

### 68A-27.003 Designation of Endangered Species; 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. Gulf sturgeon (*Acipenser oxyrinchus [=oxyrhynchus] desotoi*)(T),
2. Okaloosa darter (*Etheostoma okaloosae*)(E),
3. Shortnose sturgeon (*Acipenser brevirostrum*)(E),
4. Smalltooth sawfish (*Pristis pectinata*)(E).

(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. Green sea turtle (*Chelonia mydas*)(E),
7. Hawksbill sea turtle (*Eretmochelys imbricata*)(E),
8. Kemp's ridley sea turtle (*Lepidochelys kempii*)(E),
9. Leatherback sea turtle (*Dermochelys coriacea*)(E),
10. Loggerhead sea turtle (*Caretta caretta*)(T),
11. 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*)(E).

(g) Mammals:

1. Anastasia Island beach mouse (*Peromyscus polionotus phasma*)(E),
2. Caribbean monk seal (*Monachus tropicalis*)(E),
3. Choctawhatchee beach mouse (*Peromyscus polionotus allophrys*)(E),
4. Finback whale (*Balaenoptera physalus*)(E),
5. West Indian manatee (*Trichechus manatus*)(E),

6. Florida panther (*Puma (=Felis) concolor coryi*)(E),
7. Florida salt marsh vole (*Microtus pennsylvanicus dukecampbelli*)(E),
8. Gray bat (*Myotis grisescens*)(E),
9. Gray wolf (*Canis lupus*)(E),
10. Humpback whale (*Megaptera novaeangliae*)(E),
11. Indiana bat (*Myotis sodalis*)(E),
12. 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,

13. Key Largo cotton mouse (*Peromyscus gossypinus allapaticola*)(E),
14. Key Largo woodrat (*Neotoma floridana smalli*)(E),
15. Lower Keys rabbit (*Sylvilagus palustris hefneri*)(E),
16. North Atlantic right whale (*Eubalaena glacialis*)(E),
17. Perdido Key beach mouse (*Peromyscus polionotus trissyllepsis*)(E),
18. Red wolf (*Canis rufus*)(E),
19. Rice rat (*Oryzomys palustris natator* (E); Lower Keys population west of 7-mile bridge,
20. Sei whale (*Balaenoptera borealis*)(E),
21. Southeastern beach mouse (*Peromyscus polionotus niveiventris*)(T),
22. Sperm whale (*Physeter macrocephalus*)(E),
23. St. Andrew beach mouse (*Peromyscus polionotus peninsularis*)(E).

(h) Corals:

1. Elkhorn coral (*Acropora palmata*)(T),
2. Staghorn coral (*Acropora cervicornis*)(T).

(i) Crustaceans:

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

(j) Insects:

1. American burying beetle (*Nicrophorus americanus*)(E),
2. Schaus swallowtail butterfly (*Heraclides aristodemus ponceanus*)(E).

(k) 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).

(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.

(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. Crystal darter (*Crystallaria asprella*),
3. Key silverside (*Menidia conchorum*).

(d) Reptiles:

1. Florida brownsnake (*Storeria victa*); lower Keys population only,
2. Peninsula ribbon snake (*Thamnophis sauritus sackenii*); lower Keys population only,

3. 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.

4. Key ringneck snake (*Diadophis punctatus acricus*),
5. Rim rock crowned snake (*Tantilla oolitica*),
6. Short-tailed snake (*Stilosoma extenuatum*),
7. Striped mud turtle (*Kinosternon baurii*); lower Keys population only.

(e) Birds:

1. Florida sandhill crane (*Grus canadensis pratensis*),
2. Least tern (*Sterna antillarum*),
3. Snowy plover (*Charadrius alexandrinus*),
4. Southeastern American kestrel (*Falco sparverius paulus*),
5. White-crowned pigeon (*Patagioenas leucocephala*).

(f) Mammals:

1. Big Cypress fox squirrel (*Sciurus niger avicennia*),
2. Everglades mink (*Neovison vison evergladensis*),
3. Florida black bear (*Ursus americanus floridanus*); other than those found in Baker and Columbia counties or in Apalachicola National Forest or which are held in captivity under permit,
4. Florida mastiff bat (*Eumops glaucinus floridanus*).

(g) Corals:

Pillar coral (*Dendrogyra cylindricus*)

(h) Insects:

Miami blue butterfly (*Cyclargus thomasi bethunebakeri*). The Miami blue butterfly shall be afforded the protective provisions specified in this subsection. No person shall take, harm, harass, possess, sell, or transport any Miami blue butterfly or parts thereof or their eggs, larvae or pupae except as authorized by permit from the executive director. Permits will be issued based upon whether issuance would further management plan goals and objectives.

*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.*