

Clarification of Incorporation of Guidelines Into Rules
68A-16.003 Non-listed Migratory Bird Nests
68A-27.003, F.A.C. Florida Endangered and Threatened Species List; Prohibitions.
Consent Item 4
May 1, 2019

At the February 20, 2019 Commission meeting, approval was given for staff to advertise changes to two rules, the purpose of which was to incorporate permitting guidelines by reference. Following publication of the proposed changes, the Joint Administrative Procedures Committee (JAPC) provided technical guidance to staff on how best to accomplish the incorporation. This agenda item is scheduled to provide public notice that the rule amendments will be finalized with the technical guidance given by the JAPC. The revised language is:

68A-16.003 Non-listed Migratory Bird Nests

(1) The possession, sale, purchase, barter, transport, import, export, or collection of an inactive or active nest (meaning a nest containing eggs or flightless young) or parts thereof are prohibited by the Commission without appropriate Federal authorization or as authorized in the Commission's Species Conservation Measures and Permitting Guidelines, Osprey, *Pandion haliaetus* (effective September 2018, which is hereby incorporated by reference at <https://www.flrules.org/Gateway/reference.asp?No=Ref-10431>).

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

(2) (b) The following Species Conservation Measures and Permitting Guidelines from the Commission are hereby incorporated by reference and can be found online at the following links: Alligator snapping turtles, *Macrochelys suwanniensis*, *M. apalachicola*, and *M. temminckii*, effective September 2018 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-10418>); Barbour's map turtle, *Graptemys barbouri*, effective February 2018 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-10417>); Black creek crayfish, *Procambarus pictus*, effective February 2018 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-10415>); Blackmouth shiner, *Notropis melanostomus*, effective February 2018 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-10414>); Big Cypress fox squirrel, *Sciurus niger avicennia*, effective February 2018 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-10416>); Crystal darter, *Crystallaria asprella*, effective December 2018 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-10413>); Everglades mink, *Neovison vison evergladensis*, effective November 2016 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-10412>); Florida bog frog, *Lithobates okaloosae*, effective December 2018 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-10411>); Florida brown snake of the Lower Keys, *Storeria victa*, effective November 2016 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-10410>); Florida burrowing owl, *Athene cunicularia floridana*, effective February 2018 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-10405>); Florida Keys mole skink, *Plestiodon egregius egregius*, effective November 2016 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-10409>); Florida pine snake, *Pituophis melanoleucus mugitus*, effective February 2018 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-10408>); Florida sandhill crane, *Antigone canadensis pratensis*, effective November 2016 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-10407>); Georgia blind salamander, *Eurycea wallacei*, effective December 2018 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-10406>); Key ringneck snake, *Diadophis punctatus acricus*, effective November 2016 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-10423>); Rim rock crowned snake, *Tantilla oolicta*, effective November 2016 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-10424>); Santa Fe cave crayfish, *Procambarus erythops*, effective February 2018 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-10426>); Saltmarsh topminnow, *Fundulus jenkinsi*, effective February 2018 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-10425>); Sherman's short-tailed shrew, *Blarina shermani*, effective December 2018 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-10427>); Southern tessellated darter, *Etheostoma olmstedii maculaticeps*, effective December 2018 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-10428>); Threatened wading birds (little blue heron, reddish egret, roseate spoonbill, and tricolored heron), *Egretta caerulea*, *E. rufescens*, *Platalea ajaja*, and *E. tricolor*, effective December 2018 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-10429>); White-crowned pigeon, *Patagioenas leucocephala*, effective November 2016 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-10430>).