



Florida Fish and Wildlife Conservation Commission

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Commission Meeting

June 17 - 19

Fort Myers, FL

Minutes

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

The Florida Fish and Wildlife Conservation Commission (FWC) held its regular meeting June 17-19, 2014, at the Crowne Plaza Fort Myers, located at 13051 Bell Tower Drive, Fort Myers. Chairman Richard A. Corbett called the meeting to order with the following members in attendance:

Brian Yablonski, Vice Chairman, Tallahassee

Ronald A. Bergeron, Ft. Lauderdale

Chuck Roberts, Tallahassee

Bo Rivard, Panama City

Aliese Priddy, Immokalee

Senior and Presenting Staff:

Nick Wiley	Executive Director
Eric Sutton	Assistant Executive Director
Bud Vielhauer	General Counsel
Colonel Calvin Adams	Director, Division of Law Enforcement
Chuck Collins	Director, South Region
Thomas Graef	Director, Southwest Region
Steve Shea	Director, Northwest Region
Shannon Wright	Director, Northeast Region
Chris Wynn	Director, North Central Region
Diane Eggeman	Director, Division of Hunting and Game Management
Tom Champeau	Director, Division of Freshwater Fisheries Management
Jessica McCawley	Director, Division of Marine Fisheries Management
Gil McRae	Director, Fish and Wildlife Research Institute
Dr. Thomas Eason	Director, Division of Habitat and Species Conservation
Doc Kokol	Director, Community Relations
Jackie Fauls	Director, Legislative Affairs
Charlotte Jerrett	Chief Financial Officer
Melissa Recks	Section Leader, Division of Marine Fisheries Management
Martha Bademan	Section Leader, Division of Marine Fisheries Management
Dr. Brad Gruver	Section Leader, Division of Habitat and Species Conservation
Kipp Frohlich	Deputy Director, Division of Habitat and Species Conservation
Scott Sanders	Office Director, Division of Habitat and Species Conservation
Harry Dutton	Alligator Management Program Coordinator

There were sixty-three individuals registered to speak to the Commission during the three-day meeting.

Meeting Opening

Chairman Corbett called the June 17-19, 2014 meeting to order at 1:00 p.m.

Invocation and Pledge of Allegiance to the Flag

Mr. Tom Champeau, Director of the Division of Freshwater Fisheries Management, gave the invocation, followed by Commissioner Priddy leading the Pledge of Allegiance.

Commissioner Strategic Discussion – Conservation Approaches on Private Lands

Commissioners heard presentations on current and future fish and wildlife opportunities associated with private lands in Florida. The presentations and discussions included insights on the keys to successful public-private conservation partnerships.

Mr. Scott Sanders, Director of the Office of Conservation Planning Services within the Division of Habitat and Species Conservation, opened the discussion. He introduced Mr. Luis Gonzalez, Biological Administrator with the Landowner Assistance Program overseeing the Southwest Region. Mr. Gonzalez presented information on private land conservation efforts in the Southwest Region. Mr. Sanders then highlighted the statewide approach to conservation on private lands.

Chairman Corbett introduced the guest speaker, Mr. Jim Stone, Chairman of the Board for Partners for Conservation and owner of Rolling Stone Ranch in Ovando, Montana.

Mr. Stone addressed the Commission and provided insight into his view on conservation for private lands and shared his experience of working with partners to reach a common goal. He highlighted the importance of community involvement and discussion on each step of the conservation process.

Chairman Corbett invited Mr. Jim Martin, Conservation Director for the Berkley Conservation Institute, to join the panel and comment on this topic.

Mr. Martin addressed the Commission and spoke of the stakeholder groups and coordinated partner efforts that are vital to the success of a private land program anywhere in the world.

Executive Director Wiley introduced an additional panel member, Mr. Steve Jester, former FWC employee and current Executive Director of Partners for Conservation.

Mr. Jester provided his perspective on conservation of private lands. He added that public-private partnerships are essential to the success of conservation of private lands.

Commissioner Priddy noted the positive aspects of conservation plans for private landowners. She asked Mr. Stone whether the Blackfoot Challenge faced any delays or issues due to the Endangered Species Act. She also asked what suggestions or guidance from experience with the Blackfoot Challenge would assist in keeping conservation projects moving forward when issues arise.

Mr. Stone responded that most of the issues they dealt with in regard to the Blackfoot Challenge were related to timber sales. He commented that dealing with unforeseen issues is something that any private landowner, government entity or stakeholder group has to address immediately and work to find the right solution quickly.

Commissioner Bergeron asked if Mr. Stone worked with The Nature Conservancy (TNC) on conservation easements during the development of the Blackfoot Challenge.

Mr. Stone responded that they did work with TNC on conservation easements, as TNC was already in that area of the state in the 1970's, prior to the Blackfoot Challenge coming to fruition.

Commissioner Bergeron suggested beginning working with private landowners to conduct an analysis of which sectors throughout the state would provide the highest benefit for habitat and species conservation. He added that if funding becomes available to purchase conservation easements, it would be beneficial to use a metric system that puts a value on the conservation easement to ensure the best conservation options are purchased first.

Vice Chairman Yablonski commented that utilizing private lands for conservation and working with landowners to do positive things for conservation is a great option. He mentioned the constitutional amendment that was intended to give a property tax break to landowners that did conservation. He added that community conservation is a novel idea. He suggested FWC increase the outreach efforts to private landowners.

Mr. Stone noted that public meetings are an important tool. In regards to the Blackfoot Challenge, he stated that a private landowner was responsible for running the public meeting which created a sense of ownership. He noted that meetings with that format didn't create the negative perception that a governmental entity was making all the decisions.

Mr. "Lefty" Durando, private landowner and Board Member of Partners for Conservation, was invited by Chairman Corbett to join the panel and spoke about private land conservation and his experience with the Blackfoot Challenge. Mr. Durando noted that the conservation message of FWC is not currently reaching private landowners at all levels.

Mr. Martin added that the shift on conservation planning processes has moved to the conservation easement structure. He commented that major issues arise when local governments are excluded from these discussions.

Commissioner Roberts noted that the 80/20 rule is an important guiding principle. The rule references that 80 percent of issues can be discussed and agreed upon while the other 20 percent are items that cannot be agreed upon. He added that most discussions seem to begin with the 20 percent issues which cause serious delays and halt progression on projects. He also noted that private land conservation compliments public land conservation.

Commissioner Rivard mentioned sector planning as a land management tool and added that growth management laws in Florida have changed drastically over the years. Local governments have gained more responsibility when it comes to conservation of lands. He referenced a project in Bay County where a large private landowner coordinated with Bay County to develop a sector plan that included a new airport. The conservation efforts of this private landowner provide proof of the success in working with local governments and communities.

Chairman Corbett asked the Vice Chairman to assist with prioritizing some of the comments in the discussion to move the Commission forward on this topic.

- ❖ Menu of programs and tools available to private landowners.
- ❖ Having one agency as the lead or possibly a one-stop location for all information on private land conservation.
- ❖ Think like a landowner- possible landowner advisory group to assist in moving FWC forward on this topic.
- ❖ Need to revisit conservation easements at the legislative level.
- ❖ Analysis of programs that work well, are highly sought after, and have a high level of success in providing the specific conservation desired.

Executive Director Wiley invited Mr. Ernie Barnett, Executive Director of the Florida Land Council, up to the panel to discuss his new role and add his input on private land conservation. The Land Council represents 19 private landowners with 3.2 million acres of land.

Mr. Barnett noted his experience with land conservation and coordination with large landowners. He added that the interaction with FWC and other government agencies has been excellent.

Assistant Executive Director Sutton was tasked with compiling the conclusions of this discussion and sending the details to the Commissioners.

Commissioner Bergeron mentioned the need to have a list which highlights the priorities of Florida's natural resources. This information would help provide an incentive to property owners not to change the use of their land.

Public Comment:

The following individuals addressed the Commission on this agenda item:

Mr. Rob Moher with the Conservancy of Southwest Florida addressed the Commission. He addressed the panther compensation program and problems with local government zoning and land use decisions.

Mr. Byron Maharrey with the Everglades Coordinating Council addressed the Commission. His organization stresses public access to public lands.

Mr. Matthew Schwartz, Executive Director of Florida Wildlands, addressed the Commission about zoning at the local level and utilizing science from the Commission to coordinate with those zoning boards.

Commissioner Strategic Discussion – Innovative Approaches to Marine Fisheries Management

Commissioners heard presentations on innovative approaches to marine fisheries management and streamlining regulations. The presentations and discussions included management in Florida and nationwide.

Ms. Jessica McCawley, Director of the Division of Marine Fisheries Management and Mr. Gil McRae, Director of the Fish and Wildlife Research Institute, presented information to the Commission on this topic.

Chairman Corbett introduced the guest speaker for this agenda item, Mr. Jim Martin.

Mr. Martin thanked the Commission for the invitation to speak today. He provided an outsider's perspective to marine fisheries management and innovative approaches to management. He commented that FWC has excellent outreach and education efforts geared towards anglers, is progressive in its approach to marine fisheries management and has high quality science to inform management decisions. In addition, FWC reaches out to stakeholders for input and includes them in the decision making process.

Mr. Martin proposed several options for management strategies that could be considered in relation to the Magnuson-Stevens Fishery Conservation and Management Act (MSA) reauthorization, including increased season stability, establishing a recreation fishing policy, managing for maximum economic yield, protecting the forage base, accounting for biology in rebuilding timelines, and cooperative approaches to management. He advised the Commission to analyze whether or not they are making strategic decisions today which will allow public access to the fisheries in the future. Mr. Martin discussed the challenges of increased demand on fishing resources with our increasing population, changing demographics, and how to fund conservation moving forward. He suggested that the agency needs to address these challenges in the near future and added that if there is an agency that can do so, it's the FWC. He offered his support to work with the Commission on this high priority task.

Commissioner Rivard commented that the recreational sector has been a difficult issue to address when it comes to marine fisheries management and questioned whether the necessary changes can be made within the MSA or whether a recreational policy should be established separately.

Mr. Martin responded that the recreational fishing community is completely supportive of creating a separate recreational fishing policy. He commented that backing off of Maximum Sustainable Yield and instead managing for stability and economic value will be challenging as will addressing changes in allocation.

Chairman Corbett asked about catch and release that was referenced in Mr. Martin's discussion. He asked Mr. Martin what impact that would have if more education was done on the value of fishing using the catch and release approach.

Mr. Martin noted that leadership will help shape the social acceptance of catch and release which would improve the resource for future generations.

Vice Chairman Yablonski questioned how seafood consumption increases the demand on the resource.

Mr. Martin responded that increased aquaculture and importations are the most likely way to help address the demand for seafood consumption affecting certain species.

Commissioner Priddy asked staff if decisions made in the past on certain fisheries would need to be reviewed.

Mr. McRae responded that we already provide for a buffer on the harvest levels for snook and redfish. The species that are co-managed with the federal government prove to be more difficult in this aspect.

Vice Chairman Yablonski suggested that for red snapper, shifting greater allocations to recreational anglers while decreasing harvest rates, possibly through fish tags and increased catch and release, would lead to longer seasons.

Ms. McCawley referenced reauthorization of the MSA as a way to deal with the fisheries that are co-managed with the federal government. She noted that as the bills are released with this reauthorization process, FWC is preparing comments based on direction from the Commission to help build a better system and incorporate state management tools into the federal system.

Commissioner Yablonski noted the political support to build a better system of fisheries management for Florida.

Public Comment:

The following individuals addressed the Commission on this agenda item:

Captain Pat Kelly, President of the Florida Guides Association, addressed the Commission with concern over the lack of data at the federal level guiding management decisions. He expressed his opposition to federally permitted vessels being prevented from fishing in state waters.

Mr. Byron Maharrey with the Everglades Coordinating Council addressed the Commission and expressed concerns about the federal government's ability to effectively manage the recreational fishery.

Mr. Jerry Sansom, Executive Director with the Organized Fishermen of Florida, addressed the Commission and stated that commercial harvesters would like to be included in the discussions as well. He added that other countries will need to change their fishing practices to result in sustainable fisheries; otherwise, the wild caught imports you may be relying on to meet demand will not last.

Mr. Dennis O'Hern, Executive Director of Fishing Rights Alliance, addressed the Commission. He was concerned about the validity of red snapper stock assessments and would like to see Florida gain control of managing all its fisheries.

Mr. John Schmidt with the Seafood Harvesters of America addressed the Commission. He stated that there needs to be improved accountability in the recreation sector to allow more value and flexibility.

Ms. Janie Thomas with the Shrimp Producers Association addressed the Commission on the importance of commercial fishers.

Mr. Bill George addressed the Commission and suggested that an approach similar to wildlife management areas be considered for marine environments.

Mr. Ted Forsgren addressed the Commission and commented that federally managed fisheries should be transferred to the state as Florida manages its fisheries well.

Commissioner Exchange

Vice Chairman Yablonski noted that fewer than half of the Commissioners were on the commission when Individual Fishing Quota's (IFQ's) were brought up. The Commission supported that idea at the time. Red snapper discussions rarely bring up commercial fisheries because for the most part, that fishery management strategy is sufficient.

Commissioner Roberts thanked everyone who spoke on the topics today. He noted it was a good discussion on each of the items. He suggested developing a focus group covering the stakeholders involved in the marine fisheries management issue that could come together and try to work first on the 80% of tasks that can be agreed upon, followed by the more difficult issues. With an outside facilitator, this type of group could garner interesting ideas which could then be reviewed by the Commission to see what opportunities are proposed.

Executive Director Wiley noted that the suggestion came forward that an advisory group for the private lands issue be developed as well. These groups would be separate of each other.

Recess Tuesday's Portion of the Meeting

Chairman Corbett adjourned the meeting at 6:16 p.m. to reconvene at 8:30 a.m., Wednesday, June 18, 2014.

Wednesday, June 18, Reconvene

Chairman Corbett reconvened the meeting at 8:33 a.m.

Recognitions

Chairman Rodney Barreto Employee of the Year Award

Mr. Brett Boston, Executive Director of the Wildlife Foundation of Florida, introduced the Chairman Rodney Barreto Employee of the Year Award. He introduced the award recipient, Mr. Mike Orlando.

Vice Chairman Yablonski noted the leadership efforts of former Chairman Rodney Barreto which have influenced this Commission. He read a support letter from former Chairman Barreto highlighting the award recipient.

Mr. Kipp Frohlich, Deputy Director of the Division of Habitat and Species Conservation, spoke about the recipient and described the hard work and efforts put forth which lead to Mr. Orlando's nomination for this award.

Florida Guides Association Annual Awards

Captain Pat Kelly, President of the Florida Guides Association, introduced the Florida Guides Association Annual Awards. He first introduced Office Craig Baker, the recipient of the Trained Eyes Coastwatcher of the Year Award. Then he introduced Mr. Jim Estes, recipient of the Captain Phil Chapman Conservation of the Year Award. Finally, Captain Kelly mentioned the winners of the Florida Guides Association/Florida Fish and Wildlife Conservation Commission Spirit of Tarpon DNA Sampling Challenge.

Adoption of Minutes

Upon a motion by Commissioner Rivard, seconded by Commissioner Bergeron and carried, the April 2014 minutes were approved as written.

Adoption of Meeting Agenda

A motion was made by Commissioner Roberts, seconded by Vice Chairman Yablonski and carried, to adopt the June 2014 Commission Meeting Agenda.

Approval of Consent Agenda

Upon a motion by Commissioner Roberts, seconded by Commissioner Priddy and carried, the June 2014 Consent Agenda was approved.

Executive Director's Report

Executive Director Wiley highlighted the following items from the report:

- In Memoriam- Mr. John “Big John” Barlow, Investigator Paul Graham, and Mr. Lovett Williams
- Bear Management update
- Deepwater Horizon Oil Spill update
- Apalachicola Oyster status update
- Partnership with Biscayne National Park
- Increasing Hispanic Boating outreach efforts
- International Convention of Allied Sportfishing Trades (ICAST)

Gulf Reef Fish Data Reporting System

Staff presented a final rule for recreational reef fish data collection that would better define the population of offshore reef fish anglers in the Gulf of Mexico for survey purposes using a data reporting system. Ms. Martha Bademan, Section Leader with the Division of Marine Fisheries Management, and Mr. Gil McRae presented information highlighting improvements which would enhance current recreational harvest data collection efforts for several Florida Gulf reef fish species including red snapper. Staff also presented proposed outreach strategies and potential incentives.

Ms. Bademan demonstrated to the Commissioners how the online system would work when individuals report to the data reporting system.

Executive Director Wiley noted that there are options of reporting to the data reporting system for free by visiting a registered vendor who sells licenses instead of using the online or telephone system.

Commissioner Rivard asked if individuals are required to register every year.

Ms. Bademan stated that it is required every year to ensure updated information on anglers is available.

Chairman Corbett asked the Executive Director to speak of this new requirement and the role of Law Enforcement in educating the public on the data reporting system.

Executive Director Wiley confirmed that the Division of Law Enforcement is prepared to step up as ambassadors to stakeholders and to educate the public of this new effort to improve data on recreational fisheries.

Colonel Calvin Adams, Director of the Division of Law Enforcement, confirmed the approach of all officers on all rules and statutes that are enforced by FWC. He noted that the main goal is to help educate individuals so that they understand the purpose of the rules and assist the individual in complying with the rules and regulations.

Commissioner Rivard requested follow-up information from Law Enforcement at a future meeting on how many citations were issued or how many citizens received written warnings in relation to this new requirement.

Public Comment

The following individuals addressed the Commission on this agenda item:

Captain Pat Kelly, President of the Florida Guides Association, addressed the Commission and spoke to the inequality of federally permitted for-hire vessels not being able to fish in state waters when federal waters are closed even though state-permitted guides can during that time. He stated support of the incentive aspect of this system and stressed the importance of the educational outreach strategy.

Ms. Pam Anderson, owner of Captain Anderson’s Marina representing Panama City Boatmen’s Association and the Bay County Chamber of Commerce, addressed the Commission and distributed information to the Commissioners. She expressed full support of this data collection system and recommended that this data be provided to NOAA Fisheries to assist with their rules and regulations process.

Mr. Dennis O'Hern with the Fishing Rights Alliance addressed the Commission. He spoke of the inconsistencies of the current data collection system with the NOAA Fisheries. He added his support of staff recommendations.

Mr. Trip Auckman with Coastal Conservation Association Florida addressed the Commission with full support.

Mr. Justin Grubich of The Pew Charitable Trusts addressed the Commission with full support.

Mr. TJ Marshall with the Ocean Conservancy addressed the Commission with support of staff recommendations.

Capt. Gary Colecchio, Senior Vice President of the Florida Guides Association, addressed the Commission stating that this data reporting system is long overdue. He felt that FWC needs a proactive approach to outreach so that individuals don't misunderstand the goal of this new requirement.

Mr. Bill George addressed the Commission with support of the data reporting system. He noted potential issues with convenience fees for lifetime license holders and individuals over 65 who are required to report annually for the data reporting system even though they are exempt from having other licenses and permits.

Commission Discussion

Commissioner Priddy asked how quickly the new data will be available from the surveys and how quickly it will be available to help FWC make more informed decisions when setting recreational harvest seasons.

Mr. McRae replied that the new data will be available by late summer or fall of 2015 and the new data will be integrated into upcoming stock assessments for each of the species as currently scheduled.

Commissioner Priddy addressed the issue of convenience fees.

Executive Director Wiley noted that the online license convenience fees are based on the contract with the vendor of the online system.

Mr. Bill Hunter, Director of the Division of Licensing, noted the contract requirements for the online license system fees and explained what the current National Fish and Wildlife Foundation (NFWF) grants cover for this process.

Executive Director Wiley commented that staff will look into using NFWF grant funds to possibly cover the convenience fee passed on to the user when using the online or telephone process for this reporting system.

Vice Chairman Yablonski expressed concern hearing comments that FWC doesn't have the full support of a few organizations such as Florida Sportsman and asked staff to reach out to these organizations for additional feedback.

Commissioner Rivard noted the good work that has gone into developing this system. He stated that he has some concerns over a few smaller aspects of the data reporting system as presented.

Commissioner Bergeron commented that he has concerns over possible regulation that is unnecessary.

Vice Chairman Yablonski responded that this data reporting system would begin the process of gathering better recreational data that will show more accurate information for Florida so that FWC can move forward with possibly increasing fishing days if the new recreational data shows improvement in the health stock for certain species.

Executive Director Wiley noted FWC is aware that some individuals may oppose this, but this data collection system will provide more reliable data that could create additional fishing opportunities for certain species in the Gulf.

Chairman Corbett requested staff present a report on the new recreational data at the end of 2015 and bring a report on feedback from the interactions with users also in 2015.

Commission Action

Upon a motion by Commissioner Roberts, seconded by Commissioner Priddy and carried, the Commission approved staff recommendations.

Lionfish

Staff presented final rules which would create an exception to the current prohibition on the use of rebreathers when harvesting marine species to allow persons using rebreathers to harvest lionfish. Ms. Melissa Recks with the Division of Marine Fisheries noted the proposed final rules as presented would allow the FWC Executive Director or his designee to issue permits to tournaments or other approved events for the use of spearfishing gears to harvest lionfish or other non-native invasive species from areas where spearfishing is otherwise prohibited. In addition, the proposed final rules would prohibit further importation of live lionfish. Staff also demonstrated a new cell phone application aimed at educating the public on the topic of lionfish.

Chairman Corbett thanked staff for showcasing how FWC is using current technology to reach Florida's citizens with information on lionfish.

Executive Director Wiley noted that FWC received a lot of positive feedback on this developed application and the agency is looking forward to utilizing more of this technology in outreach efforts.

Public Comment

The following individuals addressed the Commission on this agenda item:

Ms. Pam Anderson addressed the Commission. She thanked the Commission for dealing with this issue.

Mr. TJ Marshall addressed the Commission and strongly encouraged a working group with the Florida Department of Agriculture and Consumer Services to assist the restaurant association in getting a consistent supply of this species to allow the opportunity to add it to the menu.

Mr. Jerry Sansom, Organized Fishermen of Florida, addressed the Commission with a recommendation that this Commission work with the industry to help develop gear that effectively target lionfish specifically with minimal bycatch.

Commission Discussion

Commissioner Rivard noted support of this proposal, but commented that the rules of using rebreathers should be reevaluated in the near future to remove any outdated restrictions.

Executive Director Wiley noted that the Commission will review the rules on using rebreathers and coordinate with the Chairman on getting this report on a future meeting agenda.

Commission Action

Upon a motion by Commissioner Roberts, seconded by Commissioner Bergeron and carried, the Commission approved staff recommendations.

Call of the Chair-Village of Key Biscayne

Upon a request by the Chairman, the Chief of Police and Mayor of the Village of Key Biscayne were invited to address the Commission on a current issue involving boating and waterway safety.

Mayor Kaplan spoke of a public safety issue currently occurring at Mashta Flats. The Village of Key Biscayne requested guidance from the Commission on how to address these safety issues. He noted that the Village of Key Biscayne has

adopted an ordinance in an attempt to address this issue and will work with FWC staff to ensure compliance with current rules and regulations

The Chief of Police addressed the Commission and spoke of how this current situation developed and detailed the concerns for public safety that have increased over the years.

Chairman Corbett asked Lieutenant Colonel Daugherty with FWC to speak to this issue.

Lt. Colonel Daugherty noted that FWC Law Enforcement (LE) has been coordinating with the Village of Key Biscayne on enforcement in this area. FWC LE is also analyzing this type of issue on a statewide level to determine if there are possible solutions to public safety that can be applied on a larger scale.

Eliminate Special Acts

Ms. Kellie Ralston with the Division of Marine Fisheries Management presented proposed draft rules which would repeal the Special Acts of Local Application (Special Acts) for Gilchrist, Indian River, and Manatee Counties. As part of a comprehensive review of the saltwater fishing regulations, staff noted that they will be evaluating all Special Acts to determine which ones are still necessary. The changes presented will help to clarify and streamline existing marine fisheries regulations and improve enforceability and public understanding.

Public Comment

The following individuals addressed the Commission on this agenda item:

Mr. Jerry Sansom addressed the Commission and commended staff for this effort. He noted that most of these rules are truly obsolete and added full support for staff recommendations.

Mr. Lyle McCandless addressed the Commission stating how encouraging it is to see this Commission addressing issues like this where rules and laws are being reviewed in an effort to clarify regulations for better understanding.

Commission Action

Upon a motion by Commissioner Roberts, seconded by Vice Chairman Yablonski and carried, the Commission approved staff recommendations.

Southwest Region and Lake Okeechobee Haul Seine Permits

Staff presented a proposed draft rule regarding Southwest Region and Lake Okeechobee Haul Seine Permits. Mr. Champeau explained that permits for commercial use of haul seines in freshwater lakes in the Southwest Region and Lake Okeechobee are limited in number and very carefully regulated. Staff proposed to allow the opportunity for freshwater commercial permits to be transferred to the permit holders' family in the instance of disability or death of the permit holder. Additional changes were also proposed to reduce the number of days that haul seine permit holders are required to fish on Lake Okeechobee and clarify the requirements that new permit recipients must meet.

Public Comment

The following individuals addressed the Commission on this agenda item:

Mr. Melvin Rosen, a Lake Okeechobee permit holder, addressed the Commission in support of staff recommendations.

Mr. Lavonne Sherrell, a Lake Okeechobee permit holder, addressed the Commission in support of staff recommendations.

Commission Discussion

Commissioner Priddy asked about the waiting list and whether or not there was negative feedback on proposed changes.

Mr. Champeau replied that there are currently permits available on Lake Okeechobee and that there should be no delay for interested and qualified individuals in receiving permits.

Commission Action

Upon a motion by Commissioner Bergeron, seconded by Commissioner Roberts and carried, the Commission approved staff recommendations.

Restricted Species Endorsement

Ms. Recks presented a proposed draft rule which would move Restricted Species (RS) qualifying requirements from Florida Statutes to FWC rule so that in the future FWC could be more responsive to industry requests for modifications and address staff-identified needs for updates and clarifications. Staff noted that once the RS requirements are established in rule, staff will recommend working with the Legislature to repeal the related statutes and work with the commercial fishing industry to address appropriate changes to the qualification criteria.

Public Comment

The following individuals addressed the Commission on this agenda item:

Mr. Jerry Sansom addressed the Commission and thanked staff for their professionalism during this process. He noted that this is a great example of cooperative management.

Ms. Janie Thomas addressed the Commission in support of staff recommendation.

Mr. Mark Coarsey, Fishing for Freedom Manatee County Chapter, addressed the Commission in full support.

Ms. Barbara Adams addressed the Commission with support of staff recommendations.

Commission Action

Upon a motion by Commissioner Roberts, seconded by Commissioner Priddy and carried, the Commission approved staff recommendations.

Staff Reports

Gulf of Mexico Fishery Management Council (GMFMC) Update

Ms. Bademan reported on actions anticipated for the upcoming GMFMC meeting on June 23-27 in Key West. She also requested direction on pursuing changes to recreational red grouper management.

Public Comment

The following individuals addressed the Commission on this agenda item:

Mr. Edmund Shebert, member of the Marco Sportfishing Club, addressed the Commission. He provided the Commission with a recommendation of the Marco Sportfishing Club which was provided to Ms. Bademan. The Marco Sportfishing Club requested that the red grouper bag limit be reduced to 2 fish per person per day to keep the recreational season open for a longer period of time in 2014.

Mr. Jerry Sansom addressed the Commission in opposition of inter-sector trading between commercial and recreational Gulf red snapper fishermen. He noted interest in seeing if release mortality is an issue with the red snapper.

Ms. Pam Anderson addressed the Commission opposing inter-sector trading and addressed other issues related to the Gulf Council. She provided supplemental information to the Commissioners for review.

Mr. Dennis O'Hern addressed the Commission regarding red snapper and red grouper issues. He stated his opinion of problems with the red grouper assessment.

Mr. Trip Auckman addressed the Commission thanking them for supporting Gulf Council Amendment 28 (red snapper sector reallocation). The Coastal Conservation Association of Florida requested that the state take over management of red grouper in federal waters or at least begin the process of getting better recreational fisheries data.

Mr. TJ Marshall addressed the Commission and provided supplemental information from Ocean Conservancy to the Commissioners regarding the 9 day season for red snapper in Gulf federal waters.

Commission Discussion

The Commission directed staff to move forward as proposed to reduce the bag limit for red grouper from 4 to 2 at the upcoming Gulf Council meeting.

South Atlantic Fishery Management Council (SAFMC) Update-

Ms. McCawley reported on SAFMC actions from their June 9-13 meeting in Ponte Vedra Beach, Florida. Staff requested direction on a request from NOAA Fisheries to set state recreational snowy grouper and golden tilefish regulations in the Atlantic to match adjacent federal regulations.

Public Comment

The following individuals addressed the Commission on this agenda item:

Mr. Trip Auckman addressed the Commission related to the SAFMC amendment that would allow dolphin and wahoo to be brought back to the U.S. from the Bahamas as fillets and requested support of the Commission on this issue.

Commission Discussion

The Commission directed staff to await direction from the September Commission Meeting.

Panther Update

Staff provided information on the Florida Panther Recovery Implementation Team and updates on current panther research and management activities. Mr. McRae provided updates on research information relating to the Florida Panther.

Dr. Thomas Eason presented information on management tools used by the Commission relating to the Florida Panther and requested direction and discussion from the Commission on moving the programs of the FWC forward on this topic. Dr. Eason then introduced Ms. Dawn Jennings, Florida Panther Recovery Coordinator with the United States Fish and Wildlife Service (USFWS).

Ms. Jennings addressed the Commission and highlighted the efforts of the USFWS to assist with the recovery of the Florida Panther along with the coordination effort underway with the FWC.

Executive Director Wiley noted the importance of working with the USFWS to facilitate coordination with neighboring states in the Southeast that have suitable panther habitat.

Commission Discussion

Commissioner Priddy recognized several FWC staff members who have recently received an award from The Florida Wildlife Federation related to panther recovery. Dr. Dave Onorato, Mr. Marc Criffield, and Mr. Mark Lotz were recognized for receiving the award.

Commissioner Priddy asked if the habitat south of the Caloosahatchee River is already at biological carrying capacity. She noted that if the habitat is already at that level, the pressure is just going to increase on the existing number of panthers living there.

Dr. Eason responded that at this point the information available shows that the panther population south of the Caloosahatchee River is near or at biological carrying capacity.

Commissioner Priddy asked what actions would be the trigger for the USFWS to implement relocation of some of the species.

Ms. Jennings responded that part of the Implementation Team's responsibility is to review the plan, including the part of the plan that discusses relocation to other areas of the Southeast United States, and determine what would be best for the species. The recovery population number data was gathered in the year 2000; therefore, it would be worth revisiting those numbers to see if they are applicable to the species at this time.

Public Comment

The following individuals addressed the Commission on this agenda item:

Mr. Lyle McCandless addressed the Commission regarding the Panther Recovery Implementation Team members and panther population studies needing to be updated.

Ms. Amber Crooks with the Conservancy of Southwest Florida addressed the Commission. She noted that the Conservancy of Southwest Florida would like to see the Commission address panther habitat as a high priority issue.

Ms. Laurie McDonald, Florida Director for Defenders of Wildlife, addressed the Commission. She noted that habitat protection should be the base of the recovery efforts for the Florida Panther.

Ms. Nancy Payton, Southwest Florida Field Representative with the Florida Wildlife Federation, addressed the Commission. She thanked FWC for all of the efforts in helping to preserve this species.

Executive Director Wiley addressed the topic of habitat protection and the lack of specific agency authority on habitat management. He noted that FWC coordinates with many partners to promote the positive role of specific habitats. He noted the importance of linking habitat protection with Everglades restoration.

Special Recognition

Vice Chairman Yablonski recognized Ms. Kim Hamilton, District Secretary for Representative Matt Hudson, who was in attendance at the Commission Meeting.

Programs of the Florida Fish and Wildlife Research Institute

Commissioners received an update of major scientific research programs at FWRI with an emphasis on the integration of research and management activities within FWC.

Public Comment

The following individuals addressed the Commission on this agenda item:

Mr. Jerry Sansom addressed the Commission and commended FWRI staff for their great work.

Budget Workshop

Ms. Charlotte Jerrett, Chief Financial Officer, provided an overview of the budgetary framework of FWC along with a status report of revenue sources, trust fund balances, and the annual operating budget.

Vice Chairman Yablonski commented on the approach of looking at the FWC budget over the past 10 years to determine the fiscal responsibility of the agency. He added that policy will drive future budgets based on the strategic planning of the agency.

Executive Director Wiley noted that staff are taking a hard look at future budget projections.

Staff Reports

Legislative Overview

Ms. Jackie Fauls, Legislative Affairs Director, presented updates on legislation related to FWC during the 2014 Session.

Public Comment on Items Not on the Agenda

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

Ms. Kathy Stearns with Dade City's Wild Things addressed the Commission with concern about a new Captive Wildlife Technical Assistance Group (TAG).

Ms. Kay Ross addressed the Commission regarding the appointment of individuals to the Captive Wildlife TAG.

Ms. Sandra Lender with the Naples Press Club addressed the Commission with concern about the Captive Wildlife TAG.

Mr. William Riley addressed the Commission with concern about the Captive Wildlife TAG.

Commissioner Roberts suggested that Law Enforcement staff review the TAG establishment process and reassess if the group needs to allow additional stakeholders.

Commissioner Bergeron asked how many individuals were currently asked to sit as the group.

Colonel Adams, Director of the Division of Law Enforcement, explained that FWC has identified 16 individuals who would be recommended to sit as the group and offered additional information about this process.

Chairman Corbett noted that staff will review the appointment process and bring additional information back to a future meeting.

Ms. Stearns addressed the Commission and asked if the Captive Wildlife TAG would be required to stop all action while additional details are being reviewed by FWC.

Executive Director Wiley confirmed that this group would take a break while FWC reviews this process to ensure stakeholder coordination is handled appropriately.

Commissioner Rivard asked if the allegations of the agency not following the proper legal procedure for appointing members to this group had any merit.

Mr. Bud Vielhauer, General Counsel, addressed this question with confirmation that there have been no violations of the Sunshine Law related to inviting individuals to sit as the group.

Mr. Lyle McCandless addressed the Commission in recommendation of initiating a reporting system for deer management. He requested the Commission add that as an agenda item for a future meeting.

Mr. Bill Kelly with the Florida Keys Commercial Fisherman's Association addressed the Commission. He praised the FWC Law Enforcement efforts in the Keys during the mini lobster season.

Mr. Marcus Cantos with the Florida Reptile Industry addressed the Commission with a request to breed turtles, including protected species, in comparison with other states which allow breeding of those species. He noted his willingness to work with staff to try and reach a compromise on this issue.

Staff Reports

General Counsel's Report

Mr. Vielhauer provided a brief update to Commissioners on current legal matters related to the Commission.

Recognitions

FWC Contribution to AFWA State Grants Program for North American Wetlands Conservation Act

Ms. Diane Eggeman, Director of the Division of Hunting and Game Management, introduced Dr. Craig LeSchack, Director of Conservation Programs with Ducks Unlimited and former FWC employee.

Dr. LeSchack presented information to the Commission on the North American Wetlands Conservation Act. He thanked the Commission for the continued support of this program.

Commissioner Exchange

Chairman Corbett thanked everyone for staying late to get through several additional agenda items.

Recess Wednesday's Portion of the Meeting

Chairman Corbett recessed the meeting at 6:20 p.m., to reconvene at 8:30 a.m., Thursday, June 19, 2014.

Thursday, June 19, Reconvene

Chairman Corbett reconvened the meeting at 8:34 a.m.

Meeting Opening and Recognitions

Hunter Safety Instructor of the Year Award

Mr. Bill Cline with the Division of Hunting and Game Management introduced this award and spoke about the recipient, Mr. Paul Averill.

Commission Discussion Item: Status of Everglades

Commissioners received an update from staff on current activities and issues associated with Everglades Restoration. The update also included progress made toward development of a high water action plan to avert wildlife and habitat impacts during extreme high water events. Mr. Sanders spoke of the recent actions to address high water in the Everglades.

Commission Discussion

Executive Director Wiley thanked Mr. Sanders for the update. He noted that because this process involves several different agencies, this serious issue is taking longer than expected to address.

Commissioner Bergeron noted that the system is such an important resource that it is extremely necessary to have a high water action plan which will help ease the shock to the ecosystems in the area. The goal is to complete a multi-agency plan to ensure the Everglades will not experience the massive habitat and wildlife destruction that has occurred in the past during long durations of high water.

Vice Chairman Yablonski read the proposed Resolution.

Commissioner Priddy asked Mr. Sanders to clarify the last sentence of the presentation noting the inaction of the United States Army Corps of Engineers (Corps) in regards to this issue. She also noted the affect on wildlife habitat by water levels in the Everglades and referenced the habitat loss for the Florida Panther, an Endangered Species. She asked Commissioner Bergeron to respond to the three tiered approach currently presented by the Corps.

Commissioner Bergeron replied that this approach may get us there eventually, but in past experience, these types of efforts have not gotten the proper amount of attention or action. He thanked staff for their work on the Central Everglades Restoration Plan which included a review of water level data related to the everglades over the past 60 years.

Commission Action

Upon a motion by Commissioner Bergeron, seconded by Commissioner Priddy and carried, the Commission approved the Resolution.

Public Comment

The following individuals addressed the Commission on this agenda item:

Mr. Newton Cook, Executive Director of the United Waterfowlers Florida, addressed the Commission highlighting factors limiting the actions available to address high water in the Everglades.

Mr. Lyle McCandless addressed the Commission in support of establishing the high water action plan.

Mr. Pete Quasius with the Snook Foundation and Audubon of Western Everglades addressed the Commission regarding water flowing south being clean enough to support the ecosystems there.

Mr. Byron Maharrey addressed the Commission and applauded the Commissioners for signing the resolution.

Mr. John Rosier addressed the Commission in support of the Commissioners signing the resolution.

Chairman Corbett introduced a video which highlighted the release of a Florida Panther in habitat near the Everglades.

Special recognition

Vice Chairman Yablonski recognized Representative Kathleen Passidomo and Representative Heather Dawes Fitzenhagen who were present at the meeting. Vice Chairman Yablonski extended an invitation to both Rep. Passidomo and Rep. Fitzenhagen to tour the Beau Turner Youth Conservation Center near Tallahassee.

Amendments to Alligator Rules

Staff presented proposed final rules which would amend the Commission's rules relating to fur and hide dealers, taking, possession and sale of alligators and collection of alligator eggs and hatchlings. Mr. Harry Dutton, Alligator Management Program Coordinator with the Division of Hunting and Game Management, provided an overview of these changes.

Public Comment

The following individuals addressed the Commission on this agenda item:

Mr. Bill George addressed the Commission with concerns over the legislative changes coming before the Commission at the September meeting.

Mr. Newton Cook addressed the Commission in support of staff recommendations.

Mr. Lyle McCandless addressed the Commission in support of the proposed rule changes.

Mr. Allan Register, alligator farmer and trapper, addressed the Commission with concern over the proposed extended hours of alligator hunting and concern of possible spoiled alligator meat, but supported the other proposed rule changes.

Mr. Todd Hallman with the Florida Sportsmen's Conservation Association (FSCA) addressed the Commission with concern of the extended alligator hunting hours based on experience of alligator meat spoiling and also the conflicts of certain land managers not allowing 24 hour access. He stated opposition to the extended hunting hours in the proposal.

Mr. Lane Stephens addressed the Commission representing the Florida Airboat Association in opposition of the extended hunting hours in the proposal and support of all other proposed rule changes.

Mr. Steven Stroh with FSCA addressed the Commission in opposition to the extended hunting hours in the proposal.

Mr. Bishop Wright addressed the Commission in opposition to the extended hunting hours in the proposal.

Mr. Byron Maharrey addressed the Commission with concerns over egg collection and opposition to the extended hunting hours in the proposal.

Mr. Phil Walters, owner of Gator Guides, addressed the Commission with overall support of the proposed rule changes.

Commission Discussion

Commissioner Roberts echoed the concerns voiced by several individuals over spoiled alligator meat. He suggested removing the extended hours portion of staff recommendations and moving forward with the other rule changes.

Commission Action

Upon a motion by Commissioner Roberts removing the 24 hour extended hunting hours, seconded by Commissioner Bergeron and carried, the Commission approved the amended staff recommendations.

Specific Regulations for Wildlife Management Areas - Northwest Region

Staff presented a proposed draft rule which would require that all dogs used to pursue or take deer, fox or coyote must be equipped and monitored with electronic tracking and control devices in that portion of the dog hunt area east of Belandville Road. Mr. Steve Shea, Regional Director of the Northwest Region, presented the background information in to the Commission.

Public Comment

Ms. Teresa Wineland addressed the Commission in support of staff recommendations. She noted appreciation for staff efforts in addressing initial concerns from stakeholders over the financial hardship that this rule would have caused without the extended 2 year time frame to meet the new requirements which staff included in the rule.

Mr. Lane Stephens with the Florida Dog Hunters and Sportsmen's Association addressed the Commission in support of the proposal.

Commission Action

Upon a motion by Commissioner Roberts, seconded by Commissioner Priddy and carried, the Commission approved staff recommendations.

Specific Regulations for Wildlife Management Areas- South Region

Staff proposed a draft rule to implement the Hunting Management Plan for the Addition Lands of the Big Cypress Wildlife Management Area. Mr. Don Coyner with the Division of Hunting and Game Management presented information to the Commission and then introduced Deputy Superintendent JD Lee with the Big Cypress National Preserve.

Commissioner Priddy asked what it would take to increase the number of permits allowed on this property.

Mr. Coyner noted that harvest data would need to be gathered for this area, and then coordination with the partner agencies to possibly increase the quota permits for this area.

Executive Director Wiley noted what a great opportunity this is and that this has been in the works for a long time. He added that FWC has been coordinating with the National Park Service and Big Cypress to come up with options of how to expand the access levels which should ultimately increase the participation in this area.

Commissioner Bergeron added that this is a day to celebrate and thanked staff and coordinating partners on their work on the Big Cypress Wildlife Management Area and Addition Lands.

Public Comment

The following individuals addressed the Commission on this agenda item:

Mr. Newton Cook addressed the Commission and congratulated staff for this effort which has spanned 30 years.

Mr. Robert Andreu, President of the Southwest Florida Outdoorsman's Association, addressed the Commission in support of the proposal.

Mr. Lyle McCandless addressed the Commission and thanked all parties involved with this proposal. He voiced concern over the lack of permits and proposed that the National Park Service allow off road vehicles on a certain portion of the property.

Mr. Todd Hallman addressed the Commission in support of this proposal.

Mr. Pete Quasius addressed the Commission in support of this proposal with highlights on access.

Mr. Byron Maharrey addressed the Commission and thanked staff for the effort on this proposal. He voiced concern over access restrictions on the property.

Mr. John Rosier, President of the Dade County Fulltrack Conservation Club, addressed the Commission and applauded this proposal of opening up the lands for hunting.

Mr. Christian Mogelvang addressed the Commission in support of the proposal.

Mr. Franklin Adams with the Florida Wildlife Federation addressed the Commission with support of the proposal.

Mr. Wayne Jenkins, President of Collier County Sportsman and Conservation Club, addressed the Commission in support of this proposal.

Commission Discussion

Commissioner Bergeron offered assistance in coordination with Commissioner Priddy to work on improved access on these lands.

Commission Action

Upon a motion by Commissioner Bergeron, seconded by Commissioner Priddy and carried, the Commission approved staff recommendations.

Establishment of Critical Wildlife Area, Martin County Spoil Island #2

Staff presented a proposal to consider the establishment of a new Critical Wildlife Area (CWA) around a two-acre spoil island located in the Indian River Lagoon in Martin County. The island, called MC-2 but known locally as “Bird Island”, is an important rookery for 18 species of birds. Staff requested authorization to establish the area through an Executive Order and implement two closure zones within the area. If approved, the CWA would be established as soon as possible. The enforcement of the closure zones would be implemented following installation of appropriate signage.

Public Comment

The following individuals addressed the Commission on this agenda item:

Ms. Julie Wraithmell with the Audubon of Florida addressed the Commission and encouraged an increase to include a buffer year round.

Mr. Greg Braun, professional ecologist, addressed the Commission in support of staff proposal with the exception of the 6 month buffer zone. He recommended a year round buffer in order to protect the resource.

Mr. Steve English, a local fisherman, addressed the Commission.

Mr. Bradley Cornell with the Audubon of the Western Everglades and Audubon of Southwest Florida addressed the Commission. He stressed the importance of the designation so that the proper educational outreach can begin in order to assist in the survival of the species that breed there. He noted Audubon recommended the year round buffer zone.

Ms. Nancy Beaver with Sunshine Wildlife Tours/Ocean River Institute addressed the Commission in support of protection.

Ms. Jean Hall with the Collier Shorebird Alliance addressed the Commission and supported the proposal with the amendment of closure year round.

Ms. Deborah Drum with the Martin County Board of County Commissioners addressed the Commission with recommendations of increased closures on this area and a different location for the marker poles.

Commissioner Rivard asked about the difference between access for fishermen in the Martin County proposal.

Ms. Drum responded noting the slight change in the buffer zone at one point around the island and suggested an 8 month closure compared to a 6 month closure in the staff recommendation.

Mr. English added that the Martin County proposed boundary would provide greater access for the fishermen and enacting the boundary year round would not hurt the fishermen.

Ms. Jacqui Thurlow-Lippisch with the Town of Seawall’s Point addressed the Commission to support the island being designated as a critical wildlife area.

Ms. Gail Campell with Lee County Bird Patrol addressed the Commission in support of the Martin County proposed buffer zone.

Commission Discussion

Vice Chairman Yablonski commented on the importance of this island as habitat for birds year round. He suggested the closure be in effect year round with the boundary that staff proposed. He also suggested calling this the Bird Island Critical Wildlife Area.

Commissioner Roberts asked staff to consider amending the buffer zone. He noted agreement with the year round closure, but was interested in expanding the buffer zone to match the Martin County proposal.

Commissioner Bergeron noted that the Martin County recommendation is a good approach to the conservation of the island with the addition of the year round closure.

Commission Action

Upon a motion by Commissioner Yablonski to amend staff recommendation to assume the buffer zone as presented by Martin County, enact the buffer zone year round, and include the naming of CW2 as Bird Island Critical Wildlife Area seconded by Commissioner Roberts and carried, the Commission approved the amended recommendations.

Future Agenda Items

Mr. Eric Sutton, Assistant Executive Director, reviewed a few of the potential agenda items for the upcoming September 2014 Commission Meeting which will be held in Kissimmee, Florida.

Public Comment on Items Not on the Agenda

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

Mr. Bill George addressed the Commission with concerns over the alligator permit system.

Mr. Lyle McCandless addressed the Commission and thanked them for taking public input on decisions.

Mr. Robert Andreu addressed the Commission regarding Florida Panther habitat.

Mr. Byron Maharrey addressed the Commission regarding Chronic Wasting Disease.

Mr. Bishop Wright addressed the Commission on recent cleanup efforts in the Everglades.

Mr. Todd Hallman addressed the Commission regarding enforcement highlighting increases in fines for violations.

Mr. Pete Quasius addressed the Commission and thanked the Commissioners for their responsiveness to the stakeholders on issues brought forward during this meeting.

Mr. Newton Cook addressed the Commission and thanked staff and Commissioners for supporting the United Waterfowlers Summit this coming August.

Mr. John Rosier addressed the Commission and suggested promoting planting more trees in the Everglades. He also voiced concerns over certain rules related to hunting seasons.

Commission Elections

Commissioner Roberts made a motion that Chairman Corbett and Vice Chairman Yablonski be re-elected. Commissioner Bergeron seconded, motion approved.

Commissioner Exchange

Commissioner Rivard appreciated gaining the experience with the topics from this meeting and learning more about the issues stakeholders deal with throughout the state.

Commissioner Priddy acknowledged the steps this Commission is taking on several different topics that have great opportunity to positively affect the future.

Commissioner Bergeron thanked the Commissioners, staff, and stakeholders then highlighted the important decisions made at this meeting.

Vice Chairman Yablonski thanked Commissioner Bergeron and Commissioner Priddy for requesting the presentations on Everglades and Panthers as those were important issues.

Adjournment

Chairman Corbett adjourned the meeting at 12:48 p.m.

Richard A. Corbett
Chairman

Nick Wiley
Executive Director

Respectfully submitted:

Lisa Zullo
Commission Assistant