FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION

Florida Fish and Wildlife Conservation Commission

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Commission Meeting
May 1 – 2, 2019
Havana, FL
Minutes

*A digital recording of the entire meeting is available upon request. Please contact the Community Relations Office at (850) 488-4676 for additional information.

The Florida Fish and Wildlife Conservation Commission (FWC) held its regular meeting May 1 – 2, 2019, at the Florida Public Safety Institute located in Havana, Florida. Chairman Robert Spottswood called the meeting to order with the following members also in attendance:

Michael Sole, Tequesta
Sonya Rood, St. Augustine
Gary Lester, Oxford
Joshua Kellam, Palm Beach Gardens

Senior and Presenting Staff:
Eric Sutton  Executive Director
Dr. Thomas Eason  Assistant Executive Director
Bud Vielhauer  General Counsel
Chris Wynn  Director, North Central Region
Dr. Tom Reinert  Director, South Region
George Warthen  Director, Northwest Region
Thomas Graef  Director, Southwest Region
Colonel Curtis Brown  Director, Division of Law Enforcement
Morgan Richardson  Director, Division of Hunting and Game Management
Jon Fury  Director, Division of Freshwater Fisheries Management
Jessica McCawley  Director, Division of Marine Fisheries Management
Gil McRae  Director, Fish and Wildlife Research Institute
Kipp Frohlich  Director, Division of Habitat and Species Conservation
Tindl Rainey  Director, Office of Licensing and Permitting
Susan Neel  Director, Office of Community Relations
Glenda Atkinson  Director, Office of Information Technology
Charlotte Jerrett  Chief Financial Officer
Jessica Crawford  Director, Office of Legislative Affairs
Martha Guayas  Division of Marine Fisheries Management
Krista Shipley  Division of Marine Fisheries Management
Capt. Kara Hooker  Division of Law Enforcement

There were 51 individuals registered to speak to the Commission during the two-day meeting.
Meeting Opening
Chairman Spottswood called the May 1 – 2, 2019, meeting to order at 8:30 a.m.

Invocation and Pledge of Allegiance to the Flag
Ms. Tindl Rainey, Director of the Office of Licensing and Permitting, gave the invocation, followed by the Pledge of Allegiance led by Chairman Spottswood.

Adoption of Minutes
Upon a motion by Commissioner Kellam, seconded by Vice Chairman Sole and carried, the February 2019 minutes were approved as written.

Adoption of Meeting Agenda
Upon a motion by Commissioner Kellam, seconded by Vice Chairman Sole and carried, the May 2019 meeting agenda was approved.

Approval of Consent Agenda
Upon a motion by Commissioner Kellam, seconded by Commissioner Lester and carried, the May 2019 Consent Agenda items were approved.

Special Guest Recognition
Chairman Spottswood welcomed several special guests who were in attendance at the meeting. Mr. Drew Bartlett, Executive Director of the South Florida Water Management District (SFWMD) and Mr. Chauncey Goss, Board Chairman with the SFWMD Governing Board. He invited them to address the Commission.

Chairman Goss thanked the Commission for the opportunity to participate in the meeting. He commented on the positive benefit of the partnership between the SFWMD and the FWC. He noted the importance of working to protect the environment and the support for these efforts by Governor DeSantis.

Executive Director Bartlett commented on all the environmental emergencies that Florida has dealt with over the past summer that brought FWC closer together with partners across the state. He noted some positive work to proactively help improve the environment throughout Florida. Finally, he thanked Governor DeSantis for the support for this important topic.

Commissioner Kellam thanked Chairman Goss and Executive Director Bartlett for making themselves available to work through issues as a partner agency for FWC.

Chairman Spottswood noted that building relationships with partner agencies is important to the Commission.

Executive Director Sutton committed to continuing proactive work with partner organizations.

FWC Employee Retirement Recognition
Ms. Susan Neel, Director of the Office of Community Relations, introduced an employee who recently retired from the agency, Mr. Doc Kokol.

Mr. Eric Sutton, Executive Director, thanked Mr. Kokol for his service to the state of Florida.

Mr. Kokol thanked the Commissioners and staff for support over the years.

Vice Chairman Sole thanked Mr. and Mrs. Kokol for their dedication to the State of Florida. He noted that the State is better off for all of the work Mr. Kokol has accomplished over the years at multiple state agencies.
Executive Director’s Report

Executive Director Sutton highlighted the following topics in his report to the Commission:

- Staff Recognition:
  - Ms. Courtney Feehrer with the Division of Habitat and Species Conservation.
  - Mr. Chris Paxton with the Division of Freshwater Fisheries Management.
  - Lt. Adonious Duhart with the Division of Law Enforcement.
  - Mr. Michael Norberg with the Division of Marine Fisheries Management.
- Trophy Catch Program recent addition.
- Aquatic Plant Management update.
- Python Removal activities.
- Hurricane Michael recovery efforts.
- Governor DeSantis’ environmental priorities for Florida.
- First Tee program update.

Chairman Spottswood commented on the topic of Pythons. He noted that efforts to address this problem are good, and the Commission fully supports working on eradicating this non-native species. He added excitement for the health of the bass fishery throughout Florida. He commented on his recent tour of Panama City and other areas of the Northwest Region to see the impacts of Hurricane Michael. He stated that staff are still enduring heavy impacts and in the process of continued recovery, then noted there are a lot of very positive things happening at the Northwest Regional Office.

Vice Chairman Sole noted the amazing feat that the Northwest Region team has accomplished, by continuing daily work all while dealing with recovery efforts. He added that there was a recent meeting to discuss FWC’s efforts to address non-native species with partner agencies throughout Florida and it was a positive interaction where staff presented information on these efforts.

Executive Director Sutton thanked staff at the Florida Public Safety Institute for hosting the Commission Meeting.

BREAK

Staff Report – Red Drum, Snook and Seatrout: Southwest Florida Update

Ms. Jessica McCawley, Director of the Division of Marine Fisheries Management, and Mr. Gil McRae, Director of the Fish and Wildlife Research Institute, presented updated fisheries monitoring data for red drum, snook, and spotted seatrout populations in southwest Florida and discussed localized impacts to these fisheries from a prolonged red tide bloom that occurred from Nov. 2017 through Feb. 2019. Staff recommended continuing current catch-and-release measures for red drum and snook in southwest Florida by Executive Order through May 31, 2020; making spotted seatrout catch-and-release only with no commercial harvest for the same area in southwest Florida by Executive Order through May 31, 2020; and returning to the Commission to review updated fisheries monitoring information in early 2020.

Public Comment

The following individuals addressed the Commission on this agenda item:

Mr. Gary Jennings with the American Sportfishing Association (ASA) addressed the Commission in support of staff recommendation. He noted continued support for the stock enhancement efforts going on in the future.

Mr. Bill George addressed the Commission in opposition to staff recommendation. He disagreed with the closure of the snook and spotted seatrout fisheries for another year based on an abundance of caution and not because of a dire need for a closure based on data. He asked about any of the other species that were heavily impacted by red tide and what FWC is doing for those species.
Mr. Jerry Sansom, Executive Director of Organized Fishermen of Florida, addressed the Commission in support of staff recommendation. He noted that the closure to bring these species back on track is a positive step forward to ensure the commercial spotted seatrout fishery can continue in the future.

Mr. Trip Aukeman with the Coastal Conservation Association (CCA) of Florida addressed the Commission in support of staff recommendation. He asked that if any of the fisheries show signs of rebounding throughout the next year, the Commission consider opening those fisheries sooner.

**Commission Discussion**

Vice Chairman Sole asked about snook and why staff are recommending maintaining the fishery as catch-and-release only considering the data. He asked Mr. McRae about his confidence in the data on snook. He noted support for staff recommendation but requested to review the status of snook in this region before March 2020 to see if the fishery could potentially be opened in time for the start of the regular spring season.

Mr. McRae responded that the data are solid for snook and noted that in addition to the post-red tide data, there are also previous stock assessments and experience with how this species has responded to red tide in the past.

Chairman Spottswood asked if additional data will be available to evaluate snook before the spring 2020 season, and if FWC expects to see any additional impacts.

Mr. McRae commented that additional monitoring data will be available, but that it would be unlikely to show any additional impacts.

Executive Director Sutton noted that FWC is an agency that believes in providing access to the resource and has a history of success with respect to the conservation of these world-class fisheries.

**Commission Action**

Upon a motion by Commissioner Kellam, seconded by Commissioner Lester and carried, the Commission passed staff recommendation with the additional request to review updated monitoring data for snook prior to the Spring 2020 season to consider potentially opening the fishery if the data suggests it can sustain harvest sooner.

**Items Requiring Action**

**Draft Rule – Spotted Seatrout**

Ms. Krista Shipley with the Division of Marine Fisheries Management presented a summary of the recent stock assessment and public feedback gathered on this fishery as well as a series of proposed draft rule amendments for each management zone that are intended to improve the fishery and angler satisfaction. Staff recommended reducing the recreational bag limits from five to three fish in the Northwest zone, from four to three fish in the Southwest zone, from four to two fish in the Southeast Zone, and from six to five fish in the Northeast zone. Staff also recommended prohibiting the captain and crew from keeping a bag limit on for-hire trips statewide, re-establishing a recreational winter closure for the month of February in the Northwest zone, and removing the allowance to harvest one fish above the recreational slot limit in the Southwest and Southeast zones.

**Public Comment**

The following individuals addressed the Commission on this agenda item:

Mr. Pat McGriff addressed the Commission in opposition of staff recommendation. He stated that there are concerns with the data presented by staff and concern that his guide business will be heavily impacted if these recommendations are adopted. He suggested the proposed changes would have a big impact on the NW region because there are not as many species to target in that region when taking individuals on charters. He added that the commercial fishery has a larger impact than presented by staff. He requested the NW region have a reduced bag limit from 5 to 4 with a closure in February, allow one trout over 20 inches per trip for guides, and continue to allow guides to harvest a bag limit on for-hire trips.
Mr. Larry Perrine addressed the Commission in support of prohibiting harvest of fish over 20 inches and a four-fish bag limit. He also supported continuing to allow guides to have a bag limit.

Mr. Gary Jennings addressed the Commission in support of staff recommendation and added support for an equal reduction in commercial harvest.

Captain Tony Mathis addressed the Commission with concern that the big bend was being grouped with areas that were affected by a category 5 hurricane and red tide. He asked for additional time to review the data and ensure a decision is well-thought out and support of splitting management of the Big Bend and Panhandle.

Ms. Dawn Taylor with the Chamber of Commerce and Tourism Industry Council of Taylor County addressed the Commission. She noted that if these rule changes take effect, there would be a significant economic impact for her area. She requested that staff review the data and work with those individuals who are out on the water to ensure the data is validated.

Mr. Bill George addressed the Commission noting that the SW region is the only region above the management goal. He noted a healthy seatrout population and opposed any changes to the SW region.

Mr. Eric Slaughter addressed the Commission in opposition to the proposal affecting Taylor County. He stated that the environment in Taylor County is pristine and doesn't see a need to make any changes to this area of the state for this fishery. He noted a healthy seatrout population and expressed concern about individuals taking their money and spending it in other states if the rules proposed today take effect. He suggested partnering with guides for data collection opportunities. He requested the Commission increase the redfish bag limit from one to two fish. He noted the ability to compromise on a February closure if some of the other changes were not taking place.

Mr. Scott Green with CCA of Florida addressed the Commission in support of staff recommendation based on feedback from CCA members throughout Florida and their concerns for seatrout populations. He noted member support for prohibiting harvest over 20 inches in all regions. He noted a special concern for the Indian River Lagoon because of the major seagrass loss there.

Dr. Mike Allen, Director of the University of Florida (UF) Institute of Food and Agricultural Sciences (IFAS) Nature Coast Biological Station in Cedar Key, addressed the Commission with support for the data collection and assessment of fisheries data at FWRI and FWC. He noted the stock assessment showing a decline below the management target in the NW zone matches his observations over the past 25 years. He noted that the bag limit reduction as proposed would have a minimal effect because of the small number of trips that actually harvest the current bag limits. He supported eliminating bag limits for guides. He noted that a February closure also may not be effective. He suggested narrowing the harvest slot to either 14-18 inches or 15-19 inches.

Captain William Toney with the Homosassa Guides Association addressed the Commission supporting the elimination of bag limits for guides. They are not in favor of a three-bag limit and would like to see no harvest over 20 inches in the NW zone. He noted concern about a February closure because of the potential loss of business and limited effect.

Captain Dennis Voyles addressed the Commission in support of staff recommendations to eliminate bag limits for guides and reduce the bag limit to three fish. The guides he was speaking on behalf of do not feel the February closure will have a positive effect but do recommend prohibiting harvest over 20 inches.

Mr. Chris Russell of the Wakulla County Chamber of Commerce addressed the Commission. He supported working with guides and law enforcement for additional data. He suggested a 40% reduction in bag limits for the NW zone will result in economic hardship. He is in favor of the February closure and supports a January closure as well.
Mr. Steve Hobbs addressed the Commission with concerns that the information provided is flawed. He did not see a need for any change. He noted healthy seagrass, seatrout and red drum populations. He also offered his time and boat to any biologist or staff member interested.

Mr. Robin Shiver addressed the Commission in opposition of staff recommendations due to economic concerns. He also requested FWC look at stocking options the same as other states do.

Captain Danny Guarino with the Florida Guides Association (FGA) addressed the Commission with support for staff recommendation for the most part. He noted that habitat is what is needed to bring back seatrout in most areas.

Mr. Jerry Sansom addressed the Commission in support of staff recommendation for the commercial sector. He noted that the Commercial sector has had an approximately 90% decline in commercial harvest over the years due to other regulation changes, resulting in their current take of only 2% of the total landings. He also noted that the difference in the size limit for the commercial sector was because of the use of live bait which catches larger fish.

Captain Mike Farmer addressed the Commission in opposition to the proposal because of the anticipated socio-economic impact to the Steinhatchee area. He suggested that the Big Bend between Crystal River and St. Marks should be broken out into a 5th region for consideration. He noted support for releasing seatrout above 20 inches. He provided an option for consideration of increasing the bag limit to seven fish with a slot limit of 13-18 inches.

Mr. Martin Pierce of Steinhatchee addressed the Commission in support of the February closure and suggested a four fish bag limit for the NW region. He noted support for releasing seatrout above 20 inches. He also asked about tournaments going to a photo and release option. He also suggested a boat limit and that would allow the charter captains to keep their catch on certain smaller charters.

Mr. Matt Smith with Panhandle Guides Association addressed the Commission regarding a gradual decline in this fishery over the last 20 years in the Panama City area. He suggested separate regulations from Panama City west to Pensacola, including modifying the slot limit to be 14-18 inches and prohibiting harvest over the slot, but keeping the five fish bag limit. He also supported prohibiting guides from keeping a bag limit.

Mr. Justin Leake addressed the Commission and noted that the Panhandle and Big Bend areas are different ecosystems. He suggested splitting this portion of the state into two regions and then increasing the bag limit for those in the Big Bend area while also restricting the guide bag limit. He noted that seatrout in the Panhandle have gotten smaller over time. He supported prohibiting harvest over 20 inches, reducing the slot limit to 14-18 inches, and keeping the five fish bag limit.

Commission Discussion
Commissioner Lester asked about the Northwest Region and potentially drawing a line to separate the Big Bend.

Mr. McRae responded that the Panhandle is very different than the Big Bend. He noted that FWC always tries to balance regional differences in fisheries with the simplification of regulations. He noted that seatrout between the two areas do have genetic differences and staff could look into the genetic break.

Commissioner Rood asked about the data presented being from 2017.

Mr. McRae responded that the 2018 data was not available at the time of the stock assessment.

Commissioner Kellam asked about flaws in data and what was presented years ago by MFM staff. He asked if this region could be split and would that allow the agency to properly gather data and adjust things for management in these two areas.
Mr. McRae commented that the stakeholder workshops had the presentation of preliminary data from the 2016 stock assessment which is different than what is presented today which includes 2017 stock assessment details. He further noted that the workshop results did show a better stock outlook than the final assessment. Splitting the region would need to be analyzed.

Vice Chairman Sole commented that the data are very different than what the stakeholders are presenting in their comments and noted the importance of considering stakeholder input before making a recommendation. He asked for clarification on the SPR target and why 35% is a good goal for seatrout.

Mr. McRae commented that the 20% SPR is the point of overfishing and it is best to stay above it. He noted that above 20% SPR there is management discretion on how high of an SPR is desired based on the goals of the fishery, such as managing for higher abundance or sizes of fish.

Commissioner Kellam noted interest in eliminating the bag limit for guides but increasing the recreational bag limit. He added interest in potentially splitting the Northwest into Panhandle and Big Bend areas and asked for staff feedback.

Ms. McCawley responded that splitting the NW region would work from the management perspective with more discussion with stakeholders and Law Enforcement to properly draw the dividing line.

Executive Director Sutton thanked the stakeholders who provided comments on this topic. He noted the importance of seatrout to stakeholders and acknowledged the prior input received. He supported staff continuing discussion with stakeholders to address a potential split in the NW region and asked how long seatrout have been managed regionally.

Ms. McCawley commented that seatrout have been regionally managed for many years.

Chairman Spottswood asked Ms. McCawley if further direction was requested.

McCawley asked if the direction from the Commission was to go back out to stakeholders on splitting the NW zone and considering no harvest above the 20-inch slot limit statewide. She also noted stakeholder comments about the different slot limit for the recreational and commercial fisheries.

Commissioner Lester supported getting more feedback on splitting the NW zone.

Chairman Spottswood suggested that while not opposed to the idea, he was not directing staff to conduct more in-person workshops. He acknowledged that each management zone did have declining SPR trends and asked staff to take the Commission comments and work on tweaking the proposal to see what options can be considered to turn the trends into positive ones.

Commissioner Lester thanked stakeholders and staff for making the effort with all the previous workshops on this topic. He noted that the Commission isn’t directing staff to go out and do more workshops. He acknowledged that while simple regulations are desired, Florida is a complex state.

Commissioner Rood noted her support for reducing bag limits by one fish instead of two.

Vice Chairman Sole echoed Commissioner Rood’s comments on changing the bag limit to four in the NW zone and supported no harvest of fish over 20 inches to protect spawners. He stated that he was unsure on a winter closure because he needs to know if there is a conservation value. He stated he was leaning toward not allowing guide bag limits. He thanked staff for the proposal today and said he would like staff to workshop a specific proposal before returning with new draft rules in order to help the Commission move forward.

Chairman Spottswood agreed with Vice Chairman Sole’s suggestion and thanked stakeholders for their input.
Commission Action
The Commissioners directed staff to engage stakeholders with a new draft rule based on Commission discussion.

Draft Rule – Reef Fish Management Updates
Ms. Martha Guyas with the Division of Marine Fisheries Management presented proposed draft rules to update FWC’s reef fish regulations (68B-14, F.A.C.) based on stakeholder feedback, consistency with federal regulations, needed clarifications and technical updates. Proposed changes included: designating blueline tilefish as a restricted species, setting a minimum size limit for commercial harvest of almaco jack in the Atlantic, removing minimum size limits for blackfin, queen, and silk snapper, clarifying trip limits for red porgy, as well as other clarifications and technical updates.

Public Comment
The following individuals addressed the Commission on this agenda item:

Mr. Jerry Sansom addressed the Commission in support of staff recommendation.

Captain Gary Jarvis with the Destin Charterboat Association addressed the Commission in support of staff recommendation. He requested assistance from FWC staff to work with the Council and industry to establish a minimum size limit for almaco jack in the Gulf.

Commission Action
Upon a motion by Vice Chairman Sole, seconded by Commissioner Kellam and carried, the Commission approved staff recommendation.

Draft Rule – Spanish Mackerel
Ms. Guyas presented a proposed draft rule that would modify in-season commercial vessel limit reductions for Atlantic Spanish mackerel to be more consistent with those in federal rule. The proposed draft rule would also maintain unique FWC regulations to keep the different weekday and weekend vessel limits starting on December 1, and a 500 lbs. vessel limit in state waters when harvest is closed in federal waters. As part of the ongoing, inter-divisional Marine Fisheries Rule clean-up efforts, staff also proposes standardizing the organization and language in the Spanish mackerel chapter (68B-23, Florida Administrative Code (F.A.C.)).

Public Comment
The following individual addressed the Commission on this agenda item:

Mr. Jerry Sansom addressed the Commission in support of staff recommendation. He noted that this is a prime example of cooperative management between the fishery managers and commercial fishermen, and these trip limits and step-downs are working for the commercial industry.

Commission Discussion
Commissioner Rood asked how long the closure lasted when the fishery closed on February 5.

Ms. Guyas responded that it was only through the end of the month and reopened on March 1.

Commission Action
Upon a motion by Commissioner Kellam, seconded by Vice Chairman Sole and carried, the Commission approved staff recommendations.

LUNCH BREAK

Chairman Spottswood welcomed Mr. Andy Walker, CEO of the Fish and Wildlife Foundation of Florida, who was in attendance at the meeting.
Final Rule – Scallops
Ms. Shipley presented a series of final rules to allow the direct transit of scallops across closed areas; extend the allowable harvest area through Pasco County; set long-term, regionally-specific bay scallop season dates throughout the allowable harvest area (outlined below); and implement reduced daily harvest limits of 1 gallon whole or 1 cup shucked scallops per person with a maximum of 5 gallons whole or 2 pints shucked scallops per vessel during June for the area open to harvest prior to July 1. Staff also recommended allowing direct transit of legally-harvested scallops through closed areas during the 2019 season via Executive Order. She noted that staff will be returning early next year for consideration of the Gulf County 2020 season.

Staff recommended the following regionally-specific bay scallop season dates:
- July 1 – Sept. 24 for Gulf through NW Taylor and Levy through Hernando counties,
- June 15 – Labor Day for the remaining portion of Taylor County and Dixie County, and
- 10 days beginning the 3rd Friday in July for Pasco County.

Public Comment
The following individuals addressed the Commission on this agenda item:

Ms. Danielle Norwood addressed the Commission with support for staff recommendation and thanks for moving forward with changes to the Taylor County zone. She also offered her marina to assist FWC in any data collection efforts in that area.

Ms. Pam Wessels with the Steinhatchee Chamber of Commerce addressed the Commission. She thanked staff and the Commission for taking into consideration the community’s requests and concerns and noted the Chamber’s pledge to work alongside FWC in educating the public regarding scallop harvest.

Commission Discussion
Commissioner Kellam thanked the stakeholders from the Big Bend area for their participation in previous Commission meetings and work with staff in the rulemaking process.

Commissioner Sole emphasized the proposed changes presented today would be effective beginning in 2020.

Commission Action
Upon a motion by Commissioner Kellam, seconded by Commissioner Lester and carried, the Commission approved staff recommendations.

Staff Reports
Gulf of Mexico Fishery Management Council (GMFMC) Report
Ms. Guyas presented an update on actions from the GMFMC’s April 1-4 meeting in Biloxi, MS. Topics included red snapper, red grouper, gray triggerfish, and greater amberjack. Staff requested Commission direction on modifying the recreational harvest seasons for Gulf gray triggerfish and greater amberjack to be consistent with recently-announced closures for Gulf federal waters.

Public Comment
The following individuals addressed the Commission on this agenda item:

Mr. Gary Jennings addressed the Commission with thanks for making state management of Gulf red snapper a reality and noted that they will continue to monitor the MRIP recalibration process for both Councils.

Captain Bill Kelly addressed the Commission regarding carryover of unused quota and noted that part of the issue is with how quota is allocated between recreational and commercial sectors.
Captain Dylan Hubbard addressed the Commission with support of staff recommendation to close recreational harvest of greater amberjack and gray triggerfish to be consistent with the federal fishery. He noted concern for all of the recent changes to the greater amberjack recreational fishery and how this affects the reliability of data for upcoming stock assessments. He also suggested implementing trip limit step-downs to extend the commercial greater amberjack season.

Mr. Trip Aukeman addressed the Commission with thanks for red snapper state management and in support of staff’s recommendation to close recreational harvest of greater amberjack and gray triggerfish in state waters.

Captain Gary Jarvis addressed the Commission echoing the comments of Mr. Hubbard. He noted that the free Gulf Reef Fish Angler permit is skewing private recreational data collection due to oversubscription. He requested the Commission consider a fee-based permit for reef fishing.

Captain BJ Burkett addressed the Commission with support for staff’s recommendation. He also requested for Ms. Guyas to bring forward greater amberjack at the June GMFMC Council meeting to address the recreational regulations. He supported reverting back to the calendar fishing year, adjusting the size limit and bag limit to get a May season. He discussed the large increase of state charter only operations and asked the Commission to try to limit the number of these permits and increase enforcement.

Captain Benjamin Kelly addressed the Commission with concern about the May closure for greater amberjack. He asked for Ms. Guyas to bring forward greater amberjack at the upcoming Council meeting to address the recreational season. He also noted that the current size limit for greater amberjack has a high release mortality and would support reducing that size limit.

Captain Mark Kelly addressed the Commission in support of staff recommendation to close gray triggerfish and greater amberjack. He thanked the Commissioners for listening to the fishermen whose livelihood depends on the rules that are passed by the Commission. He also requested that Ms. Guyas bring forward recreational greater amberjack at the upcoming Gulf Council meeting. He noted that they would support any recreational changes if they can get a spring season for greater amberjack.

Captain Bob Zales, President of the Panama City Boatmen Association, addressed the Commission. He explained how important the spring season is to Florida for-hire operations. He recommended the fractional bag limit and asked the Commission give direction to Ms. Guyas to bring forward greater amberjack at the upcoming Gulf Council meeting.

Captain Scott Robson addressed the Commission regarding the recreational greater amberjack regulations. He commented with support of a fractional bag limit, implementing a vessel limit, and increasing the minimum size limit to 30 inches to allow for a consistent May season.

**Commissioner Discussion:**

Vice Chairman Sole asked what confidence there is that the current recreational regulations will allow for a May greater amberjack season next year. He noted his support for the closures this year and asked if it would be beneficial to revisit fractional bag limits at the Council level to work proactively to avoid spring closures.

Ms. Guyas responded that it is hard to predict and depends on what happens next fall. She explained that this year was the first year to have the full new fishing season of August to July. She stated that she can bring up the discussion at the upcoming Council meeting but explained that until there is a positive stock assessment, it will be challenging to please everyone across the Gulf on this topic.

Chairman Spottswood asked about the ideas that have been proposed by several of the speakers and how those have been received at the Council level.
Ms. Guyas noted that these topics have been discussed at the Council level but were tabled to get to the split season compromise. She noted that not everyone is supportive of fractional bag limits.

Vice Chairman Sole noted that some of the changes need time to take effect and asked if this is how the Council is leaning before making any recreational changes.

Ms. Guyas responded that there are some Council members who are of that opinion. She noted that the Council recently heard these requests at their April meeting and decided not to take any action.

Chairman Spottswood questioned whether the Council would be in support of the changes presented by stakeholders to allow a May season.

Ms. Guyas noted that she can’t speak for the Council as a whole, but she explained that changing the fishing year back to January would be the best option to allow for a May season.

Commissioner Kellam asked if Ms. Guyas can bring it back to the next Council meeting and continue discussions on potentially changing some things that would allow spring season.

Ms. Guyas noted that she will bring this topic up at the next Council meeting.

Commissioner Action:
Upon a motion by Commissioner Kellam, seconded by Vice Chairman Sole and carried, the Commission approved staff recommendation, as well as provided direction to bring up discussions at the next Council meeting to change the greater amberjack regulations to allow for a spring season in Florida.

Executive Director Sutton commented that the reef fish survey funding will run out in June 2020. He committed to working with the Commissioners and stakeholders on finding funding for this permit in the future.

Chairman Spottswood requested that Ms. Guyas continue discussions at the Council meetings related to allocations. He also thanked staff for all the hard work associated with the approval for state management for Gulf Red Snapper.

South Atlantic Fishery Management Council (SAFMC) Report
Ms. McCawley presented a report on actions and discussions from the SAFMC’s March 4-8 meeting in Jekyll Island, GA. Topics included dolphin, best fishing practices for snapper grouper species, red snapper, sector allocations, and recreational harvest estimates.

Commission Discussion
Vice Chairman Sole asked why you wouldn’t have a policy that would trigger an allocation review if a sector kept closing early.

Ms. McCawley responded that the Council had lengthy discussions on this topic and many members support a policy to reevaluate allocations if a sector has multiple closures in recent years.

Commissioner Rood asked about the red snapper season dates and whether that is shorter than previous years.

Ms. McCawley responded that there have been many years with no open season, so this year’s season is longer than recent years, but one day less than 2018.

Vice Chairman Sole asked if there was opposition to descending devices and offset circle hooks at Council meeting discussions.

Ms. McCawley responded that there is a lot of discussion on these descending devices, but not necessarily opposition. She noted that the discussion is focused on how the regulation is worded and how to execute this rule.

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Chairman Spottswood asked about the status of yellowtail snapper discussions at the Council.

Ms. McCawley responded that the Council chose to not move forward with this amendment until the next stock assessment was complete in early 2020. Since Florida was outvoted, any decision on yellowtail snapper allocation will be delayed until we have the next stock assessment results.

Chairman Spottswood asked if the Council moves forward with the sale of charter caught dolphin, would the state have to make similar changes in FWCs regulations.

Ms. McCawley responded that FWC would have to make similar changes. She explained that before the Council moves forward they have to revisit whether to count those charter sales against the recreational or commercial quota.

Chairman Spottswood expressed his support for the Atlantic red snapper season and asked if there were any additional research and data collection efforts to help expand this season in the future.

Ms. McCawley responded that FWRI’s research and data collection efforts are helping gain valuable information, and their team has done a phenomenal job over the past several years to get things to this point.

Executive Director Sutton noted a recent trip with Chairman Spottswood and Ms. McCawley up to Washington, D.C., to meet with Congressional staff, where they discussed several issues related to both the Gulf and South Atlantic Councils, including red snapper.

Public Comment
The following individuals addressed the Commission on this agenda item:

Mr. Gary Jennings addressed the Commission in support of staff exploring options to improve the season length for Atlantic red snapper season. He also noted his support for the best fishing practices amendment to help reduce dead discard mortality.

Captain Bill Kelly addressed the Commission with accolades to SAFMC Chairman McCawley and noted that Ms. Guyas may be in a similar post soon because of the positive leadership shown at these Council meetings. He noted his support for allowing charter caught dolphin to be sold to markets and restaurants legally. He expressed his support for reallocation of yellowtail snapper.

Mr. Jerry Sansom addressed the Commission regarding the selling of charter caught dolphin. He noted that charter caught and sold fish need to be counted against the recreational quota instead of the commercial quota.

Staff Report – Overview of Freshwater Fisheries Management Programs
Mr. Jon Fury, Director of the Division of Freshwater Fisheries Management, presented an overview of FWC’s Freshwater Fisheries Management Programs.

Public Comment
The following individuals addressed the Commission on this agenda item:

Mr. Gary Jennings addressed the Commission in support of the efforts related to freshwater fisheries management, and appreciated FWC’s engagement in water level discussions, particularly on Lake Okeechobee.

Ms. Taren Thomas addressed the Commission with concerns about non-native species taking over waterbodies and suggested that commercial harvesters should be used to improve sportfish populations by removing exotic fish.
Mr. Jerry Sansom addressed the Commission regarding the small freshwater commercial fishery in the State of Florida that can work more with FWC on the conservation of native fisheries, by removing undesirable fish so that desirable fish have room to grow.

**Commission Discussion**

Commissioner Kellam thanked Mr. Fury for the presentation. He noted that the projects going on in South Florida can benefit by evaluating the things that work and don’t work on smaller lakes, then applying those things to larger lakes to work on improvements for those large waterbodies.

Commissioner Lester thanked Mr. Gary Jennings and remarked that people come from all over the country to catch one trophy bass. He also noted that there are so many different types of freshwater fisheries, and that we need to get more people involved in fishing.

Commissioner Rood thanked the team for all the hard work and showcasing some of the good freshwater fisheries in Florida.

Executive Director Sutton noted that it’s been a long time since there has been an overview presentation on freshwater fisheries. He has asked leadership in this division to push the program to new heights and have freshwater fisheries work with other divisions to develop lake management plans. He also recognized the staff at Blackwater Hatchery for their role in stocking fish in rural areas of the panhandle which is an economic benefit to those areas.

**Public Comment on Items not on the Agenda**

The following individuals registered to speak on items not listed on the agenda:

Mr. Gary Jennings addressed the Commission to express appreciation for the FWC’s support of R3 by helping to establish fishing clubs in high schools. He reminded the Commission about ICAST coming up in July.

Mr. Bill George addressed the Commission with concern about the changes to the public speaker sign up time restriction. He also commented on alligator egg collection. He suggested use of cameras on boats where individuals are collecting alligator eggs on public lands.

Captain Bill Kelly addressed the Commission regarding the need for additional Law Enforcement, especially in Monroe County. He also spoke about cooperative research between the commercial stone crab industry and FWRI on the use of escape rings in stone crab traps.

Captain Dylan Hubbard addressed the Commission regarding blackfin tuna and barotrauma. He spoke in opposition to any new statewide blackfin tuna regulations and in opposition to extending any new regulations into adjacent federal waters. He suggested exploring regional management options as needed, but only for state waters. He also expressed his concern for the over subscription of the Gulf Reef Fish Survey and supports adding a fee. He supports more outreach of barotrauma mitigation especially with the upcoming red snapper season.

Ms. Taren Thomas addressed the Commission regarding data collection.

Mr. Jerry Sansom addressed the Commission with thanks for work on the budget related to additional funding on derelict vessel removal.

Mr. John Conley addressed the Commission regarding aquatic invasive species. He asked the Commission to direct staff to work on the public water bodies and less time on the small water bodies that do not allow public access.

Mr. Carlton Layne addressed the Commission regarding aquatic plant management.
Mr. Chuck Echenique addressed the Commission regarding hunter orange requirement for any user group on WMA’s during hunting season. For example, those using the WMA for birdwatching or hiking.

Captain Bob Zales addressed the Commission with thanks to staff who assisted with identifying stakeholders in the areas affected by Hurricane Michael to work to provide assistance.

Executive Director Sutton commented on the successor for the Office of Strategic Initiatives Director. He introduced Ms. Tindl Rainey, current Director of the Division of Licensing and Permitting, as the new Director for Strategic Initiatives.

Chairman Spottswood recessed the meeting at 4:03 pm

**Thursday May 2 Reconvene**
Chairman Spottswood reconvened the meeting at 8:31 a.m.

**Staff Reports**

**Coral Reefs**
Mr. McRae introduced this agenda item and also introduced the panel members from other entities who would be involved in the discussion on this topic with the Commission.

Vice Chairman Sole asked if a piece of coral is diagnosed with having the disease, does the entire coral end up with the disease or is it treatable?

Mr. McRae responded that it is highly likely that the entire coral is susceptible to the disease and the panel members would be able to provide additional background on this question further in the process of this presentation.

Ms. Joanna Walczak with the Florida Department of Environmental Protection addressed the Commission.

Ms. Sarah Fangman with the National Oceanic and Atmospheric Administration, Florida Keys National Marine Sanctuary, addressed the Commission.

Mr. Andy Wood with the Florida Aquarium addressed the Commission.

Vice Chairman Sole asked Mr. Wood if the spawning work at the Florida Aquarium was just with pillar corals.

Mr. Wood responded that they have concentrated on pillar, elkhorn and staghorn corals but will ultimately expand to six different species.

Dr. Michael Crosby with Mote Marine addressed the Commission and mentioned that conservation initiatives alone were not going to solve this dilemma.

Dr. Blake Ushijima with the Smithsonian Marine Station at Fort Pierce addressed the Commission and discussed the research the Smithsonian Marine Station is doing to better understand the coral disease to include the cause and treatment.

Mr. Scott Graves, COO, with the Coral Restoration Foundation addressed the Commission and noted that the engineering solutions need to be included in the ongoing work on this important topic. He also suggested that using those resources that are already out in the water bodies to conduct additional water quality testing measures is something for consideration.

**Commission Discussion**
Chairman Spottswood thanked all of the partners involved because this is such an important topic for FWC.
Vice Chairman Sole noted this coral disease is an environmental catastrophe. The time for action is now. He asked if the stressors have been reduced enough on the marine systems that it is now time to start transplanting out in those affected systems.

Ms. Walczak responded that this portion of Florida is one of the worst places for the reef tract based on several key indicators (land-based sources of pollution, beach nourishment, impacted flow of water through the everglades, etc.). While it is not the time for full stage restoration, it is important to ensure there are healthy regenerating populations of coral in the native habitats.

Dr. Crosby noted that not all the areas along the reef tract have the same impacts from human related pollution and other things, so there are areas that can sustain some heavy restoration efforts with transplanting these newly grown corals. He suggested that waiting to move forward with an aggressive transplanting approach will ultimately be the demise of the reef tract in general.

Vice Chairman Sole noted that much needs to be done in SE Florida in improving wastewater treatment and questioned whether out planting of corals should occur before those stressors are addressed.

Mr. Wood responded that whether or not you can control the stressors, having the opportunity for those healthy corals to reproduce is a major hurdle.

Commissioner Kellam asked what the roadblocks are with moving forward with transplanting. He noted agreement that there is risk of not all transplanted corals surviving, but that should not be enough to discourage this activity.

Mr. Graves echoed the comments of Dr. Crosby that this transplanting action can’t wait. He stated that the longer we wait, the more the natural corals are dissolving from this disease event. He stated that these transplants are planted 1 at a time, and it is very time consuming currently. He suggested that assistance from FWC with consultation and looking at the engineering side of things to come up with faster ways to get that process completed.

Vice Chairman Sole noted that he struggles with the idea that if the water quality isn’t conducive to these corals growing, then the heavy effort on transplanting may not be the biggest priority.

Ms. Walczak noted that getting more resources and individuals involved in this wide-scale project as support for the recovery is vital.

Chairman Spottswood asked if there are actions that can be taken to improve the water quality measures that would provide more immediate relief. He thanked the Governor for his agenda in pushing this important topic forward and his focus on the everglades and improving water quality. He indicated that opportunities may be available to expedite some of these projects.

Commissioner Kellam asked if there are facilities that may no longer be used that can be retrofitted for facilities that can house coral. Is there any effort in reaching out to those cities and towns along the coast in an effort to partner on using some existing vacant facilities to house and grow coral?

Dr. Crosby stated that these costs are approximately 7.5 million dollars for the high-quality facilities necessary to store and propagate rescued coral. He noted that using existing infrastructure through AZA, that is the quickest and most efficient way to move forward quickly with these activities. He noted the impeccable partnership with FWC and DEP has been a very positive benefit to this situation.
Chairman Spottswood asked if this coral disease affects species of fish who aggregate in areas where this coral disease is occurring. He asked for additional discussion separately from this panel discussion about those impacts.

Mr. McRae responded that the fish aggregate in certain areas due to the high relief habitat. If that reef loses its living corals, it will ultimately erode away and over a long period of time it might become less attractive as a spawning aggregation sight.

Commissioner Rood asked if there were any indicators that this disease would spread to the Bahamas and has anyone reached out to their government to coordinate as appropriate.

Ms. Walczak responded that they have reached out to Bahamian colleagues who have not reported the disease in their area yet, however she noted that field surveillance activities in the Bahamas were not as comprehensive as those in Florida.

Vice Chairman Sole asked Dr. Ushijima if his results indicate that use of probiotics might create corals that are more resistant to the disease.

Dr. Ushijima responded that preliminary results indicate that with great star coral, they have been able to significantly slow or stop progression of the disease using probiotic treatments. These results are variable among individuals however.

Executive Director Sutton thanked the panel members for being involved in the conversation. He noted that habitat is vital in every decision that comes before the Commission because of its impact on all the species throughout Florida. He noted that his role is thinking about what FWC can do to help move this process forward to ensure a successful recovery of corals.

Vice Chairman Sole asked that FWC and all the partners look at this in an expedited manner.

Chairman Spottswood noted that FWC has committed to move forward with removing those bureaucratic hurdles that keep this process from moving forward as efficiently as possible.

Mr. Wood noted that the Florida Aquarium has positive structural improvements coming soon that will help provide additional infrastructure for these efforts.

Ms. Walczak stated that additional flexibility related to management is needed. Having support from leadership and allowing consideration for making some risky decisions on this matter would be appreciated.

Dr. Crosby invited the Commissioners to come out and experience the relatively simple action of transplanting these corals. The more difficult part of this is the science and research behind this coral disease.

Commissioner Kellam suggested using education and outreach to bring new individuals to these efforts and reaching out to current beach and community stakeholders to get them involved. He thanked Chairman Spottswood for his efforts.

Executive Director Sutton committed to the partnership of fixing this issue.

Public Comment
The following individual addressed the Commission on this agenda item:

Mr. Gary Jennings addressed the Commission.
Budget and Legislative Update
Ms. Charlotte Jerrett, Chief Financial Officer, along with Ms. Jessica Crawford, Legislative Affairs Director, presented the Budget and Legislative update.

Ms. Crawford provided a bit more detail related to bills that may have an impact on the agency but aren’t necessarily those put forward by FWC.

Vice Chairman Sole noted how fortunate FWC is to have great staff and also how great it is to have support from leadership such as the Governor and Legislature, particularly the Budget Committee Chairs, Chair Mayfield and Chair Raschein.

Public Comment
The following individuals addressed the Commission on this agenda item:

Mr. Bill George addressed the Commission regarding stipends for nuisance alligator trappers. He thanked FWC for submitting that line item in the proposed budget, but it was not approved by the Legislature.

Mr. Robb Upthegrove addressed the Commission regarding nuisance alligator trapper stipends. He thanked FWC for working to try and increase the stipends.

Commission Discussion
Vice Chairman Sole noted a challenge with getting the additional funding request for nuisance alligator trapper stipends.

Commissioner Lester asked why this is such an issue every year in providing new funding every year.

Vice Chairman Sole responded that every year, there are always important and significant needs that go unfunded.

Ms. Jerrett responded that Commissioner Sole was correct that FWC has tried for several years to obtain additional funding for nuisance alligator trapper stipends and would continue to work on that effort if that was the direction from the Commission.

Executive Director Sutton concurred and stressed the importance of nuisance trappers and indicated staff would continue to work on obtaining additional funding.

Commissioner Kellam suggested that reviewing the Alligator Management Program may help with a portion of this discussion on nuisance trappers.

Item Requiring Action – Captive Wildlife Program Overview
Captain Kara Hooker with the Division of Law Enforcement presented an overview of the captive wildlife program including a brief history of the section and a review of current operations. Staff discussed future rule development plans and current stakeholder engagement efforts. Finally, staff requested approval for a restructuring of Chapter 68-6, F.A.C. The proposed rule amendment includes a substantial reorganization of the Chapter but no substantive changes.

Public Comment
The following individuals addressed the Commission on this agenda item:

Mr. Bill George addressed the Commission regarding the positive impact that educational outreach with wildlife has on the general public.
Ms. Lynn McDuffie representing Disney’s Animal Kingdom and the Florida Association of Zoos and Aquariums (FAZA) addressed the Commission. She thanked the Captive Wildlife team for a close working relationship. She noted support for the proposed restructure of the rule.

Ms. Jennifer Leon addressed the Commission with thanks to the Captive Wildlife team for hosting the recent public meetings and the proposed restructure of this rule. She suggested that the regulations should be modernized because they are very outdated. She requested FWC use science-based decisions to improve management. Finally, she requested the Commissioner fully prohibiting public contact with captive wildlife class I felids.

Ms. Patricia Zerbini addressed the Commission with thanks for hosting public meetings to discuss the rule review process. She noted support for the re-organization without changing the regulations.

Mr. Eugene Bessette addressed the Commission with thanks to FWC staff for the wonderful re-organization of the captive wildlife rules. He asked the Commission to continue working on sections of 68A. He requested that the Commission direct Captive Wildlife staff to continue to work proactively with stakeholders by utilizing workshops before changes take place.

Mr. Robb Upthegrove addressed the Commission in support of educational opportunities utilizing public contact with certain types of captive wildlife.

Mr. Jon Brangan, Vice President of FAZA and Deputy Director of the Brevard Zoo and Aquarium, addressed the Commission. He added support for the rule reorganization as proposed and appreciated the working relationship with captive wildlife staff.

Mr. Michael Cole addressed the Commission in support of the rule revisions proposed. He requested improved communication to the public on proposed rule changes, even if they are simply reorganizations.

Mr. Jeff Andrews, President of FAZA, also representing Busch Gardens and SeaWorld, addressed the Commission. He noted support for the proposed rule reorganization as presented.

Ms. Kate MacFall with the Humane Society of the United States addressed the Commission in support of the proposed rule re-organization. She requested the Commission consider restricting elephant rides and using animals for entertainment purposes. She also suggested that FWC consider banning primates as personal pets.

Ms. Laurie Hood addressed the Commission in opposition to elephant rides and any exploitation of animals. She also requested rule revisions for private ownership of threatened or endangered species. She invited the Commissioners to visit and experience the new facility for wildlife education she currently manages, Alaqua Animal Refuge.

Ms. Lauren Murray, from Elephant Walk Inc, addressed the Commission with a request not to ever ban elephant rides. She offered additional information and statistics if the Commissioners are interested.

Mr. Todd Rowley addressed the Commission. He noted support for direct contact interaction with wildlife as education because of the positive impact it can have. He also requested improved communication from staff in advance of these rule change presentations.

Mr. Greg Kaszuba addressed the Commission in support of the proposed revisions. He noted concern for any future rule revisions that may impact educational outreach opportunities with live animals. He does not want to see prohibitions of any hands-on mobile shows.
**Commission Discussion**
Commissioner Rood asked about fines for those individuals who lose animals. She also noted the massive number of facilities compared to the few investigators assigned to these facilities.

Captain Hooker responded that there are no fines and the number of investigators compared to the licensed facility numbers are being monitored continuously.

Vice Chairman Sole noted that FWC sets up the workshops to gather input prior to putting any draft language out so that all feedback can be incorporated into any rule changes.

**Commission Action**
Upon a motion by Commissioner Kellam, seconded by Commissioner Lester and carried, the Commission approved staff recommendation.

Executive Director Sutton mentioned that there are a lot of invested stakeholders involved with captive wildlife, and a broad range of perspectives. He said when rulemaking changes take place on this topic, there will be a lot of public testimony and reiterated that the workshops are the place for public input prior to any rule changes coming before the Commission for consideration.

**General Counsel Report**
Mr. Vielhauer presented an update on legal issues related to the agency.

**Future Agenda Items**
Dr. Thomas Eason provided an update to the Commission on future agenda items.

**Commissioner Exchange**
Chairman Spottswood opened the floor for Commissioner Exchange.

Commissioner Rood thanked the Governor for allowing her to continue her service on this Commission. She noted excitement about becoming an ambassador for the Florida Youth Conservation Center Network.

Commissioner Kellam thanked Regional Director Reinert for his work with Commissioners and handling issues as they arise in the South Region. He commented on Mr. James Erskine’s ability to coordinate on everything related to Everglades as FWC’s coordinator on this topic. He thanked Governor DeSantis for his leadership addressing a lot of very important environmental issues that line up with FWC.

Vice Chairman Sole thanked the Chairman for the energy and engagement on all of the issues facing FWC. He thanked FWC leadership staff for all of the effort in proposing positive conservation ideas at these meetings and always providing the information so that the Commissioners can make informed decisions.

Chairman Spottswood applauded Governor DeSantis for initiating change to make progress in improving the environment of Florida. He thanked the partners who have joined forces to address the Coral disease issues facing this state and other areas of the world. He commented on the impacts in the Panhandle from Hurricane Michael and thanked staff who are still impacted but back at work and able to continue the mission of the agency.

**Commission Administrative Matters**
The next regularly scheduled Commission meeting is set for July 17 – 18, 2019, in Stuart, commencing at 8:30 am each day.

**Adjournment**
Chairman Spottswood adjourned the meeting at 12:37 p.m.