

NOTICE

Due to new State regulations regarding the protection of Burrowing Owl burrows, it is necessary to contact Florida Fish and Wildlife to be sure you are following all required new regulations and have all required permits to proceed with your project.

This will need to be done when your Burrowing Owl Affidavit shows that the project property **and/or the adjoining lots** have owl burrows.

You can contact Florida Fish and Wildlife at wildlifepermits@myfwc.com, or directly at:

FL Fish & Wildlife Conservation Commission
Species Conservation Planning Section
Protected Species Permit Coordinator
620 South Meridian St, Mail Station 2A
Tallahassee, FL 32399-1600
(850) 921-5990
WildlifePermits@myFWC.com

They will assist you regarding the requirements for the owl burrows.

Please note: There have been no changes regarding Gopher Tortoise permit requirements.



City of Cape Coral

Department of Community Development

Burrowing Owl/Gopher Tortoise Affidavit

Contractor or Owner _____

Block	Lot	Unit	Strap #
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Site Address _____

Within the last 30 days, I have inspected the property described above AND any vacant properties near the jobsite where I or my subcontractors may drive vehicles or place construction material.

1. I have found the following number of Burrowing Owl and/or Gopher Tortoise burrow(s) located on the property or adjacent to the aforementioned property, including those located in abutting City rights-of-way.

- No burrows found on the Property, Adjacent Property, or Right-of-Way
- On Property: Number of burrows One (1) Two (2) Three (3) (Other) _____
- Adjacent Property or Right-of-Way: Number of burrows One (1) Two (2) Three (3) (Other) _____

2. Please select ONE of the three available options below:

STATE AND/OR FEDERAL PERMITS ARE NECESSARY. I cannot protect the burrow(s) per instruction. I understand that State and/or Federal permits are required prior to the commencement of development activity.
 **Please indicate species, if known. BURROWING OWL GOPHER TORTOISE

No Burrowing Owl and/or Gopher Tortoise burrows exist on or adjacent to the aforementioned property, including those located in abutting City rights-of-way.

NO STATE PERMITS ARE NECESSARY. I agree that adequate protection zones will be maintained during all phases of development.
 **Please indicate species, if known. BURROWING OWL GOPHER TORTOISE

By accepting City building permits, I assume all responsibility of ensuring protection of Burrowing Owl and/or Gopher Tortoise and their burrow(s) during all phases of development activity. **Burrowing Owls: protection zone should extend a radius of 33 feet (66-foot diameter) from the owl burrow entrance,** and **Gopher Tortoises: a radius of 25 feet (50-foot diameter) from the tortoise burrow entrance.** All burrows must be staked and roped off using these dimensions. **No activity, materials, equipment, or parking is allowed within these buffers.** I understand that molesting, harassing, or injuring Burrowing Owls or Gopher Tortoises or their burrows is a State/Federal crime. The City is required to notify the law enforcement division of the Florida Fish & Wildlife Conservation Commission if a Wildlife violation is observed and the permit holder will be responsible for any illegal activity.

I fully understand the Federal and State regulations that prohibit the endangerment and/or harassment of Burrowing Owls or Gopher Tortoises and their burrows, and I accept full responsibility for the actions of my employees and subcontractors.

I understand that the City is not liable for an applicant(s) violation of State or Federal law. I understand that I, the applicant, is liable for any failure to obtain state and/or federal permits, failure to fulfill obligations imposed by a state and/or federal agency, and will be liable for any violations to state and/or federal law. Further, I also understand that the City requires that all applicable state and federal permits be obtained **prior to** the commencement of development activities and copies of permits are required prior to any City inspection. I am fully aware that the failure to secure such permits after work has commenced will result in a **Stop Work Order** being issued on my site.

Under penalty of perjury, I declare that I have read the foregoing document and that all information contained herein is true and correct to the best of my knowledge and that violation of these Laws is punishable by a fine and/or imprisonment.

BY:

Print Name & Title of Contractor or Property Owner _____

Signature of Contractor or Property Owner
(Signature Must be Notarized)

STATE OF _____, COUNTY OF _____

Subscribed and sworn to (or affirmed) before me this _____ day of _____, 20____, by

_____ who is personally known or produced _____
 Printed name of person signing as identification

Exp. Date: _____ Commission Number: _____

Signature of Notary Public: _____

Printed name of Notary Public: _____