



Florida Fish and Wildlife Conservation Commission

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Commission Meeting
February 4-5, 2015
Jacksonville, 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 February 4-5, 2015, at the Hyatt Regency Jacksonville Riverfront, located at 225 East Coastline Drive, Jacksonville. Chairman Richard A. Corbett called the meeting to order with the following members in attendance:

Ronald Bergeron, Fort Lauderdale
Aliese Priddy, Immokalee
Brian Yablonski, Tallahassee

Bo Rivard, Panama City
Chuck Roberts, Tallahassee
Richard Hanas, Oviedo

Senior and Presenting Staff:

Nick Wiley	Executive Director
Eric Sutton	Assistant Executive Director
Bud Vielhauer	General Counsel
Colonel Curtis Brown	Director, Division of Law Enforcement
Ernie Marks	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
Jackie Fauls	Director, Legislative Affairs
Melissa Recks	Section Leader, Division of Marine Fisheries Management
Martha Bademan	Section Leader, Division of Marine Fisheries Management
Cory Morea	Deer Management Program Coordinator
Deborah Burr	Gopher Tortoise Program Coordinator
Laura Barrett	Imperiled Species Management Plan Coordinator
Major Richard Moore	Section Leader, Division of Law Enforcement

There were 78 individuals registered to speak to the Commission during the two-day meeting.

Meeting Opening

Chairman Corbett called the February 4-5, 2015 meeting to order at 8:38 a.m.

Invocation and Pledge of Allegiance to the Flag

Mr. Tom Champeau, Director of the Division of Freshwater Fisheries Management, gave the invocation then Chairman Corbett led the Pledge of Allegiance.

Adoption of Minutes

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

Adoption of Meeting Agenda

A motion made by Commissioner Hanas, seconded by Commissioner Roberts and carried, to adopt the February 2015 Commission Meeting Agenda as amended to move item number 5.B., Federal Legislative Issue Outlook, closer to the beginning of the agenda, immediately following the Awards and Recognition presentation.

Approval of Consent Agenda

Upon a motion by Commissioner Roberts, seconded by Commissioner Priddy and carried, the February 2015 Consent Agenda was approved.

Special Recognition

Chairman Corbett introduced Mrs. Kathy Barco, former Commission Chairman and current board member of the Fish and Wildlife Foundation of Florida, who addressed the Commission and presented updates on the fundraising successes of the Foundation.

Awards and Recognition

Mr. Todd Hallman, the Florida Sportsmen's Conservation Association President, presented the Wildlife and Natural Resources Achievement Award to Mr. Chris Wynn, Regional Director with FWC.

Strategic Discussion Follow-up

Federal Legislative Issue Outlook

Ms. Jackie Fauls, Legislative Affairs Director, provided a brief update on Federal Legislative Issues related to FWC. Ms. Fauls then introduced special guest speaker Mr. Whit Fosburgh, President and CEO of the Theodore Roosevelt Conservation Partnership, who provided an overview of current conservation measures and opportunities at the Federal level.

Ms. Jennifer Mock-Schaeffer, Government Affairs Director for the Association of Fish and Wildlife Agencies (AFWA), addressed the Commission. She advised the Commission of the process by which AFWA coordinates with the states to work on federal level policies that can assist in providing conservation measures for those states. In closing, Ms. Mock-Schaeffer provided an overview of additional Federal legislation that will be pursued by AFWA.

Mrs. Jessica McCawley, Director of the Division of Marine Fisheries Management, presented detailed information on the Magnuson-Stevens Act as it relates to the State of Florida and FWC. Mrs. McCawley noted the next steps for FWC and invited direction from the Commission on this topic at any time.

Finally, Ms. Fauls commented that FWC staff planned trips to Washington, D.C. to continue to voice Florida's concerns on this issue and State Wildlife Grants.

Commission Discussion

Vice Chairman Yablonski asked about the process in the instance that the Magnuson-Stevens Act is not reauthorized.

Ms. Mock-Schaeffer responded that as long as the appropriations are still provided for the program, then it will continue as it was previously authorized.

Chairman Corbett asked what the political climate was currently in the effort to get this reauthorized.

Ms. Mock-Schaeffer responded that there is a lot of interest and support in some of the Federal Legislative Committees; however, the timelines are undetermined due to other priorities that could take a majority of their focus.

Executive Director Wiley concluded this topic by noting that in the past Florida has not had as big of a voice in this process, and FWC is heavily interested in making reauthorization of the Magnuson-Stevens Act more beneficial to the State of Florida. He stated that this discussion touched on the part of strategic discussions as laid out in the last year and he thanked the invited guest speakers for their participation.

Executive Director's Report

Executive Director Nick Wiley highlighted the following items from the Executive Director's report:

- Colonel Curtis Brown was recognized as the new Director of the Division of Law Enforcement.
- Division of Law Enforcement recently received a recommendation for re-accreditation by the Commission for Florida Law Enforcement Accreditation (CFA).
- George H.W. Bush Vamos A Pescar Miami Family Fishing Day.
- Blue Green fundraising event hosted by Commissioner Bergeron.
- New FWC recreational fishing and hunting license app.
- Recent Bear incident in Eastpoint, Florida.

Chairman's Report

Chairman Corbett spoke of the FWC's Strategic Initiative on conflict wildlife. He referenced the previous presentation by Mr. Jim Sterba. He highlighted the FWC management plans that help the Commission deal with issues related to conflict wildlife. He noted that a coordinated effort with stakeholders, local municipalities, and other state agencies will help move the response efforts forward related to conflict wildlife.

Chairman Corbett introduced Dr. Thomas Eason, Director of the Division of Habitat and Species Conservation, to present the next agenda item.

Strategic Discussion Follow-up

Florida Black Bear Management

Dr. Thomas Eason provided an update to the Commission on current research and management efforts. The presentation also included a request for proposed revisions to the Florida Black Bear Conservation Rule 68A-4.009 and the Bear, Fox, and Raccoon Feeding Rule 68A-4.001(3).

Vice Chairman Yablonski recognized Mr. Joe Zimmerman, District Secretary for Representative Janet Adkins, who was in attendance at the meeting.

Public Comment

The following individuals addressed the Commission on this agenda item:

Mr. Josh Robinson addressed the Commission requesting use of hounds in hunting bears in Florida.

Mr. John Rose with the Florida Black Bear Scenic Byway addressed the Commission and read a letter on behalf of the Chairman of the Florida Black Bear Scenic Byway. The letter requested that the population analysis be completed before presenting any options of bear management by hunting. He noted preference in issuing permits for hunting under the

direction of a FWC Law Enforcement officer if this management tool is used. Finally, he offered support on behalf of the Florida Black Bear Scenic Byway for additional education and outreach campaigns.

Mr. Michael Davis, Vice President of the Central Florida Dog Hunters and Sportsman's Association, addressed the Commission. He requested a stakeholder committee be appointed to begin discussions to ensure that hunting as a management option is a coordinated effort.

Mr. Brad McNaughton, President of Central Florida Bear Hunters Association, addressed the Commission. He noted support for allowing dogs to be used when hunting bears because it is easier to determine the sex and age of the bear. He suggested the use of feeders prior to any seasons to help alleviate bears looking for food in towns and cities.

Mr. Justin Field, representative of Deseret Ranches of Florida, addressed the Commission in support of Bear Management in Florida with the use of hunting.

Ms. Joi Hosker, Secretary with the Central Florida Bear Hunters Association, addressed the Commission. She commended the Bear Management staff for being the professional experts on this subject. She added support of bear hunting as a management tool and suggested higher proposed fees for licenses. She also commented that wild boar will run cubs out of the forest and into residential areas. She believes that the weight limit should be 200 pounds and that the permit costs should be three times what they are currently. She commented in support of dogs being used to tree and release this species and also in the use of hunting bears. She requested an updated Bear Response Team list broken down by Bear Management Units if possible.

Mr. Stewart Robinson addressed the Commission. He provided a handout with a presentation and referenced a mailing that was sent to the Commissioners which included a 35-page assessment which he completed related to Bear Management and how it should be changed. He requested the FWC Bear Management Plan be reviewed and rewritten.

Mr. Bill Marvin, President of the Board of Directors representing the Future of Hunting in Florida, addressed the Commission in support of the staff proposal.

Mr. Jeffrey Boyd addressed the Commission in support of reintroducing bear hunting as a management tool.

Mr. Wayne Bostic addressed the Commission in support of using bear hunting as an option for the management of the species. He believes that a one week hunt is too short of a time.

Mr. Douglas Moore addressed the Commission and directed his comments toward the economic benefit that hunting of bears could bring to the State of Florida. He questioned whether the harvest goals could be met without the use of baiting or dogs.

Mr. Troy Starling addressed the Commission and supported higher hunting license fees. He also noted that not including dog hunting in this proposal is wrong as the use of dogs allows for the determination of the sex and age of the bear. He believes that hunting larger bears will allow for the smaller males that are usually run out of the forest to move back in.

Ms. Velva Peterson addressed the Commission regarding the overdevelopment of counties in Central Florida that destroys the natural habitat of several species in the area. She believes that residents are not held accountable for their actions that attract bears. She noted the bear feeding rule should require a higher fine and that Homeowners Associations (HOAs), not local governments, could impose fines for leaving trash out. She noted opposition to hunting bears in any sense.

Mr. Don Brouillard, President of Friends of the Wekiva River, Inc., addressed the Commission and spoke of the delisting process and elements that contribute to abundance. He proposed taking the time to review the bear behavior and abundance before initiating a hunt. He also proposed an accelerated approach to managing human influence, especially in regards to situations in which bears are euthanized.

Mr. Randy Roy addressed the Commission in support of a tree and release type season as a tool to instill the fear of humans in bears. He proposed a pursuit license which could directly fund management of the species.

Mr. John Rosier, President of the Everglades Coordinating Council (ECC), addressed the Commission. He noted support of the staff proposal. He also noted ECC support of the proposed rule changes.

Mr. Newton Cook, Executive Director United Waterfowlers of Florida (UWF) and Board Member of the Future of Hunting in Florida (FHF), addressed the Commission. He noted both UWF and FHF support of the bear hunting proposal as proposed by staff. He commented that trapping programs are important. If a bear season was implemented, the human conflict bears could be relocated to the areas that allow hunting and these bears would be the first to be hunted.

Mr. Chuck O'Neil with the Natural Resources Committee of the League of Women Voters addressed the Commission. He noted an illegal market for Saw Palmetto berries which is a main food resource for bears. He recommended Law Enforcement increase enforcement related to harvesting this food source and by doing so, it would eliminate any need for a hunt.

Mr. Whitey Markle, Conservation Chair with the Suwannee/St. John Sierra Club, addressed the Commission. He voiced adamant opposition to hunting of any kind for use as a species management tool. He noted that overpopulation has caused major issues with not only bears, but most species. He voiced the opinion that a 20 percent kill is too high because Dr. Eason said that 20 percent was the critical line for the bear population. He requested increasing the enforcement of rules in place at FWC and also requested to add Manatees to the list for a higher fine structure.

Ms. Donna Hilyard addressed the Commission in support of the education and land conservation efforts currently enacted by FWC. She supported the agency looking for incentives for the public to get and use bear proof trash cans. She supported the heavy fines for feeding of wildlife and spoke in opposition of hunting. She added that she lives in Bear Country and her neighborhood takes action to minimize negative interactions with this species.

Vice Chairman Yablonski asked if Ms. Hilyard's neighborhood has HOA rules requiring trash being put out on the morning of pick-up.

Ms. Hilyard responded that all of the individuals take a personal role in being responsible for their own actions and each choose to make better decisions rather than having a rule required by their HOA.

She was then asked if she sees other communities taking the same type of initiative that she and her fellow neighbors take in order to reduce human-bear interactions.

She responded that she and her neighbors have a Facebook page to communicate with one another and that the neighborhood pays the Sheriff's Department to patrol the community at night. She said that the Sheriff's Department will e-mail the community members to alert them of any situation with wildlife.

Mr. Chuck Echenique with United Waterfowlers of Florida addressed the Commission. He noted that a bear hunting season will help instill a fear of humans in the wild bear populations. He added that bringing back the traditional use of bear hunting and consistently analyzing how the process works successfully will have a positive effect on Florida.

Mr. Brian Paradise with the Northeast Florida Sierra Club addressed the Commission with strong opposition to hunting Florida Black bears. He stated that efforts should focus on preventing vehicle collisions with bears and preventing people from feeding bears.

Mr. Lane Stevens, representing the Florida Airboat Association, voiced support for bear hunting. He also noted that Florida Dog Hunters Association would like to work with FWC on the ability to open hunting with dogs.

Mr. Joe Collins with Lykes Brothers, Inc. addressed the Commission. He appreciated the conservative, science based approach to the possibility of using bear hunting as a tool for management of Florida Black Bears.

Mr. Anthony Rogers-Wright, Policy Director of Environmental Action, addressed the Commission. He noted that he received a petition with 22,000 signatures, some of which belong to residents of Florida, who oppose bear hunting. He questioned the purpose is of opening a hunt. He noted support for more educational outreach.

1 hour break

Ms. Amber Crooks with the Conservancy of Southwest Florida addressed the Commission. She presented three recommendations for Commission consideration. She asked that FWC staff continue their policy of hazing bears, voiced

her concern over the new one-strike rule, and requested that the Commission not direct staff to open a hunt. She asked that if hunting were implemented, that the Glades-Highlands area be excluded.

Mr. Darryl Rutz with the Sierra Club addressed the Commission in support of looking for more habitat for many of the Florida species including the Florida Black Bear. He added opposition to hunting.

Ms. Linda Bremer addressed the Commission in full support of mandatory waste collection in areas of primary bear range. She also supported the increase of fines for individuals who feed bears.

Ms. Kate Macfall with the Humane Society of the United States (HSUS) addressed the Commission. She spoke of opposition by HSUS to reopen bear hunting in the State of Florida. She added support of the enforcement of fines for breaking the laws and rules related to feeding.

Ms. Laura Bevan with the HSUS addressed the Commission. She commented that the science points to the reduction of conflicts based on improving the waste collection in certain areas of the state. She voiced opposition to hunting as a tool used by FWC for Bear Management.

Mr. Matthew Schwartz with the South Florida Wildland's Association addressed the Commission with opposition to reintroducing a recreational bear hunt for species management. He added strong support for non-lethal methods when dealing with species management and also stronger regulations related to waste management. He raised concerns about the lack of consulting by FWC that could proactively guide new development near wildlife habitat areas.

Ms. Katherine McGill, Nuisance Wildlife business operator and representative of both the League of Humane Voters of Florida and the National Urban Wildlife Coalition, addressed the Commission in opposition to the bear hunt. She commented that there are a lot of resources available at her disposal and at hand to help with conservation of bears through non-lethal methods as opposed to just hunting. She recommended a tag system if hunting was approved. She said that we need to look to other states (esp. Colorado) and how they handle their bear issues and model ourselves after them.

Mr. David Tetzlaff with the Traditional Bowhunters of Florida addressed the Commission in support of a Florida Bear hunt. He added that there will be a new educational exhibit at the Central Florida Zoo highlighting Florida Bears which will help with the education efforts.

Mr. Joshua Kasecky addressed the Commission in opposition to hunting bears in Florida.

Ms. Maria Bolton-Joubert addressed the Commission in opposition to hunting. She commented that the municipalities and developers should coordinate better in advance to handle the waste management procedures in areas near primary and secondary bear ranges.

Ms. Carla Wilson addressed the Commission in strong opposition of opening a bear hunt.

Ms. Lisa Ray addressed the Commission with concern about hunting the Florida Black Bear. She questioned why we are not waiting to see how the Amendment 1 money is going to be spent towards conservation. She also noted the responsibility of the homeowners and municipalities in enacting procedures to limit food sources. She also commented on the bear attacks and compared them to the many other animal attacks.

Ms. Melanie Alves representing Animal Hero Kids addressed the Commission in opposition of hunting bears.

Mr. Bryan Wilson addressed the Commission in opposition of hunting. He suggested that the time and efforts of staff would be better used by increasing educational measures. He also commented that a 20 percent reduction of the population would not be sustainable over time.

Mr. John Swingle with the Sierra Club addressed the Commission in support of responsible hunting and fishing. He recommended getting the scientific data before moving forward with a hunt. He also suggested increased enforcement of the regulations including higher fines and penalties.

Mr. Josiah Keach addressed the Commission in opposition of hunting.

Ms. Kelley Bowler addressed the Commission in opposition of hunting and supportive of educational measures.

Ms. Julie Wraithmell, Director of Wildlife Conservation with Audubon Florida, addressed the Commission in opposition of hunting as a solution to nuisance bear situations, especially in such a short timeframe. She noted the heavy effort of staff should be focused on educational campaigns towards State Attorney's Offices and local municipalities related to enforcement and waste management requirements.

Mr. Tom Larson with the Sierra Club addressed the Commission in opposition of hunting and support of education.

Ms. Laurie Macdonald, Florida Director for Defenders of Wildlife, addressed the Commission. She highlighted the need for habitat protection and FWC commenting as an important tool to proactively help address issues related to conflict wildlife. She voiced concerns over bear hunting and the effect on funding from the Conserve Wildlife Tags.

Mr. Bill George addressed the Commission in support of a bear hunt.

Mr. George Benedict addressed the Commission in support of a bear hunt.

Mr. Todd Hallman, President of the Florida Sportsmen's Conservation Association, addressed the Commission in support of a full range of tools to help alleviate the conflict wildlife issues. He commended staff for being thorough in their research and presentation.

Mr. Phil Walters with Gatorguides.com addressed the Commission in support of bear hunting.

Mr. Rocky Lynn addressed the Commission in support of bear hunting including the use of dogs.

Ms. Lisa Stoner addressed the Commission in support of education and creating a mandatory requirement for waste management. She opposed bear hunting at this time until more data is available.

Mr. Kurt Stoner addressed the Commission regarding the need for more substantial data before opening a hunt.

Mr. Manley Fuller with the Florida Wildlife Federation addressed the Commission with a request to focus support for programs that reduce conflict. He commented that moving forward with this proposal after the new population data is completed would be a better decision. Finally, he requested removal of the one strike and you are out policy for this species.

Mr. Pat Kelly, President of the Florida Guides Association, addressed the Commission in support of a bear hunt.

Commission Discussion

Commissioner Bergeron thanked the stakeholders regarding this topic. He commented that conflict issues should be separated from hunting issues for the benefit of the public's understanding of the difference between public safety and bear population. He made the point that waste management is the driving factor for nuisance bears and suggested working through local governments and the Legislature to enact rules that can assist with public safety in the areas of highest risk. He is not against hunting if it is for the benefit of the environment and the Florida Black Bear species.

Commissioner Roberts stated that staff will be gathering additional data through stakeholder workshops and with the completion of some of the population estimates for the Bear Management Units over the next year. This Commission is taking the time necessary to review all information and make decisions based on the facts.

Commissioner Priddy asked about the Bear Conservation Rule and specifically the advantage to removing the word Florida from the rule.

Dr. Eason explained that removing the word Florida from the rule is part of the clean-up process for enforcement purposes. It would eliminate someone from arguing that the bear was not a Florida Black Bear. He assured that guidelines for other issues such as hunting lands, depredation rules, etc. would be presented at the next meeting.

Commissioner Rivard provided clarification of the old Bear Feeding Rule language and reasoning for the new language. He raised concern over the specific language and commented that he worked with the FWC Legal Office and Dr. Eason on suggested changes to more clearly explain the rule and include citations in the enforcement process.

Commissioner Roberts requested clarification on when the draft rule would be proposed to the Commission for review, discussion, and possibly additional edits.

Mr. Vielhauer responded that the draft rule language would be presented in either April or June, and if the Commission decides to move forward with the proposed language, it would be presented as final rule at the following Commission Meeting.

Commissioner Roberts approved staff moving forward with the Bear Feeding rule with input from Commissioner Rivard and for moving forward with the Bear Conservation Rule as proposed.

Commissioner Hanas asked about the more aggressive approach related to euthanizing nuisance bears.

Dr. Eason replied that staff are able to differentiate between nuisance bears and bears that are roaming near an area that may have had an issue with nuisance bears in the past. This aggressive approach is not meant for every bear to be euthanized that frequents the area, but to allow those identified nuisance bears to be euthanized so that they do not create a risk to the public.

Commissioner Priddy asked how staff are able to determine whether a bear is a nuisance bear or a bear that happens to wander into an area for the first time.

Dr. Eason explained the policy currently in place that allows identification of nuisance bears and how staff can differentiate those bears from others which do not pose a threat to human safety.

Chairman Corbett asked if the Commissioners had comments on the policy direction proposed by staff.

Dr. Eason asked for assistance from the Commission in advocating for waste management companies and local governments to move this side of the topic forward which will have a great effect on reducing the amount of conflicts with bears.

Vice Chairman Yablonski noted the consensus that garbage and attractants are the biggest problem related to conflict wildlife and nuisance bears in Florida. He stated that the general public may not fully understand the consequences of feeding bears. He suggested more streamlined information to make the consequences more commonly known could have a positive effect on this problem. He referenced one of the speaker's comments that everyone in their community follows unwritten rules of securing their garbage for the safety of the entire neighborhood.

Commissioner Priddy commented that certain areas around the state with higher populations of Florida Black Bears should have a more concentrated effort on Public Service Announcements to help educate both the citizens of Florida and those individuals moving to Florida that these areas have many forms of wildlife.

Chairman Corbett confirmed the support of the Commission on the action items on this topic.

Commissioner Rivard suggested draft language to present to local governments related to waste management in the jurisdictions that have the authority to help keep residents safe.

Vice Chairman commented that hunting being on the agenda created an avenue for educating the public and that outreach from other organizations outside of FWC is important for educating the public. He noted the value of hunting and the information being presented by staff and the experts on this topic. He recommended moving forward with staff drafting language for consideration at the next Commission Meeting.

Commissioner Priddy stated that the science presented to the Commission is a very conservative approach to reviewing the population of the Florida Black Bear. She compared the Florida Black Bear to deer and turkey in relation to management of the species and the possibility of hunting. She supported the direction of asking staff to prepare guidelines to introduce hunting for this species.

Commissioner Hanas noted that the decisions of this Commission are based on facts and figures in the best way to perpetuate the flora and fauna of the State of Florida for its citizens now and in the future. Other commissioners are concerned with more current data to be presented at the next meeting.

Executive Director Wiley noted to the Commission that the draft rules for hunting would be presented at the April meeting, with several stakeholder workshops and discussions with partner agencies that can provide additional guidance on this process.

Items Requiring Action

Final Rule Changes for Hunting 2015-2016- Mrs. Diane Eggeman, Director of the Division of Hunting and Game Management, presented the proposed final rule changes for hunting in 2015-2016.

Public Comment

The following individuals addressed the Commission on this agenda item:

Mr. Newton Cook addressed the Commission in support of the actions by FWC and Mrs. Eggeman in providing more access to hunting for the public. He also thanked staff for starting a review of the aquatic plant spaying program with FWC. Finally he noted support of the staff recommendation on the Deer Management Units agenda item.

Mr. Chuck Echenique addressed the Commission echoing the comments of Mr. Cook.

Commission Action

Upon a motion by Commissioner Bergeron, seconded by Commissioner Hanas and carried, the Commission approved the staff recommendation.

Final Rule Deer Management Units within Zones A, B, and C- Mr. Cory Morea with the Division of Hunting and Game Management presented final rules on Deer Management Units within Zones A, B, and C.

Public Comment

The following individuals addressed the Commission on this agenda item:

Mr. Michael Davis with the Central Florida Dog Hunters and Sportsman Association addressed the Commission with concern of difficulty for dog hunters to identify legal take of antlered deer with the new requirement of three points on one side. He requested that the Commission use the forked antler rule (two points on one side) to see what improvements can be implemented in the Deer Management Units prior to moving forward with the three point rule.

Mr. Douglas Moore, Technical Advisory Group member for Zone C, addressed the Commission in support of the rule.

Mr. John Rosier with the ECC addressed the Commission and thanked staff for working with different groups on this topic. He appreciated staff splitting Zone A into multiple units due to the differences in each particular area of the Zone. Overall the changes that staff are recommending are supported.

Mr. Chuck Echenique addressed the Commission in support of staff recommendation and highlighted the importance of sticking with the three point rule instead of going to the forked antler rule. He requested the Commission provide guidance to staff to consider a limit on the number of five inch spike deer harvested by youth which are exempt from following the greater antler restrictions.

Commissioner Roberts asked why the youth requirements differed from those for adults.

Mr. Echenique provided background on why the youth exemption was initially implemented.

Mr. Steve Cleckner addressed the Commission in opposition to changes to antler restrictions in Zone C5. He proposed additional antlerless deer dates which include a few weekdays.

Mr. David Tetzlaff addressed the Commission with a request to return to the original hunting dates for Pasco County to coincide with the rut in that area which is in November and not December. He noted support for the antler restriction changes.

Mr. John Kilgore, President of Crawford Hunting Club in Nassau County, addressed the Commission with a request to amend the proposed restrictions of three points on one side or ten inch main beam in Zone C6. He commented that this will cause many hunters to spend their money in Georgia to hunt.

Mr. Larry Barthle addressed the Commission in support of the staff proposal to adjust the zone to match hunting season dates with the rut west of Interstate 75. He thanked staff for working with the landowners on this proposal.

Mr. Bill George addressed the Commission with concerns about doe days only on the weekends but overall support of the proposal.

Mr. Todd Hallman addressed the Commission related to youth hunting opportunities. He requested that the youth part of the rule be sunsetted and reviewed in two years. He requested that youth 16 and 17 years of age be allowed the opportunity to shoot one deer of any size.

Mr. Steve Jolley addressed the Commission with concerns of the three point on one side rule requirement when hunting with dogs.

Commission Action

Upon a motion by Commissioner Bergeron, seconded by Commissioner Rivard and carried, the Commission approved the staff recommendation.

Commissioner Rivard asked about the youth hunting age limit and several public speaker requests for amendment to the youth exemption.

Mrs. Eggeman responded that most stakeholders with interest in the youth hunting age limit are supportive of keeping it as is.

Commissioner Hanas requested that an update on this action be brought back to the Commission in the future.

Executive Director Wiley confirmed that staff will bring an update on this topic after two years of implementation.

Gopher Tortoise Permitting Guidelines

Ms. Deborah Burr with the Division of Habitat and Species Conservation presented changes to permitting guidelines and updates on stakeholder engagement processes used to review the changes.

Public Comment

The following individuals addressed the Commission on this agenda item:

Ms. Laurie Macdonald addressed the Commission with general support of the guidelines. She commented on the need for a definitive timeframe for phasing out gopher tortoise silviculture and agriculture exemption.

Executive Director Wiley responded that FWC will coordinate more with Ms. Macdonald on these suggestions.

Dr. Eason noted the suggestion to re-evaluate the gopher tortoise silviculture and agriculture exemption one year after full implementation of the Wildlife BMP's and work in coordination with the Commission for any necessary changes.

Mr. Ben Williams addressed the Commission with concern of the predation of gopher tortoises by coyotes. He requested exemption for landowners to be allowed to snare coyotes.

Executive Director Wiley commented that the point of gopher tortoise predation needs to be reviewed and he committed to work with Mr. Williams to find some options for solutions.

Commission Action

Commissioner Priddy commented that she had a gopher tortoise mitigation site on her property that was a potential conflict of interest and refrained from voting on this item.

Upon a motion by Commissioner Hanas, seconded by Commissioner Roberts and carried, the Commission approved the staff recommendation.

Staff Report- Imperiled Species Management

Ms. Laura Barrett with the Division of Habitat and Species Conservation provided an update on the development of the Imperiled Species Management Plan (ISMP).

Public Comment

The following individuals addressed the Commission on this agenda item:

Mr. Frank Matthews with Hopping Green and Sams addressed the Commission and spoke of the partnerships created with FWC in the name of conservation. He spoke of the different role that large landowners play in conservation and the need to consider them differently than other groups.

Ms. Amber Crooks addressed the Commission in support of the proposed plan and added support for working with FWC on the remainder of this process.

Ms. Julie Wraithmell addressed the Commission in appreciation of the work done on this plan by all the parties involved. She discussed the history associated with the imperiled species management system and changes to commission rules.

Mr. Patrick Leary addressed the Commission and welcomed everyone to Northeast Florida. He spoke of his interest in this topic, with a focus on coastal species and the need for the creation and enforcement of Critical Wildlife Areas.

Items Requiring Action

Draft Rules 68D-24.014 Palm Beach County Boating Restricted Areas- Major Richard Moore with the Division of Law Enforcement presented proposed rules related to Boating Restricted Areas.

Commission Action

Upon a motion by Commissioner Priddy, seconded by Commissioner Rivard and carried, the Commission approved the staff recommendation.

Draft Rules 68D-24.155 St. Johns County Boating Restricted Areas- Major Richard Moore with the Division of Law Enforcement presented proposed rules related to Boating Restricted Areas.

Commission Action

Upon a motion by Commissioner Roberts, seconded by Commissioner Rivard and carried, the Commission approved the staff recommendation.

Public Comment on Items not on the Agenda

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

Mr. Manley Fuller with the Florida Wildlife Federation addressed the Commission related to the potential purchase of land in the Everglades for water storage with Amendment 1 funds.

Mr. Rocky Lynn addressed the Commission requesting Commission discussion on use of fox pens.

Ms. Laurie Macdonald addressed the Commission related to Law Enforcement and rule changes related to bears.

Mr. Rodney Irwin addressed the Commission related to the destruction of natural habitat by tegus in South Florida.

Mr. Chuck Echenique addressed the Commission related to deer feeders on private land and attractants for bears. He invited everyone to the Ocala Youth Camp on May 30, 2015 for an annual open house event.

Commissioner Exchange

Commissioner Roberts thanked Dr. Eason for putting together the presentation on bears. He also thanked Regional Director Shea for the actions taken after the incident in Eastpoint.

Commissioner Bergeron thanked staff and stakeholders for the input on all the topics.

Commissioner Priddy noted the topics covered at the meeting are a true reflection of the wide variety of issues FWC handles.

Commissioner Rivard thanked all the speakers from the day. He echoed thanks to Regional Director Shea during the recent bear incident in Eastpoint.

Recess Wednesday's Portion of the Meeting

Chairman Corbett adjourned the meeting at 6:10 p.m. to reconvene at 8:30 a.m., Thursday, February 5, 2015.

Thursday, February 5, Reconvene

Chairman Corbett reconvened the meeting at 8:30 a.m.

Lionfish Resolution

Mrs. Jessica McCawley provided a brief description of a proposed resolution for consideration by the Commission.

Upon a motion by Commissioner Roberts and seconded by Commissioner Priddy, the Resolution was approved as written.

Council Reports

South Atlantic Fishery Management Council (SAFMC)

Mrs. McCawley provided an update on actions and discussions from the December 1-5, 2014 SAFMC meeting. Final action was taken on an amendment that would allow anglers to bring dolphin and wahoo back from the Bahamas as fillets. Council discussion topics included: gag and wreckfish management, the commercial black sea bass pot fishery, an update from the Joint Council South Florida Committee, and potential management changes for king mackerel and hogfish.

Commission Discussion

Commissioner Roberts thanked Mrs. McCawley for her diligent work on the SAFMC, which gives Florida a voice for stakeholders who fish in federal waters.

Gulf of Mexico Fishery Management Council (GMFMC)

Ms. Martha Bademan, Section Leader with the Division of Marine Fisheries, provided an update on discussions from the January 26-30, 2015 GMFMC meeting. Topics included: red snapper stock assessment update results, which indicated that the stock is still overfished but continues to rebuild; a possible red snapper quota increase; and possible management changes for greater amberjack and gag grouper. For greater amberjack, staff requested direction on setting the recreational minimum size limit, closed season, and the commercial trip limit in Gulf federal waters. Staff also requested direction on whether the FWC should be consistent with a recent federal recreational harvest closure for gray triggerfish.

Public Comment

The following individuals addressed the Commission on this agenda item:

Captain Pat Kelly addressed the Commission with concerns about the Council's approval of sector separation. He noted that every angler should be treated fairly when determining recreational seasons.

Captain Billy Archer with the Charter Fisherman Association addressed the Commission regarding gag grouper and stated that the stock is not as healthy as the stock assessment indicated. For greater amberjack, he stated his support for a 1,000 pound commercial trip limit and 34" minimum size limit. For gray triggerfish, he suggested the state close Gulf state waters for the remainder of 2015 to improve the health of the stock. He commented that Ms. Bademan does a great job being clear and concise at the Council meetings. He asked the Commission to give sector separation a chance noting that the charter industry could use electronic logbooks to track their catch. He provided a letter from the Naples Boating Association supporting sector separation.

Captain Gary Jarvis, speaking on behalf of the Destin Charter Boat Association, addressed the Commission and requested a conservative management approach to improve the stock of gray triggerfish. He noted that the Commission needs to work with NOAA Fisheries to improve the health of the fishery and also provide access to anglers throughout the Gulf. He also requested the Commission take similar action on the management of greater amberjack.

Ms. Pam Anderson with PCBA, NACO, and Member of the Government Affairs Committee with the Bay County Chamber of Commerce addressed the Commission. She thanked the Commission for supporting the minority report written to the U.S. Secretary of Commerce in opposition to sector separation. She applauded Ms. Bademan's efforts at Council meetings representing the State of Florida. She asked the state collect real-time harvest data from all charter vessels in the state.

Mr. TJ Marshall with the Ocean Conservancy addressed the Commission in support of increasing the size limit for greater amberjack and closing state waters in 2015 to recreational harvest of gray triggerfish. He noted the need for more scientific information on gray triggerfish. He mentioned regional management and the flexibility this type of management system could provide.

Mr. Jeff Miller with the Coastal Conservation Association of Florida (CCA) thanked the Commission and FWC staff for their representation of recreational anglers at Council meetings and standing up for Florida fishermen. He noted red snapper reallocation will be coming before the Council soon and hopes Florida will work to give more quota to the recreational sector to improve season lengths. He stated that CCA supports a minimum size limit increase for greater amberjack and that CCA is leaning toward being in favor of consistency with the federal closure of gray triggerfish. Finally, he noted CCA is in favor of regional management, but it will come down to if Florida can provide enough opportunities for anglers within the system approved by the Gulf Council.

Commission Discussion

Upon a motion by Commissioner Roberts, seconded by Vice Chairman Yablonski and carried, the Commission approved the following management changes to greater amberjack in Gulf federal waters: modifying the 30" fork length recreational size limit to 34" fork length, maintaining the current June 1 through July 31 recreational closed season, and reducing the 2,000 pound whole weight commercial trip limit to 1,000 pounds whole weight.

Upon a motion by Commissioner Roberts, seconded by Vice Chairman Yablonski and carried, the Commission approved closing Gulf state waters to the recreational harvest of gray triggerfish for the remainder of 2015 consistent with the federal closure.

Commissioner Roberts asked if staff needed direction on red snapper.

Ms. Bademan noted that staff are waiting to see what decision will be made by the U.S. Secretary of Commerce on sector separation and will present regional management options for the Commission to consider at a future meeting.

Items Requiring Action- Draft Rules

Gulf Red Snapper Season

Ms. Bademan presented a proposed draft rule setting the recreational red snapper harvest season in all state waters of the Gulf of Mexico. Staff recommended the Commission select possible season options and direct staff to hold public workshops on season options before the April Commission meeting.

Public Comment

The following individuals addressed the Commission on this agenda item:

Captain Pat Kelly addressed the Commission noting that there is confusion among anglers about red snapper season. He noted the economic impact of red snapper and felt staff should hold workshops to see what season people support. He noted that this was his last Commission Meeting representing the Florida Guides Association (FGA) as President.

Vice Chairman Yablonski thanked Captain Kelly for his interest in addressing the Commission over the last 23 years as the President of the FGA.

Captain Billy Archer addressed the Commission and commended staff for the Gulf Reef Fish Survey. He noted that federally-permitted charter guides request the status quo option for the 2015 state season. Finally, he suggested that regional management could be a way to manage private recreational fishermen, but suggested leaving federally-permitted charter fishermen out of it.

Captain Gary Jarvis addressed the Commission requesting support from the Commission on sector separation and the development of new management measures for the charter industry noting the benefits for Florida businesses. He recommended the state season match the federal season or at least stay the same length as the season last year.

Ms. Pam Anderson addressed the Commission and commented that changing season dates at this point would confuse the anglers. By keeping the season the same as last year, the extra quota could result in more federal waters fishing days.

Mr. Tommy Holmes with Outcast Bait and Tackle from Pensacola addressed the Commission with a request for a more spread out season based on his customers' feedback. He noted a recommendation sent to Executive Director Wiley that would open the season for ten days a month year-round. He noted that this season could spread out fishing effort throughout the year.

Executive Director Wiley noted his appreciation for Mr. Holmes taking the time to come and speak to the Commission as a small business owner.

Mr. TJ Marshall addressed the Commission commenting that if Florida kept the same state waters season as last year, the estimated federal waters season would be about seven days. He noted the fairest way to get everyone time to fish would be consistent with the federal season.

Mr. Brad Gorst suggested the Commission consider fairness throughout the entire Gulf coast when setting the season for state waters. He encouraged consistency with the federal season or at the very least status quo.

Mr. Eric Mahoney addressed the Commission in support of a 2015 state waters season that is the same length as the 2014 season. He noted federally-permitted for hire boats are put at a disadvantage every time the state increases the state waters season.

Mr. Jeff Miller addressed the Commission and noted the management of red snapper needs to be fixed at the Council level. He voiced his support of public meetings to gather feedback on 2015 Gulf state waters season options.

Commission Discussion

Chairman Corbett asked for staff to notify the Commissioners once the dates are set for the public workshops.

Commissioner Roberts commented that even though FWC created inconsistent state seasons in 2013 and 2014, there is support from stakeholders to increase fishing opportunities for red snapper. He noted the importance of workshops to gather input on the season. He stated his preference would be a summer season starting the Saturday before Memorial Day through July 12, including weekends in September and October. He noted the importance of providing the most opportunity to the public to fish for this species in state waters.

Commissioner Priddy commented that September is important and the Labor Day holiday weekend should be included in the season proposal, but removing October would reduce the number of state waters days to help the federal season.

Ms. Bademan asked for clarification on the number of days a weekend opening would entail.

Commissioner Roberts stated that he was referring to two-day weekends in the fall and the last day of harvest being November 1st.

Vice Chairman Yablonski noted that comments from the public in the past were supportive of fishing opportunities in the fall and the importance of October to the proposal. He also noted that he would like feedback on the summer season closing July 12 versus July 19.

Commissioner Rivard noted that there is no federal season on the table for the Commission to consider for consistency. He noted that the Commission has been consistent in the past, but the number of federal waters fishing days has decreased in the last several years. He stated that the Commission would probably be willing to go consistent with the federal season if the federal season was a reasonable number of days.

Executive Director Wiley commented that at workshops, FWC staff needs to offer a range of options to the public and show them which option the Commission supports.

Commissioner Roberts suggested staff present one Commission-supported option at workshops that staff can gather specific feedback on.

Commission Action

Upon a motion by Commissioner Roberts, seconded by Commissioner Priddy and carried, the Commission approved FWC staff take out to workshops a proposed 2015 state waters season that would begin the Saturday before Memorial Day through July 12, resuming for Saturdays and Sundays in September and October as well as Labor Day with the last day of harvest being Sunday, November 1. This would result in a 70-day state season in 2015.

Lobster Commercial Dive Endorsement

Ms. Melissa Recks presented a proposed draft rule amendment which would remove the sunset provision for the moratorium on issuing new CD Endorsements, thus continuing the moratorium on new endorsements indefinitely. The proposed rule would also provide for the transfer of any existing valid CD Endorsement to another commercial fisher.

Commission Action

Upon a motion by Commissioner Priddy, seconded by Commissioner Hanas and carried, the Commission approved staff recommendation.

Restricted Species Endorsement

Ms. Recks presented a draft rule which would provide a series of changes and clarifications to the existing RS qualification regulations.

Public Comment

The following individuals addressed the Commission on this agenda item:

Ms. Janie Thomas, Executive Director of the Shrimp Producers Association, addressed the Commission in support of the proposed changes, but also asked that the Commission consider additional changes to these regulations.

Mr. Jerry Sansom addressed the Commission in support of the proposed changes and commended staff for their hard work in moving this endorsement from statute to rule, which will allow the Commission to easily clean up any outdated language.

Mr. Ben Williams addressed the Commission with a request to loosen the rules on the RS to make it easier for part-time fishermen to supply small seafood dealers with fish. He highlighted the importance of recruitment for new commercial fishermen.

Commission Action

Upon a motion by Commissioner Rivard, seconded by Commissioner Priddy and carried, the Commission approved staff recommendation.

Staff Report – General Counsel Report

Mr. Vielhauer provided an update to the Commission on current legal matters related to the agency.

Future Agenda Items

Mr. Sutton reviewed potential agenda items for the upcoming April 2015 Commission Meeting which will be held in Tallahassee, Florida.

Executive Director Wiley noted to the Commission that Mr. Doc Kokol has moved into a position within FWC overseeing the Office of Strategic Initiatives. Ms. Susan Smith, formerly the Deputy Director of the Community Relations Office, was promoted to Director of the Community Relations Office and has been working in that capacity for several weeks.

Executive Director Wiley also commented on the recent award related to the trophy catch program and showed a video to the Commissioners of the presentation of the boat.

Public Comment on Items Not on the Agenda

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

Mr. Jerry Sansom addressed the Commission regarding his concerns over Canaveral National Seashore's proposal to phase out commercial fishing. He asked the Commission to explore its authority related to this issue and to pressure the National Park Service not to adopt the phase-out.

Executive Director Wiley commented that FWC requested meetings with National Park Service staff to address this issue.

Mr. Marcus Cantos with the Florida Reptile Industry addressed the Commission related to breeding protected freshwater turtles. He commended Ms. Brook Tally with FWC on getting a meeting set up for March 2015 to coordinate further on this issue with industry professionals.

Mr. Paul Vanderschouw addressed the Commission related to protected turtles with a request to allow in state breeding of these species.

Mr. Wayne Hill with the National Reptile Expo addressed the Commission related to protected turtles and the unfair advantages of neighboring states who illegally obtain Florida protected species and sell them to international buyers.

Mr. Robert Heater, owner of Dark Hammock Turtles, addressed the Commission regarding protected turtle breeding. He invited the Commissioners to come by his turtle breeding farm near Okeechobee, Florida for a tour of the facility.

Executive Director Wiley noted thanks to the individuals who are interested in this and that staff is willing and able to get things moving at an accelerated pace to address these issues.

Ms. Pam Anderson addressed the Commission regarding GMFMC issues, including red snapper sector separation and data reporting requirements for the for-hire sector. She thanked FWC staff for their efforts related to the reauthorization of the Magnuson-Stevens Act.

Mr. David Garrett, President of the Lionfish Eliminators Organization, Inc., addressed the Commission and commended Mr. Dan Ellinor with FWC in coordinating with his company. He requested financial support for the company and requested the Commission remove of the SPL requirement for selling the lionfish and waive license fees for seafood wholesalers dealing only with lionfish.

Ms. Janie Thomas addressed the Commission requesting changes to the shrimp rule that would expand the area off the St. Johns River where shrimping is allowed during the April – May east coast shrimping closure.

Mr. Ben Williams addressed the Commission regarding certification of sustainable seafood. He requested coordination between FWC and FDACS to create a Florida Sustainable label.

Commissioner Exchange

Vice Chairman Yablonski commented on future implementation of Amendment 1. He noted that documentary stamps are a significant part of the FWC budget. He reminded the Commission of the need for our agency to have a seat at the table of the discussions on this topic, and if there are additional options for funding related to land management. If additional revenues are in play, he recommended that the policy drives the budget.

Commissioner Priddy asked if there was an opportunity to work with FDACS regarding a Florida Sustainable label.

Executive Director Wiley responded that it would be a wonderful step for not only FWC, but also FDACS. He will work with FDACS staff on this item.

Commissioner Priddy recognized the contributions and the efforts of Executive Director Wiley in relation to bringing the agency to the level of outstanding service and conservation. She recommended increasing his salary to be more in line with other leaders in this position throughout the country.

Upon a motion by Chairman Corbett, seconded by Commissioner Bergeron and carried, the Commission unanimously approved the recommendation.

Commissioner Bergeron thanked Mrs. Kathy Barco for hosting a dinner for Commissioners during this meeting and for the time she dedicated to this Commission. He was thankful for staff and stakeholders in all the issues of this meeting. He thanked Governor Scott for holding a press conference and dedicating money towards Everglades Restoration. He highlighted the success story of a panther released on his property over a year ago that now has confirmed kittens to help with the recovery of the species. He recommended that Dr. Eason draft a letter to the cities and counties of the conflict areas of the state to mandate bear proof containers which would have a positive benefit for all aspects of the management tools.

Chairman Corbett clarified the communication that is needed which staff will work to prepare in draft form for Commission review.

Commissioner Priddy added that she and other Commissioners may be able to help personally deliver these documents to the County Commissioners or City Mayors to place extra emphasis on the request.

Dr. Eason noted that staff will provide a guidance document or recommendation document with draft ordinances to the Commissioners for delivery to cities and counties as appropriate.

Commissioner Roberts thanked staff for providing the thorough information in order to make the important decisions as this board does. He also thanked Law Enforcement for representing the agency well and providing respect to the individuals they encounter.

Commissioner Hanas thanked staff for preparing information for these meetings so efficiently.

Commissioner Rivard noted population growth and the successes of wildlife and ensuring the right balance of management in advance of other possible conflicts that may come up.

Vice Chairman Yablonski commented that the bear population has grown with the population of the state, and that we can coexist. He thanked all those unseen staff who don't get to travel to these meetings but who work diligently on preparing this information for the Commissioners.

Chairman Corbett echoed the thanks to former Chairman Barco and the work of the Florida Fish and Wildlife Foundation. He thanked Regional Director Chris Wynn for the organization of this meeting and congratulated him on the award received at this meeting. He thanked Dr. Eason for presenting the facts on the difficult issue.

Commission Administrative Matters

The next regularly scheduled Commission meeting is set for April 14-16, 2015 in Tallahassee, Florida, commencing at 1:30 p.m. on the first day and 8:30 a.m. each day thereafter.

Adjournment

Chairman Corbett adjourned the meeting at 12:39 p.m.

Richard A. Corbett
Chairman

Nick Wiley
Executive Director

Respectfully submitted:

Lisa Zullo
Commission Assistant