



Wildlife Best Management Practices – Update

September 2014

**Florida Fish and Wildlife Conservation Commission
Division of Habitat and Species Conservation**



Version: August 12, 2014

Author: Scott Sanders

Wildlife Best Management Practices for Agriculture

- Developing practical and meaningful Wildlife BMPs
- Accounting for conservation occurring on working lands



These are the points covered in this presentation:

Update on FWC's efforts to develop Wildlife Best Management Practices (BMPs) for agriculture activities.

Photo (inset): Southeastern American kestrel

Guidelines for Wildlife BMPs

- Voluntary and non-regulatory
- Focus is on avoidance and minimization, not recovery
- BMPs are tied to management activities
- Easy for practitioners to understand and use
- Represent an alternative to Incidental Take Permits for State-listed species



BMP Development Approach

- Review existing water quality BMPs
- Identify practices landowners are currently using that are protective
- Document agricultural practices where species persist or thrive



A wildlife best management practice represents conditions by which an agriculture activity can be conducted and take of state-listed species of wildlife is avoided or minimized. FWC has provided technical input to Florida Department of Agriculture and Consumer Services' Water Quality BMPs and they represented a good starting point for wildlife BMP development.

Photo (inset): sandhill crane

Water Quality BMPs that Benefit Wildlife

- Prescribed Grazing
- Nutrient Management
- Sediment & Erosion Control Measures
- Conservation Buffers
- Wetlands and Springs Protection
- Integrated Pest Management



Many of the existing water quality BMPs also represent wildlife BMPs for state-listed wildlife that utilize wetlands, lakes or rivers. Nutrient management ensure the appropriate types and amounts of fertilizers are used when producing crops. Conservation buffers include vegetation buffers along wetlands and streams. Integrated pest management ensures that pesticides target insects and other pests that impact crop production but not beneficial insects.

Photo (inset): great egret



BMPs for species such as the Florida burrowing owl and gopher tortoise focus on minimizing the risk of collapsing their burrow.



For birds species such as the Florida sandhill crane, **little blue heron**, tri-colored heron and Southeastern American kestrel, incidental take is typically associated with disturbances during the nesting season. Buffer active nesting sites to minimize the chance of disrupting nesting activity:

Hérons – 330' ; crane – 400' ; kestrel – 490 feet

Wildlife BMP Implementation

Education

- Workshops and demonstration of wildlife BMPs

Technical Assistance

- Building conservation relationships with landowners engaged in agriculture

Implementation Surveys

Pilot Projects



Implementation of the Wildlife BMP program will focus on education, technical assistance and implementation surveys. Implementation surveys will be conducted with participating landowners and pilot projects will be established on a mix of public conservation lands such as Wildlife Management Areas and private agriculture lands where studies will be conducted to evaluate the effectiveness of the wildlife BMPs.

Photo (inset): Sherman's fox squirrel

Wildlife BMP Milestones

- Fall 2010 – Chapter 68A-27.007 (2) (d) F.A.C. established
- Spring 2013 – Chapter 570.94 FS created
- Fall 2013 – Memorandum of Agreement between FWC and Florida Department of Agriculture and Consumer Services (FDACS)
- Spring 2014 – FDACS initiates rulemaking for Wildlife BMPs for Forestry



During the 2013 Legislative Session, section 570.087 (subsequently re-numbered to 570.94 F.S. was created to provide authority for the Florida Department of Agriculture and Consumer Services (FDACS) to work cooperatively with the FWC to develop wildlife best management practices (BMPs) for agriculture-related activities and to codify such wildlife BMPs through FDACS' rulemaking process. The proposed language requires that FWC and FDACS develop a Memorandum of Agreement (MOA) detailing how the two agencies will work cooperatively to administer a voluntary wildlife BMP program for agricultural landowners. The MOA may allow for select pilot projects that facilitate development of wildlife BMPs. The proposed language would also preempt any other state or local unit of government from using their powers to enforce or otherwise regulate the use of wildlife BMPs on land classified as agriculture land pursuant to s. 193.461 F.S.

FDACS is proceeding with rulemaking to adopt Wildlife BMPs for Forestry by creating section 5I-8.001 F.A.C. Once the wildlife BMPs for forestry are completed, FDACS will initiate rulemaking for Wildlife BMPs for Agriculture by creating section 5M-17.001 F.A.C.

Rule Change Proposal

Staff is proposing to remove obsolete language from and add references to Chapter 68A-27.007 (2) (d) including:

- Change the authorizing Statutory reference to section 570.94
- Add reference to sections 5I-8.001 and 5M-17.001 F.A.C.
- Add reference to section 68A-27.005 F.A.C.



Staff is proposing a change to Chapter 68A-27.007 (2)(d) to correct the statutory reference authorizing FDACS to work with FWC to develop and adopt Wildlife BMPs for forestry and agriculture, and provide reference to sections 5I-8.001 and 5M-17.001 F.A.C. wherein wildlife BMPs for forestry and agriculture are adopted. In addition, we would add reference to 68A-27.005 F.A.C. to provide necessary reference for Species of Special Concern included in the Wildlife BMPs for Forestry and Wildlife BMPs for Agriculture Manuals.

The rule language is available in the background materials accompanying this agenda item.

Action Requested

Approval to advertise the proposed rule changes

Return for adoption at the November Commission meeting.

