

Policies

A policy is a formally approved, definitive statement of a principle or course of action to guide agency decision-making or the manners of proceeding regarding its management of fish and wildlife resources for their long-term well-being and the benefit of people. The following Florida Fish and Wildlife Conservation Commission policy was created to support implementation of, and is available in full context in [Florida's Imperiled Species Management Plan](#). It was approved by the Commission in November, 2016.

Aversive conditioning of state-listed species

Take of state-Threatened species is prohibited in Rule 68A-27.003(2)(a), Florida Administrative Code (F.A.C.), and defined in Rule 68A-27.001(4), F.A.C, as to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect, or to attempt to engage in such conduct. The term *harass* is further defined as an intentional or negligent act or omission that creates the likelihood of injury to wildlife by annoying it to such an extent as to significantly disrupt normal behavioral patterns, which include but are not limited to, breeding, feeding, or sheltering. Take of a Species of Special Concern is prohibited under Rule 68A-27.005(2)(a), F.A.C., and states that no person shall take, possess, transport, or sell any Species of Special Concern or parts thereof or their nests or eggs except as authorized by permit from the Executive Director (permits issued upon reasonable conclusion that the permitted activity will not be detrimental to the survival potential of the species).

Take, as it applies to Species of Special Concern, is defined in Rule 68A-1.004, F.A.C., as taking, attempting to take, pursuing, hunting, molesting, capturing, or killing any wildlife or freshwater fish, or their nests or eggs by any means whether or not such actions result in obtaining possession of such wildlife or freshwater fish or their nests or eggs.

Issue

Human health and safety are core considerations of the Florida Fish and Wildlife Conservation Commission (FWC) mission. Conflicts between people and wildlife in Florida have been increasing in recent years, and FWC and partners strive to resolve these conflicts in an effective and efficient way. For example, when fed by people or when defending a breeding territory, Florida sandhill cranes have been known to attack cars, damage windows and screens, or even attempt to attack humans. Big Cypress and Sherman's fox squirrels can lose their fear of people if given food and may then run at or become aggressive toward people and potentially bite them. These species and their actions have the potential to impact human safety, pets, and property.

This policy applies to species listed as state-Threatened or Species of Special Concern and is currently only applicable to the Florida sandhill crane, Big Cypress fox squirrel, and Sherman's fox squirrel.

Policy guidelines

Staff from FWC has outlined appropriate aversive conditioning techniques for state-listed species in the Species Conservation Measures and Permitting Guidelines. When aversive conditioning techniques are used as described, no permit is required and citizens would be covered in the case of unintentionally taking an animal when conducting these activities. For the purpose of this policy, aversive conditioning is defined as behavior modification using an adverse stimulus in response to the inappropriate or undesirable behavior of individual animals. Aversive conditioning includes species-, situation- and location-specific nonlethal actions to reduce or



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eliminate nuisance behavior exhibited by individual animals. Available aversive conditioning options allow the public to respond quickly when necessary to prevent conflicts from becoming more severe and to protect human health, safety, and property. By providing appropriate methods for aversive conditioning to reduce risks to human health, safety, and property, FWC intends to minimize conflicts with these species, prevent harmful deterrent methods, and thus enhance their survival potential by increasing public support for their conservation.

The decision to apply aversive conditioning is made on a case-by-case basis; however, before utilizing the recommended aversive conditioning techniques, all other appropriate or practicable steps, as outlined in the Species Conservation Measures and Permitting Guidelines, should be taken to resolve the conflict.

Regional FWC staff can provide technical assistance on these measures, including guidance to

- remove attractants contributing to the behavior, including feeding wildlife;
- temporarily cover shiny surfaces or remove shiny objects; and
- temporarily protect windows, screens, or water lines with approved exclusion fencing.

Aversive conditioning techniques may include approved persistent methods that do not result in physical harm or contact, capture, or handling of state-listed species. Approved methods are detailed in the Species Conservation Measures and Permitting Guidelines. These methods would need to be determined on a species basis and may change based on environmental conditions and details of each case. Support for implementing these methods will be provided by regional staff as necessary. After-action reports are requested to allow FWC to collect information on species involved, and where and how often these methods are being used.

If aversive conditioning does not resolve the human health or safety issue, the issuance of an intentional take permit will be considered on a case-by-case basis.



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