



Gopher Tortoise Conservation
 FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION
 Division of Habitat and Species Conservation
 Species Conservation Planning Section
 620 South Meridian Street, Mail Station 2A
 Tallahassee, Florida 32399-1600
 (850) 921-1031

Permittee Name: Phoenix Park Fund V
 Permittee Address: 5064 Malabar Blvd
 MELBOURNE BEACH, FLORIDA
 32951 UNITED STATES
 Permit Number: GTC-18-00345
 Effective Date: October 19, 2018
 Expiration Date: October 19, 2019

Agent Name: Christopher Harnden
 Agent Address: Harnden Environmental
 615 Mark and Randy Drive
 SATELLITE BEACH, FLORIDA 32937
 UNITED STATES

IS AUTHORIZED TO:

Capture by using hand shovel and backhoe excavation of tortoise burrows, transport and relocate all gopher tortoise (*Gopherus polyphemus*) hatchlings less than or equal to 60 mm carapace length (CL), and up to 11 gopher tortoises greater than 60 mm CL by non-harmful means and to molest, damage or destroy gopher tortoise burrows while conducting these activities, subject to the following conditions and provisions, in association with development activities at the following site.

AUTHORIZED LOCATION(S): 18.85-acre Harbor Island Beach Club located west of Highway A1A and south of Ocean Ridge Dr. (T28S,R38E,S20 & 21; with Lat. 28° 2' 10.73" N and Long. 80° 32' 45.57" W), in Brevard Co., relocated to the 1,280.0-acre C. Herman Beville Ranch Phase 4 recipient site (T20S,R22E,S19 & 20; with Lat. 28° 44' 17.64"N and Long. 82° 8' 30.86"W), in Sumter Co., that is authorized to receive gopher tortoises under permit number GTLR-10-00003D.

Permittee Signature: _____ Date: _____

Not valid unless signed. By signature, confirms that all information provided to issue the permit is accurate and complete, and indicates acceptance and understanding of the provisions and conditions listed below. **Any false statements or misrepresentations when applying for this permit may result in felony charges and will result in revocation of this permit.**

Authorized By: Deborah Burr Authorized for: Eric Sutton, Executive Director

Authorizing Signature: _____ Date: 10/19/2018

Species Conservation Planning Section

PERMIT CONDITIONS AND PROVISIONS:

- 1 Authorization to conduct the specified activities in association with the relocation of gopher tortoises in Florida is subject to Rules 68A-9.002 and 68A-27 Florida Administrative Code (F.A.C.), and the Florida Fish and Wildlife Conservation Commission's (hereafter, "FWC") Gopher Tortoise Permitting Guidelines (April 2008 - revised January 2017) [hereafter, "Permitting Guidelines"], and the following provisions/conditions.
- 2 Authorized activities are also predicated and conditioned on the information and assurances provided in the Permittee's 10/02/2018 application (as supplemented), the assurances of which are herein incorporated by

reference.

- 3 During colder months, tortoises shall only be captured and relocated when the low temperature at the recipient site is forecasted by the National Weather Service (www.weather.gov) to be above 50° F for three consecutive days [72 hours] after release (including the day of relocation). This three-day window of milder temperatures is required to allow the relocated tortoises to settle into the recipient site and reduce the chance of cold-related stress or mortality. If capturing tortoises using bucket traps, the Permittee shall cover all traps on days forecasted to be below 50° F. The 28 consecutive day trapping period must restart at day 1 when a trap is closed for any reason.
- 4 Captured gopher tortoises that show signs of disease (i.e., nasal and ocular discharge, emaciation, etc.) shall not be relocated off-site to the authorized recipient site. At the Permittee's discretion, symptomatic tortoises may be: relocated on-site; transported to and quarantined at a FWC-licensed wildlife rehabilitation center (list available upon request) or licensed veterinary facility for treatment and subsequent relocation of recovered, non-symptomatic gopher tortoises along with others from the population; transported and donated to a FWC-permitted disease research program; or humanely euthanized by a licensed veterinarian when disease is advanced.
- 5 Gopher tortoise capture and relocation activities may be conducted only if written local government approvals have been obtained for land clearing, grading, or construction activities and provided to the Gopher Tortoise Program Coordinator (via the FWC [online permit system](#) or via email to GTPermits@MyFWC.com) prior to commencing relocation activities.
- 6 This permit can be suspended, revoked or not renewed for just cause pursuant to 68-1.010, F.A.C. and Chapter 120, Florida Statutes. It is non-transferable and must be readily available for inspection at all times while engaging in the permitted activities.
- 7 The activities authorized under this Permit must be carried out by the Authorized Gopher Tortoise Agent ("Authorized Agent") designated on this permit, or under the direct supervision and responsibility of that Authorized Agent. The Permittee and Authorized Agent shall be as fully responsible for any such activities to the same extent as if they had themselves carried out those activities under this Permit.
- 8 A gopher tortoise burrow survey covering 100% of the gopher tortoise habitat within the donor site must be conducted by the Authorized Agent and a burrow location map depicting the survey results shall be submitted to the FWC (via the FWC [online permit system](#) or via email to GTPermits@MyFWC.com) no more than 90 days and no fewer than 72 hours (excluding weekends and holidays) prior to commencing any gopher tortoise capture and relocation activities. Site preparation or development activities that disturb the vegetation or the ground which prevent the FWC from checking the accuracy of 100% gopher tortoise burrow surveys shall not be conducted until all gopher tortoises have been relocated from the area, and at least 72 hours (excluding weekends and holidays) after the 100% burrow survey results and burrow location map have been received by FWC. If site clearing or construction does not begin within 90 days from the date of the most recent 100% gopher tortoise survey or capture activities, a new 100% gopher tortoise burrow survey must be completed to ensure that additional gopher tortoises have not moved onto the site.
- 9 The Permittee shall notify the Gopher Tortoise Program Coordinator by uploading the notice to the FWC [online permit system](#), by email at GTPermits@MyFWC.com, or by phone at (850)921-1031 at least 24 hours (excluding weekends and holidays) before initiating the tortoise relocation effort.
- 10 Either this original permit, or a complete copy, must be clearly posted at the affected site at all times while engaged in the permitted tortoises relocation activities, and should remain posted until construction activities are completed.
- 11 Any gopher tortoise mortality or injury that occurs while conducting activities authorized under this permit shall be reported to the Gopher Tortoise Program Coordinator (by phone at 850-921-1031 or by email to GTPermits@MyFWC.com) within 48 hours of the occurrence. An injured gopher tortoise shall be promptly taken to either a licensed wildlife rehabilitation facility or a licensed veterinarian for evaluation and treatment. Contact information for the facility or veterinarian shall be included with the information reported.
- 12 The Permittee, by signing this permit, specifically agrees to allow authorized FWC personnel, upon presentation of credentials as may be required by law, access to the donor and recipient sites, at reasonable times, for the purpose of inspecting the capture/relocation activities authorized under this permit.
- 13 The Permittee shall submit a report detailing the capture and relocation activities via the FWC [online permit system](#) within 30 days of the release of the captured/relocated tortoises. An after action report checklist is attached for use in that regard. Any request for permit renewal or extension should be submitted at least 45 days prior to the expiration date of this permit.
- 14 Nonnative wildlife that are members of the families Pythonidae, Boidae, Varanidae, Iguanidae and Teiidae

captured during gopher tortoise relocation activities shall be euthanized in accordance with the requirements of the Permitting Guidelines. Authorized Agents are authorized to transport conditional species for purposes of euthanasia in accordance with the transport requirements in the Permitting Guidelines. All other non-native wildlife captured should be humanely euthanized or allowed to escape on-site. Sightings of Burmese python, Argentine tegu, or other nonnative wildlife species should be reported to the FWC within 48 hours by either calling the toll-free number 1-888-IVEGOT1 (1-888-483-4681) or online at www.IveGot1.org.

- 15 Gopher tortoise commensals listed in 68A-27 F.A.C. as either State-designated threatened species or species of special concern (this does not include the eastern indigo snake [*Drymarchon couperi*] and other Federally-designated Endangered and Threatened species) and encountered in the gopher tortoise capture operation should either be released on-site or allowed to escape unharmed, or be donated to an educational or research facility that possesses the appropriate FWC scientific collecting/educational use permit and is authorized to receive additional specimens of the captured species. Non-listed native commensals should either be allowed to escape unharmed or released on-site. Refer to Appendix 9 of the Permitting Guidelines for additional information on gopher tortoise commensals. If you have questions regarding handling/releasing gopher tortoise commensals encountered during capture operations, contact the Gopher Tortoise Program Coordinator's office by calling 850-921-1031.
- 16 This permit does not authorize the take of Federally-designated Endangered and Threatened species. Only individuals who are in possession of a valid permit or authorization issued by the United States Fish and Wildlife Service (USFWS) to capture or possess an eastern indigo snake or other Federally-designated Endangered and Threatened species may physically handle those species. If individuals without a USFWS permit or authorization encounter an eastern indigo snake during attempts to capture gopher tortoises or during subsequent land alteration or development activities within the property, all movement of heavy equipment and land alteration or development activities within the vicinity of the snake shall cease to allow the snake to vacate the area. No movement of heavy equipment, or land alteration or development activities within the vicinity of the snake shall resume until the snake has vacated the work area.
- 17 This permit does not authorize Permittee access to any public or private properties. Permission to access the property must be secured from the appropriate landholders prior to undertaking any work on such properties.

A person whose substantial interests are affected by FWC's action may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57 of the Florida Statutes. A person seeking a hearing on FWC's action shall file a petition for hearing with the agency within 21 days of receipt of written notice of the decision. The petition must contain the information and otherwise comply with section 120.569, Florida Statutes, and the uniform rules of the Florida Division of Administration, chapter 28-106, Florida Administrative Code. If the FWC receives a petition, FWC will notify the Permittee. Upon such notification, the Permittee shall cease all work authorized by this permit until the petition is resolved. The enclosed Explanation of Rights statement provides additional information as to the rights of parties whose substantial interests are or may be affected by this action.