions to the rule correct these errors. The purpose of these proposed rule revisions is to implement species status changes found warranted by the Commission and to correct errors in the scientific and common names of species. The effect of this rule revision is a listing status for species as found warranted by the Commission and updates to scientific and common names of listed species.

THE FULL TEXT OF THE PROPOSED RULE IS AS FOLLOWS:

68A-27.003 Florida Endangered and Threatened Species List; Prohibitions.

(1) Federally-designated Endangered and Threatened species:

(a) to (d) No Change

(e) Reptiles:

1. through 3. No change.

4. Bluetail mole skink (~~*Plestiodon eumeces egregius lividus*~~)(T),

5. Eastern indigo snake (*Drymarchon corais couperi*)(T),

6. Sand skink (~~*Plestiodon neoseps*~~ *reynoldsi*)(T).

(f) to (k) No Change

(2) State-designated Threatened species:

(a) through (d) No change.

(e) Reptiles:

1. Through 7. No change

8. Short-tailed snake (~~*Lampropeltis extenuate*~~ *stilosoma extenuatum*),

9. Suwannee alligator snapping turtle (*Macrochelys suwanniensis*)

(f) Birds:

1. American oystercatcher (~~*Haematopus palliatus*~~ *palliates*),

2. through 16. No change.

(g) Mammals:

1. Big Cypress fox squirrel (*Sciurus niger avicennia*),

2. Everglades mink (*Neovison vison evergladensis*).

3. Sanibel Island rice rat (*Oryzomys palustris sanibeli*),

4. Sherman's short-tailed shrew (*Blarina shermani*),

(h) Crustaceans:

1. Black Creek crayfish (*Procambarus pictus*),

2. Santa Fe cave crayfish (*Procambarus erythropus*).

68A-27.005 Designation of Species of Special Concern; Prohibitions; Permits.

(1) The following species are hereby declared to be of special concern, and shall be afforded the protective provisions specified.

(2) No person shall take, possess, transport, or sell any species of special concern included in this subsection or parts thereof or their nests or eggs except as authorized by permit from the executive director, permits being issued upon reasonable conclusion that the permitted activity will not be detrimental to the survival potential of the species. For purposes of this section, the definition of the word take in Rule 68A-1.004, F.A.C., applies.

(a) Fish:

Harlequin darter (*Etheostoma histrio*)

(b) Reptiles:

Alligator snapping turtles (*Macrochelys* spp.)

(c) Birds:

Osprey (*Pandion haliaetus*); Monroe County population only

(d) Mammals:

1. Homosassa shrew (*Sorex longirostris eonis*);

2. Sherman's fox squirrel (*Sciurus niger shermani*)

(e) Crustaceans:

Panama City crayfish (*Procambarus econfinae*)

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-1-79, Amended 6-22-80, 6-21-82, 7-1-84, 7-1-85, Formerly 39-27.05, Amended 6-1-86, 5-10-87, 4-27-89, 10-22-92, 5-26-94, 6-23-99, Formerly 39-27.005, Amended 2-27-01, 5-1-01, 9-29-03, 6-1-06, 11-8-07, 11-8-10, 9-19-12, 1-11-17, 11-5-17._____.

NOTE: Staff is requesting Commission approval to advertise the proposed amendment and file for adoption as soon as possible. If the rule amendment is approved for both advertisement and final adoption, Commission staff will file the rule for adoption as allowed by s. 120.54(3) Florida Statutes, without further public hearing.