

# MEMORANDUM



**To:** Florida Fish and Wildlife Conservation Commissioners  
**From:** Jessica McCawley, Director, Marine Fisheries Management  
**Date:** December 12, 2018  
**Subject:** Draft Rule – Marine Life Harvest at Blue Heron Bridge

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## **Purpose:**

Obtain approval for draft rule amendments to Chapter 68B-42, Florida Administrative Code (FAC), Marine Life, to prohibit collection of Marine Life species at the Blue Heron Bridge dive site.

## **Summary:**

According to dive industry information, snorkelers and divers contribute more than \$900 million to Florida's economy each year. The Blue Heron Bridge is a world-renowned dive destination that was voted one of the 50 best dives in the world. This site is easily accessible from shore at Phil Foster Park County Park in Palm Beach County. The nearby inlet brings clear Gulf Stream water and tropical species to this site, making it a one-of-a-kind local resource and visitor destination. The Blue Heron Bridge dive site hosts hundreds of divers daily, including both novice and highly experienced divers as well as professional photographers.

In recent years, Palm Beach County and the local dive community have made numerous investments toward maintaining and enhancing the diver experience at the Blue Heron Bridge, including a recently-created, 800-foot snorkel trail that includes sculptures and concrete modules, associated with one of the wrecks in the area. The County has also invested in park infrastructure, such as parking, restrooms, and showers to support its high usage. Members of the dive community and local officials have raised concerns that the collection of Marine Life (aquarium) species from waters at the Blue Heron Bridge negatively impacts the quality of this world-renowned dive site. These concerns were further amplified in October of 2018 when an FWC-permitted effort to collect Marine Life for public display was unexpectedly focused at the Blue Heron Bridge.

To maintain the Blue Heron Bridge as a unique and valuable snorkeling and diving experience for non-consumptive marine stakeholders, staff recommends establishing regulations prohibiting the collection of Marine Life species from the Blue Heron Bridge dive site.

## **Staff Recommendation:**

Approval of the following proposed draft rules:

- Prohibit collection and on-the-water possession of Marine Life species at the Blue Heron Bridge dive site. (See attachment for map of the proposed area.)
- Prohibit possession of Marine Life species at Phil Foster Park
  - *Exception:* allow Marine Life collected outside the area to be landed at the public boat ramp and the docks on the northern side of Phil Foster Park
- Allow transit of Marine Life through area by vessel without stopping

Staff also recommends that future Special Activity License (SAL) applications that include this area be required to provide justification that collection from the site is critical to their SAL activities in order to be approved. Staff recommends considering revisions to the SAL program as part of a rulemaking package in the 2019/2020 Workplan.

If approved, staff will return for a final public hearing at the February 2019 Commission meeting.

## **Staff Contact and/or Presenter:**

Jessica McCawley, Division of Marine Fisheries Management

Attachment – Map of Proposed Area

