

MEMORANDUM



To: Florida Fish and Wildlife Conservation Commissioners
From: Jessica McCawley, Director, Marine Fisheries Management
Date: February 20, 2019
Subject: Marine Life Harvest at Blue Heron Bridge – Final Rule

Purpose:

Obtain final approval for amendments to Chapter 68B-42, Florida Administrative Code (FAC), Marine Life, to prohibit collection and possession of Marine Life (tropical aquarium trade) species at the Blue Heron Bridge dive site.

Summary:

According to a report by the Diving Equipment and Marketing Association, snorkelers and divers contribute over \$900 million to Florida's economy each year. The Blue Heron Bridge dive site is a world-renowned 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 destination. The site draws hundreds of divers daily, including both novice and experienced divers and 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. Members of the dive community and local officials have raised concerns that the collection of Marine Life species from waters at the Blue Heron Bridge negatively impacts the quality of this world-renowned diving destination. 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 and on-the-water possession of Marine Life species from 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 species collected legally from outside the closed area to be landed at the Park only by motorized vessel at the public boat ramp and docks on the north side of Park
- Allow Marine Life species collected outside the area to be transited through the closed area by motorized vessel and landed at residential docks outside Phil Foster Park

Staff Recommendation:

Approval of the proposed final rules as detailed in the proposed rule language provided. 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 further revisions to the SAL program as part of a comprehensive SAL rule package in the future. If approved and directed, staff recommends making the rule effective April 1, 2019.

Staff Contact and/or Presenter:

Jessica McCawley, Division of Marine Fisheries Management