

MEMORANDUM



To: Florida Fish and Wildlife Conservation Commissioners
From: Kipp Frohlich, Director, Habitat and Species Conservation
Date: February 21, 2018
Subject: Final Rules - Nonnative Fish and Wildlife

Purpose:

Obtain final approval for language modifying Chapter 68-5, Florida Administrative Code (F.A.C.) (Rules Relating to Non-Native Species) to improve the management of nonnative species of fish and wildlife in Florida.

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 or human health. Invasive species are considered the second most significant threat to biodiversity globally, after habitat loss. Florida is home to a variety of invasive species including pythons; large lizards, such as tegus, monitors and iguanas; many freshwater fish species; and marine species, such as lionfish. The issues associated with invasive nonnative wildlife in Florida have increased in frequency and severity over the last decade, costing more than \$3 million annually in efforts related to regulation, prevention, control, and removal by FWC.

In September, the Commission directed staff to move forward with gathering public input on rule concepts regarding nonnative fish and wildlife. These rule concepts included adding some high-risk species listed by the U.S. Fish and Wildlife Service as “Injurious” to Florida’s Prohibited species list, adding permit criteria for importing nonnative species and adding definitions of key terms in Chapter 68-5, F.A.C. In December, staff brought draft language to the Commission to add definitions in Rule 68-5.002, F.A.C., add high-risk species of birds, mammals, and reptiles to the Prohibited list in Rule 68-5.006, F.A.C. and create grandfathering language in Rule 68-5.007, F.A.C. for people currently in possession of those species for personal use. In accordance with the Florida rulemaking process, draft rules were published in the Florida Administrative Register in January for 21 days. Public comment was collected throughout the advertised period and continued into February. Stakeholders were informed that the comment period was open through Gov Delivery emails and phone calls. After considering public comment, staff incorporated some changes to improve the rule language. Staff are seeking approval for final draft language which will be provided as a part of this background document once public comments have been received.

Staff Recommendation:

Approval of the final rule language for Rules 68-5.002, 68-5.006, and 68-5.007, F.A.C., as modified and permission to file appropriate Notices of Change. The rules will become effective as soon as possible following the additional public notice period.

Staff Contacts and/or Presenters:

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