

Frequently Asked Questions

Gopher tortoise interim incidental take permit policy

Q. What is the gopher tortoise interim take permit policy?

A. *Under this policy, all take permits issued for applications received by the FWC after July 30, 2007 and those previously received applications remaining incomplete after that date will include a provision that requires developers to relocate tortoises out of harm's way*

Q. Will it end entombment?

A. *Yes, except in instances where incidental take permits were issued for complete applications received by the FWC by July 30, 2007. The conditions of those permits include incidental take and they are grandfathered in.*

Q. Which incidental take permits will be subject to the provision requiring tortoises be moved?

A. *Any take permit application received by the FWC after July 30, 2007 or any incidental take permit application received on or before July 30th, 2007 which is deemed incomplete (see policy for application requirements).*

Q. Why can't the FWC stop all incidental take of tortoises right now?

A. *The FWC is committed to provide ample notice to those who will be impacted by such a change in the agency's gopher tortoise permitting process (land developers). The new policy requiring relocation is effective July 31st, 2007.*

Q. Will the FWC do anything to encourage developers who currently have or will receive incidental take permits to relocate tortoises instead of entombing them?

A. *In order to discourage entombment between now and when the interim policy takes effect, the FWC will encourage land developers who have obtained incidental take permits to voluntarily move tortoises out of harm's way to specified Relocation Parcels. The FWC will require the relocation parcels include suitable habitat but will expedite the application review process.*

Q. I've heard incidental take permits never expire. Will the permits issued under the interim policy have an expiration date?

A. *No. There is no time limit on relocating tortoises from development sites.*

Q. What if a developer who applies for a take permit under the interim policy hasn't located a Relocation Parcel?

A. *There are two options a developer/applicant has. One option is to work cooperatively with the FWC to locate an appropriate Relocation Parcel within 30 days. If a Relocation Parcel cannot be found, the FWC will make its lands available for relocation, but only if it has lands with appropriate habitat to support additional tortoises. When a site is located, the FWC will issue the take permit. The other option is for the developer/applicant to convert the take permit to a standard relocation permit. If the applicant already paid a mitigation contribution under the terms of the take permit, the FWC will refund it.*

Q. Will developers still pay a mitigation contribution with the interim take permit?

A. *Yes. During the interim period, the mitigation contributions and habitat protection requirements will remain consistent with the FWC's current incidental take permit process.*

Q. Will a list of acceptable relocation sites be available?

A. *Yes. The FWC will maintain a current list and description of available gopher tortoise recipient sites, including FWC lands, on its web site.*

Q. Do Relocation Parcels receiving tortoises from incidental take permit sites have to meet the same size and habitat quality criteria as recipient sites receiving tortoises under standard tortoise relocation permits?

A. *No. Proposed Relocation Parcels that have suitable vegetation, habitat quality and soils to support tortoises, but would not otherwise qualify as a recipient site for tortoises under standard tortoise relocation permits because of their size or habitat management, might be approved to receive tortoises from incidental take permit sites. These proposed parcels will be evaluated by the FWC and approved as Relocation Parcels if we determine that they provide suitable tortoise habitat.*

Q. Is there a minimum acreage for Relocation Parcels that receive tortoises from incidental take permit sites?

A. *A Relocation Parcel may not accept more than three additional tortoises for each acre of tortoise habitat unless otherwise approved by the Executive Director. Therefore, at least 1/3 acre of tortoise habitat should be provided for each tortoise relocated from an incidental permit site.*

Q. Will Relocation Parcels used during this interim policy time period be automatically "certified" as a recipient site under the proposed new permit process proposed in the draft Gopher Tortoise Management Plan?

A. *No. There is currently no certification process for relocation recipient sites. After the new permit process identified in the Management Plan is approved and certification criteria are adopted for recipient sites, landowners could apply for their lands to be certified. Properties that have not been previously permitted at their maximum tortoise carrying capacity and meet the adopted criteria would be eligible for future certification.*