

Florida Fish and Wildlife Conservation Commission

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

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MyFWC.com

Florida Realtor Association Outreach Information Packet

The following informational packet has been created by the Florida Fish and Wildlife Conservation Commission's (FWC) Gopher Tortoise Conservation Program to educate Florida realtors and property owners on the laws, rules, and guidelines relating to gopher tortoises on private properties.

The gopher tortoise is listed as a threatened species by the State of Florida, and therefore is protected by state law. Wildlife conservation is important because, when a species goes extinct, it reduces the biodiversity of our ecosystems. Gopher tortoise conservation is especially important because they are a keystone species and their burrows provide refuge for over 350 other species, many of which are also listed as threatened. This means that a reduction in the population of gopher tortoises could lead to a reduction to the populations of the other 350 species who use gopher tortoise burrows as their homes or protection. Developing an appreciation and understanding of your wild neighbors can help you learn to co-exist with Florida's native wildlife.

Objectives of FWC's Gopher Tortoise Management Plan include minimizing the loss of gopher tortoises and restoring and maintaining viable populations throughout the state so that the species no longer warrants listing. Public outreach is one of the many conservation actions implemented by the FWC to accomplish these objectives. It is imperative that landowners know the rules protecting gopher tortoises that may be present on their property. The enclosed information will inform property owners on state laws and keep gopher tortoises safe from adverse impacts.

It is the responsibility of the realtor to inform clients about any known facts that may materially affect the value of a property. This packet contains useful educational materials intended to inform you about gopher tortoises, whether you are a realtor trying to sell a property, or a buyer looking for property. It includes a list of frequently asked questions, brochures, fact sheets, and a short questionnaire to complete. Please return the questionnaire to help us improve our outreach efforts in the future. Thank you for helping to disseminate this information to your constituents.



1. I'm trying to sell a property, can I relocate the gopher tortoise if no development is taking place?

No. Applicants must demonstrate the need for a permit. This requires the submittal of a development plan or proof of local government approval for the activity proposed (in the form of preliminary or final subdivision plat, or master planned unit development approval; Development of Regional Impact [DRI] development order; or authorization to commence clearing, grading, or construction activities).

1. Does the law require realtors/landowners to disclose gopher tortoises on a property for sale and under contract?

Yes. Under Florida law, *Johnson v. Davis* 480 So. 2d 625 (Fla. 1985), a seller is obligated to disclose to a buyer any known facts that may materially affect the value of the property. Gopher tortoises are protected by state law and there may be extra steps to take if the buyers decide to build on the property, including obtaining a permit and paying for mitigation.

2. How do I tell the difference between gopher tortoise burrows and the burrows of other animals (such as armadillos)?

Gopher tortoise burrow openings are distinctly half-moon shaped, with a curve at the top and a flat bottom. The size of the opening is proportional to the size of the gopher tortoise. Armadillo burrows have a round opening and may have tail drag marks outside the burrow. If you are unsure or have questions, contact your regional FWC gopher tortoise conservation biologist http://myfwc.com/license/wildlife/gopher-tortoise-permits/contacts/.

3. Can gopher tortoises be relocated before listing a property for sale with an existing house? Can a potential buyer relocate gopher tortoises before they purchase a property with an existing house?

No. Gopher tortoises cannot be relocated unless construction is planned for the property that may impact the tortoises or their burrows. If you are concerned about a burrow possibly jeopardizing the integrity or utility of an existing structure or poses a safety concern (e.g burrow under a propane tank), or if the safety of the resident tortoise is compromised (e.g., burrows in a grass parking lot, dirt driveway, etc.), contact your regional FWC gopher tortoise conservation biologist.

4. Can I build on the property if there is a gopher tortoise burrow(s) on it? Do I need a permit?

Yes. You can build on the property if there is a gopher tortoise burrow. You will need to obtain a gopher tortoise relocation permit from the Florida Fish and Wildlife Conservation Commission (FWC) if any development activity will take place within a 25 foot radius of the gopher tortoise burrow. Development activity must not harm gopher tortoises nor violate rules protecting them. Leaving a 50-foot diameter (25-foot radius) circle of habitat around each burrow (e.g., undisturbed "islands" or "crop circles") and developing the rest of a project site does not qualify and requires a permit to ensure that gopher tortoises are not harmed.

5. How do I apply for a permit?

Permits can be applied for online at MyFWC.com/GopherTortoise. The online permitting system allows individuals to register, submit permit applications, electronically submit required mitigation, and receive official communications including permits from FWC. Paper applications are also available, but



Florida Realtor Association Outreach Information Frequently Asked Questions

applicants are encouraged to apply online to expedite the review process. Additional information, instructions, and frequently asked questions regarding the online permitting system are available online at MyFWC.com/GopherTortoise.

6. How long does the permitting process take?

Permit applications should be submitted at least 90 days prior to the time needed, although most applications will be processed in 45 days or less. Timely issuance of permits is dependent on receipt of required documentation.

7. How much does it cost to relocate a gopher tortoise?

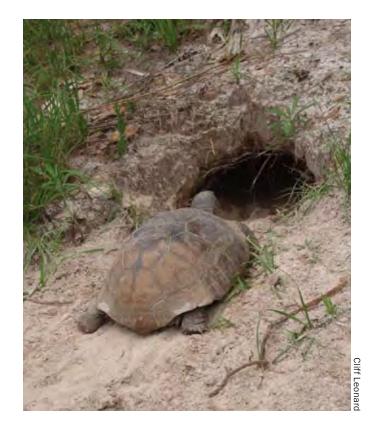
FWC requires mitigation to offset impacts to gopher tortoises prior to issuing permits for relocation. Current mitigation is posted to our website: http://myfwc.com/license/wildlife/gopher-tortoisepermits/. There may be additional costs if an authorized gopher tortoise agent is hired and if gopher tortoises are relocated to an off-site recipient area. FWC does not regulate 3rd party costs that may be incurred during permitted relocation activities.

8. Do you have a list of qualified and authorized individuals who can relocate the tortoise on the landowner's behalf?

Yes. FWC has an online locator map of permitted individuals that landowners can hire to relocate gopher tortoises. Visit http://myfwc.com/license/wildlife/gopher-tortoise-permits/ and select the Permit Locator Map from the side panel.

An authorized gopher tortoise agent is required for:

- all gopher tortoises being relocated to an off-site recipient area, regardless of capture method;
- a Conservation permit application;
- gopher tortoises being relocated on-site that uses any method of capture other than bucket trapping, live trapping, or hand shovel excavation.



Before you bulldoze

Before you clear land, learn the law. Visit MyFWC.com/GopherTortoise or call the gopher tortoise conservation biologist in your region. Request a permitting fact sheet and remember gopher tortoises must be relocated before any land clearing or development takes place. Property owners must obtain permits from the FWC before tortoises can be moved. Depending on the type of permit, you may be permitted to move the tortoises yourself or you may need to contact an authorized agent.

Tips for horse owners

Gopher tortoises often dig their burrows in pastures, which can be a challenge to horse farm owners who are concerned their horses may step into the burrows and be injured. For tips on how to avoid potential horse-tortoise conflicts, visit MyFWC.com/GopherTortoise or call the gopher tortoise conservation biologist in your region.

Gopher tortoise fast facts

■ Gopher tortoise burrows average seven feet deep and 15 feet long but may be more than 40 feet long.

A tortoise may have multiple burrows within the area it spends most of its time.

■ Burrow openings are half-moon shaped with the curve at the top, and its size is a fair representation of the size of the tortoise. Burrows with round openings have generally been taken over by an armadillo.

■ Adult tortoises are generally 9-11 inches long and weigh 7-9 pounds.

■ Females begin to reproduce when they are 9-21 years old (age depends on local conditions); males begin slightly younger.

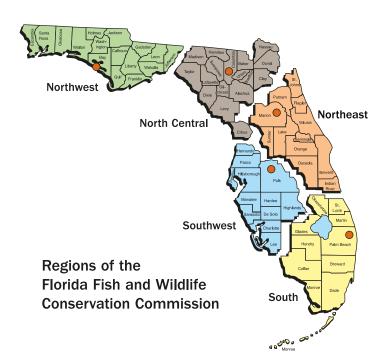
■ They breed March-October but generally dig nests in May and June. One clutch is laid per year with an average of six eggs. Many eggs never hatch because they are eaten by mammals, birds and snakes.

■ The biggest threat to the gopher tortoises' long-term survival is loss of habitat.

Wildlife Alert Reward Program

It is against the law to kill, harass or destroy gopher tortoises, their burrows or eggs. If you suspect illegal activity, you can report it anonymously to FWC's Wildlife Alert Hotline at 888-404-3922, 24 hours a day or online at MyFWC.com/law/Alert. You could be eligible for a reward if your information leads to an arrest.





Northwest Region

3911 Highway 2321 Panama City, FL 32409-1658 850-265-3676

North Central Region

3377 East U.S. Highway 90 Lake City, FL 32055-8795 386-758-0525

Northeast Region

1239 S.W. 10th Street Ocala, FL 34471-0323 352-732-1225 Southwest Region 3900 Drane Field Road Lakeland, FL 33811-1299 863-648-3200

South Region

8535 Northlake Boulevard West Palm Beach, FL 33412 561-625-5122

For more on any information in this brochure, or for Gopher Tortoise Management Plan or permitting information, please call the gopher tortoise conservation biologist in your region listed above, or call 850-488-3831, or visit MyFWC.com/GopherTortoise.

A guide to living with **gopher tortoises**



David Moynahan



Florida Fish and Wildlife Conservation Commission



The gopher tortoise in Florida

Where they live: high and dry

The gopher tortoise (Gopherus polyphemus) is a medium size land turtle with large, stumpy hind legs and flattened, shovel-like front legs it uses to dig burrows in sandy soil. These burrows provide a home and refuge for the tortoise and more than 350 species of wild animals and insects that share the same habitat.

Gopher tortoises occur in parts of all 67 counties in Florida, but prefer high, dry, sandy places such as longleaf pine and oak sandhills. They also live in scrub, dry hammocks, pine flatwoods, dry prairies, coastal grasslands and dunes, mixed hardwood-pine communities and a variety of disturbed habitats, such as pasture lands.

What they eat

Gopher tortoises graze naturally on a wide variety of plant types, including broadleaf grasses, wiregrass, prickly pear cactus, wild grape, blackberry, blueberry, beautyberry and many more. They generally feed within about 160 feet of their burrows, but have been known to travel more than twice that distance to meet their foraging and nutritional needs.

A keystone species

Wildlife experts call the gopher tortoise a "keystone species" because it is the backbone of the plant and wildlife community in which it lives. Without the tortoise, the populations of more than 350 wildlife species that seek refuge or live in the burrows would be greatly reduced, if not eliminated. The species that depend upon tortoise burrows are called commensals and include the indigo snake, pine snake, gopher frog, opossum, burrowing owl, Florida mouse, gopher cricket and scarab beetle.

Protecting and managing

Gopher tortoises have lived for millions of years, but biologists who study these ancient reptiles are concerned we may lose them entirely unless we do more to protect and conserve them and their rapidly disappearing habitat.

In 2007, the Florida Fish and Wildlife Conservation Commission (FWC) listed the gopher tortoise as a threatened species and created a plan to manage and protect these unique reptiles. The plan is a blueprint of conservation objectives and actions which includes guidelines for landowners whose property contains gopher tortoises, habitat acquisition plans and permitting guidelines all designed to ensure the tortoises' habitat needs are met now and in the future.

Legal protection

It is against the law to damage, destroy, harass or kill gopher tortoises, their burrows or their eggs. Gopher tortoises must be moved out of harm's way before any land clearing or development takes place. Permits are required from the FWC before handling or moving tortoises.





Living in your vard

If a gopher tortoise is living in your yard, embrace the opportunity to learn about a threatened species and help the conservation efforts. Here are a few tips:

Leave the tortoise alone and keep dogs and small children away from it and its burrow.

Use tortoise-friendly plants to landscape your yard. In addition to providing excellent food for the tortoise, the plants will require very little watering once established. For a list of suitable plants visit MyFWC.com/GopherTortoise.

Allow the tortoise to come and go freely from your yard. Fencing it in or restricting its movements in any way is against the law.

■ It is acceptable to trim tall grass around the burrow if necessary but leave the burrow and mound alone.

■ If possible, avoid mowing, digging, driving over or otherwise disturbing the area right around the burrow, which includes the entrance apron and 25 feet beyond the burrow opening.

Never block the entrance to the burrow, it could harm the tortoise or prevent its exit.

A burrow should not compromise the integrity of a foundation or mound septic system, but the gopher tortoise conservation biologist in your region can offer you options.

Crossing the road

Do not take the tortoise with you.

If it is in the roadway you can move it across the road in the direction in which it was headed. **Do not** put your life in danger to move the tortoise.

Do not put the tortoise in the water. Gopher tortoises are terrestrial turtles which means they live on land.

Living in your neighborhood

Gopher tortoises and their burrows are often found on undeveloped lots in neighborhoods that were built in gopher tortoise habitat. The last remaining tortoises in a community sometimes take refuge on these habitat islands scattered among home sites If your neighborhood has some of these reptilian residents, keep the following in mind:

■ If a lot is about to be developed, you can search

the online gopher tortoise permitting database at MvFWC.com/GopherTortoise to see if a permit to move the tortoise(s) has been issued. You can also call the gopher tortoise conservation biologist in your region.

■ If there is no land clearing or construction activity on the lot, leave the tortoises alone. ■ If you suspect a violation has occurred or is about to occur, call the FWC's toll free Wildlife Alert Hotline at 888-404-3922 or report it online at MvFWC.com/law/Alert.

Sick or injured

Sometimes it's better to just leave a sick or injured gopher tortoise alone and let it return to its burrow to heal.

Vou may pick up an injured tortoise to transport it for treatment if necessary.

■ If you think the injury is the result of a violation and you can provide information, call the FWC's Wildlife Alert Hotline.

Help their future

Become tortoise-wise: Learn about gopher ■ Support "green spaces" in and around

tortoises and their habitat needs online at MyFWC.com/GopherTortoise and share the information with family, friends and neighbors. developments - there is still time to save gopher tortoise habitat before it's gone.

Before a lot can be developed, any gopher tortoises present must, by law, be moved out of harm's way before land clearing begins. Property owners must obtain permits from the FWC before moving gopher tortoises.

■ Call the nearest FWC regional office to find a wildlife rehabilitator in the area or take it to a veterinarian.

Protecting gopher tortoises benefits the **environment** and the **landowner**

Home sites that have on-site preserves offer added value for wildlife viewing.

> Financial and technical assistance is available to certified gopher tortoise recipient sites that create and manage habitat for tortoises displaced by development.

> > Florida Fish and Wildlife Conservation Commission's (FWC) Landowner Assistance Program has cost-share opportunities available for activities associated with wildlife habitat conservation and management on private lands.

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Gopher tortoise conservation

In September 2007, the FWC approved the Gopher Tortoise Management Plan. The goal of the plan is to restore and maintain viable populations of gopher tortoises throughout Florida. To meet this goal, the plan includes four conservation objectives:

Improve habitat management on protected lands;

Increase protected gopher tortoise habitat;

Restock gopher tortoises to protected and managed habitats; and

• Decrease gopher tortoise mortality on lands proposed for development.

These objectives will be met by implementing actions outlined in broad categories such as permitting, local government coordination, law enforcement, habitat preservation and management, population and disease management, landowner incentives, monitoring and research, and education and outreach.

Before you clear land or move tortoises, know the law and obtain proper permits. Visit MyFWC.com/GopherTortoise or call the gopher tortoise conservation biologist in your region.



Gopher tortoises generally graze within 160 feet of their burrow on a variety of plant types including broadleaf grasses, wiregrass, prickly pear cactus, clover, dandelion and seasonal fruits and berries - wild grape, blackberry, blueberry and partridge berry.

Northwest Region

3911 Highway 2321 Panama City, FL 32409-1658 850-265-3676 **Southwest Region**

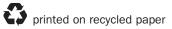
3900 Drane Field Road Lakeland, FL 33811-1299 863-648-3203

North Central Region 3377 East U.S. Highway 90 Lake City, FL 32055-8795 386-758-0525

Northeast Region

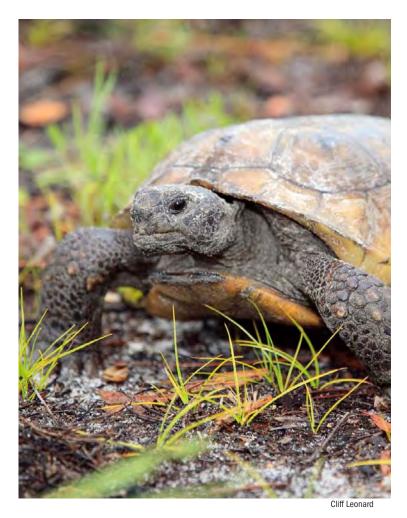
1239 S.W. 10th Street Ocala, FL 34474-2797 352-732-1225 South Region 8535 Northlake Boulevard Palm Beach, FL 33412-3303 561-625-5122

For more information on gopher tortoise permits and gopher tortoise habitat management, contact your regional gopher tortoise conservation biologist or call 850-488-3831, or visit MyFWC.com/GopherTortoise.



Before you build

What every landowner should know about gopher tortoises before breaking ground





Florida Fish and Wildlife Conservation Commission



A gopher tortoise burrow is a tunnel in the ground with a half moon-shaped (flat bottom, arched roof) burrow entrance. Gopher tortoises typically excavate and use two or more burrows.

The gopher tortoise and land development

A keystone species

The gopher tortoise is an industrious and ancient reptile that inhabits dry upland areas throughout Florida. It has stumpy, elephantine hind feet and flattened, shovel-like forelimbs perfectly designed for digging.

This remarkable tortoise excavates underground burrows that average 15 feet long and 6 feet deep. Burrows maintain a near constant temperature and humidity year-round, providing a safe haven from temperature extremes, predators and seasonal fires.

More than 350 animals depend on these burrows for refuge including several state and federally protected species, such as the gopher frog, burrowing owl, Florida pine snake, Florida mouse and eastern indigo snake. The gopher tortoise is a "keystone species" because so many other species depend on it for their survival – a decline in gopher tortoise numbers results in a decline in the other species that rely on its burrows.

Determine if you have gopher tortoises on your land

Before disturbing vegetation or ground in preparation for development, survey the entire property to determine the number and location of gopher tortoise burrows.

If possible, conduct burrow surveys when tortoises are most active, April – October; this window is extended in southern Florida.

During the colder months, burrows may appear abandoned. Consider burrows with eroded or debriscovered entrances as potentially occupied.

You may wish to consult with an authorized gopher tortoise agent (a person who possesses a permit and is qualified to capture and relocate gopher tortoises) to determine whether gopher tortoises inhabit your property. A list of authorized agents is available at MyFWC.com/GopherTortoise.



Gopher tortoise burrows are usually easy to spot because of the sand mound or "apron" created during excavation at the burrow entrance. Tortoise tracks. scat, shell fragments (tortoises may ay eggs in sand outside the burrow) or feeding trails in the surrounding area indicate tortoise activity.

If you have gopher tortoises on your land, your options are:

• Avoid development altogether.

• Avoid destruction of tortoise burrows and any impacts within 25 feet of the burrow.

• Preserve additional habitat on-site, and relocate all gopher tortoises to this area. A permit is required.

• Relocate tortoises off-site to protected recipient sites. A permit is required.

Clearing, grading or other site disturbance which occurs before you receive your permit or before "100% burrow surveys" have been verified by Florida Fish and Wildlife Conservation Commission's (FWC) may result in a violation. It also may delay your project and increase cost. Bottom line – make sure you have received your permit and that burrow surveys have been verified by FWC before land clearing starts.

An authorized gopher tortoise agent permitted by the FWC must assist with all relocation activities under all permits, except on-site relocation conducted under the "10 or Fewer Burrows" permit.

Submit application forms for gopher tortoise permits at least 90 days prior to the time needed.

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For information about permitting or to apply for a gopher tortoise permit online, visit MyFWC.com/GopherTortoise and click on permits.



Robert La Follett



Legal protection for gopher tortoises and their burrows

During the last century gopher tortoise numbers in Florida have declined. Habitat destruction, fragmentation and degradation have placed these burrow-building tortoises in peril.

The gopher tortoise is classified as a threatened species in Florida. Florida law (Chapter 68A–27, Florida Administrative Code), makes it illegal to take, harm, harass, capture, possess, sell or transport any gopher tortoise or parts thereof or their eggs, or molest, damage or destroy gopher tortoise burrows, except as authorized by specific Commission permit.

Impacts to gopher tortoises and their burrows may constitute "taking" under the law. An illegal take of a gopher tortoise burrow includes, but is not limited to, damaging, collapsing or covering a gopher tortoise burrow from land clearing, bulldozing, grading, paving or building construction associated with land development, except as authorized by specific Commission permit.

Property owners (or their agents) must obtain permits from the FWC to capture and relocate all gopher tortoises before any land clearing, grading or other development-related activities can begin.

n Si usted piensa que la lesión es el resultado de una violación y usted puede proporcionar información, llame el Teléfono Directo de Alerta de la Fauna de la FWC.

Ayúdelas para su futuro

n Hágase sabio en cuanto a las tortugas: Aprenda sobre tortugas de tierra y sus necesidades de hábitat en el Internet en MvFWC.com/GopherTortoise v comparta la información con su familia, amigos y vecinos.

n Soporte los "espacios verdes" en y alrededor de los terrenos construidos – aún hay tiempo para salvar el hábitat de la tortuga de tierra antes de que se extinga.

Antes de nivelar el terreno

Antes de limpiar un terreno, aprenda las leyes. Visite MyFWC.com/GopherTortoise o llame al biólogo de conservación de tortugas de tierra en su región. Solicite una hoja informativa sobre la obtención de permisos y recuerde que las tortugas de tierra deben ser reubicadas a un sitio seguro antes de que ocurra cualquier limpieza o desarrollo del terreno. Los dueños de propiedades deben obtener permisos de la FWC antes de que las tortugas puedan ser movidas. Dependiendo del tipo de permiso, usted puede ser permitido a mover las tortugas usted mismo o puede necesitar comunicarse con un agente autorizado.

Sugerencias para los dueños de caballos

Las tortugas de tierra cavan a menudo su madriguera en pastizales, lo cual puede ser un reto para los dueños de fincas de caballos que se preocupan de que sus caballos puedan meter las patas en las madrigueras y lastimarse. Para ver sugerencias sobre cómo evitar conflictos potenciales de caballos con tortugas, visite MyFWC.com/GopherTortoise o llame al biólogo de conservación de tortugas de tierra en su región.

Datos importantes sobre la tortuga de tierra

n Las madrigueras de la tortuga de tierra son en promedio de siete pies de profundidad y 15 pies de largo pero pueden ser de más de 40 pies de largo.

n Una tortuga puede tener múltiples madrigueras dentro del área en que pasa la mayor parte de su tiempo.

n Las aperturas de las madrigueras tienen forma de media-luna con la curva en la parte superior, y su tamaño es una representación justa del tamaño de la tortuga. Madrigueras con aperturas redondas generalmente han sido ocupadas por un armadillo.

n Las tortugas adultas miden generalmente 9-11 pulgadas de largo y pesan 7-9 libras.

n Las hembras comienzan a reproducirse cuando tienen 9-21 años de edad (la edad depende de las condiciones locales); los machos comienzan a reproducirse cuando son un poco más jóvenes.

n Ellas crían entre marzo-octubre pero generalmente excavan nidos en mayo y junio. Un grupo de huevos es puesto por año con un promedio de seis huevos. Muchos huevos nunca empollan porque son comidos por mamíferos, pájaros y serpientes.

n La amenaza más grande para la supervivencia a largo plazo de las tortugas de tierra es la pérdida de hábitat.

Programa de Recompensa de Alerta de la Fauna

Es contra la ley matar, acosar o destruir las tortugas de tierra, sus madrigueras o huevos. Si usted sospecha actividad ilegal, usted puede denunciarla anónimamente llamando al Teléfono Directo de Alerta de la Fauna de la FWC al 888-404-3922, 24 horas al día o en el Internet en MyFWC.com/law/Alert. Usted podría ser elegible para recibir una recompensa si su información produce un arresto.



Noroeste Región **Región Cen** Nordeste del Norte Region Surgest Regiones de la Comisión para la Conservación de Peces y Fauna de la Florida Región S **Región Suroeste** Región Noroeste 3900 Drane Field Road 3911 Highway 2321 Panama City, FL 32409-1658 Lakeland, FL 33811-1299 850-265-3676 863-648-3200

> Reaión Sur 8535 Northlake Boulevard West Palm Beach, FL 33412 561-625-5122

Para averiguar más a fondo sobre cualquier información en este folleto, o para obtener información sobre el Plan de Administración de la Tortuga de Tierra o información sobre permisos, sírvase llamar al biólogo de conservación de tortugas de tierra en su región listada arriba, o llame al 850-488-3831, o visite MyFWC.com/GopherTortoise.

Región Central del Norte

3377 East U.S. Highway 90

Lake City, FL 32055-8795

386-758-0525

352-732-1225

Región Nordeste

1239 S.W. 10th Street

Ocala, FL 34471-0323

Una guía para vivir con tortugas de tierra



David Moynahar



Comisión para la Conservación de Peces y Fauna de la Florida



La tortuga de tierra en la Florida

Dónde viven: alto y seco

La tortuga de tierra (Gopherus polyphemus) es una tortuga de tierra de tamaño mediano con las patas traseras grandes, en forma de muñón y patas delanteras aplanadas, en forma de pala que utiliza para excavar madrigueras en suelo arenoso. Estas madrigueras proporcionan un hogar y un refugio para la tortuga y más de 350 especies de animales salvajes y de insectos que comparten el mismo hábitat.

Las tortugas de tierra se encuentran en partes de los 67 condados en la Florida, pero prefieren lugares altos, secos, arenosos tales como sitios con pinos de hojas largas/pinos abetos y colinas de arena de robles. También viven en maleza, matorrales secos, bosques planos de pino, praderas secas, prados y dunas costeras, comunidades mezcladas de madera noble con pinos y una variedad de hábitats disturbados, tales como terrenos de pasto.

Oué comen

Las tortugas de tierra pastan naturalmente en una amplia variedad de tipos de plantas, incluyendo hierbas hojosas, grama, cacto de pera espinoso, uva salvaje, zarzamora, arándano, moras y muchas más. Se alimentan generalmente en hasta aproximadamente 160 pies de su madriguera, pero se las ha observado recorrer más de dos veces esa distancia para satisfacer sus necesidades de pastoreo y nutrición.

Una especie fundamental

Los expertos de la fauna llaman a la tortuga de tierra una "especie fundamental" porque es la columna vertebral de la comunidad de flora y fauna en la que vive. Sin la tortuga, las poblaciones de más de 350 especies de fauna que buscan refugio o viven en madrigueras serían reducidas grandemente, si no eliminadas del todo. Las especies que dependen de las madrigueras de tortuga se llaman comensales e incluyen la serpiente índigo/cola sucia, serpiente de pino/culebrasorda toro, rana de tierra/capito, rabipelado/zarigüeya/ oposum, búho de madriguera/lechuza llanera, ratón de la Florida, grillo de tierra y el escarabajo gorgojo.

Protección y administración

Las tortugas de tierra han vivido por millones de años, pero los biólogos que estudian estos reptiles antiguos están preocupados de que podemos perderlas totalmente a menos que hagamos más para protegerlas y conservarlas y su hábitat que está desapareciendo rápidamente.

En el 2007, la Comisión para la Conservación de Peces y Fauna de la Florida (FWC) listó a la tortuga de tierra como especie amenazada y creó un plan para administrar y proteger estos reptiles únicos. El plan es un modelo de objetivos de conservación y acciones que incluye pautas para terratenientes cuyas propiedades contienen tortugas de tierra, planes de adquisición de hábitat y pautas de permiso, todas diseñadas para asegurarse que las necesidades de hábitat de las tortugas sean satisfechas ahora y en el futuro.

Protección legal

Es contra la ley dañar, destruir, acosar o matar a las tortugas de tierra, sus madrigueras o sus huevos. Las tortugas de tierra deben ser movidas del camino





del peligro de daño inminente antes de que ocurra cualquier limpieza o desarrollo de terrenos. Se equieren permisos de la FWC antes de manipular o mover las tortugas.

Viviendo en su patio

Si una tortuga de tierra está viviendo en su patio, déle la bienvenida a la oportunidad de aprender sobre una especie amenazada y de ayudar en los esfuerzos de conservación. Estas son algunas sugerencias:

n Deje la tortuga tranquila y mantenga a los perros y a los niños pequeños lejos de ella y de su madriguera.

n Utilice plantas beneficiosas para las tortugas para sembrar en su jardín. Además de proporcionar alimento excelente para la tortuga, las plantas requerirán ser regadas muy poco una vez que se hayan establecido. Para obtener una lista de plantas apropiadas, visite MyFWC.com/GopherTortoise.

n Permita que la tortuga entre y salga libremente de su patio. Cercarla adentro o la restricción de sus movimientos en cualquier manera es contra la ley.

n Es aceptable cortar la hierba alta alrededor de la madriguera en caso de necesidad pero no disturbe la madriguera y el montículo.

n Si es posible, evite segar, cavar, conducir ningún vehículo o de otra manera disturbar el área alrededor de la madriguera, que incluye el delantal de la entrada y 25 pies más allá de la apertura de la madriguera.

n Nunca bloqueé la entrada a la madriguera, esto podría ser dañino para la tortuga o impedir su salida.

n Una madriguera no debe comprometer la integridad de un sistema séptico de fundación o de montículo, pero el biólogo de conservación de tortugas de tierra en su región puede ofrecerle opciones.

Cruzando la calle

- n No se lleve la tortuga con usted.
- n Si está en la carretera usted puede moverla al

otro lado de la carretera en la dirección en la cual se dirigía. No ponga su vida en peligro para mover la tortuga.

Viviendo en su vecindario

n Si un lote está a punto de ser desarrollado, usted puede realizar una búsqueda de la base de datos de permisos de tortugas de tierra en el Internet en MyFWC.com/GopherTortoise para ver si se ha emitido un permiso para mover la(s) tortuga(s). Usted también puede llamar al biólogo de conservación de tortugas de tierra en su región. n Si no hay actividad de limpieza o de construcción en el lote, deje las tortugas tranquilas. n Si usted sospecha que ha ocurrido o está a punto de ocurrir una violación, llame al Teléfono Directo gratis de Alerta de la Fauna de la FWC al 888-404-3922 o presente la denuncia por el Internet en MyFWC.com/law/Alert.

Enferma o lastimada

n No ponga la tortuga en el agua. Las tortugas de tierra son tortugas terrestres, lo que significa que ellas viven en tierra.

Las tortugas de tierra y su madriguera se encuentran a menudo en lotes sin desarrollar en vecindarios que fueron construidos en hábitats de la tortuga de tierra. Las últimas tortugas restantes en una comunidad toman a veces refugio en estas islas de hábitat dispersadas entre los terrenos con casas. Si su vecindario tiene algunos de estos residentes reptiles, tenga en mente lo siguiente:

n Antes de que un lote pueda ser desarrollado, cualesquiera tortugas de tierra presentes deben, por ley, ser movidas del camino del peligro de daño inminente antes de que comience el proceso de limpieza del terreno. Los dueños de propiedades deben obtener permisos de la FWC antes de mover las tortugas de tierra.

n Algunas veces es mejor simplemente dejar la tortuga de tierra enferma o lastimada tranquila y que regrese a su madriguera para sanar.

n Usted puede tomar una tortuga lastimada para transportarla para su tratamiento en caso de necesidad.

n Llame a la oficina regional más cercana de la FWC para encontrar un rehabilitador de fauna en el área o lleve la tortuga a un veterinario.

Get The Facts About Gopher Tortoises: Permitting and Mitigation

FWC's new permitting process includes

- a simple permit for relocating a small number of tortoises.
- a conservation permit that replaces the former standard relocation and incidental take permits.
- a mitigation contribution to the Florida Fish and Wildlife Conservation Commission (FWC).
- a Web-based permit application system that will expedite all gopher tortoise permit applications.

Permits are not required for ...

- vegetation maintenance along linear utility lines and highways, agricultural or silvicultural activities or activities conducted to improve habitat for wildlife.
 However, a permit would be required if these activities are directly related to or in preparation for development and impact gopher tortoises or their burrows.
- development that occurs more than 25 feet (radius) from the entrance of a gopher tortoise burrow.

Permits are required if . . .

You cannot avoid development within a 25-foot radius of the entrance to a burrow. In this case, you must obtain a permit for any gopher tortoise capture, relocation and release prior to initiating any land clearing, grading or other development activities.

When should you apply for a permit?

The FWC has 90 days from the receipt of a completed application to issue a permit; however, the FWC tries to issue them within 45 days. It is advisable to submit completed applications to the gopher tortoise permit coordinator at least 90 days prior to the time needed.

How can I apply or get more information?

More permitting information, including the online permit application system and application forms, is available at MyFWC.com/GopherTortoise or contact the gopher tortoise permit coordinator at

850-921-1031 or visit MyFWC.com/GopherTortoise

Which permit do you need and how much will it cost?

PERMIT TYPE	MITIGATION CONTRIBUTION		
Authorized Agent*	\$500 (one time contribution)		
Recipient Site	\$500 per site (one time contribution)		
10 or Fewer Burrows impacted tortoises are relocated on-site or off-site*	\$200		
Conservation* - more than 10 burrows impacted and relocation to a protected area	\$200 for first five tortoises \$300 each additional tortoise		
Conservation* - more than 10 burrows impacted and relocation to a short-term protected area	\$200 for first five tortoises \$3,000 each additional tortoise		
Conservation* - more than 10 burrows impacted and relocation to an <i>unprotected</i> area	\$3,000 each tortoise		

*Authorized agent permits are required for capture, relocation and release activities associated with any off-site relocation.



Florida Fish and Wildlife Conservation Commission

"Mitigation amounts are adjusted on an annual basis based on the Consumer Price Index (CPI). Please visit MyFWC.com/GopherTortoise for the current mitigation amounts."

Get The Facts About Gopher Tortoises:

Laws, policies and guidelines

Gopher tortoises are a threatened species and are protected under state law, Chapter 68A-27 of the Florida Administrative Code (F.A.C.). Property owners must obtain relocation permits from the Florida Fish and Wildlife Conservation Commission (FWC) to relocate all gopher tortoises before any land clearing or development activities can take place.

Rule 68A-27.004 (F.A.C.)

The gopher tortoise (Gopherus polyphemus) is hereby declared to be threatened, and shall be afforded the protective provisions specified in this paragraph. No person shall take, attempt to take, pursue, hunt, harass, capture, possess, sell or transport any gopher tortoise or parts thereof or their eggs, or molest, damage, or destroy gopher tortoise burrows, except as authorized by Commission permit or when complying with Commission approved guidelines for specific actions which may impact gopher tortoises and their burrows. A gopher tortoise burrow is a tunnel with a cross-section that closely approximates the shape of a gopher tortoise. Permits will be issued based upon whether issuance would further management plan goals and objectives.

Gopher tortoise enforcement policy

Gopher tortoise or gopher tortoise burrow permits are not required to conduct agricultural, silvicultural and management activities intended to improve native wildlife habitat. In addition, if a landowner can demonstrate that gopher tortoise burrows on their land are abandoned, the law pertaining to protecting burrows does not apply.

Upper respiratory tract disease

The FWC no longer requires upper respiratory tract disease testing as a prerequisite to issuing gopher tortoise relocation permits.



Florida Fish and Wildlife Conservation Commission

MyFWC.com

Permitting guidelines

Landowners or developers must relocate gopher tortoises out of harm's way on land slated for development. Prior to initiating development activity, landowners or developers must obtain proper permits for all gopher tortoise capture, relocation and release. New FWC permitting guidelines provide incentives for relocating tortoises to lands that have longterm protection and management; authorize gopher tortoise agents to capture, handle and transport gopher tortoises; require recipient site certification for private landowners who would like to receive displaced tortoises; and require a mitigation contribution to the FWC for all permits.

Relocation

Before gopher tortoise capture, handling and relocation activities begin, landowners must obtain a permit from the FWC. Landowners with 10 or fewer burrows may opt to relocate tortoises on-site as habitat requirements permit; or retain a permitted authorized gopher tortoise agent for all off-site relocations.



Photo by David Moynahan

Mitigation contributions

All permits require a mitigation contribution. A mitigation contribution is compensation, usually in the form of monetary contributions or protected land donations. All mitigation contributions support gopher tortoise conservation actions as specified in the FWC Gopher Tortoise Management Plan.

For more information contact the gopher tortoise permit coordinator at 850-921-1031 or visit MyFWC.com/GopherTortoise

Get The Facts About Gopher Tortoises: Urban Areas

Gopher tortoises prefer to live in dry, sandy environments, however, this is also where people build homes. As a result, habitat loss has caused tortoise populations to decline. Residents can still provide habitat for tortoises in the open, grassy areas of their neighborhoods. The following suggestions can help homeowners and gopher tortoises safely coexist:

- Tortoise burrows can be identified by the half-moon shape of the burrow entrance. Avoid disturbing the area around the burrow.
- An active burrow has a mound of soil extending outward from the entrance, created when a tortoise digs its burrow.
- Do not put a tortoise in water. They are terrestrial animals that do not swim well.
- Do not attempt to handle or feed a tortoise.
- If you see a tortoise in the roadway, you can move it across the road in the direction it was headed. Do not put your life in danger to move a tortoise.
- Take an injured tortoise to the nearest licensed wildlife rehabilitator or call the FWC.



Gopher tortoises and pets

Gopher tortoises have coexisted with native animals in Florida for centuries, but many tortoises have been injured or killed by domestic pets, particularly dogs. These encounters can be avoided by:

- Training pets to avoid tortoises and their burrows.
- Creating a barrier or changing existing fences to separate pets from tortoises. Tortoises should still move freely around your property.
- Never leaving pets unsupervised near tortoise burrows.
- Contacting your county animal control office for assistance if a pet enters a burrow.

Legal protection

The gopher tortoise is a threatened species. It is illegal to damage, destroy, harass, or kill gopher tortoises, their burrows or their eggs. To report a violation call the FWC's toll free Wildlife Alert Hotline at 1-888-404-3922 or report it online at: **MyFWC.com/contact/wildlife-alert/**

Relocation

Gopher tortoise relocation is only appropriate where development is proposed within 25 feet of a tortoise burrow. Landowners must obtain permits from the FWC before relocating a gopher tortoise. For concerns regarding a burrow under an existing structure, contact the gopher tortoise conservation biologist in your region: **MyFWC.com/license/wildlife/gopher-tortoise-permits/ contacts/**.

Learn more about living with gopher tortoises in urban areas, landscaping with tortoise-friendly plants, and ways to get involved by contacting the gopher tortoise office at **850-921-1030** or visit **MyFWC.com/GopherTortoise**.



Florida Fish and Wildlife Conservation Commission MyFWC.com

Get The Facts About Gopher Tortoises:

Best Management Practices

Wildlife Best Management Practices (BMPs) can prevent or minimize impacts on gopher tortoises and their burrows. The BMPs were developed by the Florida Fish and Wildlife Conservation Commission (FWC) and Florida Department of Agriculture and Consumer Sciences (DACS), using input from farmers and foresters. Throughout Florida, gopher tortoises dig large burrows with distinct half-moon shaped entrances. Tortoise burrows are found in habitats with dry, sandy soils, particularly with ample herbaceous ground cover. Gopher tortoises often live in areas with on-going agriculture or silviculture (forestry) practices. Gopher tortoises, their eggs and burrows are all protected under state law.

Best Management Practices

- Maintain habitat integrity by implementing habitat management activities on forest lands or associated uplands.
- Locate heavy equipment and supplemental feeding areas away from active gopher tortoise burrows. If heavy equipment must be located in such areas: a) identify and mark burrows, b) avoid damage to the burrow opening and c) avoid damage to the burrow apron during nesting season (May to September).
- Avoid direct contact with all visible gopher tortoise burrows and burrow aprons from May to September.
- When practical, minimize heavy equipment use during September and October, when gopher tortoise hatchlings are most numerous.

Ways to Avoid Disturbance

Ground disturbance should be avoided May to September and extended into October when hatchlings are most prevalent. When avoidance is not an option:

- Mark burrows with a stake or flagging tape so they are visible.
- During and after logging operations, clear debris off of the ground and prevent clogging of burrows.
- Set mower blades at least 18 inches above the ground to avoid injuring tortoises.
- From May to October, avoid operating heavy machinery during cooler part of the day (early morning); from November to April, avoid operating during warmer parts of the day (midday). Gopher tortoises are most active at these times.



Suggested Habitat Maintenance

- Tree farmers should plant the minimum amount of profitable trees (454 trees per acre), which allows sunlight to reach the forest floor promoting herbaceous ground cover.
- Large stands of trees should be split into multiple stands of different ages.
- Use prescribed burning when appropriate. If prescribed burning is not feasible, control ground cover and midstory hardwoods using herbicides.
- Apply herbicides that will significantly affect hardwood species and not herbaceous vegetation; banded application of herbicides is preferred over broadcast application.
- Establish ground cover prior to planting pine trees when restoring habitat on degraded sites. Create a border of herbaceous vegetation around the property boundaries for areas adjacent to agriculture.

Are Permits Needed?

Agriculture, silviculture or other activities intended to improve native wildlife habitat do not require a permit.

An FWC permit is required for any site-clearing activity conducted as a precursor to development, or for any development activity on lands within 25 feet of a gopher tortoise burrow.

Find out more about gopher tortoises, including habitat management and permitting, at:

MyFWC.com/gophertortoise

Learn more about Wildlife BMPs:

Agriculture: Freshfromflorida.com/Divisions-Offices/ Agricultural-Water-Policy

Forestry: Freshfromflorida.com/Divisions-Offices/Florida-Forest-Service



Florida Fish and Wildlife Conservation Commission MyFWC.com

A landowner's guide

Managing habitat for gopher tortoises



The Nature Conservancy



Florida Fish and Wildlife Conservation Commission



A fire-dependent species

Gopher tortoises are land turtles that typically live on uplands with well-drained sandy soil. The sandy soil allows gopher tortoises to easily excavate burrows that protect them from predators and extreme temperatures. The gopher tortoise is considered a keystone species because its burrows are used by more than 350 other species. Tortoises spend most of their time in their burrows or close by, feeding on grasses and other non-woody plants. They live in parts of all 67 Florida counties in a variety of habitats, including sandhill, scrub, pine flatwoods, dry prairies and coastal dunes.

Land management activities can greatly affect gopher tortoises and their habitat. Suitable gopher tortoise habitat depends on a regular interval of prescribed fire to reduce shrub and hardwood encroachment and to stimulate growth of soft-stemmed plants as ground cover. Appropriate management of gopher tortoise habitat is critical to the survival of this threatened species. This guide provides private landowners with information about habitat management, available resources and incentives to manage and restore habitat for gopher tortoises. Managing habitat for gopher tortoises benefits numerous species, including game species such as deer, turkey and quail.



Florida Park Service

Gopher tortoise habitat management

The Florida Fish and Wildlife Conservation Commission (FWC) highlights the following activities as options available to landowners for managing gopher tortoise habitat. Landowners should evaluate their land management objectives and current condition of their site, research management activities specific to their natural communities, and then choose the most appropriate management activities.

Habitat maintenance

Several management activities can enhance the condition of natural communities and benefit the gopher tortoise. The most beneficial and cost-effective habitat maintenance activities are prescribed burning and timber thinning. These management tools increase the amount and diversity of ground cover used for gopher tortoise forage and provide open, sunlit sites for tortoise basking and nesting. The Florida Natural Areas Inventory (FNAI) provides a Guide to Natural Communities of Florida, containing information on appropriate management activities for specific sites and natural communities. Visit fnai.org to download this guide.

Prescribed fire resources

Many resources are available to private landowners to assist in implementing prescribed burning, including those on lands bordering urban areas. The Nature Conservancy Resource Management Support Team and the National Interagency Prescribed Fire Training Center provide on-the-ground technical assistance for landowners such as fire line installation and vegetative fuel reduction. The Southern Fire Exchange and Florida's Prescribed Fire Councils also provide a forum for landowners and land managers to share knowledge and resources that helps to promote and continue the safe application of prescribed burning throughout Florida.

Prescribed fire—A safe way to apply a natural process, ensure ecosystem health, and reduce wildfire risk

Prescribed burning is the most important habitat management tool used to maintain suitable gopher tortoise habitat. Historically, natural fires helped maintain many of Florida's unique habitats. Today, land managers use prescribed burning as a safe way to apply a natural process, ensure ecosystem health, and reduce wildfire risk. Typically, suitable gopher tortoise habitat can be maintained by frequent prescribed burning. The frequency and timing of a prescribed burn is a major contributing factor to maintaining plant species richness and an open forest canopy. The time of the year and how often burns are conducted are important for maintaining lands that contain suitable gopher tortoise habitats. Information regarding appropriate fire regimes for specific natural communities is outlined in the Gopher Tortoise Management Plan.



Florida Park Service

FWC



Timber thinning

As tree canopy becomes denser, less sunlight reaches the ground and this limits the growth of forage used by gopher tortoises. Timber thinning is a management activity that opens the canopy and allows sunlight to reach the forest floor, which stimulates the growth of soft stemmed plants. Timber thinning activities knock down excessive shrubs and hardwood in the forest stand, which also benefits the gopher tortoise. This creates a more suitable environment for prescribed burning.

Habitat enhancement

Ideally, gopher tortoise habitat can be maintained with prescribed burning. However, lands that have not received regular prescribed fire may require other techniques separately or in conjunction with prescribed burns. Comprehensive guidance on maintaining or improving land to enhance gopher tortoise habitats, along with details of the habitat enhancement activities mentioned below, can be found in the Gopher Tortoise Management Plan.

Roller chopping

Managers can consider roller chopping for lands with excessive shrubs, palmettos, or other heavy fuels that create unsafe conditions for prescribed burns. This technique reduces large thickets of shrubs and palmettos. Chopping may be preferable over mulching or shredding which leave a dense mat of mulch that may hamper desirable ground cover response. Whenever possible, a prescribed burn should follow on lands that have been roller chopped.

Mulching or shredding

Mulching or shredding may be used to reduce excessive shrubs, palmettos and young hardwoods. Following this technique with a prescribed burn will promote the growth of soft stemmed plants and reduce the risk of accumulating a thick mulch-like material. Mulching or shredding may be used as a pre-treatment to areas being planted to restore native ground cover.

Mowing

Lands dominated by large pastures and fields can be maintained by mowing. The effectiveness of disked fire lines can be increased by mowing strips along fire lines prior to prescribed burns. To avoid injuring gopher tortoises, the mower blades should be at least 18 inches above the ground.

Herbicides

Herbicides can be used to treat and control invasive exotic plants such as kudzu and cogon grass. Invasive exotic plants left untreated can reduce native plants, restrict gopher tortoise movement, or interfere with other habitat management practices. Herbicides should be chosen that will target selected invasive exotic plants but not significantly reduce native soft stemmed plants.

Ground cover restoration

For completely altered lands, ground cover restoration can be used to reestablish a natural plant community and create suitable gopher tortoise habitat with sufficient forage. The ground cover should include a diverse selection of native plants and grasses. Successful regeneration of ground cover prior to longleaf pine restoration will create land that can be easily managed using prescribed burns.



The Longleaf Alliance

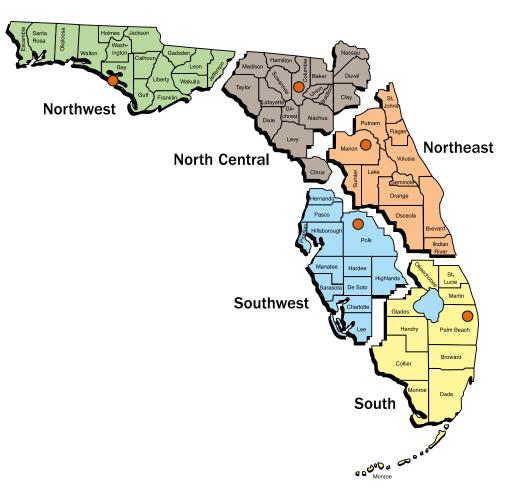
Incentives

Private lands play an increasingly important role in achieving the goals and objectives for gopher tortoise conservation in Florida, and private landowners have worked successfully in partnership with the FWC to conserve this threatened species. To encourage private landowners to apply conservation activities benefiting wildlife, several incentive programs are available from state and federal agencies. The Gopher Tortoise Management Plan outlines appropriate incentives for conserving gopher tortoises. Additionally, the FWC's Landowner Assistance Program provides cost-share opportunities and technical assistance for private landowners.

Resources

Gopher Tortoise Management Plan: MyFWC.com/GopherTortoise FWC Landowner Assistance Program: MyFWC.com/LAP FNAI Guide to the Natural Communities of Florida: fnai.org/naturalcommguide.cfm

Regions of the Florida Fish and Wildlife Conservation Commission



Northwest Region 3911 Highway 2321 • Panama City, FL 32409-1658 850-265-3676

North Central Region 3377 East U.S. Highway 90 • Lake City, FL 32055-8795 386-758-0525

Northeast Region 1239 S.W. 10th Street • Ocala, FL 34471-0323 352-732-1225

Southwest Region 3900 Drane Field Road · Lakeland, FL 33811-1299 863-648-3200

South Region 8535 Northlake Boulevard • West Palm Beach, FL 33412 561-625-5122

For more information, call the gopher tortoise conservation biologist in your region or call the gopher tortoise program office at 850-921-1030. You also can visit MyFWC.com/GopherTortoise.



Attention Builders! Got Gophers? Get Permits.

Before you begin clearing for a building project, you must obtain a permit from the Florida Fish and Wildlife Conservation Commission (FWC) if either gopher tortoises or their burrows are present on the development site.



Gopher Tortoise

Gopher Tortoise Burrow

The gopher tortoise is protected under Florida law, Chapter 68A-27 of the Florida Administrative Code. Protect yourself and this imperiled species. Learn more at MyFWC.com/GopherTortoise or contact the nearest office of the FWC.

Northwest Region 3911 Highway 2321 Panama City, FL 32409-1658 850-265-3676

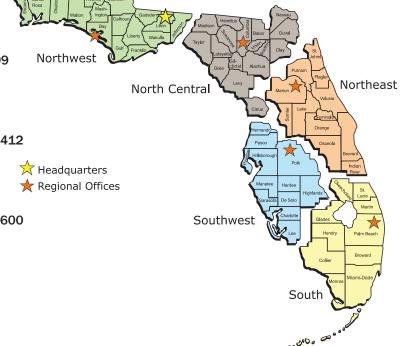
North Central Region 3377 E. U.S. Highway 90 Lake City, FL 32055-8795 386-758-0525

Northeast Region 1239 S.W. 10th St. Ocala, FL 34471-0323 352-732-1225



South Region 8535 Northlake Blvd. West Palm Beach, FL 33412 561-625-5122

Headquarters 5 620 S. Meridian St. Tallahassee, FL 32399-1600 850-488-3831





Florida Fish and Wildlife Conservation Commission



Florida Realtor Association Outreach Information Packet Questionnaire

Please complete the following questionnaire and return to FWC by mail using the enclosed addressed envelope, or by email to <u>Sandra.Smalley@MyFWC.com</u>.

1.	How did you hear about this packet?					
2.	On a scale of 1-5 (5 1 2	being the best) h 3	ow useful w 4	as this information? 5		
3.	Did you find it easy	to use? (Circle or	ie) Yes	Somewhat No		
4.	4. How often do you sell property that has listed species on it? (Circle one)					
	once a month	twice a year	once a ye	ear never		
5.	Are there any ques	tions that you hav	ve that are n	ot covered by the packet?		

Thank you for your time! Gopher Tortoise Conservation Program