



Marine Turtle Permit Draft Rule



April 14, 2016
Division of Habitat and Species Conservation
Florida Fish and Wildlife Conservation Commission

Version 1

This presentation covers proposed rule amendments for marine turtle permits and guidelines (Rule 68E-1 FAC).

Marine Turtles

- Five species - threatened or endangered under federal law
- Statutory species - Marine Turtle Protection Act (FS 379.2431 (1))

Loggerhead
Status: Threatened



Green
Status: Endangered



Leatherback
Status: Endangered



Kemp's Ridley
Status: Endangered



Hawksbill
Status: Endangered



There are five species of marine turtle that occur in Florida - three species, the loggerhead, green and leatherback, are common nesters on our sandy Atlantic and Gulf beaches and all occur in nearshore or estuarine waters during different life stages. Kemp's Ridley and Hawksbill turtles are less frequent nesters on Florida beaches.

The loggerhead sea turtle is listed as threatened under the federal Endangered Species Act. The green, leatherback, Kemp's ridley, and hawksbill turtle are listed as endangered.

Marine turtles are a statutory species and our authority to manage these species comes under the Marine Turtle Protection Act 379.2431 (1).

Marine Turtles

Sea Turtles Found in the Southeast United States - Size Comparison



Sea turtle drawings copyright Dawn Witherington

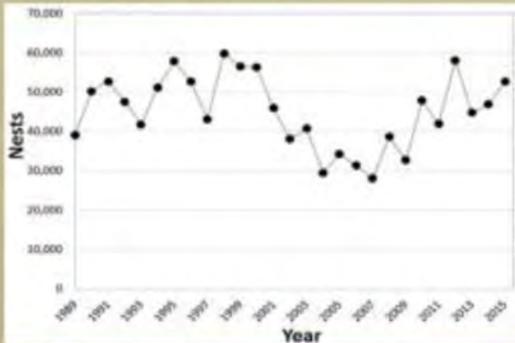


This provides a better idea of the various turtle sizes relative to the other turtle species.

Loggerhead Turtle



- Most common species nesting in Florida
- Nests April through early October
- All coastal counties



The loggerhead turtle is the most common species nesting in Florida both in numbers and distribution. They nest primarily from April through August, although nests can occur into October. This graphic shows the total number of loggerhead nests counted on surveyed beaches. Loggerhead nesting fluctuates over time but there has been a strong increase (74%) in loggerhead numbers over the last eight years (2008 to 2015).

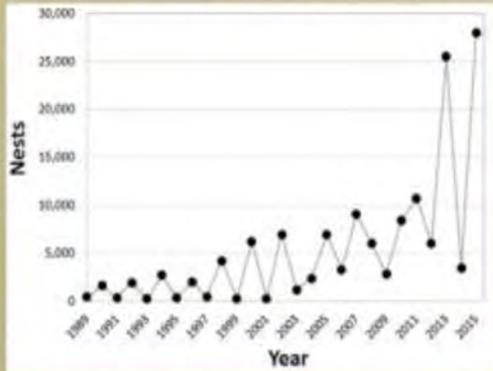
Florida beaches are of worldwide importance to loggerhead sea turtles. Florida accounts for approximately one quarter of all loggerhead nesting worldwide.

The density of loggerhead nests, based on the total statewide nesting beach counts, varies around the state as shown here (map). Most females exhibit “nest site fidelity” – they tend to return to the area of the beach where they hatched to lay their eggs.

Green Turtle



- Nests May through October
- Nests in most coastal counties



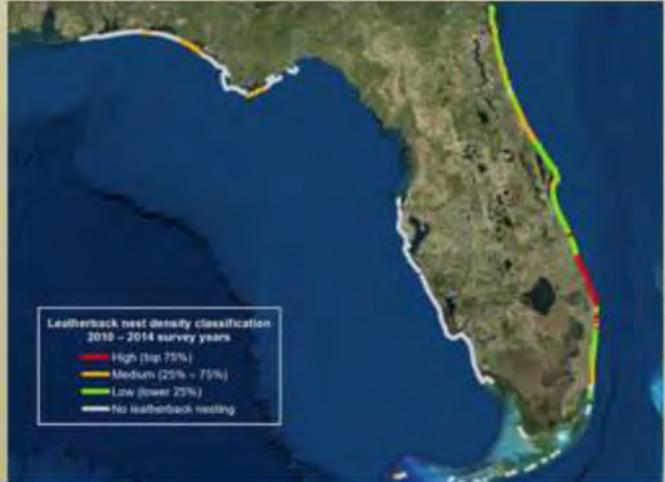
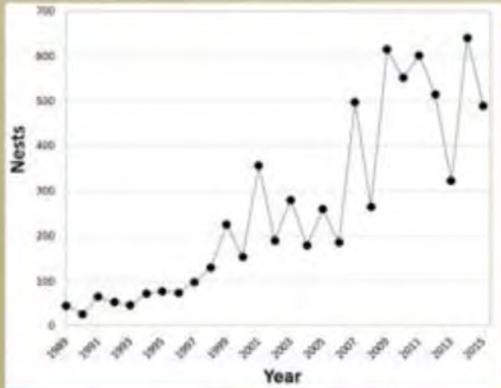
Green turtle nesting has shown a dramatic increase in recent years, with the most nests ever documented on Florida beaches in 2015. This species tends to nest on a bi-annual pattern, as you can see on this table. This species nests a little later in the season, from May through October and predominately on the east coast.

Green turtles are the herbivores of the marine turtle species. They generally weigh more than loggerheads – up to 350 pounds, they are very active and strong swimmers, and they tend to crawl farther up the beach and into the dunes to nest on many beaches. The greens in Florida waters are being considered for downlisting to threatened.

Leatherback Sea Turtle



- Nests March through July
- Nests primarily on east coast



Leatherback turtles are the third species that nest on many Florida beaches, with the majority of nesting on southeast peninsular beaches. Nest numbers for this species are increasing statewide, but note the scale which is in hundreds of nests not thousands like green or tens of thousands (loggerheads). Beaches in Martin and Palm Beach Counties are particularly important for this species – the majority of all leatherback nesting statewide occurs in these two counties.

Leatherbacks are the largest sea turtle species. They are oceanic wanderers, foraging in open waters where they feed on jellies and other pelagic prey. This species has some unique nesting behaviors, including spending more time on the beach after nesting, crawling in broad circles over the nest and adjacent beach, we think to disguise the location of the actual nest. Hatch success – the number of hatchlings produced per nest – is usually low for this species.

Hawksbill and Kemp's Ridley Turtles

Hawksbill Turtle

- Infrequent nester in Keys and South FL
- Coral reef species



Kemp's Ridley Turtle

- Infrequent nester in Florida
- Rarest sea turtle
- Smallest sea turtle



- The Hawksbill is a small, agile turtle that nests infrequently in the Keys and South Florida – during 2014, only 2 nests were documented in Florida
- Feeds on sponges and other invertebrates on coral reefs/hard bottom
- Hard bottom along Palm Beach County provides important habitat for juvenile and sub-adult hawksbills that establish home territories then return to Mexico's Yucatan Peninsula and eastern and southern Caribbean as adults and to nest
- Kemp's ridley is known as the rarest sea turtle
- Nests primarily on one beach, Rancho Nuevo, on Gulf Coast of Mexico
 - More nests being observed recently in Florida
 - 2014 – 7 nests around state
- Juveniles use the Florida Panhandle and west coast grass beds and estuaries as developmental habitat
- Juveniles, sub-adults and adults ride currents around the Gulf and often continue to migrate up the east coast of the US.
- The majority of "cold stuns" in New England each fall/winter are Kemp's Ridleys

Nesting Beach Surveys



The number and distribution of nests for these species is collected under FWC's nesting beach survey programs.

The federal government uses the information collected to assess current status for loggerhead and green turtles in the U.S. and measure progress toward federal recovery goals.

Continued nesting surveys and protection of nests on the beach are vital for Florida's beach restoration and nourishment projects. Nourishment projects are increasing as the state works to protect coastal communities from storm damage and coastal erosion.

Marine Turtle Permit Rule

- Permits are issued to conduct scientific, conservation, or educational activities
- Marine turtle permit holders are often citizen scientists who assist the state in protecting this state resource



Nesting beach surveys and all other work involving marine turtles in Florida are conducted under Marine Turtle Permits issued by FWC.

Without these permits, these activities would not be allowed under state statutes and the ESA.

The Marine Turtle Protection Act allows the FWC to issue these authorizations as described by statute and this rule.

Under the Marine Turtle Permit program, FWC's efforts to conserve marine turtles are assisted by over 2000 volunteers – citizen scientists who conduct nesting surveys and do other important work at the direction of agency staff.

Marine Turtle Permits

- Over 200 Authorizations to Permit Holders
 - 105 Nesting Beach Survey Permit Holders
 - 138 Stranding Response Permit Holders
 - 25 Facilities authorized to hold marine turtles in captivity
 - Research: 6 universities, 42 researchers
 - Educational activities: 31 organizations
 - Several thousand Authorized Personnel



During 2015, FWC authorized over 200 Marine Turtle Permit Holders and several thousand “authorized personnel” - individuals listed on each permit to assist the Permit Holder - to conduct these activities. Each permit holder may have multiple activities approved on their permit.

- Nesting beach surveys, -105 Permit Holders to survey nesting beaches, locate and count hatchling emergences, and mark nests for protection.
- Stranding response – 138 Permit Holders for stranding response to rescue injured animals and document dead animals.
- Holding marine turtles in captivity for rehabilitation and education -25 facilities including SeaWorld, Disney Living Seas, Loggerhead Marinelifelife Center, and Mote Marine Laboratory.
- Research - Florida is also an important state for research on marine turtles. 42 researchers at 6 universities including the University of Florida, UCF, and FAU have active research programs on marine turtles.
- Educational activities - 31 organizations conduct nighttime beach-based educational activities.

Types of Activities

- **Conservation**
 - Nesting Surveys
 - Stranding
 - Educational Programs
- **Captive Facilities**
 - Rescue and rehabilitation
- **Research**



Most permits that we issue fall under these three categories.

Conservation

- Nesting surveys to document distribution and abundance of nests for each species. Because Permit Holders locate and mark nests on many beaches, other activities such as beach cleaning and beach nourishment can continue during nesting season.
- Stranding response provides important information on mortality sources that can then be minimized and managed.
- Educational programs about the marine turtles for the public and kids about sea turtles, their habitats, and conservation needs.

Captive Facilities

Oceanaria partners and volunteers rescue, treat and release injured or sick turtles. During 2013 to 2014, nineteen (19) oceanaria treated over 12,500 injured sea turtles, releasing many back to the wild.

Research

Florida's public and private universities and conservation organizations conduct research to answer important questions about sea turtle biology that can inform management of these species and their habitats.

Rule Revision Process

- 2007 – Last Rule Revision
- 2012 – Process Improvement with researchers
- 2014 – Six stakeholder outreach meetings
- 2015 – Four workshop/webinars for all stakeholders
 - Two webinars with researchers
 - Two webinars with aquarium staff
- 2016 - Marine Turtle Permit Holder Workshop



The Rule was last updated in 2007 and staff identified some needed changes based on requested activities.

The amendments were also prompted by stakeholders. Researchers who work with marine turtles in Florida contacted FWC about working cooperatively on their research requests and projects. Based on that engagement, recommended changes were identified that require rule amendments.

Staff also engaged all stakeholders before developing the draft rule revisions.

- During 2014, staff held a series of stakeholder workshops around the state, with over 100 stakeholders participating.
- After preparing an initial draft rule, staff held four public workshops in 2015, with participation of 125 stakeholders, primarily through webinar, to solicit comments on the proposed amendments.
- During 2015, staff also reached out to specific stakeholder groups, conducting two webinars with researchers and two webinars with staff from marine aquaria that hold marine turtles for rehabilitation, educational display, or research.
- In 2016, the proposed changes to the Rule were presented to over 400 stakeholders who attended FWC's annual Marine Turtle Permit Holder Workshop in Jacksonville.
- In February, we provided a copy of the proposed draft rule to Permit Holders and other stakeholders who expressed an interest.

Proposed Revisions

- Describe the application review process
- Specify criteria used for review
- Clarify the types of information needed
- Additional definitions
- Criteria for permit issuance
- Processing timelines



The goals of those revisions include:

- Increase transparency of the process by which applications are accepted and reviewed
- Specify criteria considered when reviewing an application
- Clarify the types of information needed to review requests to conduct activities with turtles

Proposed Revisions

- Increased permit length
- Issue permit to individual, firm, or corporation
 - Principal Officer
 - Qualified Individuals



Increasing the allowable permit length or duration from one to two years, provided the Permit Holder is in good standing with respect to their current permit. Permit holders must still provide reports annually for nesting beach work, research reports, and monitoring.

During our workshops, organizations involved in marine turtle conservation - including facilities that hold marine turtles in captivity - expressed an interest in obtaining the permit versus having an individual in their employ hold the permit.

Permits for holding captives, educational or conservation purpose will be available to firms and corporations as well as individuals.

Permits for research would remain available only to individuals as the those projects are so specific to the research project requiring direct contact with the researcher.

For permits given to firms or corporations, a principal officer must be identified who is authorized to make decisions for the applicant and one or two qualified individuals who meet the experience and knowledge requirements specified in the rule and the Guidelines for the requested activity.

If the qualified individual leaves the firm or corporation, the permit holder needs to notify FWC quickly, and within 30 days replace the qualified individual. The option to identify a second qualified individual should help in replacing the qualified individual.

Proposed Revisions

- Repeal Rule 68E-1.0061, Additional Special Requirements for Any and All Marine Turtles
 - This Rule is no longer necessary
 - All requirements have been incorporated into other rules
 - Reporting requirements outlined in more detail in other rules



We are also proposing to repeal Rule 68E-1.0061 which lists additional special requirements for any and all marine turtles. The requirements outlined in this section were incorporated into the revised Rule 68E-1. This section also specified the reporting requirements for captive facilities and nesting beach surveys. Current requirements for this reporting are outlined in more detail in the revised rules, including updated reporting forms and options for electronic submittal of information.

Marine Turtle Conservation Guidelines

- Provides details on how to conduct permitted activities
- Adopted by reference into the rule
- Changing name to Handbook instead of Guidelines



Figure 2-3. Loggerhead track



We are also revising the Marine Turtle Conservation Guidelines to reflect updated practices and new information. The guidelines primarily provide “how to” instruction for the major activities we permit – how to conduct a nesting survey, how to tell the different species apart based on their tracks on the beach, how to report a stranding, etc. Because we rely on a citizen science network to collect important data used by our agency and the federal government, we must provide very specific guidance on the authorized activities.

At the suggestions of stakeholders, we are changing the name from Guidelines to Handbook. This is consistent with other state rules that use a handbook to further describe how to carry out activities authorized by the rule.

Staff Recommendations

- Approve request to publish the draft rule
- Approve request to repeal Rule 68E-1.0061
- Present final rule at the June Commission meeting



Staff request approval to publish the draft rule and to repeal Rule 68E-1.0061, Additional Special Requirements for Any and All Marine Turtles. If approved to proceed with publishing the draft rule, we intend to seek additional input from stakeholders prior to our return to the June Commission meeting with the final rule.