

F. Consent Agenda - Natural Resources Management  
ITEM 4.



AGENDA REPORT  
July 9, 2019

**BCC-85 Renewal: Listed Species Relocation**

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**SUBJECT:**

Renewal of Board Policy BCC-85 - Listed Species Relocation

**FISCAL IMPACT:**

FY 18-19 - None

FY 19-20 - None

**DEPT/OFFICE:**

Natural Resources Management

**REQUESTED ACTION:**

Request that the Board renew BCC-85, "Listed Species Relocation," allowing private sector interests or individuals the ability to relocate listed species to County managed or owned lands.

**SUMMARY EXPLANATION and BACKGROUND:**

BCC-85 establishes a process for private entities seeking to relocate/translocate listed species to County owned/managed lands. BCC-85 is consistent with the current FFWCC gopher tortoise relocation policy.

Private relocation/translocation to County lands process is a two-step process. First, the applicant seeks a Public Interest Determination from the Board. If found to be in the Public Interest, the applicant is required to return to the Board for final approval once all applicable State and Federal permits are issued, and the recipient site is placed under a Conservation Easement. Relocations/translocations not associated with any project's regulatory requirements would be approved through an administrative process.

Per Board Policy BCC31, Board Policies and Administrative Orders are subject to review every three years to determine their relevance, appropriate department assignment, duplication, and to maintain statutory law updates. Consequently, Board Policy "Listed Species Relocation" shall be reviewed in July 2022.

**ATTACHMENTS:**

**Description**

- **BCC-85 Listed Species Relocation (Existing)**
- **BCC-85 Listed Species Relocation**



Tammy Rowe, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001  
Fax: (321) 264-6972  
Tammy.Rowe@brevardclerk.us

July 10, 2019

**M E M O R A N D U M**

**TO:** Frank Abbate, County Manager

**RE:** Item F.4., Board Policy BCC-85 Renewal: Listed Species Relocation

The Board of Commissioners, in regular session on July 9, 2019, approved renewal of Board Policy BCC-85, "Listed Species Relocation," allowing private sector interests or individuals the ability to relocate listed species to County-managed or owned lands. Enclosed is a fully-executed BCC-78 Policy.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
SCOTT ELLIS, CLERK

*Tammy Rowe*

Tammy Rowe, Deputy Clerk

/kp

Encl. (1)

cc: Natural Resources Management



# POLICY

## BOARD OF COUNTY COMMISSIONERS

**Title:** Listed Species Relocation

**NUMBER:** BCC-85

**APPROVED:** 07/09/19

**ORIGINATOR:** Natural Resources

**REVIEW:** 07/09/22

### I. OBJECTIVE

To regulate the relocation of gopher tortoises and other Listed species to property owned or controlled by Brevard County.

### II. DEFINITIONS AND REFERENCES

- A. "Gopher tortoise" - a member of the species *Gopherus polyphemus*.
- B. "Relocation/Translocation" - The act of removing gopher tortoises or other listed species from one property then releasing these animals on another property.
- C. "Permitted taking" - The destruction of listed species authorized by the Florida Fish and Wildlife Conservation Commission or U.S. Fish and Wildlife Service.
- D. "Public Interest" means demonstrable environmental, social, and economic benefits which would accrue to the public at large as a result of a proposed action, and which would clearly exceed all demonstrable environmental, social, and economic costs of the proposed action. In determining the public interest in a request for use, sale, lease, or transfer of interest in sovereignty lands or severance of materials from sovereignty lands, the board shall consider the ultimate project and purpose to be served by said use, sale, lease, or transfer of lands or materials.

### III. DIRECTIVES

A. Brevard County shall not allow the relocation by private firms, groups, or individuals of gopher tortoises or other listed species to property owned or controlled by the County with the exception of relocation projects determined by the Board of County Commissioners to be in the public interest or that are covered under the conditions outlined in Section C. The Director of the Natural Resources Management Department (NRM) is authorized and delegated to approve projects where the following criteria are met:

1. The sending property or project is a public project; and
2. The managing office or department has provided written approval to receive said species;
3. The proposed receiving public land is dedicated to conservation purposes; and
4. All State and Federal permits and/or approvals are in place.

*The Board shall hear appeals relating to any administrative decision or determination concerning implementation or application of the provisions of this Policy.*

B. Where relocation to property owned or controlled by the County is requested by private firms, groups or individuals, the Board shall consider the request as follows:

1. Requests for relocations are submitted to NRM; and
2. NRM coordinates with appropriate county departments to identify potential relocation sites; and
3. NRM seeks a Preliminary Public Interest Determination by the Board for relocation/translocation to county lands.

If the Board does not approve the project - No Further Action.

If the Board approves the proposed request - move to Step 4.

4. Applicant completes carrying capacity survey of identified sites according to State/Federal standards, where applicable, or recent published scientific papers; and
5. Survey Results are reviewed by NRM and the department managing the identified lands. Comment shall be compiled for Board review; and
6. Final stocking rates to County lands shall be based on species incidence rates as reported in recent published scientific papers.

7. NRM submits recommendation to the Board for a Final Public Interest Determination for the relocation/translocation.

Board approval shall be contingent upon the applicant obtaining all applicable State and Federal permits and the recipient site being placed under conservation easement.

- C. Relocation/translocation of listed species that are not intended to meet any project's regulatory requirements may be approved by the managing Department with the concurrence of NRM. In the event that the above activity is on EELs land, said non-regulatory relocation/translocation may be approved by the SMC as long as it is consistent with an approved Land Management Plan.

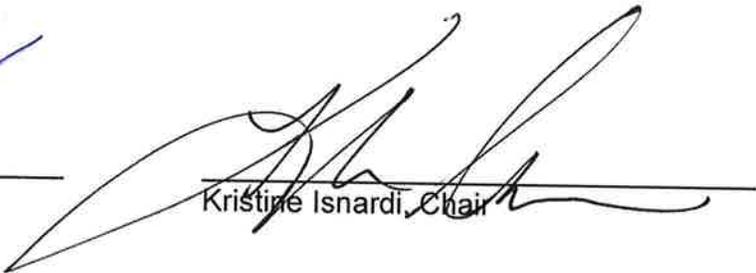
#### IV. RESERVATION OF AUTHORITY

The authority to issue and/or revise this policy is reserved to the Board of County Commissioners.



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Scott Ellis, Clerk



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Kristine Isnardi, Chair

As approved by the Board on July 9,  
2019

# POLICY

**TITLE:**  
Listed Species Relocation

**NUMBER:** BCC-85  
**CANCELS:** 12/16/08  
**APPROVED:** 04/15/1407/09/19  
**ORIGINATOR:** Natural Resources  
**REVIEW:** 04/15/1707/09/22

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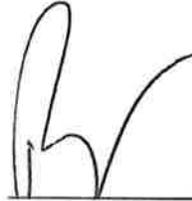
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Attest:



Scott Ellis, Clerk



~~Mary Bolin Lewis~~  
~~Board of County Commissioners~~  
~~Brevard County, Florida~~  
Kristine Isnardi,  
Chair

FOR:

As approved by the Board of County Commissioners on \_\_\_\_\_