

GOPHER TORTOISE RECIPIENT SITES

Florida Forever Act Amended to Provide Process for Establishing Gopher Tortoise Recipient Sites on Public and Private Lands:

[Senate Bill 494](#) amends the Florida Forever Act to allow for the establishment of gopher tortoise recipient sites on (1) public lands greater than 40 contiguous acres and (2) private lands where portions thereof are subject to conservation easements. This bill is in response to “geographical and capacity constraints” on available recipient sites, coupled with increased demand for such sites.

This bill directs each lead land managing agency, in consultation with the Fish and Wildlife Conservation Commission (“FWC”), to consider the feasibility of using portions of state lands as recipient sites for gopher tortoises. The establishment of recipient sites on public lands only applies to lands that are greater than 40 contiguous acres. The lead land managing agency will determine whether the use of a potential recipient site conflicts with the “primary management objectives of the lands,” and the management plan must contain a feasibility assessment. This assessment must consider both the feasibility of managing the lands as a recipient site consistent with the rules of the FWC and the economic feasibility of establishing and maintaining the site. The bill further allows owners of lands that contain a conservation easement (or other less-than-fee interest) to establish a recipient site or conservation bank. The establishment of the site cannot interfere with the management plan of the conservation easement, and the owner must comply with all state and federal permitting requirements.

The remainder of the bill (as it pertains to gopher tortoise recipient sites) is focused on streamlining the application process. It contains several date milestones:

- By December 31, 2022, the FWC shall streamline and improve the review of applications for public and private gopher tortoise recipient sites. Information requests and approvals must be received by the recipient within 45 days from agency receipt of application.
- By February 1, 2023, the FWC shall submit a report to the President of the Senate and the Speaker of the House that includes (1) the progress made in establishing new private and public gopher tortoise recipient sites; (2) the average time it takes to approve or deny a recipient site application once a complete application is received; (3) any federal action taken to modify the listing of the gopher tortoise under the Endangered Species Act; and (4) any other relevant information.
- By October 31, 2023, the FWC shall update its permitting process by creating an online dashboard.

This bill was signed into law on May 26, 2022 and went into effect on July 1, 2022.