

Background Document  
Item 7A  
Imperiled Species Management Program  
**Version 2**

**NOTICE OF PROPOSED RULE – 68A-25.002**

**RULE TITLE:** General Provisions for Taking, Possession and Sale of Reptiles.

**PURPOSE AND EFFECT:** The Commission found that the Apalachicola Alligator Snapping Turtle and the Alligator Snapping Turtle did not meet the criteria for listing as State-designated Threatened species. Therefore, these species are being removed from the State’s Species of Special Concern List. However, these species need protection of intentional take and possession to prevent possible exploitation that would cause them to meet listing criteria in the future. The proposed rule revisions provide those protections. The purpose of this proposed rule revision is to provide certain protections for two reptile species that are being reclassified to an unlisted status. The effect of this proposed rule revision is to prohibit the take and possession of all species of snapping turtles.

**THE FULL TEXT OF THE PROPOSED RULE IS AS FOLLOWS:**

**68A-25.002 General Provisions for Taking, Possession and Sale of Reptiles.**

(1) to (5) No change.

(6) Turtles.

(a) Take and possession – For turtles not listed in Chapter 68A-27, F.A.C., the following restrictions control the take or possession **unless authorized in Commission-approved guidelines:**

1. No person shall take more than one turtle per day unless authorized by permit from the executive director as provided in Rule 68A-9.002, F.A.C.

2. Turtle eggs may not be taken from the wild.

3. Turtles may only be taken by hand, baited hooks, minnow seine nets or dip nets.

4. No person shall take Escambia map turtles (*Graptemys ernsti*), cooters (*Pseudemys* spp.), striped mud turtles (Lower Keys population) (*Kinosternon baurii*) or snapping turtles (*Chelydra* spp.) from the wild.

5. No person shall take, possess, transport, or sell any alligator snapping turtles (*Macrochelys* spp.)

5. Through 7. renumbered as 6. through 8.

(b) Through (c) No change.

(7) Through (12) No change.

*Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const, 379.303, 379.304, 379.3012, 379.3751, 379.372, 379.3761, 379.3762 FS. History–New 8-1-79, Amended 6-4-81, 6-21-82, 7-1-83, 7-1-84, 7-1-85, Formerly 39-25.02, Amended 6-1-86, 5-10-87, 10-8-87, 4-13-88, 2-14-89, 7-1-89, 7-1-90, 4-14-92, 4-1-96, 9-15-96, 4-12-98, 7-1-99, Formerly 39-25.002, Amended 4-30-00, 3-30-06, 5-18-06, 6-7-07, 10-23-08, 7-20-09, 8-19-14, 1-11-17, \_\_\_\_\_.*

**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.**