

BACKGROUND REPORT
DRAFT RULE Rules Relating to Amphibians - 68A-26.002, F.A.C.
Agenda Item 8B
July 23, 2020

Summary of revised language: Incorporates Commission-approved Species Conservation Measures and Permitting Guidelines for the gopher frog by reference. Adds an effective date for previously approved Species Conservation Measures and Permitting Guidelines for the Pine Barrens treefrog.

**CHAPTER 68A-26
RULES RELATING TO AMPHIBIANS**

68A-26.002 Regulations Relating to the Taking of Amphibians.

For amphibians not listed in Chapter 68A-27, F.A.C., the following restrictions control the take or possession:

(1) None of the following species shall be taken, transported, stored, served, bought, sold or possessed in any manner at any time except as authorized by permit from the executive director as provided in Rule 68A-9.002, F.A.C., or as authorized in Commission approved guidelines: gopher frog, *Lithobates capito*; Pine Barrens treefrog, *Hyla andersonii*. 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: Gopher frog, *Lithobates capito*, effective July 2020 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-xxxx>*); Pine Barrens treefrog, *Hyla andersonii*, effective December 2019 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-11503>).

(2) through (4). No Change.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.363 FS. History—New 8-1-79, Amended 6-4-81, 6-21-82, Formerly 39-26.02, 39-26.002, Amended 3-25-12, 1-11-17, 7-1-18, 2-17-20,_____.

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.

*The PDF of these draft guidelines can be found at <https://myfwc.com/wildlifehabitats/wildlife/species-guidelines/>. The hyperlink to the Commission approved guidelines will be inserted into the final rule.