



Critical Wildlife Area Proposals

Florida Fish and Wildlife Conservation Commission
Division of Habitat and Species Conservation

This presentation will provide background and history of the Critical Wildlife Area (CWA) program and provide an overview of the proposals being considered to fulfill the direction received at the April Commission meeting.

CWAs are specific sites designated by the Florida Fish and Wildlife Conservation Commission (FWC) to protect places where wildlife congregates to breed, nest, roost, and feed. The areas are designated through an establishment order to minimize disturbance from human activities.

FWC photo by Carol Rizkalla.

Author: Carol Rizkalla

Report date: June 22, 2016

Establishing CWAs

- Landowner concurrence
- Significant concentration of wildlife
- Distinct, manageable area
- Subject to disturbance
- No restrictions where signage is not posted
- Only the portions of each CWA that are critical for a wildlife population are posted

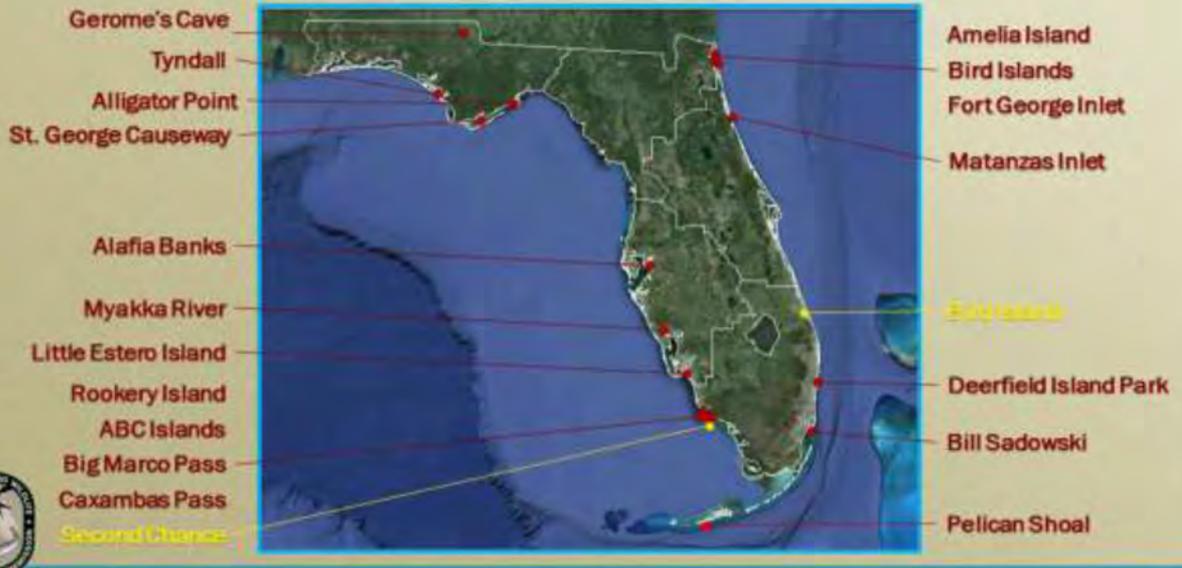


CWAs are established by FWC to protect important congregations of one or more species from human disturbance during critical life stages. Many species of wildlife are subject to disturbance caused by people and their pets. Such disturbance can cause wildlife to abandon high quality habitat critical for their survival.

For a site to be considered for establishment, the landowner must support designation of the site as a CWA and it must host a significant concentration of wildlife. In most cases, the species being protected will be state listed or otherwise believed to be imperiled or in decline. The site also must be a distinct area that is accessible and manageable, and subject to disturbance. The restrictions on people within a CWA are designated in the establishment order as seasonal or year-round.

A CWA boundary, as defined in the establishment order, may be larger than the area that is actually used by wildlife in any one year. Restrictions exist only within that part of the area which is posted, and the posted areas can be shifted around within the CWA. This allows us to account for shifts in landmass, habitat quality or shifts in how wildlife are using the available habitat, and provide protection where it is needed while minimizing public access restrictions.

Current CWAs



Between 1977 and 1993, FWC established 22 CWAs throughout the state, with 18 still in existence. In 2013, the Commission designated approval of minor re-establishments and dis-establishments to the executive director. In 2014, Bird Island, in Martin County, was the first new designation in 21 years. Second Chance, in Collier County, was designated in 2015. Also in 2015, eight minor re-establishments (modernized establishment orders) and 4 dis-establishments were approved under the revised rule. Seventeen of the 20 CWAs currently provide significant habitat for nesting, roosting, or foraging seabirds, shorebirds, or wading birds.

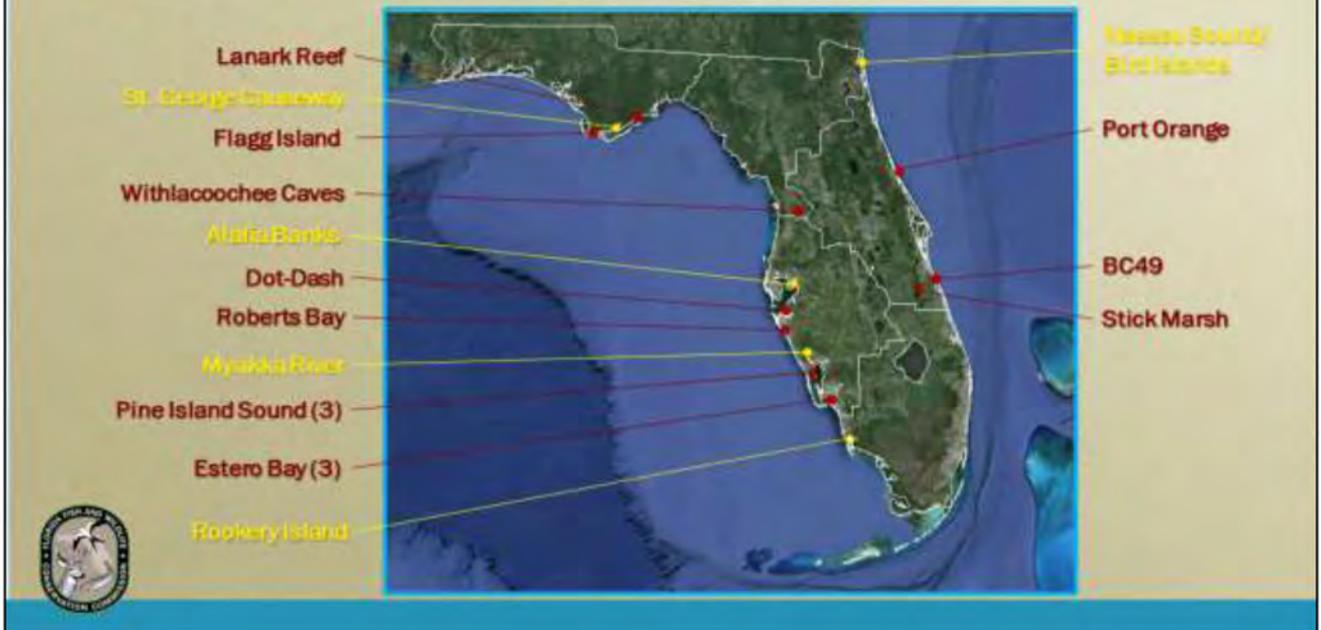
Expanding Conservation and Enhancing Protection



In April, staff provided an update on Bird Island CWA where reduced disturbance may have contributed to increased productivity. Staff were directed to develop a list of significant sites where wildlife is concentrated and where disturbance is a problem and bring back a proposed list to the June Commission meeting. The goal is to seek final approval for the establishment orders at the November meeting of the Commission.

FWC photos by Carol Rizkalla.

Proposed New Sites and Changes



We have identified 5 existing CWAs which require re-establishment (a change in boundary or closure dates) shown in yellow and 14 new areas which would benefit from the protection of a CWA designation. The following slides provide a brief overview of each site.

Flagg Island

Franklin County



Flagg Island, located in Franklin County is a sandbar which formed off the coast of St. Vincent National Wildlife Refuge in 2007 and split into two islands in 2013. Known as Flagg North and Flagg South, the islands sum to approximately 25 acres. The islands are state owned lands, (Division of State Lands) but have no designated land manager. Audubon has been monitoring nesting, and has also posted informational signs. We are considering a seasonal closure to protect nesting species, which include black skimmer, American oystercatcher, and Caspian, royal, sandwich, gull-billed, and least terns. Authorization from the Department of Environmental Protection is required.

FWC photo by Carol Rizkalla.

St. George Causeway Franklin County



This island, located in Franklin County, represents approximately 1 mile of the old causeway to St. George Island. It was established as a CWA in 1990 with a seasonal closure from April 1 – August 31 to protect nesting least terns, black skimmers, royal terns, sandwich terns, and laughing gulls. The causeway now also hosts American oystercatchers which begin breeding in March and brown pelicans, whose juveniles remain on the island past the closure period. The causeway is part of the Apalachicola National Estuarine Research Reserve. A date change to March 1 – Sept. 30 (adding two months) to cover the extended nesting season is proposed. Authorization from the Department of Environmental Protection is required.

Photo by Megan Lamb.

Lanark Reef

Franklin County



Lanark Reef in Franklin County is a six mile stretch of submerged and emergent lands. Portions were acquired by Florida Audubon in 2012, and the remainder is owned by the state. Approximately 4 acres is used for nesting by brown pelicans, black skimmers, American oystercatchers, and willets. The area also has a large population of diamondback terrapins. Audubon the primary land owner is seeking a year-round closure with a partial in-water buffer. Authorization from the Department of Environmental Protection is required.

FWC photo by Carol Rizkalla.

Withlacoochee State Forest Caves

Citrus County



Six caves within the Withlacoochee State Forest in Citrus County support bats including tri-colored bats and southeastern myotis. Caves being considered include Big Mouth Cave, Trail 10 Cave, Jackpot Cave, Morris Cave, Blowing Hole Cave, and Werner Cave. Some of the caves are currently fenced and closed year-round to protect hibernating and breeding, but illegal entry still occurs. A CWA in the State Forest would allow an enforcement tool to reduce disturbance as well as provide a precautionary measure to preventing the spread of white-nose syndrome to bats in Florida. FWC would coordinate closures with the Florida Forest Service. The photo on the left is of Big Mouth Cave. On the right are tricolored bats. Authorization from the Florida Forest Service is required.

FWC photo by Jeff Gore.

Alafia Banks

Hillsborough County



Alafia Banks in Hillsborough County is currently a CWA which includes Bird Island and is closed seasonally. The two islands are owned by Mosaic Company and Port Tampa Bay but managed by Audubon under an agreement from the property owners. Audubon is working with the property owners to pursue adding Sunken Island to the CWA boundary, add a buffer, and include a year-round closure. Thousands of nests of sixteen species are documented each year on these islands, including reddish egret, roseate spoonbill, and American oystercatcher. Authorization from Mosaic and Port Tampa Bay is required.

Photo by C. Cassels.

Dot-Dash-Dit

Manatee County



The Dot-Dash-Dit colony refers to 3 mangrove islands at the mouth of the Braden River, in Manatee County. The islands are owned by the state and authorization from the Department of Environmental Protection is required. Several hundred wading birds nest on the islands, and it is the only coastal colony of wood storks in the Tampa Bay area. The islands are managed by Audubon. Disturbance occurs as photographers, boaters, and fishermen get too close to the islands. A year-round closure with a buffer for all three islands is under consideration.

FWC photo by Carol Rizkalla.

Roberts Bay

Sarasota County

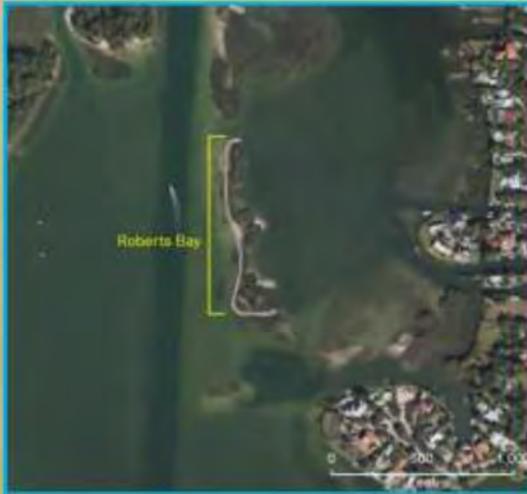


Photo by Jean Hall



Roberts Bay in Sarasota County consists of 3 small islands and a breakwater just south of Sarasota. Owned by the state, but managed by Audubon, the islands are important for a variety of wading birds and shorebirds, including pelicans, egrets, herons, spoonbills, and American oystercatchers. Nests or young are present every month of the year. The County built a break water in 2007 in order to protect the islands from erosion. Audubon recommends a year-round closure and in-water buffer to provide separation of the bird colony from eco-tour operators, photographers, and boats. Authorization from the Department of Environmental Protection is required.

Photo by Jean Hall.

Myakka River

Sarasota County



Myakka River CWA was established in 1987 with a seasonal closure to protect nesting wood storks, egrets and herons. It occurs in the middle of the river channel and between two marinas. The island is managed by DEP as part of the Wild & Scenic River Program. Re-establishing the CWA with a buffer and a year-round closure due to a shift in nesting dates. Is being considered. Authorization from the Department of Environmental Protection is required.

FWC photo by Carol Rizkalla.

Pine Island Sound

Lee County



Broken Islands



Useppa Island
Oyster Bar



Hemp Key



Ding Darling National Wildlife Refuge staff monitor several nesting islands within the refuge boundary and in neighboring Pine Island Sound. 3 sets of islands have both high levels of wading bird nesting and disturbance, and thus meet the criteria for CWA designation. The islands support herons, egrets, pelicans, and cormorants. Broken Islands and Useppa Island Oyster Bar are within the Charlotte Harbor Aquatic Preserve. Hemp Key is owned by the refuge. Given the distance between the 3 islands, these would likely be 3 separate CWAs. Authorization from Department of Environmental Protection and the Refuge Manager is required.

Estero Bay Lee County



Matanzas Pass
Island



Big Carlos Pass
W of M-52



Coconut Point
East



Estero Bay Aquatic Preserve monitors 25 nesting islands within their boundary. They have determined that 3 islands have both high levels of wading bird nesting and disturbance. From north to south: Matanzas Pass Island is a spoil island located northwest of the Matanzas Pass Bridge in Fort Myers Beach, Florida. The island is currently under a spoil easement held by the Army Corp of Engineers. Big Carlos Pass W of M-52 is a natural mangrove island where American oystercatchers have been documented, and is managed by the Estero Bay Preserve State Park. Coconut Point East is a natural mangrove island managed by the Estero Bay Aquatic Preserve. Given the distance between the 3 islands, these would likely be 3 separate CWAs. Authorization from Department of Environmental Protection and possibly the U.S. Army Corps of Engineers is required.

Rookery Island

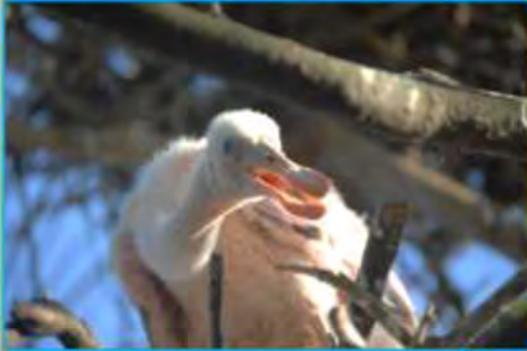
Collier County



Rookery Island CWA (Island 0), part of Rookery Bay National Estuarine Research Reserve, was established in 1993 for the protection of nesting and roosting wading birds year-round. Over the years, bird activity shifted to two other islands (Islands 1 and 2). More recently, nesting has declined, but hundreds of birds roost on these islands at night. Increased use of Rookery Bay has led to increased disturbance of birds on these islands. A re-establishment to include all 3 islands, and then post those with current bird use with a buffer is being considered. Authorization from the Department of Environmental Protection is required.

FWC photo by Carol Rizkalla.

Stick Marsh Brevard County



Stick Marsh is managed by the St. Johns Water Management District. Two small island in the northeast corner of the marsh serve as nesting habitat for roseate spoonbills, herons, egrets, and anhinga. Its proximity to the road and a boat ramp has made it popular with nature photographers. Most fishermen pass by on their way west, but create a disturbance when they get too close to the island. Audubon has recommended proposing a seasonal closure with a small buffer that will provide separation of boat traffic and keep wildlife photographers at a safe distance. Authorization from St. Johns Water Management District is required.

FWC photo by Carol Rizkalla.

BC49

Brevard County



BC49 is a spoil island in Brevard County managed by the Indian River Lagoon Aquatic Preserve. It was given a conservation designation by the Aquatic Preserve's spoil island management plan of 1990 due to heavy use by nesting and roosting wading birds, such as wood storks, pelicans, spoonbills, herons and egrets. The island is also utilized by diamondback terrapins. Disturbance occurs primarily from boaters and kayakers. A **year-round closure with a buffer is under consideration**. Authorization from the Department of Environmental Protection is required.

FWC photo by Carol Rizkalla.

Port Orange Volusia County



Known as the Port Orange Colony, a large group of pelicans and egrets, as well as American oystercatchers use this island monitored by Halifax River Audubon. It is less than 200 ft. from a boat ramp and thus is subject to considerable traffic. FWC staff are exploring a seasonal closure of portions of the island with a buffer to provide separation from the heavy boat traffic. Authorization from the Florida Inland Navigation District is required.

FWC photo by Carol Rizkalla.

Bird Islands

Duval/Nassau County



Bird Islands CWA in Duval County including Little and Big Bird Islands, was established in 1977 with seasonal closure. Big Bird Island eventually attached to the mainland at Little Talbot Island State Park. Little Bird Island occurs within the Nassau River-St. Johns River Marshes Aquatic Preserve and a small portion is owned by Duval County. It remains important to nesting shorebirds, such as least tern and wintering shorebirds, such as piping plover and red knot. FWC staff are seeking a re-establishment of the CWA area that will provide a more clear description and that will allow greater flexibility to post areas as they erode and accrete in this dynamic system. Authorization from the Department of Environmental Protection and Duval County is required.

Photo by Patrick Leary.

Future Work Planned

- Work with owners, local government, partners, and stakeholders
- Propose protection period and boundaries
- Hold public meetings
- Revise as necessary
- Obtain owner concurrence
- Return to Commission for approval



Staff propose to continue to meet with owners and partners to finalize proposals and proposed CWA boundaries for each site. We will then hold public meetings to assess support and make changes as necessary. Most of these sites are owned by the state of Florida, so we are also meeting with State Lands to garner support and letters of concurrence for each site. We can provide an update, if warranted in September and bring the final establishment orders for your approval in November.

FWC photo by Carol Rizkalla.

Commission Direction Requested

Authorize staff to move forward with the CWAs described in this presentation, including developing specific draft proposals for each area, working with partners, and holding public meetings to gather input, and bring back the final proposals in November.



FWC photo.

The following slides are considered back-up material
and are not anticipated to be part of the actual
presentation



68A-19.005 General Regulations

(1) The general regulations for critical wildlife areas shall be as follows:

(a) Areas in which regulations are to be enforced shall be posted as a "Critical Wildlife Area" to provide due notice as to the identity and status of the area.

(b) The take of fish and wildlife is prohibited within any area posted as a critical wildlife area, except as authorized in the order establishing the critical wildlife area.

(c) Public access, including vehicles, vessels and dogs, is prohibited within areas posted as "Closed to Public Access."

(d) Dogs are prohibited within areas posted as "Dogs Prohibited."

(e) The Executive Director may issue permits authorizing access for scientific or conservation purposes to a critical wildlife area where public access is prohibited. Persons so authorized must possess a copy of the authorization when engaged in such activities.

(2) Regulations for any specific critical wildlife area that differ from the general regulations set forth in this rule shall be established by the order establishing the critical wildlife area.



68A-14.001 Establishment Orders

Whenever the Commission establishes an area to be a wildlife management area, a wildlife and environmental area, a wildlife refuge, a bird sanctuary, a restricted hunting area, a critical wildlife area, a fish management area, or a miscellaneous area, it shall do so by an establishment order.

(1) The establishment order shall recite, at least, the following:

- (a) The legal description of the area to be established.
- (b) Any terms and conditions under which the area is established.

(2) An establishment order or subsequent executive order may create special regulations for an area established pursuant to this section, notwithstanding regulations for the wildlife management area, wildlife and environmental area, fish management area, public small game hunting area or miscellaneous area within which it occurs. Such regulations shall be noticed by posting on the area and by electronic media.

(3) The establishment orders shall be kept by the Commission in its headquarters office and lists of all orders establishing an area as a wildlife management area, a wildlife and environmental area, a wildlife refuge, a bird sanctuary, a restricted hunting area, a critical wildlife area, a fish management area, a Commission managed shooting range or a miscellaneous area shall be kept by the Commission in its headquarters office and shall be available to the public for inspection.

(4) Small Game.....

(5) No critical wildlife area shall be established without the prior concurrence in such designation by the owner of the property wherein the area will be situated.

(6) A critical wildlife area may be established by order of the Executive Director, with prior concurrence of the Chairman of the Commission, when there is an imperative need that an important aggregation of fish or wildlife be protected as quickly as possible. Critical wildlife areas shall be established in this manner for a specified period of time that shall not exceed 180 days unless extended by approval of the Commission at a regularly scheduled public meeting.



New Sites

Location	County
Lanark Reef	Franklin
Flagg Island	Franklin
Withlacoochee Caves	Citrus
Dot-Dash	Manatee
Roberts Bay	Sarasota
Pine Island Sound	Lee
Estero Bay	Lee
Stick Marsh	Brevard
BC49	Brevard
Port Orange	Volusia



Re-establishments

CWA	County	Revision
St. George Causeway	Franklin	Change closure dates
Alafia Banks	Hillsborough	Add second island, add buffer, and change to year-round
Myakka River	Sarasota	Add buffer and change to year-round
Rookery Islands	Collier	Add two islands
Bird Islands/Nassau Sound	Duval	Change boundary to cover Sound, change to year-round

