



Department of Growth Management

Presence of Gopher Tortoise on Lands Slated for Development

Gopher tortoises are listed by the State of Florida as a threatened species. Without proper management, this tortoise is likely to become an endangered species in the future. The primary reason for the decline of this species is habitat destruction. The tortoise burrow itself serves as important habitat for a variety of other wildlife species. Many of these animals are also listed as endangered, threatened or species of special concern.

A gopher tortoise burrow may be recognized by a mound of bare excavated sand placed outside the entrance. The burrow entrance is shaped in the form of a "half-moon" and the burrow width is generally correlated with the size of the occupant.

Due to its protected status, it is illegal to take, harm, or harass this species under rule 68A-27.005 of the Florida Administrative Code. Additionally, the destruction of gopher tortoise burrows constitutes taking under the law except as authorized by specific permit.

You should be fully aware of your responsibilities if you are currently developing or plan to develop in gopher tortoise habitat. You may wish to solicit the services of an environmental consultant to determine whether gopher tortoises inhabit your property. The Florida Fish and Wildlife Conservation Commission has provided a variety of mechanisms by which you can assist in the conservation of this dwindling species. The following options are available to individuals planning to develop gopher tortoise habitat:

1. Avoid developing in the area occupied by tortoises.
2. Develop so as to avoid gopher tortoise burrows by avoiding concentrations of burrows altogether and/or staying at least 25 feet from entrances of individual burrows.
3. Relocate those tortoises that will be impacted by development. Biologically, relocation is the least effective alternative. A permit is also required see Appendix III for the appropriate Bureau of Wildlife Diversity Conservation contact person.
4. Mitigate for activities that will probably entomb or kill tortoises by providing a degree of habitat protection similar to that provided by DRI developers (see Appendix I). A permit is required (see Appendix II for the appropriate Office of Environmental Services contact person).
5. In cases where five or fewer tortoises are affected and habitat will remain on the site following construction, tortoises may be allowed to be captured by the landowner or his agents and released back onto the site in an area where they can move freely. A permit is required.

Options 1 and 2 have no permitted or reporting requirements. You may wish to contact an environmental consultant to further explore all of your options. If you have any questions, please call our office at 352-343-9641 or email us at zoning@lakecountyfl.gov.