

## FOR IMMEDIATE RELEASE

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### Woman Rescues Gopher Tortoise Trapped in Collapsed Burrow, Fears Repercussions from FWC after Reporting



*The Gopher tortoise is a Threatened Species at the forefront of the conflict between developers and advocates for Florida's wildlife and environment-Photo by Daniel Parker*

Auburndale—Information on a group of Threatened Gopher tortoises submitted months earlier to FWC could have prevented the collapsing of burrows by contractors, according to animal advocate Jordan Spring. Spring is concerned about the dismissive and even hostile response she got when she reported the tortoise emergency to FWC, the very agency funded by taxpayers to safeguard Florida's Threatened and Endangered Wildlife. In fact, Spring says that an FWC officer and dispatcher not only dismissed the photos she had taken as evidence of the tortoises' presence, but also accused her several times of

trespassing. She fears repercussions from FWC after she reopened a collapsed burrow to free a trapped Gopher tortoise, though that burrow was on land she had permission to access.

Spring, who is a volunteer for United States Association of Reptile Keepers Florida (USARK FL), was given permission by the previous landowner to access the 33 acre site, which was later sold to the real estate development company KB Home. She took photos and GPS points of the tortoise burrows there in June, before the property was sold, and submitted those records on the FWC website.

Spring has been in touch via phone and text with FWC biologist Kyle Brown, who she says has been very cordial. Brown sent Spring a survey map of the development site, which is known as "Hickory Ranch Subdivision." This map was created by Bio-Tech Consulting Inc., a firm hired by the developer to record Gopher tortoise burrows and relocate the tortoises. Brown indicated to Spring that two Gopher tortoises had been removed from the site. However, Brown was unaware that some of the tortoise burrows found by Spring were different than the ones documented by Bio-Tech. Spring is concerned that the survey map did not include all of the tortoise burrows that she had documented. "I would like to know how my reports never made it on a sighting map on the website," said Spring. "That could have prevented this," she added. At least one of the burrows was in heavy brush and may have been missed by the survey. Spring added her own points to the survey map and sent that to Brown to show where she had seen the other burrows.



*Gopher tortoise survey of "Hickory Ranch Subdivision by Bio-Tech Consulting Inc., to which Jordan Spring added her records of burrows as red dots*

Ken Robertson, who owns land adjacent to the development site, said he observed the land being cleared by a crew with heavy equipment. Robertson says that he saw an excavator with jaws for grabbing trees and a front end loader with a bucket clearing the land. He also saw multiple pickup trucks and a crew installing silt fencing along the site.



Spring later discovered that workers had actually collapsed a Gopher tortoise burrow on Robertson's property, near where the silt fence had been installed. She had documented the tortoise burrows on Robertson's property back in April. "There was a tortoise that had a badly burnt shell from a very old burn," said Robertson. He added, "We have lived here about 15 years. I've seen him since we moved in." Robertson said that the previous owner of the property being developed lived there for over 50 years and said that there had never been a fire there in that time, so that tortoise must have been very old. "He would cross my front yard going to the neighbor's front yard and then go back the same way he came," said Robertson. "I haven't seen him since all this started."

Spring called Brown to convey her concern that burrows were being collapsed as workers cleared the land. Brown directed her to call FWC law enforcement. FWC Officer Jerod Gadd responded to Spring's call. Spring sent Gadd photos of the burrows, but Gadd indicated to her that he saw no evidence that warranted him taking action. He warned her not to trespass on the land. Spring specifically asked Gadd to look for the tortoise burrow that was collapsed on Robertson's land. Gadd indicated to Spring that he saw no evidence of a burrow there. "FWC law enforcement says we have no case, that there is not enough evidence that there was a tortoise burrow," said Spring.



*Jordan Spring dug this Gopher tortoise burrow out after it had been collapsed by contractors who crossed onto a neighboring lot while clearing land in Auburndale-Photo by Jordan Spring*

Biologist Daniel Parker has years of experience surveying and researching Gopher tortoises through his work with Ashton Biodiversity Research and Preservation Institute, University of Central Florida, and DRMP. "Gopher tortoises may dig their burrows up to 40 feet long," said Parker. He added, "When Gopher tortoise burrows are collapsed by heavy equipment, tortoises are often trapped and unable to escape; this is called entombment. When Gopher tortoises are entombed they usually don't die immediately. They may take months to waste away before eventually dying. You do have a window of time to rescue the tortoises, if you can find the burrows."

After Gadd left the scene, Spring grabbed a shovel and tried to find the collapsed Gopher tortoise burrow on Robertson's land. Within five minutes she found the burrow and was able to dig to reopen the entrance, effectively freeing the Gopher tortoise trapped inside. With Robertson listening in, Spring called FWC dispatch back to tell them that she had found one of the burrows. The FWC dispatcher told her that Officer Gadd had left a note about her trespassing. Spring once again told them that she had permission to access Robertson's land and had not trespassed. She asked the dispatcher if he would like to talk to Robertson. The dispatcher declined. Spring never received a call back from Gadd or any other FWC law enforcement officers after her second call to dispatch. At this time, Spring believes that there may still be gopher tortoises entombed on the site. Her main concern is for the welfare of the tortoises and that she is anxious to see them rescued.



*Spring is concerned that surveyors missed this burrow that she photographed in heavy brush-Photo by Jordan Spring*

The Gopher tortoise is a terrestrial (land-dwelling) species of turtle that feeds mostly on grasses, herbs, and other plants. It is known as a "Keystone Species," because its burrows provide shelter for hundreds of other species of animals. The Gopher tortoise is listed as a Threatened Species in Florida and may not be harmed or moved without a permit, except for on agricultural or mining sites, which are exempt from the regulation. Some developers have been issued "Incidental Take" permits by FWC, which allow Gopher tortoises to be entombed. However, most developers are required to hire permitted consultants to collect Gopher tortoises before construction begins. Developers do sometimes skirt the law to save the cost of relocation, as the fine for killing tortoises is often less than the cost of moving them.

FWC received criticism in recent months for an order by Executive Director Eric Sutton which conservation groups say made it easier for developers to remove tortoises from construction sites. Developers in Florida, who have been experiencing a period of record profits, have complained that the process of surveying and removing tortoises is too expensive. Sutton's executive order reduced the mitigation costs that developers were required to pay for impacting Threatened Gopher tortoises. The order also allowed Gopher tortoises to be collected and housed in temporary pens, called "short term relocation sites," before being eventually moved again to other sites. Commercial collection of turtles is theoretically illegal in Florida, as FWC rules say that "no wild caught turtle may be sold." However, FWC rules do allow consultant companies, which are hired by developers, to collect Gopher tortoises from

development sites for a fee, and then transfer them to “recipient sites.” The owners of the “recipient sites” are paid to take the Gopher tortoises.

**Reference the following articles for more background on Gopher tortoise issues in Florida:**

FWC extends gopher tortoise order that conservationists say weakens protections | WUSF Public Media

<https://www.wmfe.org/fwc-extends-gopher-tortoise-order-that-conservationists-say-weakens-protections/196874>

Habitat loss forces FWC to temporarily relax gopher tortoise relocation guidelines – Fox13

[https://www.fox13news.com/news/habitat-loss-forces-fwc-to-temporarily-relax-gopher-tortoise-relocation-guidelines#amp\\_tf=From%20%251%24s&aoh=16585472829137&referrer=https%3A%2F%2Fwww.google.com&ampshare=https%3A%2F%2Fwww.fox13news.com%2Fnews%2Fhabitat-loss-forces-fwc-to-temporarily-relax-gopher-tortoise-relocation-guidelines](https://www.fox13news.com/news/habitat-loss-forces-fwc-to-temporarily-relax-gopher-tortoise-relocation-guidelines#amp_tf=From%20%251%24s&aoh=16585472829137&referrer=https%3A%2F%2Fwww.google.com&ampshare=https%3A%2F%2Fwww.fox13news.com%2Fnews%2Fhabitat-loss-forces-fwc-to-temporarily-relax-gopher-tortoise-relocation-guidelines)

Waiving rules for moving Florida gopher tortoises helps only developers - Florida Phoenix

<https://floridaphoenix.com/2021/12/09/waiving-rules-for-moving-florida-gopher-tortoises-helps-only-developers/>

Pulte Homes destroys 22 FL tortoise burrows, pays a paltry penalty - Florida Phoenix

<https://floridaphoenix.com/2021/09/16/pulte-homes-destroys-22-fl-tortoise-burrows-pays-a-paltry-penalty/>

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