

Proposed Changes to Wildlife Feeding Prohibitions

Agenda Item 11B

April 15, 2015

Staff is requesting authorization to advertise proposed changes to wildlife feeding prohibitions under Administrative Code Rule 68A-4.001. The proposed amendments would:

- 1) Add 'coyotes' to the list of species in 68A-4.001(3). Coyotes are attracted to human-provided foods such as garbage, as well as prey on other animals attracted to human-provided foods. Adding coyotes to the list of species will further efforts to keep coyotes from frequenting human communities and creating a public nuisance.
- 2) Remove 'black bears' from the list of species in 68A-4.001(3). Black bears will have their own species-specific feeding prohibition that will differ in language slightly from 68A-4.001(3) to improve clarity of the rule as it applies to this species (see below).
- 3) Add a new subsection (4) to 68A-4.001 using current subsection (3) language but with the following changes:
 - a. Only applies to black bears
 - b. Removes the word 'Intentionally' and replaces it in a new location within the rule with 'the person knew or should have known'. This proposed change of location will provide clarification as to what part of the rule 'Intentionally' was meant to modify. While someone might intentionally place their garbage outside, they may not be intentionally attracting bears that create or are likely to create a public nuisance. The proposed replacement of 'Intentionally' with 'the person knew or should have known' provides further clarification that in almost all cases this rule is meant to be applied after a person has been in contact with the FWC and is aware feeding bears is prohibited but continues to take actions that would be in violation of the rule.
- 4) Re-number subsequent subsections accordingly.

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

68A-4.001 General Prohibitions.

(1) No change.

(2) No change.

(3) Intentionally placing food or garbage, allowing the placement of food or garbage, or offering food or garbage in such a manner that it attracts ~~black bears, coyotes,~~ foxes, or raccoons and in a manner that is likely to create or creates a public nuisance is prohibited.

(4) Placing food or garbage, allowing the placement of food or garbage, or offering food or garbage in such a manner that the person knew or should have known it attracts black bears, and in a manner that is likely to create or creates a public nuisance, is prohibited.

~~(4)(5)~~ The intentional feeding or the placement of food that attracts pelicans and modifies the natural behavior of the pelican so as to be detrimental to the survival or health of a local population is prohibited.

~~(5)(6)~~ The intentional feeding of sandhill cranes is prohibited.

~~(6)(7)~~ No person shall take or assist in taking wildlife using a method that involves remote control aiming and discharging of a gun when that person is not physically present at the location of that gun.