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*Managing fish and wildlife
resources for their long
term well-being and the
benefit of people.*

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March 6, 2009

Mr. Keith Winsten, Executive Director
Brevard Zoo
8225 North Wickham Road
Melbourne, FL 32940-7924

Dear Mr. Winsten:

This is in response to your request for a variance to the regulation prohibiting contact between the public and Class I wildlife. Current regulations allow limited contact by the public with Class I infant and juvenile primates and felids and in instances where elephants are utilized for rides.

In your letter you specifically request that visitors participating in the zoo's Wild Encounter tour, be allowed to interact with one (1) of four (4) white rhinoceros *Ceratotherium simum*.

On February 17, 2008, Florida Fish and Wildlife Conservation Commission (FWC) personnel conducted an inspection of the proposed contact area. Materials utilized in construction of the visitor interaction area were found to meet or exceed minimum strength requirements required by Rule 68A-6.003(2)(c), Florida Administrative Code (F.A.C). Through conversation with the inspecting FWC Investigator Mike King, such interaction is to include allowing the public to touch the animal through an approved barrier while being supervised by qualified zoo personnel.

Based upon the proposal submitted, we approve the variance provided that all wildlife that will be used for contact with the public shall have been evaluated by the exhibitor to insure compatibility with the uses intended. All wildlife shall be exhibited in a manner that prevents injuries to the public and the wildlife. The exhibitor shall take reasonable sanitary precautions to minimize the possibility of disease or parasite transmission which could adversely affect the health or welfare of the public or wildlife. When any condition(s) exist that results in a threat to human safety, or the welfare of the wildlife, the animal(s) shall, at the direction of a Commission officer, be immediately removed from public contact for an interval necessary to correct the unsafe or deficient condition.

It is our desire to work with our constituents for the benefit of wildlife and the public. The approval of this variance, however, does not alleviate the Brevard Zoo from any civil or criminal penalties resulting from the escape of the animal or injury to the public.

Should you have further questions regarding this matter, please contact Captain John West, with our Investigations Section, at (850) 488-6253.

Sincerely,

Colonel Julie Jones
Director, Division of Law Enforcement

jj/jdw/ejs

cc: Lt. Colonel Calvin Adams