MEMORANDUM

To: Florida Fish and Wildlife Conservation Commissioners

From: Melissa Tucker, Director, Habitat and Species Conservation
Jessica McCawley, Director, Marine Fisheries Management

Date: December 16, 2021

Subject: Final Rules – Diamondback Terrapin Protections

Purpose: Obtain approval of final rules to modify diamondback terrapin and recreational blue crab rules.

Why: To address threats and improve conservation of diamondback terrapins in the wild.

Top Points:
1) Diamondback terrapins are a Species of Greatest Conservation Need in Florida and are biologically vulnerable and declining in areas throughout their range.
2) The final rule amendments relate to collection and possession of diamondback terrapins and bycatch reduction device (BRD) requirements in recreational blue crab traps.
3) Staff recommends postponing consideration of commercial blue crab BRD requirements until completion of research related to diamondback terrapins and Florida’s commercial blue crab fishery.
4) The proposed changes are part of a multi-faceted approach to diamondback terrapin conservation.

Affected Parties: Diamondback terrapin owners, researchers, zoos and aquariums, recreational blue crabbers, and conservation organizations.

Summary: Florida is home to five recognized subspecies of diamondback terrapins, three of which are only found in Florida. The species faces several threats including habitat loss and degradation, unsustainable removal from the wild, predation, climate change, and incidental mortality. FWC is heavily involved in non-regulatory efforts to conserve diamondback terrapins, including habitat restoration, long-term monitoring and population studies, genetic research, and outreach to prevent mortality. Stakeholders have expressed a variety of concerns related to diamondback terrapin populations, use in the pet industry, and bycatch in blue crab traps, including a petition to protect diamondback terrapins received in 2020. At the December 2020 Commission Meeting, the Commission approved proposed rules to limit possession and collection of diamondback terrapins and establish BRD requirements for blue crab traps, and the Commission also directed staff to continue working with stakeholders to mitigate concerns. Feedback on proposed rules was solicited through targeted engagement, public workshops, and written comments. Stakeholder support remains mixed, and staff recommends postponing consideration of the commercial blue crab BRD requirements. The proposed rule changes include:

- Prohibiting collection of diamondback terrapins.
- Allowing continued possession of legally owned terrapins to be authorized through a permit within 90 days of rule change.
- Requiring all recreational blue crab traps to have a rigid funnel opening measuring no more than 2 x 6 inches at the narrowest point, which may be achieved by installing a BRD, by March 1, 2023.

Staff recommends setting the effective date for these rules to be March 1, 2022.

Staff Recommendation: Approve the proposed rule as presented for final adoption. If approved, staff will file Notices of Change to incorporate the presented amendments.

Staff Contact and/or Presenter:
Brian Branciforte, Division of Habitat and Species Conservation
Krista Shipley, Division of Marine Fisheries Management

Affected Rules: 68A-25.002 and 68B-45, F.A.C.