

News Release

FWC makes changes to captive wildlife rules

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The Florida Fish and Wildlife Conservation Commission (FWC) approved changes to laws regulating captive wildlife during its June meeting at Crystal River.

The FWC approved the new rules after hearing staff recommendations and gathering input from 46 individuals who requested an opportunity to address Commissioners on the subject during Wednesday's session. That's on top of four years of the FWC gathering input from individuals, groups and government agencies.

State Rep., Ralph Poppell R-Titusville, who attended the meeting, called the move a critical tweaking of state regulations. He noted that U.S. Sen. Bill Nelson, D-Fla., also is interested in the issue and said state officials should work with the senator to continue to make progress.

Some participants in the meeting expressed concern about compliance with financial responsibility requirements enacted by the Florida Legislature and whether they are adequate. FWC Chairman Rodney Barreto said the agency will work with the Legislature to revise requirements if appropriate.

Commissioner Ron Bergeron said the new size requirements for captive wildlife facilities will eliminate future issuance of permits to inadequate facilities. However, he indicated he believes the permit application process should require notification of neighbors.

Col. Julie Jones, director of the FWC's Division of Law Enforcement, said she will discuss the matter with FWC staff and report back to Commissioners at a future meeting.

New regulations provide that U.S. Department of Agriculture-registered research facilities must maintain a detailed research proposal and meet the strength requirements for cages and enclosures. The provision does not include bison kept for

production of meat, skins or hides, or propagation. Bison, when kept for propagation only, are exempt from licensing and caging requirements.

Certain wildlife species will be reclassified from Class II to Class I, including the cougar, cheetah, hyena and aardwolf. Class I designation means the species is among the most potentially dangerous to humans. Class II animals are less potentially dangerous but still represent a threat to public safety if not kept in suitable conditions.

A "grandfather clause" in the rule provides that anyone possessing Class II wildlife for personal use will not have to obtain additional permits when their animals' classification changes to Class I. All Class I wildlife, except those for exhibition or sale, must have permanent identification devices (microchips, photographs of identifying distinct features, such as tattoos, etc.).

Jones told Commissioners, that although the new rules will take effect in August, the animal owners will have until Jan. 1, 2010, to comply with the permanent identification requirement.

Certain wildlife species will also be reclassified from Class III to Class II, including the American alligator, patas monkey, giraffe, okapi, tapir and certain wild species of the bovidae (cow) family.

Wild or domestic hybrids that are indistinguishable (having more wild characteristics than domestic) from the wild animal will be regulated as wildlife. A permit is required for personal possession of brush-tailed opossums and personal possession of wild foxes, skunks, bats, raccoons and white-tailed deer is prohibited under the new rules.

The experience requirements for Class I and II wildlife possession have changed to require documented experience in caring for the specific family of the animal except for crocodilians, which require experience with animals of the same biological order. Documentation of experience for corporations also have been clarified; and a U.S. Department of Agriculture license is a requirement for possession of Class I wildlife for exhibition or sale.

Critical incident and disaster plans are required for Class I, II and III wildlife when the wildlife is housed or maintained in Florida. In addition, critical incident and

disaster plans are required for out-of-state permit holders traveling in Florida with Class I or II wildlife.

Barriers must be in place when unconfined Class I or II wildlife are on exhibit to the public. Also prior written approval from the FWC is a requirement for certain Class I wildlife for incidental contact with the public, such as when the animals are under supervision and control of the permit holder or handler but are subject to spectators touching them.

Animal owners must maintain records of animal acquisitions, sales and transfers for three years. Owners of Class I and Class II animals must also maintain records of animals' births and deaths.

New regulations are in place for captive wildlife sanctuaries providing lifetime care for unwanted or frail captive wildlife. These sanctuaries must be not-for-profit, wildlife must be permanently identified, and public contact with such wildlife is prohibited. Persons possessing performing wildlife that can no longer perform due to age or physical condition may continue to possess the wildlife for lifetime care under the exhibition/sale license. These animals must also be permanently identified.

Transportation of wildlife must be in a cage or enclosure labeled "Live Animal." The cage or enclosure must list the number of specimens and the common and scientific names of the wildlife. If transportation is in a trailer, the access door must be labeled "Live Animal," and the list of the number of specimens and their common and scientific names must be in the cab.

A rehabilitation permit is not a requirement for rehabilitating nonnative species. For rehabilitation of native wildlife, a timeline for rehabilitation is required. The comingling of sick and injured nonnative wildlife in the same cage or enclosure with sick or injured or otherwise impaired native wildlife is illegal. Nonnative wildlife or domestic animals can be used for fostering orphaned native wildlife.

Rehabilitation facilities or permitted individuals may not release fully recovered American alligators or American crocodiles.

For more information on captive wildlife, visit MyFWC.com/RULESANDREGS/Rules_Captive_index.htm.