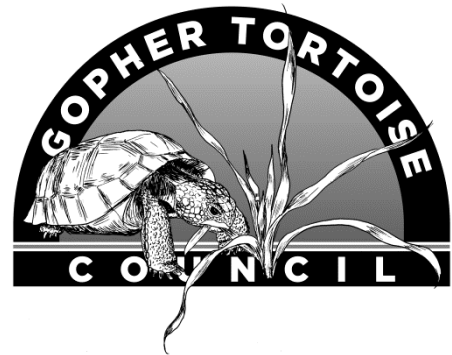


November 30, 2023

Florida Fish and Wildlife Conservation Commission (FWC)
FWC Commissioners
620 Meridian Street
Tallahassee, Florida 32399
Submitted Electronically



Agenda Item #7E, FWC Meeting on December 5, 2023
Split Oak Forest Wildlife and Environmental Area (SOFWEA)
Opposition to Release of Conservation Easements, and
Opposition to Delegation of Decision to Executive Director without Further Public Process

Dear Commissioners,

The Gopher Tortoise Council was formed in 1978 by a group of southeastern biologists and other citizens concerned with the decline of the gopher tortoise and their associated habitats. The goals of the Council are: (1) to offer professional advice for management, conservation, and protection of gopher tortoises; (2) to encourage the study of the life history, ecology, behavior, physiology, and management of gopher tortoises and other upland species; (3) to conduct active public information and conservation education programs; (4) to seek effective protection of the gopher tortoise and other upland species throughout the southeastern United States. **As an organization, we are deliberately judicious in providing comments or positions on specific issues of land development**, as we believe it is critical that this organization maintain its credibility as rooted in science-based conservation and advocacy through liaising with a diversity of stakeholders.

However, here we express our **strongest possible opposition** to the request from Orange and Osceola Counties and the Central Florida Expressway Authority (CFX) to release conservation easements to allow for the construction of a major toll road through Split Oak Forest Wildlife and Environmental Area. This request is a significant threat to conservation successes at SOFWEA and is also a grave threat to the state's numerous successes through conservation easements. There is no *bona fide* conservation rationale for this proposal, and in fact the construction of a toll road is in direct conflict with the stated mission of the SOFWEA. On page 4 of the management plan [A Management Plan for Split Oak Forest Wildlife and Environmental Area (2017 – 2027)] it states "The following mission statement was developed and approved by the FWC and Orange and Osceola Counties to guide management activities at the SOFWEA. *'It shall be the primary management missions at SOFWEA to manage plant communities and public use in a manner that gives first consideration to the habitat needs and life history requirements of the gopher tortoise.'*" We see no positive conservation benefit from loss and fragmentation of habitat for gopher tortoises by this project, as proposed.

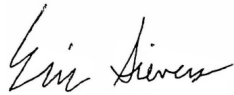
For example, it appears that the 1,550 acres of proposed donation lands are wetlands, which cannot support gopher tortoises. Only 223 acres of the total 1,550 acres are potentially suitable for tortoises according to an FWC habitat model (see attached map) and only a small fraction are contiguous with SOFWEA. Moreover, the proposed donation lands do not provide the requisite 3 times the number of "like-habitat contiguous" acreage (see Guidelines for Accepting or Releasing Perpetual Conservation Easements, FWC, dated June 4, 2019) for gopher tortoises and associated commensal species.

Additionally, many of the tortoises at SOFWEA were moved from development sites elsewhere in the peninsula. If mitigation sites are not protected from development (such as is being proposed at SOFWEA), then there is no assurance that current conservation planning has any chance to succeed. If this mitigation site is compromised in favor of development, it will establish one of the most dangerous precedents for conservation, particularly for gopher tortoises, since the Gopher Tortoise Council's founding.

To this point, SOFWEA has been a model of how conservation can (and must) work on public lands (see Florida Natural Areas Inventory survey, FNAI Project #043816, 2019). We ask that the FWC reject this request to release the conservation easements outright, because it will irreparably damage the integrity of one of the most important and sensitive natural areas remaining in the Florida peninsula and will set a precedent of prioritizing development over the protection of established conservation land.

We further ask that if a decision to release the SOFWEA conservation easements is delegated to the FWC Executive Director, that final approval be brought back to the Commissioners for additional public input and a fair opportunity for interested parties to review and provide comments on the appropriate and pertinent scientific data.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric Sievers". The signature is fluid and cursive, with the first name "Eric" being more prominent than the last name "Sievers".

Eric Sievers
Senior Co-Chair, Gopher Tortoise Council
On behalf of the Gopher Tortoise Council Executive Committee