

January 7, 2009

Governor Charlie Crist  
PL-05 The Capitol  
Tallahassee, Florida  
32399-0001

*Via email to <[charlie.crist@myflorida.com](mailto:charlie.crist@myflorida.com)>*

Dear Governor Crist:

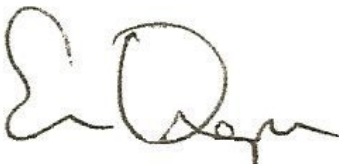
Audubon is concerned by the Senate proposal to reduce unobligated mitigation funds from the Florida Fish and Wildlife Conservation Commission in the amount of \$5 million this fiscal year. This nonrecurring funding was the result of gopher tortoise take permit fees, in which tortoises were entombed in the course of land development. These fees have historically been used to acquire gopher tortoise habitat to compensate for the loss of these state-listed tortoises to land conversion.

In the last two years, Floridians rejected the historical practice of permitting tortoise entombment, and the FWC ended the issuance of these permits with your support. Nevertheless, many grandfathered projects remain and much habitat remains to be protected.

Mitigation only works if the regulated and conservation communities both have a degree of trust that fees are not arbitrary and are applied to replacing lost natural resources. The integrity of this mechanism can only be maintained if its type-for-type replacement of lost resources remains inviolate. Sweeping these funds to general revenue violates the trust of both the regulated and conservation communities, and undermines the integrity of all the State of Florida's mitigation programs.

On behalf of Audubon, I urge you not to accept this reduction in mitigation funds. Please preserve the integrity of natural resource mitigation in Florida, and ensure this funding is used to protect gopher tortoise habitat.

Sincerely,



Eric Draper  
Deputy Director

Cc: Scarlet Pigott via <[Scarlet.pigott@laspbs.state.fl.us](mailto:Scarlet.pigott@laspbs.state.fl.us)>