



This presentation provides a summary of changes made in the draft Imperiled Species Management Plan (ISMP) based on new scientific information and stakeholder input, and highlights potential regulatory aspects of the ISMP.

*Photos (clockwise from top left): Florida tree snail (*Liguus fasciatus*); American oystercatcher (*Haematopus palliatus*); Florida pine snake (*Pituophus melanoleucus mugitus*); Barbour's map turtle (*Graptemys barbouri*); Sherman's fox squirrel (*Sciurus niger shermani*), courtesy Mark and Leslie Trainor; Bluenose shiner (*Pteronotropis welaka*), courtesy Todd D. Crail*

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Completed in 2011, Biological Status Reviews (BSRs) were conducted for state-listed species that had not received a review in the last decade in accordance with newly adopted evaluation criteria (under Rule 68A-27.0012(2)(b), F.A.C.) Species Action Plans (SAPs) identify threats and prioritized conservation actions for species or groups of species. 46 SAPs address the needs of 57 species with those species with similar backgrounds and needs being addressed within the same SAP. The fourteen (14) Integrated Conservation Strategies (ICSs) take a more holistic approach and focus on higher-level strategies and their integrated actions that will yield the greatest conservation benefit for the greatest number of species. Today we'll present some changes made to the draft ISMP and preview some draft rule changes and the concept of guidelines. We intend to present a draft of the ISMP later this year, and the final for Commission approval in early 2016.

Imperiled Species Management Plan (ISMP): Development Status

- Revised draft plan
 - Over 500 stakeholder comments
 - Federally-designated species removed
- New species information
- Draft rule changes
- Species guidelines
- Impacts assessment



The draft Imperiled Species Management Plan underwent an initial round of external review by partners and stakeholders in February and March 2015. That review generated over 500 comments which we evaluated for incorporation into the new draft. Examples of consistent comments that have been addressed include the definition and terminology use of core conservation areas, essential habitats, and inactive nests; why, how and when we would prepare species permitting guidelines; and, the inclusion of 3 now federally listed species. A summary of partner and stakeholder comments and how they were addressed is available at MyFWC.com.

In the new draft, we have removed from the ISMP the 3 species which have become federally listed since plan development began. They are the Atlantic sturgeon, Florida bonneted bat, and pillar coral. Additionally, new information developed since the biological status reviews were finalized in 2011 has led us to re-evaluate the status assessment for two species, Eastern chipmunk and alligator snapping turtle.

Staff also have developed some rule changes and policies needed to implement the ISMP, but may be sources of conflict and/or controversy in the ISMP. We are also introducing the concept of Species Guidelines to succinctly provide conservation and permitting information to interested persons.

Staff will work closely with stakeholders in the coming months to flesh out details related to the Impacts Assessment. Stakeholders will provide valuable input into the required element of outlining ecological, social, and economic impacts of implementing or not implementing the ISMP.

Photo (inset): Black skimmer (Rynchops niger)

New Information Affects Proposed Species Listing Recommendations



Eastern Chipmunk
Tamius striatus
Removal from List



Alligator Snapping Turtle
Macrochelys temminckii
Remain Species of
Special Concern



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When staff first began work on the ISMP the list of included species was based on the results of biological status reviews, presented to the Commission at the September 2010 meeting. During the last several years data have been collected that has prompted staff to recommend modifying the list of species included in the draft ISMP. These proposed changes demonstrate that even though the ISMP has not been finalized and approved, important data collection is ongoing and the FWC process is sufficiently adaptive to incorporate the best available scientific information.

The original Biological Status Review Report recommended leaving the Eastern chipmunk as a Species of Special Concern until new data could be collected. Those data have been collected and staff's preliminary recommendation is removal of the Chipmunk from the list, pending peer review of the new Biological Status Review Report. Following the 45 day peer review, staff will return to the Commission with a final listing recommendation.

The original Biological Status Review Report recommended removal of the alligator snapping turtle from the Species of Special Concern list, but new published studies indicate that there are three species of alligator snapping turtle in Florida. Based on a recently submitted species evaluation request, there is sufficient information to warrant investigation into the status of the three species. Following Commission rules established in Chapter 68A-27.0012, F.A.C., staff will recommend and ask the Commission to designate a Biological Review Group to assess the three new species [Suwannee Alligator Snapping Turtle (*Macrochelys suwanniensis*), Apalachicola Alligator Snapping Turtle (*Macrochelys apalachicola*), and Alligator Snapping Turtle (*Macrochelys temminckii*)] to determine if they meet the criteria for listing as State-designated Threatened species. Staff will present the group's findings in a biological status report. Until the alligator snapping turtle evaluations are complete, staff recommend maintaining the alligator snapping turtle status as Species of Special Concern.

Photo (inset from top): Eastern chipmunk (Tamius striatus) and Alligator snapping turtle (Macrochelys temminckii)

ISMP: Rules

- State-listing designation changes
 - 23 species move from SSC to State-Threatened
 - 15 species move off the list from SSC or State-Threatened
 - 14 species remain State-Threatened
 - 5 species remain as SSC until needed data obtained



Several rule changes are proposed in conjunction with the Imperiled Species Management Plan. The first rule changes are for the state-listing designation changes that are pending for Chapter 68A-27, F.A.C. Twenty-three (23) species will move from Species of Special Concern to State-Threatened. Fifteen (15) species will no longer be listed. Fourteen (14) species will remain as State-Threatened and five (5) species will remain designated as Species of Special Concern until the data needed to determine their status is obtained.

*Photo (inset Left to Right): Little blue heron (*Egretta caerulea*) is moving from SSC to State-Threatened, Gopher frog (*Lithobates capito*) is moving from SSC to unlisted, Snowy Plover (*Charadrius nivosus*) will remain as State-Threatened, and Homosassa shrew (*Sorex longirostris eionis*) will remain as Species of Special Concern*

ISMP: Rules

- Remove reference to listing moratorium
- Allow take without a permit if an activity is specifically authorized in a management plan
- Allowance for consideration of intentional take of State-Threatened species for human safety



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Other changes to Rules Relating to Endangered or Threatened Species (Chapter 68A-27, F.A.C.) include removal of the expired reference to the two-year listing moratorium (expired in November 2013); allowing take without a permit if an activity is specifically authorized in the management plan; and the addition of human safety as a factor to consider in determining if an intentional take permit for state-Threatened species may be issued.

Photo (inset): wading birds

ISMP: Rules

- Taxidermy mounting requirement change for fox squirrel and mink
- No permit required to take inactive nests of birds not listed in Ch. 68A-27
- Restriction of take for some species being removed from state-designated list



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Rule changes outside of Chapter 68A-27, F.A.C., include clarification language, reference correction, permitting relief and additional safeguards. In Chapter 68A-12.004, F.A.C., changes correct references the rule makes to other rules that have changed or been eliminated. Changes also delete fox squirrels and mink from species whose carcasses may be mounted without a permit if killed on roads or highways. A new rule in Chapter 68A-16.003, F.A.C., states that no State permit is needed to take inactive nests, or parts thereof, of birds not listed in Chapter 68A-27. Due to collection concerns for a few species coming off the list like the pictured Pine Barrens treefrog, changes to Chapters 68A-25 and 68A-26 will prohibit their take and possession.

Photo (inset): Pine Barrens treefrog (Hyla andersonii)

ISMP: Policies

- Permitting Standards for Incidental Take of Cryptic Species
- Nest Removal for Inactive Single-Use Nests of State-Threatened Bird Species
- Listed Species and Man-Made structures
- Aversive Conditioning of State Listed Species



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Included in the ISMP are four policy statements that relate to permitting of cryptic or hard to find species, nest removal for inactive single use nests, permitting of activities involving listed species using man-made or artificial structures, and the use of approved aversive conditioning techniques.

An example of an approved aversive conditioning technique may include spraying water in a manner unlikely to cause harm to the assertive Sherman's fox squirrel stalking you during your golf game.

Photo (inset): Sherman's fox squirrel (Sciurus niger shermani)

ISMP: Species Guidelines

- Include conservation measures and permitting standards

	<i>State-Threatened</i>	<i>Species of Special Concern</i>	<i>Remove from list</i>
Biological Background	✓	✓	✓
Technical Assistance	✓	✓	✓
Intentional Take	✓	✓	
Incidental Take *	✓		

* Limited incidental take permitting anticipated for cryptic species



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Species guidelines will be prepared for all 57 species included in the ISMP and will include both conservation measures and permitting standards, as they apply. As you can see from the table, biological background and technical assistance information will be provided for all species. And while intentional take permitting standards will apply for both Species of Special Concern and state-Threatened species, only state-Threatened species will have incidental take permitting standards.

Staff plans to work closely with stakeholders over the next few months in the development of species guidelines. In the next few slides I will explain a little more detail about the species guidelines that are under development.

Species Guidelines: *Technical Assistance*

- Recommendations for conservation practices
- Measures to avoid take
- Provide in consultation with landowners or land managers seeking input
- Provide during project review



As a state review agency, FWC is responsible for providing assistance to local, state, and federal entities regarding Florida's resources that fall under its authority. As part of FWC's responsibility, staff provide science-based technical assistance regarding fish and wildlife resources to public and private landowners, local governments, nongovernmental organizations, federal agencies, and other state agencies. Technical assistance may include potential locations of listed species, habitat types these species use, and details on the specific habitat features that support essential behavioral patterns, survey methodologies, recreational opportunities, land-management considerations, and conservation opportunities. Either in consultation with others or during project review, technical assistance provided by FWC staff may identify recommendations for conservation practices, as well as measures to avoid take. An example recommendation for Florida burrowing owl conservation practices may include using hand-held equipment when mowing directly over the burrow entrance to avoid collapsing the burrow.

Photo (inset): Florida burrowing owl (Athene cunicularia floridana)

Species Guidelines: *Coordination With Other Agencies*

- Proactively work with other agencies to improve listed species consideration in land use planning and project reviews
- Address potential take of imperiled species through technical assistance and consultation
- Streamline listed species permitting



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Early interaction with FWC staff can help prevent the need for wildlife-related permits later in the planning and development process. Participation by FWC in management-related reviews such as sector plans and large-scale comprehensive plan amendments allows the agency to provide to counties and planning councils information that may assist them with landscape-level planning. Review of specific land- and water-use projects often begins with FWC staff providing prospective applicants and partners with information on potential impacts to fish and wildlife prior to entering any regulatory process. Early discussion can lead to project designs that avoid all take, preventing the need for a state-listed species permit. In instances where avoiding take is not a practical alternative, staff can provide direction on entering the permitting process. A listed-species take permit may be obtained by application directly to FWC or alternatively FWC could provide listed species conditions that would be incorporated into permits issued by other agencies. Collaborating early with partners and stakeholders to provide technical assistance and consultation on fish and wildlife resources will result in a streamlined listed species permitting that addresses take and provides the required conservation or scientific benefit.

Photo (inset): Florida sandhill crane (Grus Canadensis pratensis) by Peter Canavan

Species Guidelines: *Intentional Take*

- SSC or State-Threatened species
- Deliberate take, including handling
 - Scientific Collection
 - Human Safety
- Permit issued if:
 - For State-Threatened, permitted activity will further the conservation or survival of species
 - For SSC, permitted activity will not be detrimental to survival potential of species



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Intentional take involves the deliberate take (including handling) of individuals of a species, and is not incidental to otherwise lawful activities. Intentional-take permits for state-Threatened species may only be considered for scientific or conservation purposes (defined as activities that further the conservation or survival of the species being taken), including collection of scientific data needed for conservation management. Such permits can only be issued if the activities will benefit the survival potential of the species.

For state-designated SSC, permits are issued upon the reasonable conclusion that the permitted activity will not be detrimental to the survival potential of the species. Intentional take may sometimes be necessary if a species, or specific features of the species' habitat that support essential behaviors, poses a risk to human safety or property.

Photo (inset): Key silverside (Menidia conchorum) by Mike Howell

Species Guidelines: *Incidental Take*

- State-Threatened species only
- Minimization measures
 - Seasonal or temporal restrictions, buffer zones, design and/or method modification
- Mitigation options
- Permit issued if:
 - Conservation or Scientific Benefit
 - No negative impact to survival potential of species



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Incidental take permits may be issued for state-Threatened species by FWC when take cannot be avoided during otherwise lawful activities, if there will be a scientific or conservation benefit and it is shown that the permitted activity will not have a negative impact on the survival potential of the species. Conservation benefit, scientific benefit, and negative impact are evaluated by considering the seven factors listed in Rule 68A-27.007(2)(b) F.A.C. These conditions are usually accomplished through a combination of avoiding take when practicable, minimizing the take that will occur and mitigating for the permitted take.

Minimization can lessen the impact of activities, but not to the level that harm is eliminated; however, these measures are critical in meeting the rule requirement of having no negative impact on the survival potential of the species. Projects that cannot avoid all take, including harm, may require mitigation, but by focusing on avoidance in the pre-FWC permitting process or on minimization measures during project design, the amount of mitigation needed to achieve a conservation or scientific benefit can be considerably less.

Mitigation options are necessary to meet the rule requirements for a scientific or conservation benefit when take cannot be avoided completely. Three categories of mitigation options have been developed: habitat options, funding options and scientific benefit options and all of the options address evaluation factors in issuing permits. The species guidelines provide species- or habitat-specific information on each type of mitigation option, and how those options can be combined to achieve conservation benefit.

Incidental take permitting is not included in the Species Guidelines for SSC.

Photo (inset): Florida pine snake (Pituophis melanoleucus mugitus)

ISMP Next Steps



- Stakeholder workshops on species guidelines and impacts assessment
- Conduct peer review of the Eastern chipmunk BSR and revise the SAP
- Conduct status review of three alligator snapping turtles
- Return to the Commission with the draft ISMP and proposed rules



Michigan Department of Natural Resources

Workshops are being held this summer with partners and stakeholders to: solicit input in the development of both species guidelines; evaluate and consider the anticipated ecological, sociological, and economic impacts of implementing or not implementing the management plan; and, identify the funding sources for the costs as determined through involvement of affected stakeholders and public input.

Staff will evaluate and consider comments from the BSR peer review conducted for the Eastern chipmunk before finalizing the listing recommendation and proceeding with a revised Species Action Plan.

The designated Biological Review Group will conduct a status assessment of three alligator snapping turtles preparing Biological Status Review Reports that will be peer reviewed prior to staff bringing final listing recommendations to the Commission.

These listing status changes and input on the impacts assessment will be incorporated into the final draft ISMP, which will be presented to the Commission along with final draft rules and species guidelines in November 2015.

Photo (inset): Brown pelican by Mark and Leslie Trainor

Staff Recommendations

- Approve staff to move forward on removing the Eastern chipmunk from state list pending peer review
- Designate the Biological Review Group for the alligator snapping turtles
 - Dr. Dale Jackson, Dr. Peter Meylan, Paul Moler, Travis Thomas, Kevin Enge
- Provide guidance on proceeding with Imperiled Species Management Plan, rules, and species guidelines development as outlined



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The following staff recommendations are provided to the Commission:

- 1) Approve staff to move forward on removing the Eastern chipmunk from the Species of Special Concern list (Ch. 68A.27.005, F.A.C.) pending peer review of the Biological Status Review report, and to reflect the designation as such in the final ISMP.
- 2) Designate the Biological Review Group for alligator snapping turtles (*Macrochelys temminckii*, *Macrochelys apalachicola*, *Macrochelys suwanniensis*) to prepare the Biological Status Reviews (BSR) and support staff's proposal to maintain the Species of Special Concern listing status until evaluations are complete. Biological Review Group members include Dr. Dale Jackson, Dr. Peter Meylan, Paul Moler, Travis Thomas, and Kevin Enge and details of their credentials are included in your Commission packet.
- 3) Staff are also seeking Commissioner guidance on proceeding with the Imperiled Species Management Plan, rules and species guidelines development as outlined.

Additional information is presented in the following slides which are not anticipated to be shown at the Commission Meeting.



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Incidental Take Permitting

State-Threatened Species only

- Conservation Benefit
 - Avoidance, minimization & mitigation proposed should offset completely as well as provide additional benefit for the loss of species or the habitat components supporting the essential behaviors of breeding, feeding or sheltering
 - The level of offset plus benefit is specific to the species, level of impact, and type of minimization and mitigation provided



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Incidental Take Permitting

State-Threatened Species only

- Scientific Benefit
 - Any study that would provide significant advancement in knowledge or management of the species
 - Value must be measured against species needs and identified actions
 - May vary based on species or current knowledge of species needs and habitats



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