



GEORGIA

DEPARTMENT OF NATURAL RESOURCES

LAW ENFORCEMENT DIVISION

Serving Since 1911

WALTER RABON
COMMISSIONER

THOMAS BARNARD
COLONEL

MEMORANDUM

FOR: Commercial Turtle Farm Permit
FROM: Special Permit Unit
SUBJECT: Instructions for Completing Application

This memo is in reference to meeting requirements for a Commercial Turtle Farm Permit as provided for by regulation 391-4-16. Attached is a copy of the regulation's provisions and requirements and an application form which you must complete and return to the Special Permit Unit in Social Circle. The following information must be provided fully for each item on the form:

1. Complete Application,
2. Provide name, address (including county), directions, and phone number of facility or business (if any).
3. List species and numbers of turtles currently maintained at farm.
4. Describe the turtle farming facility, including the area contained in enclosures and the ratio of water to land area. Describe construction, including building materials. Attach a diagram or plan of ponds, buildings, etc.
5. Enclose a check, money order, or credit card information for \$55 (residents) or \$505 (non-residents), payable to Georgia Department of Natural Resources.
6. **If you are exporting turtles, an Import/Export Permit application must be submitted for each individual shipment.**
7. March 31, of each year, even if you decide not to renew your Commercial Turtle permit, you are required to forward an activity report by mail to Special Permit unit, and forward an electronic copy to Jamie.hawkins@dnr.ga.gov (Special Permit Unit) and Thomas.floyd@dnr.ga.gov 116 Rum Creek Drive, Forsyth GA 31029 .

Turtle farms are subject to inspection by Department of Natural Resources personnel prior to approval of a permit and at any reasonable time thereafter.

- **A Commercial Fishing license is required, see attached Application for Commercial Licenses. If paying by check or money order, please make sure to make two separate checks for each license purchased made payable to the Department of Natural Resources.**

For additional information on the export, farming, and sale of turtles in Georgia, please contact Thomas Floyd, Wildlife Biologist, at (478) 994-1438.

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Department of Natural Resources
Law Enforcement Division
Special Permit Unit

2070 U.S. Highway 278, S.E.
Social Circle, Georgia 30025
(770) 918-6408

COMMERICAL TURTLE FARM PERMIT APPLICATION
(Use attachments if more space is needed)

RESIDENT / \$55.00 NON-RESIDENT / \$505.00

1. Applicant Complete name: _____

(Nonresidents must meet one of the conditions listed at bottom for service of legal process):

Address: _____

City: _____ State: _____ Zip: _____ County: _____

Email: _____

Date of Birth: _____ Social Security Number (required) _____/_____/_____

Drivers License No _____ State: _____

Home Phone # _____ Cell Number # _____

Business Number# _____

Purchased Commercial Fishing license (Required for Turtle Farm permit, (If paying by check please send separate checks for both permits)

2. List species and number of turtles currently maintained at farm: _____

3. Farm to be covered by license (Include name and address):

County _____ Business Phone (_____) _____

4. Describe the turtle farming facility, including the area contained in enclosures and the ratio of water to land area. Describe construction, including building materials. Attach a diagram or plan of ponds, buildings, etc.

CERTIFICATION

I do hereby certify that I have complied with all applicable Federal and State Laws and Regulations concerning turtles and that the information submitted in this application is complete and accurate to the best of my knowledge and belief.

_____ Date

_____ Signature (in ink)

Nonresidents must provide one of the following: (1) An address in Georgia where applicant can be personally served with legal process; (2) Appointment of an agent in Georgia (with Georgia address) for acceptance of service of legal process; (3) Designate the Secretary of State of Georgia for acceptance of service of legal process.

If paying by Credit card, enter card # here: _____/_____/_____/_____ Amount \$ _____

Type of card: Visa: MasterCard: Discover Expiration Date: ____/____/____ Security Code # _____

Subject 391-4-16 FRESH-WATER TURTLE REGULATIONS

Rule 391-4-16-.01 Purpose

The purpose of these regulations is to establish procedures for the export, farming and sale of native fresh-water turtles pursuant to O.C.G.A. [27-3-19.1](#). The following regulations prescribe the rules and regulations necessary to administer the export, farming, and sale of native fresh-water turtles under sound wildlife management practices.

Rule 391-4-16-.02 Definitions

- (1) As used in these rules and regulations, the term:
 - (a) "Commercial Enterprise" means of or relating to the export, farming, buying, selling, exchanging, bartering or offering for purchase, sale, exchange or barter in order to derive income or other consideration.
 - (b) "Export" means the transportation of native fresh-water turtles by any person from any point within this state to any point beyond the borders of this state.
 - (c) "Sale" means the possession of native fresh-water turtles for commercial enterprise.
 - (d) "Turtle Farm" means the possession of more than ten (10) native fresh-water turtles, including any act involving the production of native fresh-water turtles in captivity for commercial enterprise.
 - (e) "Wild-caught" means trapped, taken, or captured by any method from any freshwater habitat, including but not limited to, waters of the state or private ponds.

Rule 391-4-16-.03 Unlawful Activities

- (1) It is unlawful for any person to export native fresh-water turtles without a valid commercial turtle farming permit issued by the department.
 - (a) This does not apply to any person possessing a valid food sales establishment license issued by the Georgia Department of Agriculture, provided that such establishment is in compliance with provisions of O.C.G.A. [27-2-15](#).
 - (b) Any exportation requires an export permit from the department before any items leave the state of Georgia.

- (2) It is unlawful for any person to possess more than ten (10) native fresh-water turtles without a valid commercial turtle farming permit issued by the department.
 - (a) Any person holding a valid nuisance wildlife control permit issued by the department may capture, possess, or transport native fresh-water turtles, provided however that such turtles shall not be held for more than 72 hours. Provided further that such turtles may be:
 - (i) euthanized;
 - (ii) released alive within their native range in the drainage where captured within the boundaries of the state; or
 - (iii) sold to a Georgia commercial turtle farm in accordance with this chapter.
 - (b) Any person holding a valid wildlife exhibition or wildlife rehabilitation permit may possess more than ten (10) native fresh-water turtles in accordance with such wildlife exhibition or wildlife rehabilitation permit. Nothing in this Chapter shall be construed to allow such person to engage in any commercial enterprise involving native fresh-water turtles.
 - (c) Any person holding a valid scientific collecting permit may collect or possess more than ten (10) native fresh-water turtles in accordance with such scientific collecting permit. Nothing in this Chapter shall be construed to allow such person to engage in any commercial enterprise involving native fresh-water turtles.
- (3) It is unlawful for any person to collect any native fresh-water turtle eggs from the wild.
- (4) It is unlawful for any person to sell, hold for sale, or to distribute viable native fresh-water turtle eggs or live fresh-water turtles with a carapace length less than 4 inches unless for export from the state or otherwise authorized by a permit in accordance with O.C.G.A. [27-2-12](#) and O.C.G.A. [27-2-13](#). Nothing in this Chapter shall be construed to be in conflict with any federal law or regulation, specifically, [21CFR 1240.62](#). It is unlawful to import live native fresh-water turtles or the eggs of such from another state unless such turtles or eggs were lawfully acquired in accordance with the laws and regulations of that state. Provided further that the following requirements shall also be met:
 - (a) A wildlife importation permit shall be obtained from the department if such turtles, or eggs, are wildlife. Such permit shall be valid for the period indicated within the issued permit; and
 - (b) A bill of lading identifying the source of the turtles, species, age class (hatchling, juvenile, or adult) and sex, if known, of each turtle, or similar evidence of the sale must be retained by the buyer pursuant to this Chapter; or
 - (c) A person possessing a valid commercial turtle farming permit who acquires more than ten (10) native fresh-water turtles from direct trapping in another state shall document accurate and complete records in accordance with Chapter [391-4-16-08](#) on a daily basis.
- (5) Nothing in this Chapter shall be construed to authorize the taking of any species which is protected under the federal Endangered Species Act of 1973, P.L. 93-205, as amended, or under any state law which has as its purpose the protection of endangered or threatened species.

Rule 391-4-16-.04 Permits

- (1) Application for a commercial turtle farming permit shall be submitted on forms provided by the department and may be submitted at any time. The permit year is from April 1 to March 31.
 - (a) The fee for a commercial turtle farming permit shall be \$50.00.
 - (b) Unless otherwise specified on the permit, commercial turtle farming permits shall be effective from April 1 through March 31.
 - (c) The department may issue a commercial turtle farming permit, at no charge, to an individual(s) who is (are) operating an established turtle farm prior to January 25, 2012. Provided, however, that such individual(s) must submit a completed application for a commercial turtle farming permit to the department and the completed application must be received by the department not later than February 29, 2012. A commercial turtle farming permit issued under this subparagraph shall be valid for the natural life of the individual(s) to whom such permit is issued. Individuals to whom such permits are issued may keep turtles that are in their possession at the time the permit is issued indefinitely.
- (2) Prior to issuing a commercial turtle farming permit to an individual who intends to operate a turtle farm, department personnel shall inspect the facilities and/or review the specifications of proposed facilities to ensure such facilities meet the requirements of [391-4-16-.07](#).
- (3) A commercial turtle farming permit shall not be issued to any person who has been convicted within the past five (5) years of any violation of O.C.G.A. Title 27.
- (4) In accordance with O.C.G.A. [27-4-90](#) and [27-4-91](#), and as provided for in O.C.G.A. [27-2-23](#), a commercial fishing license shall be an eligibility requirement for a commercial turtle farming permit.

Rule 391-4-16-.05 Limits

- (1) The department may issue a "catch out" authorization for private ponds that allows a nuisance wildlife control operator to remove native fresh-water turtles and such turtles shall not be subject to the limits established in this paragraph.
- (2) Commercial turtle farming permit holders may annually stock up to two hundred (200) native, wild caught fresh-water turtles into a Georgia turtle farm, including up to one hundred (100) turtles provided from authorized "catch outs", notwithstanding other special permits as issued by the department.

Rule 391-4-16-.06 Acquisition of Turtles

Any person holding a valid commercial turtle farming permit may acquire live native fresh-water turtles from any source or direct trapping of wild-caught fresh-water turtles in accordance with O.C.G.A. [27-4-91](#), provided that such turtles have been lawfully taken. Such acquisition shall be documented in accordance with 391-4-16.08(2)(g) and maintained onsite.

Rule 391-4-16-.07 Specifications for Turtle Farms

- (1) Outdoor facilities including, but not limited to, breeding ponds, grow-out ponds, holding ponds, and nesting areas shall meet the following conditions:
 - (a) All such facilities shall be contained within a perimeter fence not less than 24 inches in height from ground level;
 - (b) The perimeter fence shall be sufficient to prevent egress and ingress of any turtle;
 - (c) All ponds shall be permanent earthen structures unless otherwise stipulated by the department; and
 - (d) Turtle nesting areas shall consist of non-compacted soil of sufficient depth and area to meet the biological reproductive needs of all species being bred and accommodate the density of the facility's breeding stock and shall provide unrestricted egress and ingress of nesting females from breeding and/or holding ponds, unless otherwise stipulated by the department.

- (2) Indoor housing facilities shall meet the following conditions:
 - (a) The facility shall include a structurally sound barrier to prevent egress or ingress of any turtle and infrastructure for holding, breeding, turtle laying area(s), incubation and hatching areas;
 - (b) Suitable sanitary methods shall provide for rapid elimination of excess water and shall be properly constructed, and kept in good repair, to ensure the health of the turtles at all times. The method of drainage shall comply with applicable federal, state, and local laws and regulations relating to pollution control or the protection of the environment; and
 - (c) Turtle nesting areas shall consist of non-compacted soil of sufficient depth and area to meet the biological reproductive needs of all species being bred and accommodate the density of the facility's breeding stock and shall provide unrestricted egress and ingress of nesting females from breeding and/or holding ponds, unless otherwise stipulated by the department.

- (3) All indoor and outdoor facilities shall be in compliance with applicable provisions of O.C.G.A. [27-5-6](#).

Rule 391-4-16-.08 Records and Reports

- (1) Any person possessing a valid commercial turtle farming permit issued by the department shall maintain accurate and complete written records and documentation on each transaction of a commercial enterprise involving native fresh-water turtles. Such records shall include the source, species, age class (hatchling, juvenile or adult), and sex of each turtle. Such records shall be made available to department personnel for inspection at their request.
 - (a) The department shall comply with the provisions of O.C.G.A. [50-18-72\(b\)\(1\)](#) as it relates to disclosure of trade secrets of a privileged and confidential nature.
- (2) Any person possessing a valid commercial turtle farming permit issued by the department shall submit annually to the department not later than March 1 a report that shall, where applicable, include:
 - (a) the total number of turtles of each species possessed, including number of each sex, if determinable;
 - (b) the total number of turtles of each species captured, including number of each sex, if determinable;
 - (c) counties trapped;
 - (d) total mortality, by species, including cause of death, if known;
 - (e) number of turtles, by species, harvested for market;
 - (f) number of each species of turtles or eggs sold, offered for adoption, given away, bartered, or exchanged; and
 - (g) per transaction, the name and address of each supplier of native fresh-water turtles or eggs and the name and address of each purchaser or recipient of native fresh-water turtles, turtle eggs, or turtle products.

Rule 391-4-16-.09 Inspection and Inventory of Turtle Farms

- (1) Department personnel may, at any time, inspect turtle farms, including importation and exportation shipments, turtles, eggs, records, lands, facilities and any other equipment that may be used in the production, processing, or transportation of turtles, turtle eggs, or turtle products.
- (2) A turtle farm inspection may include a complete census or scientific survey of the turtle stock by the department under the following conditions:
 - (a) upon lawful sale or transfer of ownership; or
 - (b) when an inspection indicates a violation of this Chapter; or
 - (c) pursuant to an investigation wherein turtles or their eggs may have been unlawfully acquired; or

- (d) prior to the transfer of turtle stock resulting from the revocation of a commercial turtle farming permit.
- (3) A permitted turtle farmer shall cooperate fully should an inventory or census be required by the department.
- [Rule 391-4-16-.01 Purpose](#)
 - [Rule 391-4-16-.02 Definitions](#)
 - [Rule 391-4-16-.03 Unlawful Activities](#)
 - [Rule 391-4-16-.04 Permits](#)
 - [Rule 391-4-16-.05 Limits](#)
 - [Rule 391-4-16-.06 Acquisition of Turtles](#)
 - [Rule 391-4-16-.07 Specifications for Turtle Farms](#)
 - [Rule 391-4-16-.08 Records and Reports](#)
 - [Rule 391-4-16-.09 Inspection and Inventory of Turtle Farms](#)



Application for Commercial Licenses

Commercial Licenses are valid from April 1st through March 31st.

If Submitted **Jan 1st – Mar 31st**, Initial One:

_____ For Lic. Yr. Ending This Mar 31st

_____ Desired Start Date April 1st

Registration Type: <input type="checkbox"/> Individual <input type="checkbox"/> Business <input type="checkbox"/> Renewal	DNR CUSTOMER # (If Known) _____	RESIDENCY <input type="checkbox"/> GA Resident (90 days) <input type="checkbox"/> Non-Resident
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LAST	FIRST	MI	DRIVERS LICENSE #	DL State	SSN if an Individual Application
BUSINESS NAME (if business registration - place contact person above)			FEIN if a Business Application	DATE OF BIRTH	
				M ____ D ____ Y ____	
MAILING ADDRESS			CITY	STATE	ZIP
PHYSICAL ADDRESS <input type="checkbox"/> Same as Mailing Address			CITY	STATE	ZIP
E-MAIL ADDRESS (Optional, will be used to send a pdf of the issued license)			PHONE (____) _____	GENDER <input type="checkbox"/> Male <input type="checkbox"/> Female	
Mail application & attachments to: LBRU-Commercial Licenses, 2065 US Hwy. 278 SE, Social Circle, GA 30025					

To purchase a Resident License, you must have been domiciled in Georgia for at least 90 consecutive days preceding the date of this application. **You may not be considered a resident of another state, or have a driver's license or official ID card from another state.**
***PROOF OF GEORGIA RESIDENCY MUST BE FURNISHED WITH THE APPLICATION.** Such proof must be either: a valid Georgia Driver's License or a valid Georgia ID Card.

You must complete this section: As required by O.C.G.A. § 50-36-1, I hereby verify that I am lawfully present in the United States as follows [Initial the one applicable block below]:

_____ I am a United States citizen or legal permanent resident eighteen (18) years of age or older; or

_____ I am a qualified alien or nonimmigrant under the federal Immigration and Nationality Act, Title 8 U.S.C., as amended; I am eighteen (18) years of age or older; and I am lawfully present in the United States. My alien number issued by the Department of Homeland Security or other federal immigration agency is: _____.

Applicant Signature _____ **Date** _____

O.C.G.A. 16-10-20: "A person who knowingly and willingly makes a false, fictitious or fraudulent statement...in any matter within the jurisdiction of any department or agency of state government...shall, upon conviction thereof, be punished by a fine of not more than \$1000 or by imprisonment for not less than one nor more than five years, or both."

- NOTE: BOTH PAGES OF THIS APPLICATION (2 PAGES, OR FRONT & BACK) MUST BE ACCOMPANIED BY:**
- 1. A CHECK OR MONEY ORDER PAYABLE TO THE DEPARTMENT OF NATURAL RESOURCES, OR CREDIT CARD INFORMATION; AND**
 - 2. PROOF OF RESIDENCY (IF A GA RESIDENT).**

Total Amount from Reverse Side (or 2ND Page): \$ _____ .00

- Check # _____; or
- If paying by Credit card, enter card # here: _____

Type of card: Visa MasterCard Discover
 Expiration Date: ____ / ____
 Security Code # _____

Credit Card Signature: _____

DNR Use: Cash

Costs below include the license cost plus a transaction fee. See GA code and DNR rule for legal requirements; authorizing code is listed below but there may be additional legal requirements to conduct licensed activities written in other code and rule sections.

<input type="checkbox"/>	\$45.00	Resident Commercial Trapping Permanent # if renewal _____	Taking, capturing or killing wildlife with traps. §27-3-60 to 66, 391-4-2-.12
<input type="checkbox"/>	\$330.00	Non-Resident Commercial Trapping Permanent # if renewal _____	\$2,500 Forfeiture Bond required. Taking, capturing or killing wildlife with traps. §27-3-60 to 66, 391-4-2-.12
<input type="checkbox"/>	Free	Landowner Trapping License	Taking, capturing or killing wildlife with traps ONLY on land you own. §27-3-60 to 66, 391-4-2-.12
<input type="checkbox"/>	\$45.00	Retail Fish Dealer	Selling live legally obtained fish (native species), including bait. If only selling farm raised native domestic fish species (not wild fish) for bait, the free Aquaculture Registration may be applicable instead. §27-4-76
<input type="checkbox"/>	\$80.00	Wholesale Fish Dealer	Purchasing, raising, breeding or transporting live legally obtained fish/ fish eggs (native species) to be sold or furnished to others for purpose of resale. If only selling farm raised native domestic fish species (not wild fish) for bait, the free Aquaculture Registration may be used instead. §27-4-76
<input type="checkbox"/>	\$10.00	Game Holding Permit-QUAIL ONLY	Holding and releasing farmed quail. §27-2-11
<input type="checkbox"/>	\$35.00	Commercial Quail Breeder	Raising, selling and transporting farmed quail. §27-2-16
<input type="checkbox"/>	\$305.00	Resident Fur Dealer	\$5,000 Forfeiture Bond required. Purchasing, selling raw undressed hides, furs, pelts, skins of fur bearing animals or alligator products, except meat. §27-3-69 to 71
<input type="checkbox"/>	\$455.00	Non-Resident Fur Dealer	\$5,000 Forfeiture Bond required. Purchasing, selling raw undressed hides, furs, pelts, skins of fur bearing animals or alligator products, except meat. §27-3-69 to 71
<input type="checkbox"/>	\$205.00	Fur Dealers Agent	An employee or officer of a fur dealer may obtain an agent license if that person is authorized to purchase, sell or have title to hides, furs, pelts, and skins on behalf of a licensed fur dealer, if the fur dealer approves. May be an agent for only one licensed fur dealer at any time. §27-3-69 to 71
<input type="checkbox"/>	\$10.00	Raccoon Fur Seller	Sell raw, undressed hides, furs, pelts, or skins of raccoon taken by legal methods other than by trapping. §27-2-23.1
<input type="checkbox"/>	\$80.00	Commercial Fish Hatchery	Facility capable of growing fish (native species) from eggs, fry or fingerlings for sale more than once annually. If only growing and selling farm raised native domestic fish species (not wild fish), the free Aquaculture Registration may be applicable instead. §27-4-75
<input type="checkbox"/>	\$255.00	Catch Out Pond	Allows participants to fish without purchasing an individual fishing license at a commercial catch out private pond. §27-4-31
<input type="checkbox"/>	\$155.00	Resident Taxidermy	Preparing, stuffing, preserving or mounting wildlife. Valid in three license years, ending March 31 of the third license year. §27-2-9 *Must complete Separate Taxidermy Survey and attach to this application.
<input type="checkbox"/>	\$505.00	Non-Resident Taxidermy	Preparing, stuffing, preserving or mounting wildlife. Valid in three license years, ending March 31 of the third license year. §27-2-9 *Must complete Separate Taxidermy Survey and attach to this application.
<input type="checkbox"/>	\$25.00	Resident Commercial Fishing	Fishing for the purpose of sale, or fishing with commercial gear. Must additionally have Endorsements to fish for any species or if using methods below in fresh or salt water. §27-4-90, §27-4-110, §27-2-23(11), 391-2-4-.17, 391-4-3-.10 and more.
<input type="checkbox"/>	\$205.00	Non-Resident Commercial Fishing	Fishing for the purpose of sale, or fishing with commercial gear. Must additionally have Endorsements to fish for any species or if using methods below in fresh or salt water. §27-4-90, §27-4-110, §27-2-23(11), 391-2-4-.17, 391-4-3-.10 and more.
		Commercial Fishing Endorsements. Resident = \$5 each, Non-Resident = \$10 each Must have a valid Commercial Fishing License to purchase Commercial Fishing Endorsements <input type="checkbox"/> Catfish Basket (Freshwater) * Customers needing endorsements used for saltwater fishing <input type="checkbox"/> Freshwater Mussels should submit an application through GA Coastal <input type="checkbox"/> Lake Seminole Gill Net Resources Law Enforcement Division (912-264-7237). <input type="checkbox"/> Eel <input type="checkbox"/> Shad (American Shad and Hickory Shad only)	
Total			