



Florida Fish and Wildlife Conservation Commission

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Commission Meeting
April 17-18, 2013
Havana, FL
Minutes

The Florida Fish and Wildlife Conservation Commission (FWC) held their regular meeting April 17-18, 2013, at the Florida Public Safety Institute, located at 85 Academy Drive, Havana, FL. Chairman Kenneth Wright called the meeting to order with the following members in attendance.

Bo Rivard, Panama City
Brian Yablonski, Tallahassee
Chuck Roberts, Tallahassee

Ronald A. Bergeron, Ft. Lauderdale
Aliese Priddy, Immokalee, FL
Richard A. Corbett, Tampa, FL

Staff:

Nick Wiley	Executive Director
Greg Holder	Assistant Executive Director
Bud Vielhauer	General Counsel
Colonel Jim Brown	Director, Division of Law Enforcement
Chuck Collins	Director, South Region
Louie Roberson	Director, Northwest Region
Shannon Wright	Director, Northeast Region
Chris Wynn	Director, Southwest Region
Roland Garcia	Director, Central Region
Eric Sutton	Director, Habitat and Species Conservation
Diane Eggeman	Director, Division of Hunting and Game Management
Tom Champeau	Director, Division of Freshwater Fisheries Management
Jessica McCawley	Director, Division of Marine Fisheries
Doc Kokol	Director, Community Relations
Carly Canion	Analyst, Division of Marine Fisheries Management
Melissa Recks	Analyst, Division of Marine Fisheries Management
Richard Moore	Captain, Division of Law Enforcement
Dr. Thomas Eason	Deputy Director, Division of Habitat and Species Conservation
Rae Waddell	Director, Florida Youth Conservation Centers Network
Gil McRae	Director, Fish and Wildlife Research Institute

There were 80 individuals registered to speak to the Commission during the two-day meeting.

Meeting Opening

Chairman Wright called the April 2013, meeting to order at 8:33 a.m. and welcomed the Commissioners, staff, and public to the Florida Public Safety Institute in Havana, Florida. He saluted FWC's law enforcement personnel who are trained at the Academy.

Chairman Wright invited Tom Champeau, Director, Division of Freshwater Fisheries Management, to give the invocation, followed by Commissioner Yablonski, who led the Pledge of Allegiance to the Flag.

Chairman Wright designated Commissioner Corbett as Vice Chairman for this meeting.

Louise Ireland Humphrey Employee of the Year Award

Chairman Wright asked Brett Boston, with the Wildlife Foundation of Florida, to introduce the Louise Ireland Humphrey Employee of the Year Award. Mr. Boston briefly described the award and then asked Diane Eggeman, Director, Division of Hunting and Game Management, to introduce this year's recipient. Ms. Eggeman recognized Greg Holder, Assistant Executive Director, as this year's winner. She talked about his 32 year career, and the qualities that make him an outstanding leader; his selfless dedication to FWC and Florida citizens, and his vision for conservation. She noted landmark achievements that included the Gopher Tortoise 2 Team, and the FWC's Imperiled Species Management System, and also discussed the many initiatives he has led for the Agency. Ms. Eggeman emphasized his unique leadership style, which is like a guiding light, shining behind the scenes, leading by example, and influencing by one-on-one conversations.

Mr. Champeau noted Mr. Holder's influence has successfully impacted many projects within the Agency. He also talked about his ability to effectively mentor staff which had an impact on many careers. Further, he always positively represented the Agency with the Legislature and Stakeholders.

Nick Wiley thanked the Foundation for making this appropriate and well deserved selection. He commented that Mr. Holder is a worthy candidate for this award because of his dedication to Florida's fish and wildlife resources, and his vision for their conservation on behalf of Florida's citizens. He also noted that Greg has been a guiding light and conservation North Star, and exemplifies the legacy of former Commissioner Humphrey and the ideals of the Award.

Mr. Holder emphasized that he learned early on that the Commission has a very special, unique relationship with staff and this award memorializes that relationship. He commented that he is honored and privileged to be recognized with other employees that have received this Award, who are the very best in the Agency. He added though individually successful, it is primarily due to team effort with first rate employees. He further noted the Agency is truly blessed to have a staff that is the best in state government, if not the whole country. Lastly, he said he is humbled and appreciative to receive this award and owes it to the teams and people he has worked with throughout his career.

The Commissioners commented about how Mr. Holder was a great help to the Commissioners providing them with knowledge and guidance on the challenges the Agency faces. They thanked him for being a dedicated employee, committed to high principles.

A photo was taken with the Commissioners.

Chairman Wright welcomed new Commissioner Adrien 'Bo' Rivard of Panama City. He talked about his deep roots in northern Florida and saluted the Governor for choosing someone who can represent the interests in the Panhandle.

Chairman Wright also welcomed Commissioner Richard A. Corbett of Tampa, and Commissioner Ronald M. Bergeron of Fort Lauderdale, for their March reappointments by Governor Scott to the Commission for another five-year term.

Chairman Wright asked Director Wiley to recognize former Commissioner Kathy Barco.

Director Wiley recognized and honored her for her Commission with the state. He noted she served on the Commission for nine years and brought her considerable business experience and expertise, helping to guide a major reorganization of FWC in 2004, and again during the Agency Strategic Plan revision. He also noted she has served as Commission Chairman for one year and Vice-Chairman for two. Through these roles, she demonstrated strong leadership skills and ability to build consensus on difficult issues. He presented her a photograph taken of her with a baby bear as she worked alongside FWC staff, signed by FWC staff and Commissioners.

The Commissioners commented on her knowledge and passion of marine fishery issues. Her experience brought wisdom, and helped the Commissioners understand the complex issues and make good decisions. They thanked her for her leadership and all she has done for the people of Florida; it is her great legacy and were hopeful she continue her good work.

Former Commissioner Barco spoke a few words and commented the Commission gets stronger and stronger, and all the Commissioners hold high ideals for protecting resources. She thanked Director Garcia for his care of the past nine years and welcomed new Commissioner Rivard. Lastly, she thanked the stakeholders for taking the time and for speaking about what they fully believe in; it is the best government agency she has been involved in.

Regional Director Garcia thanked her for giving him the confidence to ask the hard questions, also for her generosity of her time with staff and the issues the Agency faced.

A photo was taken with the Commissioners.

Adoption of Minutes

Chairman Wright asked for a motion to approve the February, 2013, Commission meeting minutes. Upon a motion by Commissioner Roberts, and seconded by Commissioner Priddy, the minutes were approved as written.

Adoption of Meeting Agenda

Chairman Wright asked for a motion to approve the meeting Agenda. A motion to approve the Agenda was made and seconded. The motion passed unanimously.

Approval of Consent Agenda

Chairman Wright asked for approval of the Consent Agenda, which the Commissioners have already been briefed on.

A motion was made by Commissioner Priddy, and seconded by Commissioner Roberts. The motion carried and the Commission approved the April, 17-18, 2013, Consent Agenda.

Executive Director's Report

Chairman Wright deferred the Executive Director's report to Thursday, April 18.

Gulf of Mexico Recreational Red Fishery Management Council (GMFMC)

Chairman Wright asked Jessica McCawley, Director of the Division of Marine Fisheries Management to present the red snapper regulations for the Gulf of Mexico. Ms. McCawley reviewed the final public hearing for Gulf of Mexico state waters red snapper season. She explained the National Oceanic and Atmospheric Administration (NOAA) initially estimated the 2013 recreational season would be 27 days, with a bag limit of two fish. This is expected to be shorter than last year's 46-day season due to an increasing amount of effort in the fishery and the larger size fish that are being caught. The Council increased the quota for the upcoming 2013 season, but the quota is expected to be caught faster due to increased catch rates and larger fish size. Further, a benchmark assessment for red snapper is currently underway and is scheduled to be completed in late May or early June. If the assessment is positive, another quota increase for 2013 may allow additional recreational fishing days. If a quota increase is warranted, the Council will consider an emergency rule in June that will increase harvest quotas for 2013 and could allow for a supplemental recreational fishing season. It is unlikely that the emergency rule would be approved in time to add days to the end of the regular June recreational harvest season, so the Council would need to determine when a supplemental season would open; previous Commission direction suggested fall weekends. Ms. McCawley went on to describe how updated estimates of how each of the Gulf States' regulations will affect the season in federal waters that are adjacent to each state. In February the Council approved an emergency rule which would grant NOAA Fisheries the authority to shorten the federal season off of states that adopt inconsistent regulations for their state waters. States which adopted consistent regulations for their state waters would have a 28-day federal season. If Florida approves the 44-day state recreational season proposed at the last Commission meeting in February, NOAA Fisheries estimates the federal season off Florida would be shortened from 28 days to 21 days. She discussed the other considerations to keep in mind when selecting the season in Gulf State waters and she also talked about red snapper regional management pros and cons. Current preferred options would make each state its own region, and would provide states more flexibility in setting seasons but not necessary more fishing days. Next, she noted that the Council is considering repealing the current rules requiring federally-permitted for-hire vessels to follow federal rules regardless of where they are fishing (commonly referred to as the 30B rule) and other long-term options for recreational harvest. At the last Commission meeting, staff was directed to work with other state directors to determine what approaches would be best for red snapper management Gulf-wide. After discussions with the state directors, staff felt that regional management would allow the greatest flexibility for Florida's state and federal waters. Also, since the last Commission meeting, federal legislation has been introduced, known as the Gulf Fisheries Fairness Act, which would extend state management of reef fish species out to 20 fathoms in the Gulf of Mexico. Staff will keep the Commission updated on the status of this bill moving forward. Lastly, Ms. McCawley asked the Commission to approve staff recommendations of the proposed 44-day recreational harvest season to open June 1 through July 14 and make the rule effective June 1, 2013. She noted that staff is also seeking direction on regional management for recreational red snapper in the Gulf of Mexico, including the proposed quota allocations for the five Gulf States.

Public Comment

Capt. Pat Kelly (Florida Guides Association) stated he felt that a wedge is being driven between recreational anglers, charter captains, and federally-permitted charter captains because of the federal permit and the differences between state and federal seasons. He also noted that the rule does not follow the Magnuson-Stevens Act which says that you must treat all people equally. He requested the Commissioners support the repeal of the 30B section which requires federally-permitted for-hire vessels follow federal rules.

George Eller (Charter Boat Captain from Destin) encouraged the Commission to stay compliant with federal regulations as indicated on page seven of the handout; if this rule is enacted it will hurt the federally permitted for-hire industry statewide, as well as the recreational fishermen in peninsular Florida who will lose seven days of federal waters and cannot generally fish for red snapper in state waters. It will also be discriminatory to the visitors to Florida, who use charters to fish, and a 44-day season is a slap in the face to them; we need a level playing field, non discriminatory practices, and equal access for everyone across the board.

B.J. Burkett (Panama City Florida Charterboat Owner) is a federally permitted boat and represented his business, as well as thousands of clients that he takes out every year. He wondered why the Commission passed the rule to

move forward against the majority of speakers he felt were against the state going inconsistent for the 2013 season. He noted at his marina 25 boats are federally permitted and five are not (he is federally permitted); he felt it would cause chaos for the charter industry. If the Commission goes non-compliant, he would like to see legal action to help solve the problem in regards to the 30B rule.

Dennis O'Hern (Executive Director, Fishing Rights Alliance (FRA)) suggested that staff investigate a statement to Congress by Dr. Bob Shipp that said we should have a six-month red snapper season now. He also noted the FRA was on record as being against 30B, which ties the hands of federally permitted fishers. He would not mind seeing the Gulf Fisheries Fairness Act move forward. The National Marine Fisheries Service (NMFS) should work for fishermen, not the other way around. He supported getting a better handle on all the participants in the fishery; survey them to get more accurate data on the problem.

Chairman Wright noted that he has directed staff to work on a repeal of 30B. He also emphasized they hope to hear that the pie may be getting larger.

Chris Phillips (tackle store and charter boat service owner in Pensacola) said he holds a federal reef permit and speaking on behalf of many people, he asked the Commission to vote non-compliant. He agrees with Dr. Shipp's assessment of the red snapper population in the Gulf, and who urged them off the record, to come to the meeting to support non-compliance.

Matt McCloud (Federally Permitted Charter Boat - Pensacola) noted that the research and management needs to support the use of the resource. He said the charter business is bleak at times and felt the government is working against them. He supported non-compliance and wants to break the stranglehold the federal government has on the fishery. The Gulf Fisheries Fairness Act is an example of a policy that would be equitable for recreational and charter fishermen. The new policies are only possible if Gulf States take back what they've always had from the federal government. He asked for 60 days of weekends (Friday through Sunday) snapper season, starting May 1, for recreational fishermen.

Ken Riggs (Member of the Pensacola Recreational Fisherman's Association) noted he was speaking for approximately 150 members who were not able to attend the meeting, who supported non-compliance, and a 60 day, (Friday through Sunday) weekend fishing season. They also support more trust and appreciated being heard by the Commission. Additionally, they feel a good benefit of going non-compliant would show the feds that we still have a well managed resource and a happy population of recreational fishermen. In closing, he said God put enough resource on this earth, and if we do a good job, we cannot wear it out.

Thomas Adams (Recreational Fisherman's Alliance and charter boat owner) sits on the Red Snapper Advisory Panel for the Gulf Council, and asked the Commission to go non-compliant, and try and extend the season for as long as possible; he agreed with Dr. Shipp's assessment of the red snapper population. He has a federal permit but feels extending the season is the right thing to do.

Major Alan Lamarche (former deputy of Law Enforcement for Game and Fish) speaking on behalf of the children of the Beau Turner Youth Conservation Center, thanked the Commission for the spring gag grouper season in state waters, which allowed them to enjoy it. Additionally, they would like to see more gag fishing in the Big Bend area in October. He noted the season decision will not affect the Big Bend area so much; however, they support non-compliance, and felt that more weekends will provide more opportunities to fish. He is one of Governor Scott's nominees on the Gulf Council, and if selected, hopes to represent this Commission and the State of Florida in an honorable way.

Trip Aukeman (CCA - Florida) announced they just got word that 30B was voted on to be rescinded by the reef fish committee at the Gulf Council meeting this week. He also noted that 30B has put everyone at odds with one other. He noted that CCA has been reluctant to support any state non-compliance with federal regulations because of impact to the conservation and recovery plans. However, by all accounts, red snapper is far along in

the recovery process and endorsing continued state compliance in the fishery may not be the best option. They asked the Commission to pass a 44-day season and work to rescind 30B.

Doug Nolin (recreational fisherman from Darlington, FL) has conducted a 20 year experiment in regards to size and number of red snapper. He said he always fishes in the same boat and same gear, bait, and style, and his findings prove that red snapper is fully recovered. He tagged 200 fish for Mote in 2001, and the average size was 13-14 inches; about 80% were less than 15 inches. Several years later he caught snapper that was over seven pounds, the next year nine pounds, and now they are up to 13 pounds and all within site of the bridge. Lastly, he stated there are more fish than ever, even at the end of the season.

Bob Gill (OFF – Crystal River) stated he is against staff recommendations and believes the state should go consistent. It is the role of the Council and Commission to maximize opportunity for fishing over the long term, based on status of stocks and science. In spite of comments made by Dr. Shipp, the science does not support increased harvest yet; the stock is rebuilding well, but there are only so many fish. The Magnuson-Stevens Act requires the fishery to be managed as a whole. There is a common perception by fishermen that regional management will result in more fishing days; he argues that is not the case and will probably result in less days. He expressed that 30B is a miserable rule now, but repeal of it will result in less fishing days.

James Green (Vice President, Destin Charter Boat Assn. (DCBA)) speaking on behalf of the DCBA, noted they understand the frustration with the feds; federally permitted vessels should be able to participate in state fishery. They would like fair and equitable fishing for all, and felt if you remove 30B it will allow more access. He asked the Commission to bend, be patient, and work with them. He supported staying consistent, because going non-consistent will remove 25% of the season for visitors who use charters, remove 25% of the season for peninsular Florida, and also drive a wedge between state and federally permitted vessels in Florida. He supported better and more data collection, and also suggested finding out who is participating in the reef fish fishery. Lastly, he said they do not want special treatment...they just want an equal playing field.

T.J. Marshall (Ocean Conservancy) felt that an important discussion is needed. He also discussed a new publication from Dr. Cowan out of Louisiana, which states the red snapper stock is nowhere near recovered. The fishery has been over fished since the 1960's, and the perspective has shifted as to what the fishery is capable of. They have tried to rebuild this fishery several times and it always gets to a point where the biomass hits a nice level of abundance, then the fishery is opened up to too much harvest, which leads to lower catch limits; if we are impatient and open up the fishery to too much harvest, it will take away those fish that have the potential to become big breeders. He urged the Commissioners to remember the partnership between state and federal waters can be treated differently but felt they should go consistent and wait on stock the assessment, then decide.

Gary Jarvis (Destin commercial/charter fisherman) commented that for him it is an access and fairness issue; six or seven days is 25% of the season in the south. He does not want to be penalized by sending a message to the feds, but this is not fair to 19 counties in the state that don't have snapper in state waters. Unlike deer hunting where everyone gets the same amount of opportunity, this situation does not, and harms his business. Unless the 44 day season will enhance the red snapper fishery, then the decision should be based on what is fair to all the stakeholders in the State of Florida, as well as customers from out of state. He felt 110 miles of coast line gets special advantage over the other 500 miles of coastline.

Commission Discussion

Chairman Wright asked what the stakeholders are saying regarding weekend opening vs. straight days.

Ms. McCawley explained there was more support for a continuous season for the summer, but a fall supplemental season on weekends.

Commissioner Yablonski asked what we know about the stock assessment.

Ms. McCawley said the Council was supposed to get a briefing during the Council meeting occurring right now, but now the results will not be known until the next Council meeting in June. However, indications are the results are positive that the stocks will rebuild ahead of schedule.

Mr. Gil McRae noted the stock is rebuilding at a rate faster than the last assessment showed in 2008; but we are still living in a 2008 world. He felt certain that the number of days will go up based on the results of the stock assessment, but the total number of days will be driven by the rate of rebuild.

Commissioner Priddy commented that southwest Florida state season is not useful because the fishery is nearly all in federal waters. Though she appreciated the need to send a message to the Council, she also felt that everyone should have the same fishing opportunities. She suggested the other Commissioners look at the chart of season length options to find an alternative that is comfortable, which lengthens the federal season, but at the same time addresses the fairness issue between recreational and for-hire vessels that are federally licensed.

Chairman Wright asked if there is a way to keep the south Florida folks from basically not having an opportunity.

Ms. McCawley responded for folks in southwest Florida, their fish are primarily in federal waters. Although the fishery is expanding south, they don't have red snapper in state waters yet.

Chairman Wright clarified the 44-day season would essentially limit fishermen in southwest Florida to a 21-day season.

Ms. McCawley responded that was correct.

Commissioner Priddy noted southwest Florida does not catch a high percentage of the total anyway, but keeping the current recommendation takes a week away from them.

Commissioner Corbett asked if we are looking at just two days in the chart of season length options and estimates.

Commissioner Priddy clarified that if we choose not to go consistent; it is a week's worth of fishing lost in southwest Florida.

Commissioner Yablonski agreed with Vice Chairman Corbett, and said they are talking about days, and when looking at the landings on snapper, once you drop below the Big Bend area, only about three percent of the total catch is in south Florida.

Commissioner Roberts noted that the Commission takes into account all the stakeholders as much as we can in every situation, as we did with gag grouper. There are other species of fish that are available in the south that we don't enjoy in the Panhandle, and it will never be as perfect. However, we do the best job we can, based on the science and stock that we have.

A motion was made by Commissioner Roberts to accept staff recommendations for a 44-day season, and was seconded by Commissioner Corbett.

Under discussion

Commissioner Bergeron asked Mr. McRae what the position is that we have on science and stock assessment as it supports the federal season recommendation, and will the current state season recommendation hurt us in the long term.

Mr. McRae responded they are part of a team, and support the assessment process. The problem is that the data in the computer is only through 2008; the 2009-2011 years were good years for red snapper. If the state is taking a bet on the new assessment showing improvement in the stock, he could not say if the current days will increase

the rebuilding time or not. The stock is rebuilding on the rate mandated in the recovery plan, and likely is faster; if the Commission adds additional days, it is hedging a bet on rebuilding. He is confident of a net positive rebuilding.

Commissioner Yablonski supported the motion on the table. He commented that it seems like we are favoring one group of anglers over another, and he is concerned about the federal government modeling; for the last four years we have been supporting charters and keeping their seasons going by staying consistent. We know things are getting better but the model used now takes more away from the angler because of bigger fish in the population. The balance is to keep a healthy recovering fishery and also a healthy fishing community. We have been tied to the federal model, but the 44 days being proposed will be the shortest fishing season in the history of Florida. The new stock assessment is coming up, and right now we are looking at backward looking science with data from 2008. He suggested relying on science and keeping the days at least the same as last year. Even though science has a huge margin of error, he encouraged we stay the course and support the motion.

Commissioner Corbett agreed with Commissioner Yablonski that we should go forward and supported the motion; our job is to protect this fishery.

Chairman Wright supported the motion as well. He commented that we have every reason to believe the stock is rebuilding. He is concerned that under the federal model, by the time the fishery is recovered, we will have no one available on the commercial side, or the recreational side to benefit from the rebuilt fishery. We need to be able to assess what the tide is doing so the fishery can be opened back up quickly. Everyday someone is shut down for business is critical; it is a balancing act.

Commissioner Priddy commented that every day the fishery is shut down counts when you are trying to make a living. She explained she wants a more equal perspective and asked for compromise regarding the season dates to give the southwest counties more of an opportunity. She also felt it is important to send a message that we are not in agreement with the way we are being dictated to by the feds.

Commission Rivard noted that some federal permit holders who are urging the Commission to go inconsistent is meaningful to him. His area is being hit hard. We are in a partnership with the federal government and he felt the motion on the table is not overly aggressive and shows good faith, which shows we are doing our part; it is an appropriate balance by staff. He supported the motion.

Commission Action

The Motion passed with Commissioner Priddy opposing.

Chairman Wright noted the Commission needs to give staff direction regarding addressing regional management of the fishery at the Council level.

Ms. McCawley clarified the preferred option for regional management, which would allow the state to make decisions about the state and federal waters off their state. Staff welcomes direction on the percentages, and she agreed that in the future we will need to reassess what those allocations are; as the fishery rebuilds it is moving towards southwest Florida and we would not want to be locked at 38% at that time.

Commissioner Priddy asked why Alabama was not included in the letter.

Director Wiley does not know why Alabama was not included and clarified the letter is from Governors from Florida, Texas, Louisiana and Mississippi, and is not specifically endorsing regional management, rather endorsing that the states want to work together to help resolve this problem and have more of a state role in management of our fisheries and look at other models that have worked in other cases, such as working through the Gulf States Marine Fisheries Commission.

Commissioner Priddy asked at what point something more specific to regional management would come forward.

Ms. McCawley responded that it is on the table and being discussed at Council this week; it is moving forward as a long-term management option. Staff is supporting this be an option for long-term for 2014; but they need to start working on it right now so it can be in place before 2014 begins.

Commissioner Corbett asked how soon we would be able to increase our allocation.

Ms. McCawley responded that the state directors discussed a need to take a look at this annually and discuss allocation every three years.

Chairman Wright noted that if we advance regional management, it is not just regional allocation but regional management and asked Ms. McCawley to discuss those obligations to the State of Florida.

Ms. McCawley responded that we would be required to shut the fishery down in state and federal waters in order to stay within our allocation. Also, additional data collection needs would be put into place to track harvest better; such as the proposed reef fish permit as a way to get a handle on the universe of anglers that are out there.

Chairman Wright noted they are often called upon to make decisions today based on past assessments. That obligation would carry certain rewards that we could control better. He suggested giving staff direction to pursue the concept of regional management cautiously.

68B Rule Cleanup and Reorganization

Chairman Wright asked Melissa Recks, with the Marine Fisheries Division, to present the 68B Rule Cleanup and Reorganization. Ms. Recks summarized the draft rule amendments for the FWC marine fisheries management regulations in Division 68B, which would standardize the format and rule language for 20 of the existing species chapters, relocate the regulations for three species to new rule chapters in 68B, and compile a series of definitions and provisions that would apply to all marine fisheries. The proposed changes would improve enforceability of the regulations and simplify the rule language, making them easier to understand. She asked the Commission to approve staff recommendations to standardize and reformat 20 of the existing chapters in 68B, FAC, create new chapters for wahoo, swordfish, and sheepshead, relocate existing gear descriptions to the gear definitions rule, and correct the rule language for the veterans restricted species endorsement exemption. Staff also recommended the Commission direct staff to continue working on the planned future phases of the rule cleanup process in order to reformat and standardize the remaining rule chapters in 68B, and eliminate unnecessary local laws and statutes. If the draft rule amendments are approved, staff recommended proceeding to a Final Public Hearing at the June Commission Meeting.

Ms. Recks continued on to review the second portion of the document which summarized draft rule proposals to compile a series of general definitions and provisions that would apply to all marine fisheries. The rules would result in substantive changes to the meaning and enforcement of some marine fisheries regulations. However, the proposed rule changes would also reduce confusion and improve enforceability by consistently applying regulations currently found in some or many rule chapters to all marine fisheries, by creating overarching regulations, and by providing a single consistent definition for commonly used terms. This portion of the document provides a discussion of the major changes in regulations created by the proposed rules. She noted that in addition to the input staff has received so far, public webinars are scheduled for late April in order to collect additional public input in advance of the final public hearing. Staff recommended approving the draft rules renaming chapter 68B-2 to create a General chapter, creating a consolidation list of consistent definitions that apply to all marine fisheries, and expanding the application of a series of sporadically applied marine fisheries provisions, in order to reduce confusion and aid in enforcement of the existing regulations. If the draft rule amendments are approved, staff recommended proceeding to a Final Public Hearing at the June Commission meeting.

Commissioner Priddy would like to make sure that it is clear that this rule does not apply to non-native species that the Agency is trying to get rid of.

Ms. Recks said they have concerns about applying a blanket provision that specifies this only applies to native species. It puts a huge burden on the public and officers; they are relying on officer discretion on enforcement as well as public outreach, education, and specific rules, like they are doing with lionfish.

Public Comment

Commissioner Rivard asked for clarification on why the Agency wants to expand the definition of harvest. Ms. Recks responded its purpose is to try to reduce wanton waste of species.

Commission Action

A motion was made by Commissioner Corbett to approve the 68B Rule Clean-up and Reorganization draft rule and bring it back in June for final adoption, and seconded by Commissioner Bergeron. The motion was approved unanimously.

A motion was made by Commissioner Bergeron to approve the 68B-2 General chapter draft rule and bring it back in June for final adoption, and seconded by Commissioner Yablonski. The motion was approved unanimously.

Lionfish

Chairman Wright asked Carly Canon, with the Marine Fisheries Division, to summarize a draft rule amendment for lionfish. Ms. Canon explained that the proposed draft rule would waive the recreational saltwater fishing license requirement for divers harvesting lionfish using specified gears and exclude lionfish from recreational and commercial bag limit requirements. Staff recommended approving the proposed amendments to create 68B-5.006, FAC, (Lionfish), which would waive the recreational saltwater fishing license requirement for the harvest of lionfish by divers using specified gear, establish no recreational and commercial bag limit policy, and exclude lionfish from the 100-pound recreational daily bag limit. A recreational fishing license would still be required to fish for lionfish using all other legal gears. If approved, staff recommended proceeding to a final public hearing at the June Commission meeting.

A motion to approved staff recommendations was made by Commissioner Corbett, and was seconded by Commissioner Yablonski. The motion passed unanimously

Tarpon and Bonefish

Chairman Wright asked Ms. Canon to present the draft rule for tarpon and bonefish. Ms. Canon reviewed proposed rule amendments that would make tarpon and bonefish catch-and-release-only species in recognition of the fact that their economic and fishing value as catch and release fisheries great exceeds their value as food fishes. She explained that staff recommended approving the draft rule to make tarpon and bonefish a catch-and-release-only fisheries; allow temporary possession of tarpon for photography, measurement, and scientific sampling; allow harvest and possession of one properly tagged tarpon per person per day when in pursuit of an IGFA record; reduce the number of tags available for sale annually; limit fishing gear for tarpon to hook and line only; extend tarpon regulations into federal waters; and eliminate the tournament exemption permit for bonefish. Staff also recommended the Commission grant staff permission to advertise the rule in the new format developed for Division 68B, FAC, under the rule cleanup process. In addition, staff recommended working with the Florida Legislature to modify parts of the tarpon tag program. If directed, staff recommended returning for a final public hearing at the June 2013 Commission meeting.

Commissioner Priddy asked for clarification for temporary possession for measurement of length or girth and if both are required, she would like to make sure we are covering both measurements.

Ms. Canion clarified that yes, they could measure it either way, but would use either way to estimate weight.

Commissioner Priddy asked if we needed both a per-person and a vessel limit for tarpon.

Ms. Canion responded if you don't have a vessel limit, you could have each person on the boat possessing a tarpon.

Colonel Brown also responded that if they just allowed one per vessel, which could allow multiple trips per day.

Commissioner Priddy questioned if the number of tags could be reduced annually, and at what point do we decide what that number will be. Also, will it have to be done before the final rule? Ms. Canion responded yes and that it would be a policy call from the Commission. Commissioner Priddy also questioned if the number of fishermen going after a record is small, can we look at a smaller number of tags, and also do we need to come up with the dollar amount for the tag before the 2014 legislative session? Ms. Canion responded that would be wrapped into the proposal that would be decided later. Lastly, Commissioner Priddy asked if that amount is high enough so that someone could still get a tag; possess the tarpon, but not truly going after a record. Ms. Canion responded that a higher fee would potentially discourage people from taking a tarpon unless they were serious about getting a record.

Commissioner Roberts asked if we raised the tag fee substantially would that be passed on to the person or would it be a requirement of the vessel operator to have the tag and would they make the decision. It seems like if we issue fewer tags and increased the price then the cost has to be absorbed by the boat captain or client wanting the record. He asked for comment on how they would like to handle this substantial increase.

Public Comment

Captain Pat Kelly (Florida Guides Assn.) stated that Florida Guides support staff, but thought that the price of the tag might be a concern. He also asked that consideration be given to making a tag last longer than a year.

Dennis O'Hern (Executive Director, Fishing Rights Alliance) there is no science that supports any further management measures. He asked who will decide how many tags will be issued. He felt that reducing the number of tags or raising the price may reduce the fishing trips. He urged the Commission to be very careful; it is discomfoting to see that something that is not wanted is being advanced for the perceived benefit of a few, at the expense of many.

Trip Aukeman (CCA – Florida) stated he believed tarpon and bonefish should be managed for abundance. These species are sought after for catch and release trophies by recreational anglers from all over, and the benefit to having more fish in the water means economic growth to Florida waterfront communities. They support FWC's efforts to manage these fisheries for the benefit for all recreation fishermen and the draft rule itself. He asked if temporary possession for photograph of bonefish is in the rule also.

Tom Logan – waived his time.

Tom Gadacz (President Florida Council of International Federation of Fly Fishers Federation (IFFF)) explained the IFFF is comprised of more than 700 Floridian and 13,500 national and international members; they consider bonefish and tarpon to be a very important and sought after sport and trophy fish, and applauded FWC for its management and conservation efforts for these species that are of high recreational importance. It is generally recognized their economic fishing value as catch and release far exceeds their value of food fish. The IFFF advocates catch and release using barbless hooks and safe handling of fish for release by all fishermen. The maintenance of trophy records plays a role in enhancing the sport and value of many fish species and should be accommodated with regulatory limitations and guidelines for proper handling of individual fish that may qualify for IGFA trophy status. They are concerned how tarpon continues to be handled for weighing and competition

purposes associated with certain tarpon tournaments conducted annually in Florida. They endorse the establishment of bonefish and tarpon catch and release species; they also endorse the establishment of a special tag that would authorize possession of a single tarpon for IGFA trophy purposes and the prohibition on possession of bonefish. They urged the Commission to adopt the proposed amendments during the regular meeting in June 2013, for implementation as soon as possible, and second, pursue the establishment of a special tag for possession of tarpon during the next legislative session for implementation in 2014.

T.J. Marshall (Ocean Conservancy) speaking personally, supported the rules and thanked the Commission for propelling them forward.

Captain Philip O'Bannon (Executive Director of Mote in Boca Grande) speaking personally, strongly supported staff in the catch and release vision for tarpon. He has been fly fishing for many years and felt the fishing pressure in the area has disrupted the spawning process of the tarpon, which is probably the largest group of pre-spawning tarpon in the world. Because of the time it takes for tarpon to grow to maturity (8 years), it is unknown how much damage has been done to date. He strongly encouraged the Commission to do what they can to protect this great fishery.

Commissioner Corbett asked how long Captain O'Bannon has been fishing in the Boca Grande Area, and what sort of a drop has he seen. Captain O'Bannon responded he started fishing around 1960 when you could look across at acres of tarpon in places he barely sees any now.

Holly Haynes (Charlotte Harbor) noted as an angler and citizen, she grew up in the area of Charlotte Harbor and sees the pressure the fish are under; they count on those fisheries, and tourism is king in Florida. She urged the Commission to please protect this fish as you did with snook after the freeze, which made a big difference towards the snook recovery. Also, please give the same consideration for tarpon; it takes years for them to get to breeding stock, and when they get to be the large fish that everyone wants, is exactly the time when they need protection. They are important to the economy of the area. Please protect the breeding stock because it is our heritage and important to all.

Bill Bishop (Orlando) said he saw this as an opportunity to do something different; the guidelines and suggestions indicate not to gaff the tarpon and don't pull them out of the water. He sees this as an opportunity to send a message to anglers that there is a sense of urgency that has to be kept in mind in getting the fish back in the water to set free. To release fish at time and place of capture is a win-win for this fishery.

Chris Frohlich (Save the Tarpon) stated that he grew up in Punta Gorda and is a guide in Charlotte Harbor, but is not part of the Boca Grande guides. The tarpon fishery is a major part of Florida history, and Boca Grande is a part of their legacy; the actions taken today by those involved will forever be a part of the tarpon story. He supported the catch and release draft proposal. He believes this is a rare occasion when everyone can win. He understands that exclusion of any user group is always a concern for the Commission, but no one will get excluded by making tarpon a catch and release. He suggested defining the user groups to better understand who this affects; those who advocate want to protect a fish they rely on, and who will be the unhappy party and what are they protecting. The real question is what these individuals stand to gain and at whose expense.

Tom Healey (Boca Grande/Englewood resident) supplies boats for VIP tours and photography groups during tournaments and said he is in agreement with new recommendations. He has seen a big change, and a more aggressive nature towards his customers have caused them to pull back from sponsoring the events. His concern is regulation; the aggressive nature of some of the tournaments is also a concern to them as public boaters.

Mark Futch (Boca Grande Fishing Guides Assoc.) said he is a third generation tarpon fishing guide from Boca Grande. He brought 11 folks to the meeting who feel passionate about what is happening to tarpon. He supports catch and release only and also to stop using a gaff in these fish. He noted they used to see acres of schools of tarpon but they are not seeing them now. The large breeding females have been killed off by the tournaments,

which is most disturbing. They need protection; he has seen a 75% decline in the fishery; by the time June comes, they are killed or driven off.

Thomas McLaughlin (Chairman, Save the Tarpon) explained they have an international membership which is concerned and supports staff recommendations. Travelers come to Florida to tarpon fish from all over the world and they are seeing what is happening, and are not happy with the way we treat this fish. He talked about tarpon being senselessly killed or killed for trophy. We may not have the science to show the decline, but you have first hand observations of fisherman. All signs indicate this is good for the fishery and the economy.

Lew Hastings (Boca Grande Area Chamber of Commerce) commented that since 2011 he has manned booths at the Ft. Lauderdale Boat Show and could not give away a free half day guided tarpon fishing trip to fish in Boca Grande Pass, because so many people who described what they had in Boca Grande as a circus. It is his job to promote businesses in the Boca Grande Area, and he wants to improve public relations for the businesses he represents. He supported staff recommendations.

Van Hubbard (Placida) said he supported catch and release. He has been guiding since 1976 and would like to make this area the Tarpon Fishing Capital of the World again. He urged the Commission to protect tarpon.

Captain Mike Bailey (Florida Guides Assoc. – Naples) as a guide for 32 years, with 20 of those spent in Boca Grande guiding for tarpon, felt this is a step in the right direction and he liked what the Commission is doing. The fish are not biting the jig, they are stacked up in the hole, they are thick, and they are being snagged. When the tide starts to turn slack, the fish can't tell which way to go and end up 25 to 30 feet of water; then you put 50 to 100 boats that race over the top, throw the boat into reverse, and then fire jigs down on them, in a tournament style that started in the late 90's. He quit fishing there in 2004-2005 and will not take anyone there; felt it has gotten progressively worse.

Dave Markett (Florida Guides Assoc.) noted they are in favor of staff recommendations. He suggested leaving the cost of the tag as is, and add bonefish. The world record fishing should not be reserved for the wealthy, a lot of people come to Florida in hopes they might make the catch of a lifetime. The tarpon tag has been highly successful and has dramatically dropped the take of tarpon. He added that not one word was said about the recapture study and DNA survey, a landmark study respected all over the world, which provided hard scientific data on tarpon. The hard work of staff to gather hard scientific data on tarpon should be continued to get science to help explain what is going on; we need to add to this study. Lastly, a tropical storm in June of last year made fish swim into the wind and they never came back. Everyone wants to see a healthy tarpon fishery for future generations.

Todd Stanley (Lake Panasoffkee) as a recreational angler in Boca Grande Pass applauded the Commission. It is not as bad in the pass as many are making out. They use all methods of fishing and invited anyone to come on his boat to see how the fish are hooked. He is 100% in support of catch and release.

Frank Smith (Florida KeysKeeper) stated they supported catch and release. As an asset of the citizens of Florida, a tarpon is worth about \$100,000 and bonefish \$70,000. He noted the mortality rate of landings does happen and is about 8 to 15% by using catch and release; if we can reduce landings by five percent, the improvement is a large economic benefit.

William Benson (Lower Keys Fishing Guides Assoc.) is a guide from Key West and speaking for the Lower Keys Fishing Guides Association, noted all members voted unanimously in favor of catch and release. It is a huge resource and anything we can do to better the mortality rate of tarpon is a wise thing to do. He noted that over the years he has started to notice an increased presence of bull sharks, so they no longer try to pull tarpon to the boat, they jump them, and they get them off as quickly as possible, because he has witnessed fighting tarpon to exhaustion, where they become susceptible to being killed by bull sharks. He supported keeping the gills and head completely under water and then release the fish as quickly as possible. He explained you can still get a fabulous picture.

Steve Trippe (recreational angler, Key West) explained that he holds a small tournament, and he along with all the other anglers concur with staff recommendations. He noted they have changed the tournament rules to encourage catch and release, which results in less mortality.

Aaron Adams (Bonefish & Tarpon Trust) noted that in addition to reports from long-time guides, a recent scientific article said the tarpon population is vulnerable and has declined by 30%, in addition suggested that regulation is needed. It could take decades for this slow maturing and long lived fish to recover. The 40 inch limit on removing tarpon from water is based on science; with larger fish the survival rate drops. He added that dragging causes high physiological stress. Further, currently Louisiana does not have any laws on tarpon now; passing the regulations in Florida will allow us to take this to Louisiana and Texas; because the migrations are throughout the Gulf, they are our tarpon too. His group has canvassed the Keys about bonefish tournaments and found high support for getting rid of the exemption.

Harry Spear (boat builder) explained though now a boat builder, he was a guide in the Keys from the 70's to 2005, and felt the bonefish and tarpon numbers have dramatically decreased, and in his opinion, up to 90%. Catch and release is an incredibly important issue on game fish discussion; and felt the greatest cause of the fishery decline is pressure. Lastly, as leaders of the resources he suggested there are many creative ways to reduce pressure on the fishery and help protect the resource; and also ensure it will be there for future generations.

Terry Gibson (co-owner of Fly My Tackler Angler Magazine) supported catch and release; they are worth too much money to be mishandled. Please proceed with protecting these species.

Cappy Joiner (President, Boca Grande Fishing Guides Assn.) explained he has been fishing since 1964 and he has only ever tarpon fished in Boca Grande Pass. He asked the Commission to leave the tag at \$50, and allow only one per year to be able to pursue an IGFA record. He noted the stats from the IGFA records say that in 38 years only 24 fish have been added to the record books for Florida...and only 13 since 2000. He supported catch and release.

Commissioner Yablonski asked Mr. Joiner how many folks are actually going for a world record. Mr. Joiner responded he has never known anyone. He added that in 1992 a guy turned in two fish for records, in 1996 his wife turned in two more, and in 2005 one was turned in by someone else.

Chairman Wright clarified the world record is based not only weight and size of the fish, but the method of catch and very specific. The records have to be based on a killed fish because there is so much opportunity for fraud, which would invalidate the record. The need to protect world records is also important.

Commissioner Corbett noted we have had almost a 100% response supporting catch and release.

Commissioner Corbett made a motion to accept staff recommendations on catch and release, seconded by Commissioner Bergeron.

Under Discussion

Commissioner Yablonski asked if we needed to discuss tag cost.

Chairman Wright suggested giving staff direction on tag cost. He recognized that if we have a limited tag program, there will be a few who will go for a record, and going to the legislature has its own issues. Currently the tags come from the tax collector, but if pursuing the idea of protecting an IGFA record, as few as they may be, and valid for a one year period, keeping it at \$50 without having to go to Legislature has value.

Commissioner Corbett suggested for clarity of the motion we deal with catch and release, and then separately discuss a recommendation for the tag cost.

Chairman Wright suggested it is part of staff recommendations, but thought that Ms. McCawley needed direction for the final rule.

Commissioner Priddy asked Commissioner Corbett to amend his motion to include a statement that leaves the tag price at \$50, and changes the possession limit of one tag per year.

Commission Action

Ms. McCawley asked for clarification that the purchase limit of one tag per year would apply to guides, and could the guide buy a tag and transfer it to the angler.

Chairman Wright said that it was acceptable for guides to buy more than one per year, and the motion would include exempting guides from being limited to one per year.

Chairman Wright suggested waiting to limit the number of tags based on supply and demand.

Commissioner Corbett amended the motion to approve staff recommendations making bonefish and tarpon catch and release, leave the cost of the tag at \$50 for IGFA record, and reduce it to one tag per year, per applicant (also allow tags to be bought by guides and transferred to anglers). This was seconded by Commissioner Bergeron. The motion passed unanimously.

Boca Grande Pass: Tarpon Gear

Chairman Wright asked Ms. McCawley and Mr. McRae to review gear types for tarpon fishing in Boca Grande Pass. Ms. McCawley presented a review and discussion of the history of tarpon fishing in Boca Grande Pass that included current tarpon fishing techniques, traditional live bait gear, jigging gear, and stakeholder concerns.

Mr. McRae reviewed the FWC tarpon catch and release mortality study, and included the FWC methods and post-release mortality. In 2004, the FWC study was expanded to examine the incidence of foul-hooking for fish landed with live bait and jigs. Mr. McRae explained the definitions used for foul-hooking, showed a video on how tarpon feed, discussed hook locations used in the study, and other lures and techniques used. He summarized the 2004 study results of hook placement, and orientation data for jig and live bait trips in 2004 in Boca Grande Pass. He also discussed the study results for spinning gear and free-lining live crabs. Next he summarized the study conclusions that the fishing method had no statistically significant difference in post-release mortality rates of tarpon.

Commissioner Priddy asked Mr. McRae to explain what the implications are of the three statistically significant statements from slide 11.

Mr. McRae responded if something is statistically significant, we are 95% confident this is a real difference. Shorter catch per unit effort means you have more hookups and more landed fish, lower catch per unit means you have fewer hook ups and fewer landed fish. This does not speak to foul-hooking, but the efficiency of the techniques. Further, jigs tended to catch fish on average 30 centimeters larger than live bait; it could be that the difference is not that meaningful but we did see it. Longer fight times have higher incidences of release mortality and are directly related to post release mortality. Though we did not see big differences, the fight time was longer on jig vs. live bait.

Commissioner Priddy asked if any of this relates to the mortality portion of the presentation, where more tarpon were hooked than tagged on jigs, and asked if this related back to any of the significant statistics.

Mr. McRae responded that if the method is more efficient, you land a higher proportion of fish that are hooked.

Commissioner Priddy clarified that the jig method took more time to land.

Commissioner Bergeron asked if the mortality rate was 11% higher with jigs.

Mr. McRae responded it is actually 22.7% percent higher.

Commissioner Priddy clarified that the jig method took more time to land.

Commissioner Bergeron asked if catching by jig is a longer stress on the fish.

Mr. McRae replied it is a longer fight time, there are more factors that go into the stress factor, but fight time is one of them.

Ms. McCawley continued and reviewed the management of tarpon fishing in Boca Grande Pass and addressed definitions of breakaway gear, and snagging or snatch hooking that several other states use. She also addressed flossing concerns. Ms. McCawley requested Commission direction on where to go with this issue.

Special Introduction

Director Wiley introduced Jon Steverson, the Executive Director from the Northwest Florida Water Management District. He noted his is responsible for 220,000 acres in northwest Florida, almost all of it open to hunting.

Mr. Steverson talked about the good partnership the District has with FWC, and a joint operation, the Outdoor Freedom Hunt.

Public Comment

Captain Pat Kelly (Florida Guides Assoc.) speaking for recreational anglers, noted any hook is a snagging device, some snag more than others, and all gear is breakaway. Boca Grande's conflict started a long time ago and there are several issues that include water quality, fighting over fishing spots, and changes in the pass itself. He added, this is beyond science and is getting to be a social issue. He suggested using alternative methods, but don't eliminate any kind of gear; study it more and get more data.

Joseph Mercurio (VP/GM Professional Tarpon Tournament Series) stated they disagree with the claims that the jig used by many is a snagging or designed breakaway device. He noted that FWC staff consulted with specialists on feeding behaviors to help understand tarpon hook placement. One expert said tarpon often turn their head sharply after striking. A lawsuit was dismissed and a request for administrative relief was dismissed as staff found foul hooking using live bait or jig fishing did not contribute significantly to the mortality of tarpon. It also pointed that foul hooking is normal in hook and line fishing, and the percentages is in accord with percentages in other fisheries. He recommended looking at instituting the mandatory use of offset circle hooks; there are rules already in place that require the use of offset circle hooks for reef fish, why not for tarpon too. Lastly, he noted that in the last 10 years there have been 411 boating accidents, and only 13 occurred in Boca Grande Pass, none of which included PTTS participants.

Cappy Joiner (Boca Grande Fishing Guides Association) stated that tarpon crush all live bait, except shrimp, and will spit shrimp out unharmed. He does not think tarpon will bite artificial jigs in Boca Grande Pass. Also, all big fish swim in a pod or school on the bottom. He explained when their client gets a strike; they pull the boat forward to get control of the fish.

Philip O'Bannon commented that tarpon are very sensitive to sound and finds it hard to believe when there is a lot of noise and commotion that the fish bite. His opinion is that this jig style of fishing is putting too much pressure on tarpon and is causing a serious decline. He suggested a gear change and also eliminating this unethical way of fishing.

Dave Markett (Florida Guides Assoc.) commented the hook used with the jig is a circle hook; he does not have a “j” hook on his boat. He suggested evaluating both methods of hooking tarpon. He felt that 90% of the fish are caught in the same spot, but using the boat to help set a hook can also cause harm. His customers hook the fish and do not upward jerk with a rod. He only saw this presentation two days ago and would like a public hearing.

Holly Haynes (Save the Tarpon) commented that science says there is a higher mortality of jig fishing because of the length of the fight. If you eliminate this method it would help protect tarpon. She would like to understand why a weighted hook only gets eaten in one area and only in Boca Grande pass, why is it not used anywhere else. The tarpon only bite when they are in that tight school, and based on the information we have, this is an exploitation of our unique schooling behavior and environment.

Bill Bishop demonstrated a foul hooked fish. He also noted that hooking in a mouth part, by the FWRI study, meant it was not foul hooked. The way the tarpon feed is true for all fish, so it is interesting that the foul hooking number is not the same for live bait vs. jig. Out of all the live bait fish in the study, one fish was hooked in the clipper. Tarpon make a turn, and it’s that turn that causes the jig to get hooked in the clipper; he asked why this does not happen with live bait. He suggested 132 tarpon got hooked, because you don’t out fish tarpon with artificial compared to live bait. He added that 70% of the jig hooked fish were lost vs. 48% with live bait. Lastly, the fighting time is significant, because the average fight time with live bait is 11 minutes, and with a jig hooked fish it is 26 minutes; it is more difficult to catch a snag or foul hooked fish than one that is hooked in the mouth. By design the jig is being directed to that location, not because the fish is impaling itself.

Mark Futch (Boca Grande Fishing Guides Assoc.) explained how he invented the “prom dress,” specifically to snag fish to win tournaments. In these schools, the big fish are on the bottom and swim into the line. He appreciates tournaments wanting to protect a cash cow, but it’s a falsehood if folks think they are biting this lead. They have never found a jig in the belly of a tarpon. It’s the only place in Florida where they use it, and where it’s successful, and that is why they invented it; it’s easy.

Thomas McLaughlin (Save the Tarpon) pointed out that other states outlaw hooks with a weight attached to it as a snatch hook; the jig that got passed around is outlawed in many other states. The weight may not be attached directly to the bottom of the hook; the weight must be above the hook. He cited a study from Oregon where people were snagging salmon by design, since it was a biological fact that salmon were not feeding once they entered the river. He added that legitimate ethical anglers loose access to the resource because of unethical snag fishing that became aggressive, and made snagging look like fishing. Here the issue is complicated because both sides make money. Both scientist have removed the statements and no longer concur with the findings in the study. Dr. Motta has asked to be removed from the study and stands by his statements in an article explaining his rationale that tarpon were most likely snagged. Jig fishing allows guides to continue to make money when fish stop biting, and the aggressive pressure on the fish stops them from feeding; the live baiter fishers lose out as well. He would like to pursue the definitions for foul hooking and snag hooking to be more in line with what other states are doing, and then re-evaluate it.

Mike Bailey (Naples) commented that it is obvious there is an attempt in Boca Grande Pass to snatch fish. Further, jig fishing stresses and torments the fish. When you stress a resource that hard, it is unethical, and he will not fish there anymore during the day, while the jig boats are there.

Dave Markett (on Todd Stanley’s time) asked the Commissioners to come see the fishery firsthand before a decision is made, to see what is true and what is fiction. He noted there were statements made today that do not represent the reality. Further, don’t criticize a fisherman for taking 25 minutes to catch a 50 pound fish; it’s the greatest experience of their life. Also, it’s not the weight of the line but the drag being pulled and it’s the same for both types of gear. This will have a huge economic impact on a great number of people.

Tom McLaughlin added that the drag pressures are similar, you can only exert whatever drags on the reel and it’s between 13-14 pounds of pressure. The science has been refuted.

Commission Discussion

Chairman Wright said he would like to have some direction in the form of input for staff to be able to come up with a draft rule. He added that we have an anti-snagging rule that says you cannot snag or spear tarpon, the question is are we going to provide a reasonable definition of snagging, to be able to enforce it? He noted that a jig is a longstanding fishing device with a weight below the eye of the hook, above the belly, and above the hook point with a skirt or a tail that is intended to resemble a bait and an attractant so fish will eat it, and they work. He went on to say this particular device that was passed around cannot be purchased anywhere because it is handmade. It does not catch tarpon successfully, or they would be made and sold. He added that it would be his hope to give staff direction to come back with a definition of snagging. If the Agency has an anti-snagging rule and this is not defined as a snagging device, then we should do away with the anti-snagging provision, and open it up to other methods of snagging.

Commissioner Corbett suggested staff come up with a clear definition of breakaway gear, snagging, or snatch hooking, and to evaluate the location of the weight. He also wanted staff to look at case studies from Oregon and New York, and take a look at snagging and use of weights, including flossing, then come back with what was banned in those states. Lastly, he requested a decision be made on where we are talking about geographically, which is Boca Grande Pass.

Commissioner Priddy agreed with Commissioner Corbett. She felt that looking at the three statistically significant areas, there is a difference and she is not really comfortable with it. She also mentioned she had read that the jig fishermen use a high speed reel with a 6:1 ratio and wanted to know if that was different than what live bait fishermen use, and if it is an obvious difference between the two, maybe it is something that needs to be reviewed.

Commissioner Bergeron commented that this is a very difficult decision. He does not want to take away a gear that increases success, as long as it does not increase mortality. He would like staff to give him any and all statistics that are available on the method of this jig.

Chairman Wright said he made a distinction in his mind between the resource issue and the mortality. He also said this is a social and ethical issue. He spoke about Salmon in Oregon coming out of hatchery's; they can make more fish, but it was a user group conflict among what is determined to be people that were unethically catching fish. If the determination is made that there will not be any snagging, that takes a leap of recognizing the unethical nature of the method.

Commissioner Bergeron said if this is really snagging, and this particular equipment is snagging, to him it's common sense there is going to be mortality and more stress on the fish. The question is "is this a snagging device?"

Chairman Wright agreed with Commissioner Bergeron that this was key, and we need to define it. By other states' definitions, if you have a hook with a weight at the belly of the hook, this is a snagging device.

Commissioner Yablonski said when the issue first arose they had to divide it into the biological, ethical, and social dynamics. Much of the complaint is the boat traffic in the pass itself, and the jig is a proxy for the boat traffic. He also is concerned that "spinning gear" with live bait had the highest (60%) amount of outside in on the clipper.

Commissioner Corbett suggested asking staff to come back in June and research draft language as it relates to these pages, and for gear and snagging, as it relates to the gear, and within that, the location of the weight above the hook.

Chairman Wright responded to Commissioner Yablonski's comment on spinning and said the spinning tackle is usually free lining un-weighted live crab, and as the fish hits and turns they often will wrap. He thought the best approach is to have staff come back with some draft language, which has a clearer definition of a snagging device as the weight below the hook.

Commissioner Rivard said he learned a lot and appreciated comments from the public. He also felt there was no reason to re-invent the wheel, and thought it would be worthwhile for staff to look at what other states are doing with this. Lastly, he would like to hear from staff on whether this is a snagging device.

Director Wiley clarified that staff take a look at a draft definition addressing gear, type of jig, that could range describing what is allowed or what is not allowed. Also, to explore definition of snagging and how other states or countries address this. Also, he does not see the need for more research on this issue.

Collier County – Local Laws

Commissioner Priddy felt this was a fairly straight forward agenda issue and if there were no speakers, suggested we go straight to a motion. She is familiar with the process of Collier County and feels comfortable that staff recommendations are what Collier County prefers.

Chairman Wright noted all the Commissioners have been thoroughly briefed on these issues.

There were no public speakers.

Commission Action

A motion was made by Commissioner Roberts to approve staff recommendations, and was seconded by Commissioner Priddy. The motion passed unanimously.

South Atlantic Council Issues deferred to Thursday

Public Comment on Items Not on the Agenda

As there were no speakers in attendance, Chairman Wright deferred public comment to Thursday.

Commissioner Exchange

Chairman Wright deferred Commissioner Exchange to Thursday's meeting.

Recess Wednesday's Portion of the Meeting

Chairman Wright recessed the meeting at 5:36 p.m., to reconvene at 8:30 a.m., Thursday, April 18.

Thursday, April 18, Reconvene

Chairman Wright opened the meeting at 8:30 a.m.

Special Recognition

Chairman Wright asked Colonel Jim Brown to introduce the Shikar-Safari Award. Colonel Brown explained the Shikar-Safari Officer of the Year Award, its merits, and recognized the award recipient Officer Bryan Fugate. He further outlined his accomplishments and why he was chosen for the award. Colonel Brown then introduced Jim Harrison with the Shikar-Safari Club International to present the award to Officer Fugate. Mr. Harrison noted that because FWC Law Enforcement turns out individuals who are dedicated to making the world a safer place, this

gives him a sense of pride, hope, and humility to present the award to Bryan Fugate. Officer Fugate introduced his parents and fiancé. He then spoke a few words about his team members in the Keys that helped him achieve this award.

Employee Introductions

Chairman Wright asked Director Wiley to introduce FWC employees.

- Investigator Scott Runkle
- Captain Brian Smith
- Major Amy M. Schmidt
- Angie Robertson
- Jim Estes
- Anthony Bresnen
- Rio Throm
- Reshanda Hill
- Dave Telesco
- Bonita Gorham
- Kristina Butler

Retiree Recognition

Chairman Wright asked Executive Director Wiley to introduce retiree Colonel Jim Brown. Director Wiley noted some of Colonel Brown's achievements during his long tenure with FWC. Colonel Brown spoke a few words of appreciation to the Agency and the team work involved in making this truly the best conservation agency in the World. He also thanked his wife, Karen Ventimiglia for her support and guidance.

Chairman Wright talked about the quality of people in the Agency that have dedication and passion, and provide continuum to the Agency and how Colonel Brown has contributed to the integrity of the Agency.

Commissioner Yablonski commented that it is a fortunate person who gets to spend a lifetime in a career on something that makes such a difference.

Commissioner Corbett commented that he was a good fit for the Agency.

A photo was taken with the Commissioners.

Executive Director Report

In the News

FWC investigation stops illegal sale of historic artifacts - Director Wiley described an FWC two-year undercover investigation that successfully stopped lucrative illegal businesses dealing in historic artifacts taken from state lands and waters. Fourteen individuals throughout the state from the Keys to the Panhandle were arrested on over 400 felony violations. He explained the FWC worked closely with the Attorney General's Office of Statewide Prosecutor and the Georgia Department of Natural Resources on this case.

2013 National Archery (NASP) Florida State Tournament - Director Wiley highlighted the 2013 National Archery in the Schools Program (NASP) Florida State Tournament at the Easton Newberry Archery Park on February 23, which was administered by FWC's Division of Hunting and Game Management Hunter Safety Section. Over 230 students took part in the event, with almost 500 more shooting the virtual component from their schools. The sixth annual tournament started out with a presentation of the 2012 Sportsmanship Award to

Connor Hampton of Belle Terre Elementary School by Jake Kaminski, Olympic archery team member and silver medal winner. Two of the male shooters finished tied, with a score of 295 out of 300, each shooting 25 bulls eyes. These are Florida's highest scores ever, affirming that we are now becoming nationally competitive. The seventh annual tournament will take place on February 22, 2014 in Newberry, Florida.

Recent Stakeholder Communication on the Section 6 Agreement between USFWS and FWC - Director Wiley explained what the purpose of the agreement is and informed the Commissioners about a recent 60-day notice of intent to sue the U.S. Fish and wildlife Service (USFWS) filed by the Conservancy of Southwest Florida and the Center for Biological Diversity which has resulted in some press releases, newspaper articles, and editorials. The intent to sue is about the U.S. Endangered Species Act, Section 6 Agreement between the USFWS and FWC that was updated and executed on May 14, 2012. He clarified that the Section 6 Agreement with the USFWS does not delegate any federal authority and does not authorize FWC to issue any permits, but it does strengthened cooperation between FWC and the USFWS, and has also improved conservation of endangered species. Director Wiley noted there have been several public hearings and workshops on this, and he has recently sent out an email correspondence to stakeholders and interested parties over a broad range of interest groups providing some facts and information related to the Agreement.

Updates

Python Challenge - Director Wiley informed the Commissioners that the 2013 Python Challenge competition concluded at midnight, February 10, 2013, and on February 16 the Awareness and Awards Event was held at Zoo Miami to recognize the winners of the competition. He declared that it was a big success in our view, though not about how many snakes taken, rather about raising awareness of the project. He thanked Commissioner Bergeron for his support.

Apalachicola Oyster Status Update - Director Wiley updated the Commissioners on the status of oysters in Apalachicola. He noted the good news is that the amount of rain has caused the Apalachicola River to rise, dropping the salinities in the Bay to more normal levels lately. This will help us to break out of the drought and take some of the pressure off. We will monitor the oysters closely and work with stakeholders, and we are hopeful for some recovery in the oyster crop as well as the other species that also depend on fresh water flow and a healthy Apalachicola Bay. We are working closely with partners to keep a close eye on the problem, and help the community to recover.

Events

First Nature Coast Birding and Wildlife Festival – Director Wiley informed the Commissioners that FWC held its first Nature Coast Birding and Wildlife Festival on March 22-24. It was held in Hernando, Pasco and Citrus counties, and the Audubon of Florida and Visit Florida were partners. It was a great event that got people out in the woods and highlighted our efforts to promote the importance of wildlife viewing in Florida. It was another element of our efforts to reach out to highlight the wildlife diversity in Florida and what we do to help manage wildlife.

Panther Release – Director Wiley discussed FWC's release of a pair of panther siblings that had been orphaned at five months in September of 2011. The kittens were trapped and taken to be raised at the White Oak Conservation Center in Yulee, FL, a facility with an excellent record of raising orphaned panther kittens and conditioning them for eventual return to the wild. On January 31, 2013, the female panther was released into the Picayune Strand State Forest in Collier County. At the release, which Commissioner Priddy attended, FWC videographers used several cameras to capture the moment, which shows a sleek, healthy, long-tailed cat leaping and bounding through the high grass. A press release on the panther's return to the wild was sent out on February 1, 2013. Also, on April 3, the male panther of the pair was released in western Palm Beach County in the Rotenberger Wildlife Management Area near the border of Broward and Hendry counties. This release site was chosen to minimize the risk of deadly confrontations with older males. Commissioner Bergeron attended the release, along with 30 reporters from Associated Press, the Miami Herald and Sun Sentinel newspapers, all the

Miami TV stations and the “Wild Kratts” PBS kids show. FWC sent out a press release that evening and the resulting media coverage was extensive.

Special Guest

Chairman Wright introduced special guest Mallory Lykes Dimmit who gave a short update on the 2012 Florida Wildlife Corridor Expedition - Everglades to Okeefenokee. She thanked staff and the Commissioners and said they could not have done this without their support, and also that of the Cooperative Conservation Blueprint, including the Wildlife Corridor. She showed a few clips from the PBS Documentary, and informed the Commissioners they are starting to plan a 2014 expedition that will expand the corridor west into Alabama. Lastly she added this is the perfect public/private partnership, and they are also trying to work more closely with the youth conservation centers and planning more expeditions on the public lands so that people can get out and experience this.

Chairman Wright thanked everyone involved in the expedition, for getting the conservation message out. He noted it is important to get youth involved in the outdoors. Not only does it highlight the value of the wildlife corridors, it also highlights the value of private landowner’s contribution, which is a big key to conservation.

Commissioner Bergeron – felt privileged to be involved in this important project. He also noted how important it was for the public to understand how important contiguous corridors are to wildlife. FWC needs to be in full support of this.

Commissioner Corbett added how important this is to youth involvement.

Commissioner Priddy recommended that everyone watch the movie which is phenomenal. The photo book Mr. Ward has out does a great job capturing the spirit of what goes on in the State of Florida.

Lyle McCandless (President Big Cypress Sportsmen’s Alliance) noted they are on board with this initiative.

Private Lands Deer Management Permit – Final Rule

Chairman Wright asked Diane Eggeman, Director of Hunting and Game Management, to present the changes to the previous version for Private Lands Deer Management. Ms. Eggeman first presented background information about the FWC Voluntary Private Lands Deer Management Permit Program’s goal, that will assist landowners or their lessees with deer management by providing more flexibility with deer season timing, method of take and harvest management. She went on to discuss the benefits to participating landowners and the public trust benefits, the review and input process, and stakeholder concerns about minimum property size requirements. Ms. Eggeman noted that in response to stakeholder concerns regarding the minimum property size requirements, the minimum acreage to participate in the proposed program was lowered from 10,000 acres to 5,000 acres. In addition, deer surveys would only be required during the first two years and in alternate years thereafter determined by harvest recommendations. Lastly, she discussed the conservation benefits to participants on participating properties. Ms. Eggeman requested that the Commission give approval to advertise and adopt the proposed rule with the following three recommended changes, which would be effective for the 2013-2014 hunting season:

- Require four conservation practices (instead of three).
- Require deer surveys only for harvest recommendations greater than one antlered or one antlerless deer per 150 acres.
- Allow for management plan to be developed through FWC’s Landowner Assistance Program.

Commissioner Priddy asked if one of each, antlered and antlerless deer are allowed per 150 acres. Ms. Eggeman responded yes.

Commissioner Corbett asked what the major kickback was in the public sessions from private landowners. Ms. Eggeman responded that smaller property size was desired.

Commissioner Bergeron said he felt that this is very positive and encouraged private property owners to have more hunting. It also helps youth hunting, and provides more harvest data from the tags. He asked if neighbors can combine properties to be a part of the program. Ms. Eggeman replied yes.

Commissioner Rivard asked if there is a maximum number of landowners that can combine to meet the threshold. Ms. Eggeman said there is not a maximum...it could be two property owners or ten.

Public Comment

Sean Paul (Landowner, Winter Haven) said he supported the program, but noted they only have 3,000 acres. Because they have deer feeders, 13 food plots, and actively burn, they feel their property can handle a larger amount of deer. He would like the Commission to consider reducing the minimum threshold to 3,000 acres.

The Commissioners discussed getting Mr. Paul's property combined with a neighboring property.

Charles Lykes (Lykes Brothers) said he supported the program, and is optimistic they can get things done in time for the next hunting season. He also noted they would like to continue to work in close partnership with FWC on getting more outdoor opportunities for youth.

Lyle McCandless (President, Big Cypress Sportsmen's Alliance) said he supported the initiative. He thought it is a much needed step forward for enhancing deer management. Also, he hoped this will lead to a statewide system to get critically needed data on public and private lands alike. Lastly, he felt it is a good step forward in building better harmony between private land-owners and public hunting community.

Brigham Mason (Deseret Ranch) commented that private property is important to the wildlife corridor initiative. He also saw this as an opportunity to encourage enhanced conservation on these properties, as well as, document conservation practices that are already occurring, and encouraging it where it is not yet occurring. He supported this initiative and felt the revisions made enhance the goal set out.

John Rosier (Everglades Coordinating Council) said he appreciated the data collection, but ECC is concerned that a private land-owner next to a public management area will lead to disadvantages for the public hunt because during archery season they can hunt with bait and rifles. There will be problems because many management areas butt up against private land.

Damon Carroll (Broward Airboat Club) said he is concerned about management lands abutting private lands; the private land hunters will have access to the deer that the public is limited by quota permits to have the opportunity to harvest. Also it could be a hunter safety issue because during archery season you are not required to wear hunter orange and someone on private property could be in the vicinity. More dates, more hunting, more deer take is not aimed at public hunters.

Edwin Henry (Private Landowner – Milton) as a private land-owner said he supported the program and the changes made. He has benefitted from FWC's help in his personal deer management efforts.

Commission Discussion

Commissioner Priddy asked if staff has considered any buffer on private land adjacent to public land where the weapon type is different.

Ms. Eggeman responded no, but in many places currently there are differences in season timing and methods-of-take at the interface between public and private lands.

Commissioner Priddy suggested we take a look at this if problems develop.

Chairman Wright added this is a starting point and can be adjusted in the future; it is a work in progress. He cautioned to be mindful and cautious with neighbors.

There was a general discussion by the Commissioners that this is a good proposal and has many benefits. It can always be reviewed and adjusted over time. Give this a chance to move forward and address conflicts so there is fairness across public and private lands. They also encouraged folks to get together with their neighbors to combine properties if they want to be part of this program and do not have enough land.

Commission Action

A motion to approve staff recommendations was made by Commissioner Bergeron, and seconded by Commissioner Priddy. The motion passed unanimously.

Gopher Tortoise Permitting Guidelines

Chairman Wright asked Dr. Thomas Eason to present the Proposed Revision to the Gopher Tortoise Permitting Guidelines. Dr. Eason summarized an overview of the proposed guidelines revision including the guiding principles for the permitting. He discussed the history, stakeholder input, and guidelines' revisions process. Note-worthy revisions included strengthened financial assurances, improved mechanical excavation, procedures and criteria for revocation of authorized agent permits. Dr. Eason also identified some emerging issues that involved continued improvements to the financial assurances related to permanently protected recipients sites. In closing, he expressed that staff recommended the Commission approve the proposed revisions to the Gopher Tortoise Permitting Guidelines.

Dr. Thomas introduced and recognized Deborah Burr as the driving force behind the program.

No Public Comment

No Commission Discussion

Commission Action

A motion was made to approve staff recommendations by Commissioner Priddy, and seconded by Commissioner Roberts. The motion passed unanimously.

Broward County Boating Safety Zones

Chairman Wright asked Captain Richard Moore to present boating restricted zones for Broward County. Captain Moore explained Rule 68D-24.008, the rule delineating boating safety zones on the Florida Intracoastal Waterway in Broward County. He explained that the need for this rule revision originated from a staff review of legal zone boundaries and regulatory waterway marker (sign) locations in Broward County. Further, the proposed rule would relieve the local governments from sign maintenance obligations, clean up minor technical problems with the rule, merge 68D-24.006 (Ft. Lauderdale Boating Restricted Areas) into the Broward County rule, and extend five boating safety zones to match the legal zone boundary to the historical location of the regulatory waterway markers. Captain Moore went on to explain the rule amendments, zone extensions for the south boundary of the Hillsboro Boulevard Bridge and the north boundary of the Hillsboro Inlet zone, Commercial Boulevard Bridge, Hallandale Beach Boulevard Marina zone, and Hallandale Beach Boulevard Bridge. Lastly, he discussed the public input received from the public meetings held. Finally, he requested that the Commission approve staff recommendations to publish the Notice of Proposed Rule, in the Florida Administrative Register. Only if

requested, staff will hold another public meeting. Staff will bring the proposed rule amendments back to the June Commission meeting for final rule.

No Public Comment

Commission Action

A motion was made by Commissioner Corbett to approve staff recommendations, and seconded by Commissioner Roberts. The motion passed unanimously.

Pinellas County Boating Safety Zones

Captain Moore continued his report on Rule 68D-24.010, Pinellas County Boating Restricted Areas. He explained this rule delineates boating safety zones on the Florida Intracoastal Waterway in Pinellas County. The need for this rule revision process originated from a staff review of legal zone boundaries and regulatory waterway marker (sign) locations in Pinellas County. He explained the proposed rule amendments, and the factors supporting zone extensions/modifications, for Park Boulevard Bridge (North and South, Indian Rocks Bridge, Indian Rocks Bridge (North and South), Treasure Island to Corey Causeway Bridge, Pinellas Bayway Bridges, Belleair Causeway Bridge, Memorial Causeway Bridge, and Honeymoon Island Causeway Bridge. It would also remove the county-wide 30 mph speed restriction in the ICW channel. Lastly, he explained the exclusion language for shoreline zones and discussed public input. He requested that the Commission approve staff recommendations to file a Notice of the Proposed Rule, agreed to hold another public meeting if requested and will bring the issue back to and obtain final approval at the June Commission Meeting.

No Public Comment

Commission Action

A motion was made by Commissioner Roberts to approve staff recommendations, and was seconded by Commissioner Priddy. The motion passed unanimously.

South Atlantic Fishery Management Council (SAFMC) Update

Chairman Wright asked Ms. McCawley to present the issues from the last South Atlantic Council meeting. Ms. McCawley reviewed the actions at the Council's March 4-8, 2013 meeting in St. Simon's Island, GA including: Red snapper – 2012 recreational season harvest update, final action for vermilion snapper, red porgy, and other snapper-grouper fishery items, including the removal of blue runner from federal management. Staff has indicated to the Council that Florida would be willing to assume management of blue runner in federal waters and do a comprehensive review of our current state management. Staff is seeking direction from the Commission to make sure Commissioners are ok with this action. If so, staff will prepare a letter to the South Atlantic Council stating that we would be willing to manage the species in federal waters. Final action for headboat data collection was approved which could help reduce the chance of recreational catch limit overages. Both federal Councils will develop a similar requirement for charter vessels. A special Council meeting will be held for black sea bass to increase catch limits based on the results of the black sea bass stock assessment. The Council is considering possible closed areas for Warsaw grouper and speckled hind which contain spawning aggregations or habitat for these species. South Florida management issues were discussed by the Joint-Council South Florida Committee. Topics of discussion included grouper harvest in Monroe county, yellowtail and mutton snapper, and a special south Florida management area. Workshops will be held later this summer in south Florida for public input. The Council is considering a possible vessel monitoring system (VMS) for Commercial Snapper-Grouper fishermen when fishing. This could improve management of the fishery. This requirement is already in place in the Gulf. Final action on this issue will be taken at the June Council meeting. Other Council items include modifying fishing seasons for amberjack and black sea bass, modifying the size limit for triggerfish and hogfish, and a bag limit increase for gag grouper. The Joint-Council Mackerel Committee met to discuss management options such

as management zones, transit provisions, and sale limitations. The Council discussed dolphin and wahoo management measures, which they will review in June and send out to public scoping in August. Finally, staff requested direction on the Commission's willingness to extend state blue runner regulations into federal waters and conduct a review of current state blue runner rules. Staff also welcomes Commission direction on any Council issues. The next Council meeting will be held in Stuart, FL, on June 10-14.
No public Comment

Commission Discussion

Commissioner Rivard asked if VMS is required for fishing for snapper in the Gulf.

Ms. McCawley responded yes, it is required in the Gulf. In the Gulf we have the IFQ fisheries for red snapper, grouper and tilefish and all those boats are already required to have VMS. There are some boats that go between the Gulf and the Atlantic, and if they are fishing for snapper species in the Gulf then they already have the VMS on board their vessels. It is a highly controversial issue, and there were options in the amendment that would have required VMS in both the commercial and recreational sector. The Gulf Council voted to only require it for the commercial sector.

Commission Action

The Commission directed staff to send the Council a letter expressing the State's willingness to extend blue runner regulations into federal waters.

Florida Youth Conservation Centers Network Update

Chairman Wright asked Rae Waddell, Director, Florida Youth Conservation Centers Network, to present an update on the Florida Youth Conservation Centers Network (FYCCN). Ms. Waddell briefly reviewed FYCCN's vision and noted they are up to 167 partner sites and 15 statewide partners. She highlighted several partners, including the new Guy Harvey saltwater fish camp site, and also discussed the archery component, as well as the marine fisheries enhancement sites. She then talked about other fish camp locations. In addition, she discussed the paddle pickup program in Sopchoppy, and the archery expansion plans. In addition, Ms. Waddell talked about the Tampa Electric Company (TECO), FWC, Florida Aquarium, and Apollo Beach partnership, and the plans to build the facility on TECO property. Further, she called attention to other partner site expansion and cooperative planning, the Tenoroc YCC improvement and the Tenoroc Youth Fishing Derby, and the Capitol Courtyard event "Creating the Next Generation that Cares." Lastly, she invited the Commissioners to attend the 6th Annual Outdoor Experience at the Beau Turner Youth Conservation Center.

Ms. Waddell thanked Commissioner Priddy for helping to open doors in her region for staff to bring awareness to the program to other potential partners.

Commission Discussion

Commissioner Corbett asked how direction is being set for the Network within the Agency.

Director Wiley responded that it starts with the leadership team, who said they would own it together as a board of directors, which will get the whole Agency involved.

Chairman Wright noted that with little or nothing to work with, Ms. Waddell has generated much interest through her efforts.

Commissioner Priddy said does a good job with follow through, which is the hard part.

Commissioner Corbett thanked Commissioner Bergeron for his efforts for the youth also. He then noted that this program is a model for the country.

Chairman Wright thanked Commissioner Corbett for his help for the youth programs, and commented that it will be his legacy.

Public Comment on Items Not on the Agenda

Ted Forsgren (CCA Florida) updated the Commissioners about a 150 acre parcel that is being proposed for a space launch site within the Merritt Island Wildlife Refuge, which is also adjacent Mosquito Lagoon. He explained that the lagoon is the home to monstrous red fish and does not flush very well. He felt it is a great idea, but there will be a lot of unintended consequences, and they are against it.

Tom Parker (Sweetwater Hunt Club-Panama City) stated they have 11,000 acres and few members because the bears have overrun them; it has become a safety issue and they have had four human/bear conflicts in the last year. The bears are attacking members and some won't hunt in food plots by themselves. He asked that his hunt club be issued permits to remove dangerous bears. The bears are putting him out of business.

Chairman Wright said bears have been very successful and the Agency is watching the issue and trying to manage them.

Director Wiley explained that FWC is not ready to issues permits to destroy bear; there will have to be a lot of discussion before they can be issued.

Mr. Parker responded that he has members that have seen 44 bears in an afternoon on their property; they are a threat.

Chairman Wright replied the Commission meeting is not an appropriate place to ask for permits.

Commissioner Rivard offered to work with Mr. Parker and Regional Director Roberson on this issue.

John Rosier (Fulltrack Conservation Club of Dade County/President-Everglades Coordination Council) handed out an information packet regarding the Central Everglades Planning Project (CEPP) proposal for Area 3. He noted that the proposed water levels durations are going to be higher in 3A and longer. This water is being captured from rivers and being redirected south. They are going to meet with Commissioner Bergeron and others, and continue to work on this issue. The amount of water is a problem and will be a negative to furbearers and wading birds.

Chairman Wright noted that it is important for the sportsman community to buy into the panther recovery program.

Commissioner Bergeron noted the Everglades restoration is very complex. He and Regional Director Collins are putting together comments in regards to water levels compatible for the people and animals that live there. There have already been many animals and birds lost because of poor water management decisions; FWC will be providing input.

Commission Priddy asked if this is a situation that we are going to be required to, or want to take a position on.

Commissioner Bergeron responded that he wants FWC to take a strong position because so many of our wildlife areas are going to be potentially affected. His concern is that the duration of the high water events going up 25% will not be compatible with management of wildlife. They are on the same page as the South Florida Water Management District and the Department of Environmental Protection.

Regional Director Collins responded that we have three more points where we can comment on the plan. First, we can send in a letter addressing operational plans about water levels, then again when the Environmental Assessment comes out is another opportunity. We are engaged right now participating in formation of operational plans on where the water levels are set; it's a process and moving forward. The models have been changing frequently, and the latest one sent red flags up amongst stakeholders and staff.

Commissioner Bergeron noted the devastation in the last 40 years; with massacres of our wildlife. He felt that extending durations of high water does not look compatible with future management of a healthy food chain in the Everglades and to have a healthy environment you need a healthy food chain. They will keep the Commission updated as things progress.

Rusty McKeithen (President of the Florida Dog Hunters Sportsman's Assoc. – Crawfordville) commented that staff has been working with his association to find new areas for fox hunts; they have implemented a few new hunts on management areas; one recently held in Apalachicola in September for first time in 25 years, went well and there are more planned.

Albert Bryan (Full Track Conservation Club - Dade County) noted he has a camp in the Everglades and has worked with scientists over the years. He asked the Commission to be assertive when writing a response to the CERP plan; this is still in draft form. The area of concern does not need two feet of water; five months of water could be catastrophic; when you hold water for too long it affects the animals negatively. He urged to manage this area as one ecosystem.

Commissioner Bergeron replied that we will address all these issues; he appreciated the passion and dedication.

Chairman Wright said he appreciated the seriousness of the issue and the tree islands developed over eons of time, it would be a shame to see them damaged by water.

Commissioner Bergeron said they are a refuge for furbearing animals.

Bob Krasowski (Collier County) commented about his concern regarding the Gulf Coast turtle nesting issue; he noted it is an out of balance 2011 new biological opinion that allows beach nourishment year round. Non-turtle nesting season equals 180 days. Shore birds, nesting turtles need plenty of time to nourish without infringement. He asked for one month in the beginning or six weeks at the end of turtle nesting. The endangered species act allows for taking; don't allow encroachment on turtle nesting season to nourish the beach. Please take the strategy to manage for abundance for sea turtles.

Chairman Wright noted the Commission understands and is aware of the issue, and invited Mr. Krasowski to address his concerns to Dr. Thomas Eason and Mr. Kipp Frohlich.

Jim Huie (South Eastern Dog Hunters Assoc. Santa Rosa County) addressed a growing problem in the Blackwater Management Area. They built a fence around private land and they did not have any complaints after the fence was built. His goal is not to kill animals, but to protect his sport. There 450 members have provided 1,000 plus hours picking up trash and fence work.

Chairman Wright recognized this as a method of hunting that is a culture and applauded their efforts.

Preston Robertson (Florida Wildlife Federation) presented information of a legislative bill about hunter violations and penalties. He said he believes in conservation, ethical hunting and fishing. He asked the Commissioners to please give this consideration. The money from mandatory fines will go towards youth. Lastly, he asked why someone could come onto a WMA after receiving a citation, to hunt the very next day.

Chairman Wright said they will circle back with Ms. Fauls to work together on this bill. He appreciated the heads up to develop a good strategy.

Director Wiley said it has been a good relationship.

Mr. Robertson also noted that Senators are beating the drum to take public lands into private ownership... the public owns too much land and it's not being managed right.

Commissioner Exchange

Commissioner Bergeron welcomed new Commissioner Rivard, thanked staff and stakeholders for the good information they provide, which helps them make the best decisions for the State of Florida. He thanked stakeholders, the Commissioners, and Director Wiley

Commissioner Roberts welcomed back Commissioners Bergeron and Corbett for another term, and welcomed Commissioner Rivard. He thanked staff and stakeholders and stated it is a cooperative effort that makes our job easier to make decisions. He also thanked Chairman Wright for his leadership.

Commissioner Priddy asked to consider reviewing penalties for wildlife violations, and penalty structure for private land trespass.

Commissioner Rivard thanked everyone for the welcome and hospitality. He noted it is an honor and privilege to serve on the Commission.

Commissioner Corbett welcomed Commissioner Rivard and also thanked Commissioner Roberts for his hospitality. He said it was a great meeting on catch and release; he looks forward to staff's recommendations. The preservation of a special area took courage. Lastly, he thanked Ms. Waddell.

Chairman Wright thanked Commissioner Roberts for his hospitality. He is proud to be here and serve with every Commissioner; it is unique and remarkable body. He thanked staff on the good work and on the good presentations.

Commission Administrative Matters

The next Commission meeting is scheduled for June 11-13, 2013, at the Hilton Garden Inn in Lakeland, commencing at 1:00 p.m. on Tuesday, June 11, and then 8:30 a.m. each day thereafter.

Adjournment

Chairman Wright adjourned the meeting at 12:58 p.m.

Kenneth W. Wright
Chairman

Nick Wiley
Executive Director

Respectfully submitted:

Robin Stetler
Commission Administrative Assistant