

Background Report
Draft Rule
68A-25.031, F.A.C.
Agenda Item 6
April 25, 2018

RULE NO: 68A-25.031

RULE TITLE: Regulations Governing Alligator Egg and Hatchling Collections on Lands Not Included in Alligator Management Programs.

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to specify how eggs collected under this rule will be distributed to existing and newly permitted alligator farmers. The effect will be to distribute the initial 33,000 eggs collected to the 30 persons who are currently permitted to have first access to public-waters alligator eggs (up to 1,100 each), distribute the next 5,500 eggs to the 5 additional persons who are newly permitted to have first access to public-waters alligator eggs (up to 1,100 each), and distribute any eggs collected in excess of 38,500 equally among all 35 permitted farmers.

SUMMARY: The purpose of the proposed rule amendment is to specify how eggs collected under this rule will be distributed to existing and newly permitted alligator farmers.

THE FULL TEXT OF THE PROPOSED RULE IS AS FOLLOWS:

68A-25.031 Regulations Governing Alligator Egg and Hatchling Collections on Lands Not Included in Alligator Management Programs.

(1) No Change.

(2) Conditions governing alligator egg collections:

(a) No Change.

(b) Procedures and requirements for alligator egg collections:

1. and 2. No Change.

3. Any nest quota for which fee payment and notice are not received as specified in subparagraph (23)(b)2, above, shall be assigned to the other collection group provided that the group's egg coordinator submits fee payment and notice for the quota to be transferred within five working days of notification as specified in subparagraph (23)(b)2.

4. through 9. No Change.

10. Distribution of eggs:

a. Farmers who were issued their initial permit pursuant to paragraph 68A-25.004(2)(f), F.A.C., prior to July 1, 2017, or who were transferred such permit as part of a bona fide sale as outlined in paragraph 68A-25.004(2)(g), F.A.C., shall have the initial 33,000 eggs retained equally distributed to them (1,100 eggs each) in each collection group shall be given equal opportunity to participate in the egg collection and distribution;

b. Farmers who were issued their initial permit pursuant to paragraph 68A-25.004(2)(f), F.A.C., after July 1, 2017, shall have all eggs in excess of the initial 33,000 retained equally distributed to them, not to exceed 1,100 each. Any eggs retained in excess of 38,500 shall be equally distributed to all farmers permitted pursuant to paragraph 68A-25.004(2)(f), F.A.C.

c. ~~F~~farmers in each group who are not permitted pursuant to paragraph 68A-25.004(2)(f), F.A.C., shall be entitled to receive a share of the eggs collected from each area in proportion to the percentage of the group's fees that they paid.

11. No Change.

12. The number of nests opened on each egg collection area shall not exceed the quota established pursuant to subparagraph (2)(a)4. All eggs from each opened nest shall be collected.

13. through 18. No Change.

(c) No Change.

Formerly 39-25.031, Amended 4-30-00, 5-13-02, 4-11-04, 3-30-06, 3-19-08, 3-12-09, 8-19-14,_____.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.R.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND LOCATION OF THE NEXT REGULARLY SCHEDULED COMMISSION MEETING.