

Bear Depredation Permit Program
Agenda Item 11B
April 15, 2015

The Florida Fish and Wildlife Conservation Commission (FWC) is proposing several amendments to the Florida Black Bear Conservation Rule (68A-4.009, F.A.C.), one of which proposes to create a program in which the FWC can issue permits to landowners or their lessees with landowner permission to take a bear when:

- 1) the bear is damaging their property, and
- 2) all reasonable efforts were taken to protect the property but the bear is continuing to damage the property, or
- 3) there are no reasonable options to protect the property, and
- 4) the FWC is unable to capture the bear after 4 nights of trapping efforts.

The program would provide a measure of redress for rare situations in which there are no feasible options the FWC can offer to resolve the property damage that is occurring. In those specific cases FWC would allow a landowner or lessee to take action to directly reduce the property damage as an extension of what the FWC attempted but was unable to take in their unsuccessful trapping efforts.

Depredation permits will not be issued:

- 1) if the landowner or lessee has not properly secured the property being damaged,
- 2) if the FWC is able to capture and remove the bear within 4 nights of trapping,
- 3) if issuing the permit would present a risk to public safety due to conditions on or adjacent to the applicant's property,
- 4) for damage to game feeding stations caused by bears,
- 5) if the property damage is no longer occurring,

Bears taken under this permit may not be removed from the permitted property or possessed by the permittee. The permittee must contact the FWC within 12 hours from taking the bear so that the FWC can come to retrieve the bear.

The permittee cannot accept any compensation in exchange for authorizing an individual to engage in the activities allowed under this permit.

The current language (~~striketrough~~), and proposed language, (underline) follow.

68A-4.009 ~~Florida~~ Black Bear Conservation

(1) No person shall take, (~~as that term is defined in Rule 68A-1.004, F.A.C.~~), possess, injure, shoot, ~~wound, trap,~~ collect, or sell ~~Florida~~ black bears (Ursus americanus floridanus) or their parts or ~~to attempt to engage in such conduct except as authorized by Commission rule or by permit from the Commission.~~

(2) The Commission will issue permits authorizing intentional take of bears when it determines such authorization furthers scientific or conservation purposes which will benefit the survival potential of the species or to reduce property damage caused by bears. For purposes of this rule, ~~a scientific or~~

~~conservation purpose shall mean activities that are eligible for a permit further the conservation or survival of the species, including include:~~

(a) Collection of scientific data needed for conservation or management of the species; and

~~(b) Removing bears from situations that constitute a human safety risk or a risk to the well being of the bear.;~~ Taking bears that are causing property damage when no non-lethal options can provide practical resolution to prevent the damage, and the Commission is unable to capture the bear.

(3) The Commission authorizes members of the public to take a bear in an attempt to scare a bear away from people using methods considered non-lethal. Staff shall authorize specific methods and situations that qualify for this authorization at <http://MyFWC.com/bear/>.

~~(3)~~(4) The Commission will provide technical assistance to land owners and comments to permitting agencies in order to minimize and avoid potential negative human-bear interactions or impacts of land modifications on the conservation and management of black bears. The Commission will base its comments and recommendations on the goals and objectives of the approved Florida Black Bear Management Plan. The plan can be obtained at <http://MyFWC.com/bear/>.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV., Sec. 9, Fla. Const., 379.1025 FS. History—New 8-23-12.