68A-27.003 Florida Endangered and Threatened Species List; Prohibitions.

(1) Federally-designated Endangered and Threatened species:

(a) No person shall take, possess, or sell any of the endangered or threatened species included in this subsection, or parts thereof or their nests or eggs except as allowed by specific federal or state permit or authorization.

(b) The following Federally-designated Endangered and Threatened species shall be afforded the protection afforded under Commission rules and Florida Statutes and under the Federal Endangered Species Act, 16 U.S.C. § 1531 et seq. and its implementing regulations. Species classified as endangered are identified below by (E) and threatened as (T).

(c) Fish:

1. Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*)(E); South Atlantic distinct population segment (consistent with 77 Fed. Reg. 5914-5982),

2. Okaloosa darter (*Etheostoma okaloosae*)(T) (consistent with 76 Fed. Reg. 18087-18103),

3. Smalltooth sawfish (*Pristis pectinata)*(E) (consistent with 70 Fed. Reg. 69464-69466).

(d) Amphibians:

1. Frosted flatwoods salamander (*Ambystoma cingulatum)*(T),

2. Reticulated flatwoods salamander (*Ambystoma bishopi*)(E).

(e) Reptiles:

1. American alligator (*Alligator mississippiensis)*(T[S/A]); Listed only because of similarity of appearance to the American crocodile,

2. American crocodile (*Crocodylus acutus*)(T),

3. Atlantic salt marsh snake (*Nerodia clarkii taeniata*)(T),

4. Bluetail mole skink (*Eumeces egregius lividus*)(T),

5. Eastern indigo snake (*Drymarchon corais couperi*)(T),

6. Sand skink (*Neoseps reynoldsi*)(T).

(f) Birds:

1. Audubon’s crested caracara (*Polyborus plancus audubonii* (T),

2. Bachman’s wood warbler (*Vermivora bachmanii*)(E),

3. Cape Sable seaside sparrow (*Ammodramus maritimus mirabilis*)(E),

4. Everglade snail kite (*Rostrhamus sociabilis plumbeus*)(E),

5. Eskimo curlew (*Numenius borealis*)(E),

6. Florida grasshopper sparrow (*Ammodramus savannarum floridanus*)(E),

7. Florida scrub-jay (*Aphelocoma coerulescens*)(T),

8. Ivory-billed woodpecker (*Campephilus principalis*)(E),

9. Kirtland’s wood warbler (*Dendroica kirtlandii*)(E),

10. Piping plover (*Charadrius melodus*)(T),

11. Red-cockaded woodpecker (*Picoides borealis)*(E),

12. Roseate tern (*Sterna dougallii dougallii*)(T),

13. Whooping crane (*Grus americana*)(XN); Listed as experimental population in Florida,

14. Wood stork (*Mycteria americana*)(T),

15. Rufa red knot (*Calidris canutus rufa*)(T) (consistent with 79 Fed Reg. 73706-73748).

(g) Mammals:

1. Anastasia Island beach mouse (*Peromyscus polionotus phasma*)(E),

2. Choctawhatchee beach mouse (*Peromyscus polionotus allophrys*)(E),

3. Florida panther (*Puma* (=*Felis*) *concolor coryi*)(E),

4. Florida salt marsh vole (*Microtus pennsylvanicus dukecampbelli*)(E),

5. Gray bat (*Myotis grisescens*)(E),

6. Gray wolf (*Canis lupus*)(E),

7. Indiana bat (*Myotis sodalis*)(E),

8. Key deer (*Odocoileus virginianus clavium*)(E). No person shall feed Key deer by hand or by placing any food that serves to attract such species,

9. Key Largo cotton mouse (*Peromyscus gossypinus allapaticola*)(E),

10. Key Largo woodrat (*Neotoma floridana smalli*)(E),

11. Lower Keys rabbit (*Sylvilagus palustris hefneri*)(E),

12. Perdido Key beach mouse (*Peromyscus polionotus trissyllepsis*)(E),

13. Red wolf (*Canis rufus*)(E),

14. Rice rat (*Oryzomys palustris natator* (E); Lower Keys population west of 7-mile bridge,

15. Southeastern beach mouse (*Peromyscus polionotus niveiventris*)(T),

16. St. Andrew beach mouse (*Peromyscus polionotus peninsularis*)(E).

17. Florida bonneted bat (*Eumops floridanus*)(E) (consistent with 78 Fed. Reg. 61004-61043).

(h) Crustaceans:

Squirrel Chimney Cave shrimp (*Palaemonetes cummingi*)(T).

(i) Insects:

1. American burying beetle (*Nicrophorus americanus*)(E),

2. Cassius blue butterfly (*Leptotes cassius theonus*)(T[S/A]), ceraunus blue butterfly (*Hemiargus ceraunus antibubastus*) (T[S/A]), and nickerbean blue butterfly (*Cyclargus ammon*)(T[S/A]) are listed due to similarity of appearance to Miami blue butterfly (consistent with 77 Fed. Reg. 20948-20986) and as such only the following prohibitions apply to these three species:

a. Incidental take, that is, take that results from, but is not a purpose of, carrying out an otherwise lawful activity will not apply to cassius blue butterfly, ceraunus blue butterfly, and nickerbean blue butterfly.

b. Collection of the cassius blue butterfly, ceraunus blue butterfly, and nickerbean blue butterfly is prohibited in coastal counties south of Interstate 4 and extending to the boundaries of the State of Florida at the endpoints of Interstate 4 at Tampa and Daytona Beach. Specifically, such activities are prohibited in the following counties: Brevard, Broward, Charlotte, Collier, De Soto, Hillsborough, Indian River, Lee, Manatee, Pinellas, Sarasota, St. Lucie, Martin, Miami-Dade, Monroe, Palm Beach, and Volusia.

3. Miami blue butterfly (*Cyclargus thomasi bethunebakeri*)(E) (consistent with 77 Fed. Reg. 20948-20986),

4. Schaus swallowtail butterfly (*Heraclides aristodemus ponceanus*)(E).

5. Bartram's scrub-hairstreak (*Strymon acis bartrami*)(E) (consistent with 79 Fed. Reg. 47222-47244),

6. Florida leafwing (*Anaea troglodyte floridalis*)(E) (consistent with 79 Fed. Reg. 47222-47244).

7. Miami tiger beetle (*Cicindelidia floridana*)(E) (consistent with 81 Fed. Reg. 68985-69007).

(j) Mollusks:

1. Chipola slabshell (mussel) *(Elliptio chiplolaensis)*(T),

2. Fat threeridge (mussel) *(Amblema neislerii)*(E),

3. Gulf moccasinshell (mussel) (*Medionidus penicillatus)*(E),

4. Ochlockonee moccasinshell (mussel) (*Medionidus simpsonianus)*(E),

5. Oval pigtoe (mussel) *(Pleurobema pyriforme*)(E),

6. Purple bankclimber (mussel) *(Elliptoideus sloatianus)*(T),

7. Shinyrayed pocketbook (mussel) (*Lampsilis subangulata)*(E),

8. Stock Island tree snail (*Orthalicus reses [*not incl. *nesodryas])*(T).

9. Choctaw bean (*Villosa choctawensis*)(E) (consistent with 77 Fed. Reg. 61664-61719),

10. Round ebonyshell (*Fusconaia rotulata*)(E) (consistent with 77 Fed. Reg. 61664-61719),

11. Southern kidneyshell (*Ptychobranchus jonesi*)(E) (consistent with 77 Fed. Reg. 61664-61719),

12. Fuzzy pigtoe (*Pleurobema strodeanum*)(T) (consistent with 77 Fed. Reg. 61664-61719),

13. Narrow pigtoe (*Fusconaia escambia*)(T) (consistent with 77 Fed. Reg. 61664-61719),

14. Tapered pigtoe (*Fusconaia burki*)(T) (consistent with 77 Fed. Reg. 61664-61719),

15. Southern sandshell *(Hamiota australis*)(T) (consistent with 77 Fed. Reg. 61664-61719).

16. Suwannee moccasinshell (*Medionidus walkeri*)(T) (consistent with 81 Fed. Reg. 69417-69425).

(k) Corals:

1. Elkhorn coral (*Acropora palmata)*(T) (consistent with 72 Fed. Reg. 16284-16286).

2. Staghorn coral (*Acropora cervicornis)*(T) (consistent with 72 Fed. Reg. 16284-16286).

3. Pillar coral (*Dendrogyra cylindricus*)(T) (consistent with 79 Fed. Reg. 53852-54123),

4. Lobed star coral (*Orbicella annularis*) (T) (consistent with 79 Fed. Reg. 53852-54123),

5. Moutainous star coral (*Orbicella faveolata*) (T) (consistent with 79 Fed. Reg. 53852-54123),

6. Boulder star coral (*Orbicella franksi*) (T) (consistent with 79 Fed. Reg. 53852-54123),

7. Rough cactus coral (*Mycetophyllia ferox*) (T) (consistent with 79 Fed. Reg. 53852-54123).

(2) State-designated Threatened species:

(a) No person shall take, possess, or sell any threatened species included in this subsection or parts thereof or their nests or eggs except as authorized by Commission rule or by permit from the Commission or when such conduct is authorized in a management plan as defined in this Chapter and approved by the Commission, or as authorized in Commission-approved guidelines.

(b) The species in this subsection are hereby declared to be State-designated Threatened Species, and shall be afforded the protective provisions specified.

(c) Fish:

1. Blackmouth shiner (*Notropis melanostomus*),

2. Bluenose shiner (*Pteronotropis welaka*),

3. Crystal darter (*Crystallaria asprella*),

4. Key silverside (*Menidia conchorum*),

5. Saltmarsh topminnow (*Fundulus jenkinsi*),

6. Southern tessellated darter (*Etheostoma olmstedi maculaticeps*).

(d) Amphibians:

1. Florida bog frog (*Lithobates okaloosae*),

2. Georgia blind salamander (*Eurycea wallacei*).

(e) Reptiles:

1. Barbour's map turtle (*Graptemys barbouri*),

2. Florida brownsnake (*Storeria victa*); lower Keys population only,

3. Florida Keys mole skink (*Plestiodon egregius egregius*),

4. Florida pine snake (*Pituophis melanoleucus mugitus*),

5. Gopher tortoise (*Gopherus polyphemus*). The Gopher tortoise shall be afforded the protective provisions specified in this subparagraph. No person shall take, attempt to take, pursue, hunt, harass, capture, possess, sell or transport any gopher tortoise or parts thereof or their eggs, or molest, damage, or destroy gopher tortoise burrows, except as authorized by Commission permit or when complying with Commission approved guidelines for specific actions which may impact gopher tortoises and their burrows. A gopher tortoise burrow is a tunnel with a cross-section that closely approximates the shape of a gopher tortoise. Permits will be issued based upon whether issuance would further management plan goals and objectives.

6. Key ringneck snake (*Diadophis punctatus acricus*),

7. Rim rock crowned snake (*Tantilla oolitica*),

8. Short-tailed snake (*Stilosoma extenuatum*),

(f) Birds:

1. American oystercatcher (*Haematopus palliates*),

2. Black skimmer (*Rynchops niger*),

3. Florida burrowing owl (*Athene cunicularia floridana*),

4. Florida sandhill crane (*Antigone canadensis pratensis*),

5. Least tern (*Sternula antillarum*),

6. Little blue heron (*Egretta caerulea*),

7. Marian's marsh wren (*Cistothorus palustris marianae*),

8. Reddish egret (*Egretta rufescens*),

9. Roseate spoonbill (*Platalea ajaja*),

10. Scott's seaside sparrow (*Ammodramus maritimus peninsulae*),

11. Snowy plover (*Charadrius nivosus*),

12. Southeastern American kestrel (*Falco sparverius paulus*),

13. Tricolored heron (*Egretta tricolor*),

14. Wakulla seaside sparrow (*Ammodramus maritimus juncicola*),

15. White-crowned pigeon (*Patagioenas leucocephala*),

16. Worthington’s marsh wren (*Cistothorus palustris griseus*).

(g) Mammals:

1. Big Cypress fox squirrel (*Sciurus niger avicennia*),
2. Everglades mink (*Neovison vison evergladensis*).
3. Sanibel rice rat (*Oryzomys palustris sanibeli*),
4. Sherman’s short-tailed shrew (*Blarina shermani*),

(h) Crustaceans:

1. Black Creek crayfish (*Procambarus pictus*),
2. Santa Fe crayfish (*Procambarus erythrops*).

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 8-1-79, Amended 6-22-80, 7-1-83, 7-1-84, 7-1-85, Formerly 39-27.03, Amended 6-1-86, 5-10-87, 4-27-89, 9-14-93, 6-23-99, Formerly 39-27.003. Amended 12-16-03, 7-20-09, 11-8-10, 11-14-11, 8-23-12, 9-19-12, 6-10-15, 1-11-17, 6-2-17.