

FWC Turtle Rule - Passed June 17, 2009

(1) Freshwater Turtle Rule

- a) 68A-25.002, General Provisions for Taking, Possession and Sale of Reptiles—The proposed final rule would address the taking and possession of wild native Florida freshwater turtles as follows: Selling native Florida turtles or their eggs taken from the wild would be prohibited. Take of turtle eggs from the wild would be prohibited. Take, possession or transportation of turtles listed as Species of Special concern [alligator snapping turtles (*Macrochelys temminckii*), Barbour's map turtles (*Graptemys barbouri*) and Suwannee cooters (*Pseudemys suwanniensis*)] would be prohibited. Furthermore, the take of cooters (*Pseudemys sp.*), Escambia Map Turtle (*Graptemys ernsti*) and snapping turtles (*Chelydra serpentina*) would be prohibited. Softshell turtle (*Apalone sp.*) collection would not be allowed from May 1 to July 31. Each person may take only one turtle daily of the species for which take is allowed. Turtles may only be taken by hand, dip net, minnow seine or baited hook. The possession limit of two would remain for Escambia map turtles (*Graptemys ernsti*), diamondback terrapins (*Malaclemys terrapin*), box turtles (*Terrapene carolina*), and loggerhead musk turtles (*Sternotherus minor*). The proposed language also would establish a maximum transportation limit of one turtle, unless the transporter has a license for sale or exhibition of wildlife, aquaculture certification from the Department of Agriculture and Consumer Services, or documentation that their turtles were legally obtained (proof of purchase). Certified turtle aquaculture facilities would be allowed to collect wild turtles as brood stock under a permitting system that would be reviewed in the calendar year 2011.
- b) *The following rules are being proposed to correct references to and inconsistencies with the above proposed rule change. If the following proposed rules are approved both for advertisement and subsequent filing for adoption, Commission staff would file the rules as allowed by 120.54(3) Florida Statutes, without further hearing.*
 - i. 68A-23.003, Commercial Fishing Devices; Provision for Use in Certain Waters. The proposed draft rule would remove references to turtles to avoid conflicts with the changes to 68A-25.002.
 - ii. 68A-23.012, Special Regulations on Lake Okeechobee. The proposed draft rule would remove the following language to avoid conflicts with changes to 68A-25.002: "No peninsular tooter (*Chrysemys floridana peninsularis*), Florida red-bellied turtle (*Chrysemys nelsoni*), Florida snapping turtle (*Chelydra osceola*), or Florida soft-shelled turtle (*Trionyx ferox*) with a carapace length less than eight inches may be taken or sold."