

MEMORANDUM

TO: Commissioners  
FROM: Nick Wiley, Executive Director  
DATE: February 10, 2014  
SUBJECT: February 2014 Executive Director's Report

**NEW Regional Directors**

**Steve Shea** – Our new Regional Director for the Northwest Region, located in Panama City, graduated from the University of Vermont with a Bachelors degree in Wildlife and then earned his Masters degree, also in Wildlife, from the University of Georgia. Steve brings a well-rounded experience to his new role as he has worked as a private consultant, a regional biologist for the Game and Freshwater Fish Commission, a program Leader for Tyndall Air Force Base, a land manager for the St. Joe Company, and most recently as a Section Leader for our Aquatic Habitat Conservation and Restoration section in Tallahassee.

Steve has participated in or been a leader on many multi-agency, private partner, NGO and inter-FWC teams that discuss, collaborate and develop resolutions regarding social, political, biological and economic aspects of fish and wildlife resource issues.

**Tom Graef** – Tom is the new Regional Director for the Southwest Region, in Lakeland, and received his Bachelors degree in Education from the University of Georgia and his Masters degree, also in Education, from the Florida State University. Tom's early employment opportunities were in local government where he helped manage special events and recreational activities. He worked for the City of Tampa where he helped improve customer service, cost effectiveness and productivity of many of the programs. He became an officer with FWC in 2008 and worked within the Southwest and South regions and became a member of the Special Operations Group (SOG) Team. He was promoted to an Investigator and then to Lieutenant in our Tampa Law Enforcement Field Office.

Tom has had a wide range of responsibilities, including overseeing operations of departments, planning and execution of major events, and working with elected officials on special assignments and special programs, including those involving youth education. He has made valuable contributions as an instructor and has much experience working as a part of inter- and intra-agency teams. His strong leadership, communication and organizational skills will be an asset in this position.

## **Awards and Accomplishments**

**FWC Receives USFWS Award for Conservation Partnerships** - The U.S. Fish and Wildlife Service (USFWS) selected Major Curtis Brown for the *Regional Director's Honor Award for Conservation Partnerships* at their annual awards ceremony. Major Brown was recognized for assisting with the creation of a Memorandum of Understanding between the two agencies, USFWS and FWC, allowing them to jointly grant and receive authority as well as share equipment, intelligence, personnel, and a full range of resources that help the partnership flourish.

Major Brown has worked diligently with the USFWS to develop a collaborative approach for joint undercover operations that target illicit commercialization of fish and wildlife resources. Specific operations have included Operation Longneck, which focused on the illegal exportation of freshwater turtles into China; Operation Wild Web, a nationwide investigation of internet sales of fish and wildlife; Operation Brooklyn II, which focused on interstate smuggling of fish and wildlife; and Operation Indigo, an investigation of interstate smuggling of captive wildlife. Additionally, Major Brown has worked to assist the USFWS with invasive species concerns through helping to establish a K-9 program targeting imported/exported fish and wildlife at ports of entry. These K-9 teams, along with USFWS Special Agents, Inspectors, and Customs and Border Protection Officers, conduct primary interdiction of passenger and cargo shipments which may contain wildlife smuggled into or out of the United States.

**TrophyCatch** - Bob Williams of Alloway, N.J., was crowned the 2013 TrophyCatch Champion during a presentation at Bass Pro Shops in Orlando for his winning largemouth bass weighing 13 lb., 14 oz. from Rodman Reservoir. The 2013 grand prize was a Phoenix bass boat, powered by Mercury, and was presented by professional bass angler Bobby Lane at the Roland Martin Marina at Lake Okeechobee. Frank Ay from Ft. Lauderdale won the \$40,000 grand prize via a random drawing from among the 4,000 anglers that registered during the inaugural year. 2014 is off to a hot start with a 150% increase in TrophyCatch entries from this time last year.

## **In the News**

**Black Bear Longwood Incident Update** - Through DNA testing, FWC positively identified the bear responsible for injuries sustained on December 2, 2013. The bear, a female, was captured on December 9 along with two of her cubs. The FWC later announced the DNA identification and the safe transfer of the bear and her cubs from an Orlando-area facility to Busch Gardens® Tampa. Busch Gardens offered a rare opportunity to provide temporary care and housing for the bear and her cubs. The FWC's plan is to release the two cubs back into the wild this spring. After the cubs are released, the female bear will be transferred to another accredited facility. Public safety remains a priority for the FWC, which will continue to work with the residents of Longwood and local partners to manage human-bear

interactions in the area. A December 17 press release was sent out on the DNA identification of the bear involved in the incident:

<http://www.myfwc.com/news/news-releases/2013/december/17/bear-dna/>

**In 2013, Fewer Florida Panther Deaths Recorded** - 2013 brought less mortality for the endangered Florida panther. Twenty panther deaths were documented by the FWC in the past year, in comparison with the 27 panthers that died in 2012. Vehicle strikes continue to be the leading cause of mortality, with 15 panthers dying last year because they were hit while crossing highways compared to 19 in 2012. The birth of 21 panther kittens also was documented in 2013. The FWC is confident the Florida panther population is stable and continues to expand. Where once a sighting of a panther was almost unheard of, today more and more Floridians and visitors are having the thrill of seeing and even photographing this elusive cat in the wild. The increase in panther population over the past 40 years demonstrates the great progress Florida has made in conserving its panthers and the effectiveness of working with our partners, the U.S. Fish and Wildlife Service and the National Park Service. FWC sent out a Jan. 7 press release on fewer panther deaths in 2013: <http://www.myfwc.com/news/news-releases/2014/january/07/panther-deaths-2013/>

**57 Cold-Stunned Sea Turtles Released Back into the Gulf** - FWC and partners successfully released 57 sea turtles on January 14, 2014 in Gulf of Mexico waters off Cape San Blas. The released sea turtles were mostly juvenile green sea turtles, with also a few Kemp's Ridleys, both federally listed endangered species. They had been rescued the previous week, primarily from St. Joseph Bay, after experiencing cold-stunning due to extremely low water temperatures. They were taken to Gulf World Marine Park in Panama City Beach for rehabilitation. When waters in shallow bays and estuaries dip below 50 degrees, sea turtles can become cold-stunned and float listlessly in the water or wash ashore. Water temperature monitoring buoys allow FWC biologists to project cold-stunning events and they prepared a multi-partner team to respond to this occurrence. FWC invited media to the sea turtle release and about 100 people gathered to watch. The public is asked to report sea turtles that are stranded, injured or dead to FWC's Wildlife Alert Hotline, 888-404-3922. FWC sent out a press release on January 14 on the sea turtles return to the wild: <http://www.myfwc.com/news/news-releases/2014/january/14/sea-turtles/>

**Net Limitation Amendment** - On Tuesday, October 22, 2013 Florida's Second Judicial Circuit made a final judgment in a lawsuit against the FWC in regards to the Net Limitation Amendment. The plaintiffs in the case were the Wakulla Commercial Fishermen's Association and some individual named members. The final judgment was in favor of the plaintiffs and removed all restrictions on the use of nets in relation to the Net Limitation Amendment in Florida Statute and Florida Administrative Code.

The same day the judgment was released, the Attorney General's office filed an appeal. Upon appeal, an automatic stay went into place, leaving all statutes and regulations in relation to the Net Limitation Amendment in effect during the

pendency of appeal. A week later, on Wednesday, October 30, the Second Judicial Circuit verbally lifted the stay upon request of the plaintiffs but did not issue a written order. On Friday, November 1, a decision was made for FWC to discontinue enforcing all rules and regulations pertaining to the Net Limitation Amendment in accordance with the verbal communication of the court.

On Wednesday, November 6, the District Court of Appeals reimposed the stay and FWC notified its officers that enforcement of the Net Limitation Amendment and all associated rules and statutes was to be resumed immediately and asked officers to use discretion and seek to educate any fishermen that may have misinformation or be unclear. The Attorney General's office is moving forward with the appeal. The parties have submitted their briefs and four groups have filed *amicus* briefs. Three have filed briefs supporting the commission and one has file on behalf of the fisherman. We are now waiting for the court of appeals to schedule an oral argument.

**Reward Offered for Information on Panther that Apparently Died from Gunshot** - A Florida panther died recently from a suspected gunshot wound. It was found in the Turner River Unit of Big Cypress National Preserve in Collier County. The FWC, National Park Service (NPS) and U.S. Fish and Wildlife Service (USFWS) are asking anyone with information on the panther incident to call FWC's Wildlife Alert Hotline at 888-404-3922. A reward of up to \$12,000 is being provided jointly by FWC's Wildlife Alert Reward Association and USFWS for information leading to an arrest or other penalty. The FWC, NPS and USFWS are working closely with a wide range of conservation organizations on this issue and are grateful for their help in spreading the word on the panther incident and the reward. The maximum penalty for unlawful take of a Florida panther is a one-year imprisonment and \$100,000 fine. The panther in this incident was an 18-month-old female, offspring of a collared panther and one that was micro-chipped when it was a kitten in its mother's den. A Dec. 18 FWC press release announced the reward:  
<http://www.myfwc.com/news/news-releases/2013/december/18/panther-reward/>

## **Updates**

**Apalachicola Oyster Status Update** - As expected, reports indicate winter landings continue to be very poor. The commercial harvest of oysters in Apalachicola Bay closed on Saturdays and Sundays starting Nov. 23. Florida Fish and Wildlife Conservation Commission (FWC) regulations provide for this automatic weekend closure each year when resources on monitored oyster bars cannot sustain a harvest of 300 bags of oysters per acre. Data collected in August and November indicated that there are likely fewer than 200 bags per acre of legal-sized oysters available on East Hole Bar and fewer than 225 bags per acre of legal-sized oysters on Cat Point Bar. These weekend closures will remain in effect through May 31, 2014.

FWC staff are assisting Governor Rick Scott, Attorney General Pam Bondi, the Northwest Florida Water Management District and the Florida Department of

Environmental Protection (DEP) with technical support for the Florida lawsuit against Georgia in the U.S. Supreme Court to stop Georgia's unchecked and growing consumption of water. Low water flow continues to negatively impact the families of Northwest Florida, including the commercial oyster industries. FWC received notification of funding from the National Fish and Wildlife Foundation (NFWF) from the Gulf Environmental Benefit Fund for a 5-year oyster restoration research project to inform the design and management of future oyster reef restoration projects in the Apalachicola Bay System. FWC plans to partner with the Florida Department of Agriculture and Consumer Services (FDACS) and the University of Florida to conduct this study. FWC staff has worked with staff from the Governor's office, DEP, FDACS, the Florida Department of Economic Opportunity, and the Apalachicola Bay community to determine the estimated funding needs relative to this commercial oyster fishery failure. The budget that recently passed in Congress appropriates \$75 million to fund mitigation for declared fishery failures and disasters during 2012 and 2013. Senator Nelson, Senator Rubio, and Representative Southerland were instrumental in this effort. The commercial oyster fishery failure declared for the Gulf of Mexico, particularly in Apalachicola Bay was one of six disasters declared over the past two years. This funding was appropriated to the National Oceanic and Atmospheric Administration (NOAA) Fisheries Service, who will determine how the \$75 million will be distributed.

**Lobster resource violators charged** - Lieutenants Manuel Pomares and Andy Carcasses and Officers Dionis Delgado and Rafael Almagro were on water patrol on Biscayne Bay around 1 a.m. when they spotted a small blacked-out vessel stopped in the water. As they approached the vessel, the two occupants dumped a large mesh bag containing lobsters into the water. They also dumped half of a 55-gallon drum also containing lobsters into the water. Officers Paige Pestka, Nate Martir-Negron and Christina Martin were just behind on another vessel and also quickly responded to assist. The bag of lobster was soon recovered off the bottom and was found to contain 119 lobsters, 105 of which were undersized. The two subjects (both known resource violators) were charged with two felonies, ten misdemeanors and three infractions.

***Planting a Refuge for Wildlife Now available*** - The Office of Public Access and Wildlife Viewing Services (PAWV) has completed an extensive update, revision and reprinting of one the most popular publications ever produced by the agency: *Planting a Refuge for Wildlife*. First printed in the 1980s the 40-page booklet is designed to help a new generation of landowners attract, conserve and enjoy wildlife.

*Planting a Refuge for Wildlife* stresses the importance of homeowners as partners in providing wildlife habitat and provides them with the tools necessary to create pleasing landscapes where wildlife can find the food, water and shelter they need to survive. Ultimately then, property by property, community by community, Floridians can help create corridors of wildlife habitat that connect with protected natural areas. The publication includes photos, original artwork, tables of native

plants and plant zones, and lists of common species and their food preferences all designed to make habitat design and management easy and accessible.

This work was supported with a Conserve Wildlife Tag Grant from the Wildlife Foundation of Florida. Through the Wildlife Foundation of Florida, *Planting a Refuge for Wildlife* will be sold for \$4.99 plus shipping to sustain future printings. An Ebook is also being developed along with an expanded, mobile enabled website.

**FWC Restores Historic Water Flow of Aucilla River** - FWC's Aquatic Habitat Conservation and Restoration Section recently removed a man-made earthen dam on the upper Aucilla River in Jefferson County as a step toward a healthier ecosystem. Restoring Sneads Smokehouse Lake and the Aucilla River's natural hydrologic cycle will allow the river to recharge the Floridan Aquifer and improve water quality in the sinkhole basin. It also will improve the fishery and provide sport fish access to quality spawning areas in this rural area. In 1965, an earthen dam was put into place adjacent to the Aucilla River to separate it from sinkholes draining into the Floridan Aquifer. However this led to degradation of a wetland portion of the river, preventing it from benefiting from naturally occurring droughts and lower water levels critical to the health of all Florida lakes, rivers and wetlands, including the Aucilla.

**Black Bass Regulation Review** - With the assistance of the University of Florida, a cross divisional team solicited public opinion during a series of face-to-face meetings supported by an on-line survey of anglers. The goal is to evaluate public understanding and support for current statewide regulations for black bass. Together with biological review of our regulatory system, the committee is developing an information package and follow-up survey to identify specific proposals prior to presenting a recommendation to the Commission later this year.

### **Emerging Issues**

**Collier County Panther updates** - The Florida Fish and Wildlife Conservation Commission (FWC) will redeploy traps as it continues efforts to capture a panther that has been sighted sporadically in an area of Golden Gates Estates west of Collier Boulevard (CR 951) in Collier County. The FWC panther team, working with the U.S. Fish and Wildlife Service, has been closely monitoring this area since late November, as part of an ongoing effort to relocate this panther to a more suitable, less urban habitat.

Florida Fish and Wildlife Conservation Commission biologists collected the remains of a male panther recently spotted in the Golden Gate Estates neighborhood of Collier County on Thursday, Jan. 2. The cause of death is believed to be collision with a vehicle. This is the first panther death in 2014. Biologists believe the panther found dead is the same panther that had been seen lingering in yards around this neighborhood.

## **Partnerships**

**Project Underway to Restore Lake Worth Lagoon** - A project has begun to improve water quality and restore natural resources in Lake Worth Lagoon in Palm Beach County. The first steps of the lagoon restoration are underway, preparing for spreading 48,000 cubic yards of sand over 12 acres of the lagoon. The sand will cap muck sediments on the seafloor. Because much of the sand will be transferred from a local dredge project, the project will be more cost-efficient. The lagoon project is designed to restore critical marine habitats, allowing fish, oysters, and wildlife to return to an area known as Grassy Flats that is uninhabitable now because of muck accumulation on the seafloor. The challenge of restoring Palm Beach County's largest estuary and reviving its appeal to anglers, bird watchers and boaters has attracted support from national, state and local levels. The FWC is one of many partners engaged in the effort, including the Palm Beach County Department of Environmental Resources Management, U.S. Fish and Wildlife Service (USFWS), U.S. Army Corps of Engineers, National Oceanic and Atmospheric Administration, Atlantic Coastal Fish Habitat Partnership, Florida Department of Environmental Protection, Town of Palm Beach, West Palm Beach Fishing Club and Marine Industries Association of Palm Beach County. Upcoming stages of the project will require planting thousands of mangroves and plugs of smooth cordgrass and placing thousands of tons of limestone rock around the created islands to protect them. Local volunteers will help with the planting.

**Chipola Watershed Restoration** - To focus and coordinate actions to conserve endemic black bass populations, the Southeast Aquatic Resources Partnership joined with the National Fish and Wildlife Foundation to form the Southeast Native Black Bass Keystone Initiative. Northwest Regional Wildlife Legacy Biologist, Dr. Jessica Graham is leading a team of biologists from the Division of Freshwater Fisheries Management, Florida Wildlife Research Institute, and U. S. Fish and Wildlife Service (USFWS), to implement a \$110,000 grant for Chipola River Watershed restoration activities. The goal is to sustain populations of shoal bass through landscape-scale habitat conservation. Site selection will be guided by a threats assessment completed by the USFWS and a Conceptual Design conceived by The Nature Conservancy. Funding from a State Wildlife Grant will target shoal bass, threatened and endangered mussels and Gulf-striped bass refugia. Shoal bass are endemic to the Apalachicola-Chattahoochee-Flint river basin, which includes the Chipola River in northwest Florida. Shoal Bass has been assigned a status of Special Concern by the American Fisheries Society Endangered Species Committee and is listed as a species of Greatest Conservation Need by the FWC. Threats to Shoal Bass include increased urbanization and land-use changes, dams, and hybridization with introduced, non-native species of black bass. Restoration efforts will improve existing habitats and help secure sustainable populations.

**FWC staff attends Biscayne National Park meetings and prepares comments on Supplemental Draft General Management Plan** - Biscayne National Park hosted three public workshops in December in south Florida to gather stakeholder input on a Supplemental Draft General Management Plan. FWC staff

attended these meetings and has had an active role in the Park's planning process, especially in how this draft plan pertains to fishing inside the park. The meetings were Dec. 9, 10 and 11, in Coral Gables, Florida City and Key Largo respectively. Since the last Commission meeting, staff has been revising the formal Coastal Zone Management Act consistency determination letter for the General Management Plan document that reflects the current status of coordination efforts and stakeholder input. Once the public comment period is over, staff will consider all public input to determine what changes to the management plan are needed to better meet the wants of Commission stakeholders. At that point, we will work diligently with the National Park Service to negotiate the best possible combination of management measures to ensure that fishermen and other recreational users alike have ample access and opportunity to enjoy this Florida treasure.

## **Events**

**Second Annual Nature Coast Birding and Wildlife Festival** - This premier event takes place between March 20 and March 23, 2014. Hosted by the FWC, Audubon Florida, Citrus County Tourism Development Council, Hernando County Tourism Bureau and Pasco County Tourism Development Council this tri-county event was developed to highlight the excellent birding, wildlife viewing and educational opportunities the area has to offer.

Greg Miller, portrayed by big screen star Jack Black in the Hollywood movie "The Big Year", will be leading field trips and delivering a keynote speech. Expert birders, FWC biologists and local naturalists will be leading field trips and presenting lectures to visitors from Florida and beyond, highlighting many of Florida's unique species such as Florida Scrub-Jay, Florida Burrowing Owl, and Red-cockaded Woodpecker.

On Saturday, March 22 there will be a series of family friendly programs and activities held at Chinsegut Conservation Center in Hernando County. For more information visit the festival website at [www.naturecoastbirdingfestival.com](http://www.naturecoastbirdingfestival.com)

**Pet Amnesty Day** - On Saturday, January 25, biologists helped collect unwanted animals as part of Exotic Pet Amnesty Day. The event was held at the UF/FL Rec Center in Davie, which is in Broward County. More than thirty animals were surrendered to FWC. At these events, exotic pet owners can turn in pets they no longer want or no longer can care for, without facing penalties or fees. The animals receive a health check from veterinarians and then can be adopted by qualified pet adopters who applied in advance to the FWC.

## **Special Mention**

**Manatee Status Report** - Cold weather this January brought appropriate conditions for the FWC and partners throughout Florida to work together to conduct a survey to determine a minimum count of manatees in the state. The survey resulted in a preliminary count of 4,831 manatees. These data will undergo

verification and review over the next few weeks before being considered a final count. This survey provides valuable information about manatees' use of warm water habitat and their distribution in the winter. The most recent statewide aerial surveys conducted during the winter of 2011 documented a total of 4,834 manatees.

Last year was a very challenging year for FWC manatee and law enforcement staff. Staff and partners rescued 89 manatees and documented a preliminary total of 829 manatee deaths. Citizen reports were very helpful in responding quickly to manatees in distress from injuries or sickness. Two distinct but unrelated mortality events, one on the west coast and one on the east coast contributed to the high mortality. From January through May, 276 manatees died from the effects of a red tide bloom in southwest Florida. FWC staff was able to rescue 14 manatees from red tide effects and release them after rehabilitation at Lowry Park Zoo later in the summer. On the east coast, more than 100 manatees died of unknown causes. Researchers are still investigating this unusual mortality event. Learning the causes of the east coast deaths informs FWC wildlife managers about potential emerging issues and aids in developing conservation actions.

The FWC is committed to conservation actions that reduce watercraft-related and other human-caused manatee deaths. Watercraft-related deaths were down in 2013 with 72 documented, compared to the average of 88 deaths over the previous 5 years. Scientists documented 130 perinatal deaths, which are those that are stillborn, die as a newborn, or as young calves less than five feet in length.

Fish and Wildlife Research Institute marine mammal staff, along with FWC law enforcement, staff from Habitat and Species Conservation and other partners worked long hours to respond to the unusually high mortality. Staff performed their jobs well despite long hours, challenging conditions and tremendous pressure. It was truly a team effort that crossed division lines.