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**PART TWO:  
COMMENTS ON THE FWC PROPOSED GOPHER TORTOISE MANAGEMENT PLAN**

From: Ray Ashton, GTCI  
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**PERMITTING ISSUES**

**FIVE TORTOISES OR 10 BURROWS** - It should be noted that GTCI did a very small survey to find out from rural counties how this type of small development fitted into habitat loss and potential loss of tortoises and commensals. The answer was that these types of projects are indeed the cause of the largest loss of habitat in acreage and in tortoises loss, far more than the DRIs and other large developments.

**FLAWS IN PLAN**

A.THERE IS NO DIFFERENCE IN THIS PERMIT THAN THE OLD PERMIT EXCEPT THAT THE LANDOWNER PAYS. This is not a good incentive for compliance. In fact, our investigation into this permit indicated that rarely do people know or care about getting permits except where counties currently are checking and, when neighbors call in to complain. **FLAW FWC IS SIMPLY FOUND NO METHOD OF MANAGING THIS FORM OF INCIDENTAL TAKE.** See Level 4 Sites for GTCI recommendations on how to operate and fund this most important issue.

1. **PERMITTING FOR RELOCATION SITES**-TWO ISSUES NEED TO BE REVIEWED, FINANCING AND WHAT IS PERMITTED
  1. **PERMIT REQUIREMENTS** This is not clear in the MP. We recommend the same recommendations as in the past:
    - a. Site size is based on the **ASSURANCE COLONY STANDARDS OUTLINED BELOW.**
    - b. **FENCING for 6 months** for all relocations should be mandatory except those that are extremely large and have high quality forage, less than 60% canopy + shrub cover, and good burrow sites.
    - c. **THE AREA OF THE ENCLOSURE is not necessarily the same as the site.** A 100-acre site may have several smaller sites depending on the number of tortoises and the time they will be enclosed. If you have 100 tortoises, coming and the normal 3 tortoises/acre are allowed then a 33-acre site would be required.
    - d. **THE NUMBER OF TORTOISES PER ACRE-** This should be based on the researched forage and habitat methodology recommended in Ashton and Ashton (in press). It should be noted that 2 tortoises/acre in most situations does not make relocation attractive to landowners be they public or private.
    - e. **PERMITS FOR RELOCATION SITES SHOULD BE BASED ON DATA PROVIDED TO SHOW THE SITES ARE ACCEPTABLE and there are funds for monitoring and management (see below).** There should be a team of biologists in the permitting section of each region that work with relocation

sites. These should be trained so they can effectively evaluate and work with site managers.

- f. **MULTIPLE RELOCATION SITES ON THE SAME PROPERTY MAY BE PERMITTED AFTER THE FIRST ONE HAS SHOWN TO BE SUCCESSFUL**  
The total numbers of tortoises on the site should not exceed a reasonable carrying capacity based on good monitoring and management.
- g. **THOSE DOING RELOCATION WORK SHOULD HAVE PROPER QUALIFICATIONS (see CONSULTANT QUALIFICATIONS).**
- h. **FWC SHOULD AID PEOPLE THAT WISH TO DEVELOP RELOCATION SITES AND BE AN ADVOCATE FOR PROPER MANAGEMENT AS THEY DO WITH DEER AND TURKEY.**
- i. **DONOR SITES-** APPROACH PERMITTED RELOCATION SITES AND MAKE CONTRACTS WITH THEM FOR PAYMENTS TO INCLUDE, DEVELOPMENT OF THE SITE, FENCING, POSSIBLY THE ACTUAL EXCAVATION AND MOVEMENT OF THE TORTOISES TO THE SITE, DATA COLLECTION ON THE TORTOISES AND BASELINE VEGETATIVE AND BURROW DATA, STORAGE OF DATA, AND AT LEAST 25 YEARS OF MONITORING AND MANAGEMENT AND A SET FEE FOR THE DEVELOPMENT OF A STATE WIDE TRUST TO INSURE LONG TERM MANAGEMENT AND MONITORING OF UPPER LEVEL TORTOISE RELOCATION SITES. (SEE FEES).

## **FEES AND FINANCING TORTOISE CONSERVATION**

The tortoise conservation issue of Take has brought together coalition of conservation groups, politicians, biologists, animal rights groups and others into a very strong force. These people are interested in new ways of handling conservation in this state. One of the most important parts of this change is how it is financed and where does the money go. The key points of the PMP should include:

- 1. **A financial plan that puts money into local conservation efforts (see the Assurance Colony program.**
- 2. **Tying mitigation fees into local land conservation programs** will nurture both programs and provide more natural open space in the county. If handled properly, this will change the attitude by developers that they are being punished by FWC instead of paying for a commodity required for development, just like the wood and nails to build the houses.
- 3. **FLOW OF MONEY FROM THE DONOR SITE.**  
There are two elements in the responsibility of the donor site owner. The **first is the loss of habitat.** Unlike current programs and the one proposed in the PMP that extract funds based on some formula which makes no biological sense and replaces it with several basic concepts.
  - 1. **The base fee** for using natural habitat is acre for acre. Reason: Tortoises have been exploited for years, scrubbed out before land leaves agriculture to development and/or the habitat has not been managed properly. Therefore the presence of tortoises is not necessary. Tortoise habitat varies with the region, soil types, water table level and other variables.
  - 2. **First step of mitigation** is to work with FWC and other experts to determine how to reduce losses of habitat, especially in areas where there is a viable population of tortoises or multiple populations. Included in these discussions may be **land swaps for less critical habitats.**

## **ISSUE: - COOPERATIVE EFFORTS WITH COUNTY GOVERNMENTS.**

Over the past two years, we have held quite a number of workshops and working with local groups, encouraged the county governments to get involved with tortoise conservation. The main thrust of this has been the Incidental Take, which leads to killing of tortoises and loss of land from their counties. There appear to be more willing than not willing counties to get involved and establish **tortoise conservation programs with or without cooperation with FWC**. At the moment it appears that at least 16 counties have some form of conservation program in place. Nearly all counties are required by their Comprehensive Plan to protect natural habitats and listed species (DCA). The lists of activities currently undertaken by some counties are as follows:

- On site inspection for protected species before land clearing.
- No Incidental Take is permitted in the county.
- No Incidental Take on county projects.
- County relocation programs from county owned site.
- Inspection of on or off site relocation.
- Development of relocation programs including sites to locate single-family homes.

### **ISSUES WITH COUNTY/FWC IN THE MANAGEMENT PLAN**

It appears that the citizens of Florida for the most part are far ahead of the FWC in their thinking and knowledge of what is going on in the developmental world and the effects it is having on tortoises and other listed species. Although all of the work has been done by the G2 group was an indication of a new era in the corporate thinking of this agency, it apparently hit a roadblock when the Draft Management Plan was written.

#### **Key issues.**

1. **SINGLE FAMILY HOMES-** FWC needs to immediately to adopt a uniform program that will economically and conservation wise encourage counties to take this entire permit segment over. Why, they have enforcement on the ground. Second many are and most should be doing it. Those that do not say they do not have the funds. Income from permits going to the County could be structured to meet the staffing and budgetary needs of THE MOST IMPORTANT PERMITTING PROBLEM TO BE SOLVED DUE TO THE IMPACTS THIS TYPE OF DEVELOPMENT HAS ON THE RESOURCE. (See below comments)
2. Counties could establish relocation depositories for these and those tortoises that are under an Incidental Take permit (until it is eliminated for Accidental Take). The overall fees for tortoises coming from this site would off set the relocation site costs, especially if it is a low cost site like cattle pasture under a permanent conservation easement. This could be tied to conservation lands programs in the county and state agencies in the county. (See setting the fees for development section and cooperation.)

### **THE CURRENT PROPOSED PERMITTING PLAN PROPOSES TO DRAIN FUNDS FROM THE COUNTY AND LOCAL RELOCATION AND CONSERVATION LANDS PROGRAMS AND FINANCE FWC ACTIVITIES.**

1. FWC should adopt a program that encourages and enhances county conservation lands programs (as they are already tied to Florida Forever). Simply all lands in the Assurance Colony Program (see below) could be locally purchased and managed by willing counties. This would be below the Heritage Site level. Environmental officers from the county can work with developers as they do on many issues to insure that tortoises and other protected species and the loss of land are taken into consideration. FWC does not need to be in the land management business except where WMAs are good tortoise habitat and will fit into the Assurance Colony Program. This would be much more efficient use of funds to have tortoise colonies scattered in various habitat types and in nearly each county. FWC only handles mitigation funds and contracts (not permits) with donor sites. However, this must be balanced with providing funds for relocation areas

throughout the state and not take away from planned relocation to purchase FWC lands unless they are lands in a county that needs relocation sites.

2. FWC should work as county governments and DCA does to review and redo development to reduce impacts and work with developers on each site and within counties and regions to work together to establish a MULTIPLE SPECIES MANAGEMENT PROGRAM where developers establish a cooperative plan between counties, FWC and their colleagues to obtain conservation and relocation sites (under the Assurance Colony Program). Although the cost of mitigation should be BASED ON FAIR MARKET VALUE OF THE LAND AND ACRE FOR ACRE LOST, a real dollar value is not the goal or benchmark, it is the quality as well as quantity of the lands, monitoring and management that is important. FWC WORKS WITH THE LOCAL COUNTIES TO MANAGE THE CONSERVATION LANDS OR A LOCAL NGO OR STATE AGENCY AS LONG AS TORTOISE AND OTHER PROTECTED SPECIES DETERMINES MANAGEMENT METHODS.

### **ISSUE: COOPERATION WITH PRIVATE LANDOWNERS**

The current Management Plan demonstrates little understanding for private landowners in the conservation programs it outlines. Those listed are relatively small compared to what is needed to create a real ASSURANCE COLONY program, which is the spine on which tortoise and other conservation would be supported in an organized fashion.

We have met with and discussed tortoise conservation on lands with private landowners across the state over the past two years. Their concerns are clearly:

1. Tortoises are a liability to me if I plan to sell my land for development. I get a better rate if I use BEST MANAGEMENT PRACTICES TO ELIMINATE TORTOISES.

#### **SOLUTIONS**

- a. IDENTIFICATION OF LANDS WITH SIGNIFICANT TORTOISE AND OTHER LISTED SPECIES Lands that are significant refugia for protected species should be identified for purchase by various conservation lands programs. While waiting for this to happen, funds for conservation easement may be provided to encourage landowners to cooperate. Today it takes so long for agencies (state or local to work out a purchase).
2. I would like to sustain natural habitat on my ranch or on the property where I live but I cannot get an Agricultural Exemption for "raw land" and, if I live on the land, I pay the highest rates if it is not in silviculture or agriculture.

Give TAX INCENTIVES to these lands that are equal or greater to agricultural or silviculture exemptions. One of the largest reasons wild lands are being lost is due to taxes and no tax breaks unless you eliminate the natural habitat or so destroy it (e.g. 600 trees planted per acre) to obtain exemptions. AS WILD HABITATS BECOME RARE, THEN TAX INCENTIVES FOR THE MOST RARE SHOULD BECOME TAX EXEMPT. Exemptions would come with agreements to sustain the habitat. Land management programs, which were listed in the PMP, should be used to insure proper land management and monitoring is undertaken on these rare remnants of habitat.

3. I would like to establish relocation sites on my land but cannot under the proposed permitting and pay plan where most of the money goes to FWC.

**PRIVATE, STATE AND COUNTY RELOCATION SITE FUNDING** is critical for the success of the PMP. Under the current plan to TAX donor site per tortoise and require mitigation for lands leaves nothing for the PARTNERS IN CONSERVATION. It assumes FWC is going to provide more and better services than they have over the past three management plans for gopher tortoises.

The breakdown to support tortoise relocation as a foundation for tortoise conservation requires that there is adequate funding to develop and create relocation sites, fund the relocation, monitoring, and management of the sites in perpetuity. If the site has some economic development, or could have development on it, then the owner must receive some off setting fees to meet the loss of potential economic losses.

**FEE BREAKDOWN FOR RELOCATION SHOULD BE BASED ON WHAT THE MARKET WILL BEAR, BEYOND THE MITIGATION COSTS FOR HABITAT LOSTS.** This does not mean that they should be totally separate but, it is important that the costs of relocation take a priority over fees to FWC unless they are providing a service for those fees.

#### **COSTS TO ESTABLISH A RELOCATION SITE INCLUDE**

1. LAND
2. SITE EVALUATION
3. SITE PREMANAGEMENT
4. SITE MONITORING
5. FENCING
6. RELOCATION OF TORTOISE TO THE SITE
7. IMMEDIATE MONITORING
8. REMOVAL OF FENCE IF TEMPORARY
9. ANNUAL MONITORING
10. REACTIVE MANAGEMENT.

4. I will need assistance to sustain management and monitoring and handling monitoring data. What will happen when I am surrounded by development and cannot burn?

In part the Assurance Colony plan is devised to determine priorities and where most fees will be spent and who would spend them. This question goes to three things. First, after 25 years, how are colonies going to be managed. Second, one of major research efforts must be in figuring out alternatives to fire and third, what is the funding strategy now to work toward this in the future?

#### **ISSUE: TIME**

Comments Related to THE ABOVE POINTS WHICH ARE COVERED IN  
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#### **THE FOUNDATIONS FOR ORGANIZING PERMITS, COOPERATIVE EFFORTS, AND ECONOMICS OF RELOCATION BASED CONSERVATION EFFORTS-THE ASSURANCE COLONY**

GTCI provided FWC with a plan based on the 2001 International Roundtable on Chelonian Relocation's (Sponsored by 7 Conservation Organizations and 11 conservation and Chelonian biologists FWC was represented by Joan Berish) recommendations on creating a series of colonies in situations like FL called **Assurance Colonies**. This series of colonies range from the **Heritage Sites** where we have viable populations in excellent habitat, already in place to people's back yards that are suitable for tortoises. Management in these is monitoring and sustaining stability of the area. Mostly management is light handed and this is where we let nature do her

thing. FWC should be responsible for these and either manage them outright or have an MOU with the owner's to insure proper monitoring of habitat and tortoises by an FWC expert.

#### Site Requirements:

1. Have sustainable population of tortoises and that there are indications that the tortoise population is healthy and reproducing at a sustainable rate (as we know it today).
2. Sites represent a natural habitat type used by tortoises
3. Forage is a primary indicator of the quality of tortoise habitat. It meets a high standard for that type of habitat.
4. Burrowing sites, wetlands, predator levels are checked and evaluated.
5. Human use if there is any is compatible at the current levels and may contribute directly or indirectly with the management of the site.
6. Ownership is such that the land will not be developed or managed in a way as to negatively alter or destroy the habitat or tortoises.
7. Any potential danger to the habitat and tortoises can be reasonably mitigated (e.g. fencing off a highway next to the area).
8. These sites should be no less than 50 acres (island, coastal strand) and not more than 500 acres. The upward limit does not mean that a 2000 acre forest could not be included but it means a specific area is considered as the Heritage site due to financial and management limits.
9. These are not sites for relocation or are fixer-uppers that drain large sums to reach the high standard of a Heritage Site.

#### Cost Evaluations:

1. The primary cost will be to monitor and to conduct reactive management on the site. This may include monitoring water quality of the ground water in which the tortoises spend 80% of their lives and other things that do not necessary require "obtrusive" management like trapping and anything but simply handling to avoid unnatural behavioral changes. A well-trained biologist could handle the monitoring and management of several of these sites. Interns (possibly working toward certification as a master tortoise management biologist) or volunteers could assist in management activities. It should be understood that management and monitoring should not be complicated academics and costly exercises (Ashton and Ashton in press).
2. Habitat management it can be assumed that a Heritage Site got to that level by public or private management. This could be sustained by MOU with some financing from local mitigation funds. Other parts of a state forest that is attached to the HS could be classified as an L2 site with different monitoring and management. There should not be any relocation however.
3. These sites should be established in the best areas but scattered in as many counties as possible. It is from these counties that mitigation funds would come. **HERITAGE SITES WOULD BE THE PRIMARY RESPONSIBILITY OF THE FWC. Note that the list of sites in the plan is not Heritage Sites but range from L4-L2 sites.**

#### SUMMARY OF COST AND GOALS

Managing the HS colonies of tortoises will cost a very small amount per acre than any management (if it is done) on any of the sites that FWC has obtained under the past plan. This is due to the low level but constant simple monitoring and the fact that management has been good to great and has been done by someone else. **Cost of the budget would be below 10-15% with partnering with the current landowner.**

**Second level L2** are colonies in excellent habitat that is currently or will be protected in perpetuity (public or private). These are just below the crown jewels and have a good shot at becoming additional Heritage Sites. Note the goal is to have representatives of the 18 habitats that tortoises use, not just uplands. **These sites should be managed by the owner be it county, state, private, or federal. FWC should only have a role in monitoring and having an MOU that guarantees that the site will be managed using reactive management to the data from the on going monitoring program.** We want these scattered throughout the state, especially in counties that have sites already in existence that meet the standards for this level.

#### Site Requirements:

1. These sites have the same requirements as Heritage Sites except that there may be management required to bring habitat up to requirements. This means exotic removal has been completed and the habitat and site has yet to reach some level of stability with good reproduction in tortoises.
2. Due to secondary use, impacts of development restricting fire management and other reasons, this site may require more management and cost before it becomes a Heritage Site or it will remain a very important site to the conservation of this species and all species in this habitat type.

#### COST EVALUATIONS:

1. FWC **should not** be the owner/manager of these sites unless they are currently (WMA). The current owner and manager should continue their efforts. FWC should have a limited role at this level to be primarily monitoring and insuring the sites meet the criteria of the easement, MOU, or other agreement with the landowner.
2. If not owned by the county or state, and the land meets the HS criteria, it should be purchased with state or county money along with tortoise mitigation funds. **FWC should be relegated only to monitoring and overseeing monitoring and management according to the statutes that enable this agency (management of wildlife not habitat).**
3. **FUNDING UNDER THIS SCENERIO greatly reduces charges to FWC and is only limited to a small percentage of mitigation costs.**
4. **Mitigation funds should be directed to the managing body for the L2 Level.**

**Level 3 Sites** are sites where there are few tortoises but the habitat is or can be good. It is natural habitat. These should be identified for each of the 67 counties to insure that each county has a viable population in sites that can be managed to excellent habitat. These are lands that are county conservation lands, Florida Forever (CARL), or already in the hands of agencies including Wildlife Management Agencies. They may be sites where private enterprise is restocking sites under mitigation banks. These sites are managed for multiple use like hunting, silviculture, or some forms of agriculture or green space. These areas are on 50 acres or much larger and can have multiple relocation sites covering 10 or more acres.

#### SITE REQUIREMENTS:

1. The L3 sites are those designed to have tortoises relocated to them as their most important primary reason. The long term goal is to establish conditions to Level 4 and on to a Heritage Site at some time in the future.
2. The lands should be on at least 50 acres which at least 50% is good to excellent tortoise habitat. These acres can be divided into tortoise relocation sites of 10 or more acres to handle demands for tortoise relocation. (See Ashton and Ashton in press).

3. Land purchase or permanent conservation easement comes from conservation lands programs, donations, pay for permanent conservation easements, or other arrangements made by the willing county that has an MOU with FWC to handle tortoise mitigation lands and tortoise relocation.
4. Lands must meet minimal requirements for good tortoise habitat (2 tortoises/acre), have an acceptable management and monitoring program that is funded through mitigation agreements and payments.
5. **FWC has only a role of permitting the county, mitigation bank, or private landowner and to insure that the funding is adequate to insure perpetual monitoring and management.**

**COST EVALUATIONS:**

1. **DONOR SITE OWNERS ARE RESPONSIBLE FOR THE REPLACEMENT COST OF TORTOISE HABITAT THAT IS BEING LOST TO DEVELOPMENT. That cost should depend on a number of things:**
  - A. The remaining habitat of the type being lost in that county. If nearly all of the habitat is lost, then the figure would be at the cost of replacement.
  - B. The number of other listed species. IF multiple protected species habitat is lost then an agreement should be made to replace acreage in combination with long term monitoring and management of all species.
  - C. The acreage is more important than the dollar figure for replacement. For example land could be traded or fees given to a county that could leverage the funds for purchase of the required acreage at a much lower cost per acre. Under this scenario the costs of land to replace land lost to development could be more than 50% lower. This will have a number of positive impacts. It lowers mitigation costs without cutting down the acreages as in the past, it takes the tortoise off of being a direct economic predator, and most important, it will provide support for local conservation lands programs from the development industry and increase political pressure to have conservation lands programs.
  - D. If however there is no MOU between FWC and the county and/or the county did not have a conservation lands program, then the cost of the replacement may reach as high as the market value. The fees for mitigation are handled by FWC and the lands purchased in counties in the state that need tortoise relocation sites. Fees are set in negotiation with the donor site.
2. **FEES FOR RELOCATION:** These fees paid directly by the donor site owner to the recipient usually include the following:
  - A. Relocation site selection including tortoise, vegetative surveys, level of water table, canopy cover, etc
  - B. Premanagement-burning, clearing of exotics, resurveying forage, etc.
  - C. Fencing to enclose each relocation site for 6 months
  - D. Excavation of all burrows, management of data on relocated tortoises and release and monitoring of site.
  - E. Long term monitoring and management of the site.
  - F. A per tortoise charge will be set between the recipient site and donor site owner to establish some form of profit or funds to offset land taxes or both. The amount of these fees are based on what the market will bare and the demands of the recipient site owner.
  - G. **FEES ARE NOT COLLECTED BY FWC UNLESS THE DONOR SITE IS IN A COUNTY THAT HAS NO MOU WITH THE COUNTY TO HANDLE RELOCATION. THE FEES RELATED TO LONG TERM MONITORING AND MANAGEMENT ARE COLLECTED BY FWC FOR PLACEMENT IN A MONITORING AND MANAGEMENT TRUST FUND.** This Trust is a private trust which will be set up to insure that all tortoise relocation sites are

managed properly and never due to the lack of funding lose carrying capacity for tortoises and other protected species.

**Level 4 Sites** These may be highly disturbed sites from cow pastures, sites that have a great problem with exotics, thick silviculture to natural habitat that has not had good management and will require extensive fire management. These are relocation sites that are on areas of at least 40-50 acres but can be broken down into several relocation sites. The primary purpose of these L4 sites is to provide excellent habitat for tortoises that would otherwise be entombed. These sites should be looked at as reclaimed and potentially restored habitats for the future. These types of sites often have large populations on them or can support extremely large numbers of tortoises due to high diversity and density of forage plants and open canopy. These sites may prove to be managed without fire in areas where it is impossible to burn.

#### SITE REQUIREMENTS

1. The site requirements are similar to L3 but includes more lands that are under some form of management for economic use like cattle pastures. Cattle pastures provide excellent habitat for gopher tortoises based on long term studies (Ashton et al 1992). The primary goal of L4 lands is to provide for tortoise relocation sites to avoid any Take.
2. Site establishment may be below 40 acres minimum depending on the situation and conditions. Smaller sites must meet high standards of forage and may require the planting of Bahia, St. Augustine, or centipede grass to insure ample high protein sources and other dietary needs.
3. All sites are either purchased and donated to a land conservation program or have a permanent conservation easement which is held by the county, FWC or a nonprofit organization. IF the land is on Dept. of Forestry lands, then a fee would be established to pay for the use of that land, not unsimilar to DOF's policies with timber purchase and harvest.
4. Sites must have the same monitoring and management requirements as L3. If the county has an MOU with FWC, then the funding will go to the county along with a percentage to go into the monitoring and management trust fund.

#### COST EVALUATIONS

1. These are the sites that can be developed at such low cost that they could receive tortoises from the Single Family Home Sites or as FWC calls the 10 or fewer. This is Important in that relocation fees could be considerable costs and unbearable to some low income and low cost home sites. **WE RECOMMEND THAT THE COSTS OF RELOCATION FROM THESE SITES BE BASED ON THE ASSESSED VALUE OF THE PROPERTY.** This cost is in the county records. The cost would be no more than a certain percentage of the total value. If you had a single wide on a 1 acre site the fee may be \$50 with tortoise delivered (the inspector would be on site to see what was there (see below). Meanwhile someone with a \$500,000 value would pay maybe \$500. This will float with counties I bet.
2. **FEES WOULD GO TO THE COOPERATING COUNTY AND TO THE RECIPIENT SITE OWNER AND NOT FWC UNLESS THE DEVELOPMENT WAS NOT IN A COOPERATING COUNTY. HOWEVER, TO MAKE THE ENFORCEMENT WORK IN COUNTIES NOT PROVIDING INSPECTION, FWC WOULD HIRE CONSULTANTS TO INSPECT PROPERTIES FOR TORTOISES PRIOR TO LAND CLEARING.** These individuals would work through county offices to get permits that would allow access before clearing. If clearing did take place and there are sign of tortoises on or off property then FWC would have law enforcement come in to cite the owner appropriately. This is needed to insure people know they cannot get away with not having a protected species permit. **NOTE, THIS COULD COVER RCW'S**

**AND MANY OTHER PROTECTED SPECIES NOW IGNORED ON THIS TYPE OF DEVELOPMENT.**

L5 are colonies that are on development sites, either contained or free to roam. These are based on contractual agreements that include funding and educational efforts and a will of the residents to sustain these tortoises until they die.

L6 are tortoises on private property, schools, and special areas that are permitted based on certain parameters. FWF and GTCI are working on colonies for schools including curriculum and training for teachers (see our new course listings).

The Assurance Colony concept was established based on human and economic requirements for conservation to work over long periods of time. However, the first and most important part of this program is that it supports the biological considerations for a species and top folks in their field worked on papers to support and provide this approach. These included genetics, disease, morphology (different than genetics), ecological, behavior and socio-economic.

I am now working on the economics to demonstrate that cooperative efforts will make this system economically self sustaining (with current funding figures for FWC and county staff).

Permitting has to be enforceable to have conservation value. It has been shown that the 5 or fewer (single family home permits do not work. FWC planted their heads in the sand and did nothing to change it. This is after getting a report (as part of the official review of the listing proposal, indicating that this is the type of development that is taking more tortoises and land that all DRI, DUD, or any other developments which they spend ungodly amounts of time on and getting few bucks. This can be and should be under county permitting because all these sites are visited and the counties have the right to do this. FWC has no one looking at this except when there is a complaint. Over 90% of the people who should get a permit do not because unless the counties are involved with protected species (gophers) they do not require a permit before the clearing permit is issued.

**PART 3 INCLUDES:**

**MITIGATION FEE BREAKDOWNS**

**TRAINING AND CREDENTIALS OF FWC AND OTHER AGENCY STAFF, CONSULTANTS**

**QUALITY OF MITIGATION WORK**

**DISEASES AND OTHER HEALTH CONCERNS**