

February 25, 2013

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Honorable Counsel Vielhauer:

At the recent Florida Animal Control Association's Annual Education Conference the issue of community cat management was widely discussed and debated among enforcement professionals. Among the topics that appeared to not be fully understood as having been defined by FWC are whether or not feral, free-roaming, or community cats – which ever term you choose – are:

1. Regulated by FWC,
2. Addressed in or covered by any provisions of Chapter 379, Florida Statutes, and
3. Covered by a 'policy' of FWC and what that means legally and enforcement-wise.

I am requesting an official legal opinion on these matters and wish to start at your level to try to resolve this at the lowest possible level in the state organization. If you are not the correct person to address these matters please forward this request and provide me with the contact information of the correct party.

The only reference I could find under species not native to Florida was the following taken from the FWC website:

The FWC and Feral Cats

At its May 30, 2003 meeting at Kissimmee, the Florida Fish and Wildlife Conservation Commission passed a policy regarding feral and free-ranging cats.

It is apparent from recent articles and letters in the media, as well as from feedback directly to the Commission from the public, that some people have a serious misunderstanding about that policy.

What the Commission approved May 30 was just that - a policy - **"to protect native wildlife from predation, disease and other impacts presented by feral and free-ranging cats."**

This policy does not call for the FWC to kill cats, nor does it outlaw the practice of Trap-Neuter-Release. It is the foundation for FWC staff to interact with affected parties and develop science-based, humane solutions when cats impact rare wildlife - particularly on lands the Commission owns or manages. It calls for us to work cooperatively with other land-management agencies to prevent the release or feeding of cats on public lands supporting wildlife habitat. Among our strategies is the development of a public-awareness campaign focusing on responsible cat ownership and the impact on native wildlife posed by feral and free-ranging cats.

In as much as domestic cats (*Felis catus*) were first introduced, by best records available, in the Americas in 1498 along with hogs and other not native species and then into Florida as the first continental introduction shortly thereafter by the Spanish, how does this affect their status and public policy consistency with the management of other established non-native species like the hog (*Sus scrofa*)?

Respectfully,

Scott Trebatoski