

GOPHER TORTOISE PERMITTING GUIDELINES—UPDATE

By Arthur “Art” D. Wade III, PWS



The Gopher Tortoise Permitting Guidelines (Guidelines) approved by the Fish and Wildlife Conservation Commission (FWC) in April 2008 are now in full effect. The Guidelines implement a new permitting structure, mitigation contribution system, tortoise relocation procedures, and Authorized Agent requirements, in addition to other important elements. Here are some of the key points:

Incidental Takes - Taking, pursuing, hunting, capturing, or killing of tortoises is no longer authorized except under special situations (all of which require a permit). This policy was implemented in July 2007, but is reiterated due to its significance. All tortoises must be relocated.

Authorized Agents - Authorized Agents are required for many gopher tortoise related activities, such as conducting tortoise surveys, capturing/marketing/transporting tortoises, and collecting blood samples. Agents are approved by the FWC and can conduct only those activities for which they are permitted.

Permits - The Standard Relocation, Interim Incidental Take, and Special Tortoise Relocation permits are no longer available and have been replaced by the Conservation, 10 or Fewer Burrows, and Temporary Exclusion permits. Each permit has its own requirements and a full discussion is beyond the scope of this article; however, a brief summary is given:

- Conservation Permit - Projects having 10 or more burrows on the development site. Requires on-site or off-site relocation.
- 10 or Fewer Burrows Permit - Projects having 10 or less burrows on the development site. Requires on-site or off-site relocation.
- Temporary Exclusion Permit - Used specifically for the installation of major linear utility lines. Tortoises are temporarily excluded from the site during construction and allowed to return after construction is complete.

The most current Guidelines can be viewed at:

http://myfwc.com/docs/LicensesPermits/PW_GopherTortoisePermitGuidelines.pdf

A summary of the Guidelines was prepared in a previous newsletter article:

www.chastainskillman.com/downloads/articles/Gophers.pdf Please keep in mind, the summary was posted prior to the April 2009 implementation and may contain some out-of-date information.

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