

Q & A - Florida burrowing owl

Questions generated by the public and stakeholders at summer 2017 open house meetings

Can we encourage city of Cape Coral to use our wildlife, including burrowing owls, as part of tourism?

FWC staff recognize the importance of education and outreach and can provide technical assistance to partners interested in developing programs that support burrowing owl conservation.

Is sea level rise being considered?

Florida Fish and Wildlife Conservation Commission (FWC) staff recognize the need to consider climate change when developing guidelines and management plans for the burrowing owl.

Cape Coral Friends of Wildlife and city staff can provide valuable information on owl behavior and growth impacts in urban areas. Will you be interviewing these people or having more meetings to gather further information?

FWC staff hosted a workshop with invited stakeholders in Fort Myers on July 13 to gather additional input for the development of Species Conservation Measures and Permitting Guidelines for the Florida burrowing owl. Cape Coral Friends of Wildlife and City staff had representatives at the workshop. FWC staff also will have a public comment period once a draft of the Species Conservation Measures and Permitting Guidelines for the Florida burrowing owl is produced.

Are there studies of burrowing owl habitat monitoring?

Yes. Examples include the FWC studies (1987 to 1991 and 2002 to 2007) in Cape Coral; the University of Florida's ongoing study of both rural and urban burrowing owls in south central and southwest Florida; studies by Dr. Brian Mealy, Project Perch, and colleagues in southeastern Florida; research from the University of South Florida on rural burrowing owls; Pamela Bowen's 1999 survey that included both rural and urban habitats in 62 counties; and the recent survey in Cape Coral by Florida Gulf Coast University and volunteers. FWC staff will use the best available data when developing the Species Conservation Measures and Permitting Guidelines.

Will you use current research being conducted through Florida Gulf Coast University and the University of Florida to develop new guidelines?

Yes. FWC staff plan to use the best available data when developing the Species Conservation Measures and Permitting Guidelines.

Is translocation being considered as a mitigation tool?

Translocation involves the movement of animals from one place to another by people. FWC staff consider translocation to be experimental rather than a routine management tool for burrowing owls. Use of translocation for a species requires careful consideration, given the stress it places on translocated individuals and the need for sufficient, suitable habitat. Currently, there is a lack of data on whether translocated burrowing owls survive and reproduce better than owls that are left to find new homes on their own.

Why is the recommended distance 33 feet when it used to be 50 feet?

In the absence of Species Conservation Measures and Permitting Guidelines, FWC staff currently recommend maintaining a minimum buffer of 33 feet to reduce the likelihood of disturbing nesting pairs in a manner that would cause take via harassment. FWC staff chose this buffer based on research indicating burrowing owls nesting greater than 33 feet from home construction were significantly more successful at raising young.*

* Millsap, B., and C. Bear. 2000. Density and reproduction of burrowing owls along an urban development gradient. *Journal of Wildlife Management* 64:33-41.

What can I do as a resident to support burrowing owl conservation on my property?

Those who reside in suitable burrowing owl habitat can install perches to provide an elevated view for burrowing owls and to make the burrow more visible to mowing equipment operators. Residents also can keep tall grasses and weeds trimmed near the burrow and can restrict the use of pesticides or herbicides near burrows. The public can use “starter burrows” to attract burrowing owls to a lawn. Residents also can report wildlife violations to 1-888-404-FWCC (3922). For more details, visit <http://myfwc.com/wildlifehabitats/profiles/birds/owls/burrowing-owl/>.

Is there a statewide census planned?

FWC staff are interested in a statewide survey of the species, as described in the [Species Action Plan](#) for the Florida burrowing owl. It is not possible to count every burrowing owl in the state due to limited resources and the difficulty of gaining access to private lands, so FWC staff plan to develop a sampling design to study the statewide population.

How many burrowing owls occur in Florida?

The total state population is uncertain, but the [FWC's Biological Review Group](#) estimated that the population is almost certainly less than 10,000 adult burrowing owls.

Can local FWC staff assist with burrowing owl conservation activities?

The FWC's Species Conservation Planning staff are available to provide technical assistance, and, in some cases, to assist with other burrowing owl conservation activities as time and resources allow. Contact the FWC's Southwest Regional Office, 863-648-3200, or South Regional Office, 561-625-5122.

How can cities, schools and other organizations obtain burrowing owl signage?

Interested groups can obtain burrowing owl signage by contacting the FWC's Species Conservation Planning staff at the Southwest Regional Office, 863-648-3200, or South Regional Office, 561-625-5122.

Are permits available for large, multi-year projects?

Yes. FWC permit applications are reviewed and permits are issued on a case by case basis, accounting for the scope and time frame of the projects, including large multi-year projects.

Florida burrowing owls are not migratory, so why is a Federal Migratory Bird Permit needed in some cases?

Native species of birds in the United States are protected under the [Federal Migratory Bird Treaty Act](#), regardless of whether they migrate.

Does the FWC have a designated fund for mitigation contributions?

The Imperiled Species Permitting Fund at the Fish and Wildlife Foundation of Florida can accept mitigation funds that FWC will use specifically for conservation of burrowing owls. However, applicants may choose to make a contribution to other organizations or activities (e.g., habitat restoration, monitoring and research) that promote burrowing owl conservation.

If I'm interested in photographing burrowing owls, how close can I get to the burrow or to the owls, and how long can I stay there taking photos?

FWC staff have not developed guidance specifically for photographers. However, please note that Rule 68A-27.001(4), F.A.C., prohibits acts that "create the likelihood of injury to wildlife by annoying it to such an extent as to significantly disrupt normal behavioral patterns which include, but are not limited to, breeding, feeding or sheltering." A good rule of thumb is that if the bird is agitated or flies off, you are too close.

Does or can the FWC promote reproduction of yellow-eyed owls over dark-eyed owls?

Burrowing owl eye color in south Florida populations varies from yellow to brown. Currently, we lack data regarding a link between eye color and fitness of burrowing owls.

If someone gets a permit prior to nesting season and works within 10 feet of a burrow into the nesting season, is it a violation?

Whether or not a violation occurs depends on the conditions listed in the specific permit.

Can permitting language include the transition period between the inactive and active nest period?

FWC staff usually includes typical breeding dates in Species Conservation Measures and Permitting Guidelines, but FWC staff also include language noting that breeding activity may extend beyond those dates. Landowners considering projects that may extend into the breeding season should contact FWC staff for assistance on potential options for permitting.

How does the FWC know the population isn't currently declining?

There is a need for a statewide survey to estimate the population size and trend for burrowing owls, and our staff are contemplating how to accomplish that objective. However, the [FWC's Biological Review Group](#) projected a decline in burrowing owl populations due to habitat loss from increasing development, vulnerability to predation from nonnative species and collisions with automobiles. In urban areas, research indicates that burrowing owl productivity starts to decline as the density of development increases. For rural areas, a 2009 population viability analysis model for burrowing owls also projected a population decline. The projected decline in the burrowing owl population is one of the criteria that led to the listing of the burrowing owl as a state Threatened species.

What are the delisting criteria?

In 2010, the FWC's Biological Review Group reviewed the Florida burrowing owl's status and determined that the species met the state's criteria for listing as State-Threatened, including fewer than 10,000 mature individuals, a projected population decline, and all individuals being part of one subpopulation. The goal of the [Species Action Plan](#) for the Florida Burrowing Owl is to improve the conservation status of the species to the point that it can be removed from the Florida Endangered and Threatened Species

list and will not need to be listed again. The objectives and actions in the Species Action Plan address the listing criteria that were met for this species.

Why can't unexpired permits that were given prior to the listing change be required to use the new permitting language?

Final agency action on permits must be consistent with rules at the time the permit is issued. Individuals with existing permits followed the appropriate procedures at the time they applied for the permit, and those permits provide the regulatory certainty that they can proceed with projects as they described in their application materials. New permits or requests to modify the scope of work for previous permits would need to be consistent with the current listing status.

Do you think that this format of a "meeting" accomplished what you expected?

The open house format is commonly used by FWC staff to engage the public regarding conservation issues. One objective of the burrowing owl open house meetings was to gather public input for the development of Species Conservation Measures and Permitting Guidelines for the Florida Burrowing Owl. Another objective was for FWC staff to provide information on the protections that apply to burrowing owls, the process of developing Species Conservation Measures and Permitting Guidelines, and the interim permitting process until guidelines for this species are in place. FWC staff believe that the open house format helped meet the objectives described above, while allowing stakeholders to come and go as they pleased.

Can we have a distribution map of starter burrows and artificial burrows in use to show success rates?

FWC staff currently do not maintain a map of starter burrows and artificial burrows. However, FWC permits include the location of mitigation measures and a reporting requirement to help determine the success rate of these measures.

Can Marco Island have special conditions within the guidelines, and would it be possible to change the burrowing owl's status to Endangered in Marco Island?

In 2010, the FWC revised its imperiled species rule to include only one listing category: state Threatened. There is no longer a listing status of Endangered at the state level. Florida contains a single subspecies of burrowing owl, *Athene cunicularia floridana*, and burrowing owls are considered a single subpopulation according to the FWC's listing criteria. FWC staff consider the statewide status of the species when evaluating whether the species meets the FWC's listing criteria.

Can burrowing owls be incorporated as a feature of the development by providing "preserve areas"?

Yes. Landowners may design projects to avoid take, or they may choose to include the creation or maintenance of on-site habitat for burrowing owls as minimization or mitigation measures in a permit application. FWC staff do not require applicants to create on-site preserve areas.

What is the population of burrowing owls for Marco Island?

The total number of burrowing owls in Marco Island is unknown, but Audubon of the Western Everglades' Owl Watch program reported greater than 230 adult burrowing owls in 2016.

Will there be guidelines for both urban and rural burrowing owls, or will they be the same?
FWC staff will produce one set of Species Conservation Measures and Permitting Guidelines for all burrowing owls in Florida.

How many permits are issued statewide?

From 2011 to 2016, FWC staff issued an average of about 45 to 50 Migratory Bird Nest Removal Permits per year for burrowing owls, with an increasing trend in the last few years. FWC staff have issued 39 incidental take permits for burrowing owls so far in 2017.

How successful is the use of starter burrows?

Burrowing owls readily use starter burrows that are placed in suitable habitat. More information is necessary to evaluate the use of starter burrows as a mitigation measure, and FWC staff are including a reporting requirement in permits to gather data on the success of starter burrows.

Will “meeting minutes” be posted online after additional stakeholder workshops?

FWC staff do not plan to post meeting minutes online.

Is there a particular type of grass that owls like?

The ability of burrowing owls to dig burrows and see their surroundings is more important than the type of grass. Burrowing owls can have trouble digging burrows in thick sod. Removing a 1 to 2-foot wide triangular plug of sod can expose sandy soil needed by owls for burrowing. Keeping tall grasses and weeds trimmed near the burrow helps burrowing owls avoid approaching dangers such as predators.

What mitigation options will be available?

FWC staff are seeking input from stakeholders on potential mitigation options to include in Species Conservation Measures and Permitting Guidelines. A few examples might include, but not be limited to: installing artificial burrow systems or starter burrows in areas with suitable habitat, restoring and/or maintaining burrowing owl habitat, or providing a contribution to organizations or activities (e.g., habitat restoration, monitoring and research) that promote burrowing owl conservation.