



GEORGIA
DEPARTMENT OF NATURAL RESOURCES

LAW ENFORCEMENT DIVISION
Law Enforcement Off The Pavement

MARK WILLIAMS
COMMISSIONER

THOMAS BARNARD
COLONEL

MEMORANDUM

To: Commercial Turtle Farm License Permittees
From: Special Permit Unit
Subject: License Renewals

Enclosed is a commercial turtle Farm renewal application, collection report and a Commercial License application for your Commercial fishing license. Please complete all documents and submit to the Special Permit Unit.

An electronic or hard copy of turtle reports are to be forwarded to Thomas Floyd, Wildlife Biologist with Georgia DNR Nongame Conservation Section at Thomas.floyd@dnr.ga.gov or mail to 116 Rum Creek Drive, Forsyth, GA 31029. As well as a copy accompanying your application.

**** Please note that your application will not be processed without a turtle report, this includes walk-in customers. *** All commercial turtle permit holders are required to submit this information pursuant to Department of Natural Resources Regulations 391-4-16.08 (a-g).**

To ensure that there is no lapse in your permit, this renewal and report must be returned to the Special Permit Unit office no later than March 1. Our receipt of this renewal and report will serve as your authorization to continue Commercial Turtle activities after your permit expires. Your new permit will be issued as soon as possible, however, you should allow two weeks for your new license to be issued.

Applicants residing outside Georgia must either have an appointed agent for acceptance of service of legal process and provide us with the agent's name and Georgia address, or designate the Secretary of State of Georgia for acceptance of Service of legal process. If you designate the Secretary of State, no address is needed. All nonresident applications must provide this information before a license can be issued.

Mail to: Department of Natural Resources
Law Enforcement Division
Special Permit Unit
2070 U.S. Hwy 278 S.E.
Social Circle, GA 30025

A Commercial Fishing license is required, an Application for Commercial License is attached. Enclose a separate check, money order, or if paying by credit card list the information for \$55.00 for Resident and \$505.00 for Non Resident payable to Georgia Department of Natural Resources. (All fees include the cost of the license plus a \$5 transaction fee)

If you have any questions, please contact the Special Permit Unit at 770-918-6408

*****Commercial fishing License application is included in this packet (Last two pages)*****

LAW ENFORCEMENT DIVISION / SPECIAL PERMIT UNIT
2070 U.S. Hwy. 278, SE | SOCIAL CIRCLE, GEORGIA 30025
770.918-6408 | WWW.GADNRLE.ORG

Rev 12/18/jrh

Department of Natural Resources
Law Enforcement Division
Special Permit Unit
2070 U.S. Highway 278, S.E.
Social Circle, Georgia 30025
(770) 918-6408

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

RESIDENT \$55.00 **NON-RESIDENT \$505.00**

(All fees include the cost of the license plus a \$5 transaction fee.)

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# _____

Commercial Turtle Farm Customer ID # _____

Purchased Commercial Fishing license (Required for Turtle Farm permit)

Hard copy of Report is attached to Application (Required)

Sent electronic data report to thomas.floyd@dnr.ga.gov No Yes (Required)

License will not be processed until report is received

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

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

County _____ Business Phone (_____) _____

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 #** _____ **Credit**

Card Signature: _____

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Please forward a copy of your report to Thomas.floyd@dnr.ga.gov or mail to 116 Rum Creek Drive, Forsyth, GA 31029

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 ANNUAL REPORT**
For the Report Year Ending
March 31, _____

Permittee and/or Farm Name: _____

Address: _____

Telephone: (Bus.)(_____) _____ (Home) (_____) _____

E-mail: _____ **Customer Number:** _____

1. Total number of turtles of each species captured, including number of each sex, if determinable, this report year.

2. Counties trapped this year.

3. Total mortality this year by species, including cause of death, if known.

4. Number of turtle, by species, harvested for market this year.

5. Number of each species of turtles or eggs sold, offered for adoption, given away, bartered, or exchanged this year.

6. Per transaction, list the name and address of each supplier of native-fresh-water turtles or turtle eggs this year.

7. Per transaction, list the name and address of each purchaser or recipient of native-fresh-water turtles, turtle eggs, or turtle products this year.

Please use attachments if more space is needed

CERTIFICATION

I do hereby certify that this record is complete and accurate to the best of my knowledge and belief.

Date

Signature (in ink)

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](#)