



Florida Fish and Wildlife Conservation Commission

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Commission Meeting
September 12-14, 2007
St. Petersburg

Minutes

A regular meeting of the Florida Fish and Wildlife Conservation Commission (FWC) was held at the Hilton Hotel, 333 First Street, South, St. Petersburg, Florida, on September 12-14, 2007. Commissioner Brian Yablonski was not in attendance due to a scheduling conflict. The meeting was called to order at 8:30 a.m., by Chairman Rodney Barreto with the following members in attendance:

Ms. Kathy Barco, Jacksonville

Mr. Dwight Stephenson, Delray Beach

Mr. Ronald Bergeron, Ft. Lauderdale

Mr. Kenneth Wright, Winter Park

Mr. Richard Corbett, Tampa

Staff

Mr. Kenneth D. Haddad
Mr. Victor J. Heller
Mr. James V. Antista
Col. Julie L. Jones
Mr. Nick Wiley
Mr. Timothy Breault
Mr. Mark S. Robson
Mr. Darrell Scovell
Mr. Gil McRae
Ms. Jerrie Lindsey
Ms. Jacqueline Fauls
Ms. Sandra Wilson
Mr. Chuck Collins
Mr. Dennis David
Mr. Gregory L. Holder
Mr. Rolando J. Garcia

Executive Director
Assistant Executive Director
General Counsel
Director, Division of Law Enforcement
Director, Division of Hunting and Game Management
Director, Division of Habitat and Species Conservation
Director, Division of Marine Fisheries Management
Director, Division of Freshwater Fisheries Management
Director, Fish and Wildlife Research Institute
Director, Office of Recreation Services
Director, Legislative Affairs Office
Director, Office of Finance and Budget
Director, South Region
Director, Northeast Region
Director, Southwest Region
Director, North Central Region

105 persons registered as guests/speakers during the three-day meeting.

Chairman Barreto welcomed the Commissioners, staff and guests to St. Petersburg.

Regional Director Rolando Garcia gave the invocation. Commissioner Stephenson led the assembly in the Pledge of Allegiance to the Flag.

Chairman Barreto congratulated Commissioner Barco on her re-appointment by Governor Charlie Crist for an additional five-year term. Additionally, he welcomed and introduced the newly appointed Commissioners; Ronald Bergeron, replacing Commissioner Herky Huffman; and Kenneth Wright, replacing Vice Chairman David Meehan. Commissioners Wright and Bergeron thanked Chairman Barreto/Commissioners and stated they are looking forward to working with the agency.

Chairman Barreto elected to take a short break to allow representatives of various stakeholder groups to approach the Commissioners and introduce themselves.

Special Presentations and Recognition

Chairman Barreto asked Commissioner Barco to read the Global Climate Change Resolution. The resolution was created in response to Governor Crist's Executive Order enacting a statewide focus on the affects of global climate change and an immediate study of Florida's current and future impact from changes in our environment. The Wildlife Legacy Initiative also focuses on climate change with relationship to wildlife and the Wildlife Federation is a partner with the agency in coordinating a workshop next year to discuss global climate change and the affects to Florida's wildlife. Mr. Haddad asked Chuck Collins, Director of the South Region and the agency's representative working with the Governor's Office related to global climate change to discuss plans for the workshop and how the agency will implement the Governor's Executive Order. Mr. Collins discussed the Commission's plans to partner with other state agencies; the Governor's Executive Order regarding immediate action state and local government will take to reduce green house gas emissions over the next 30 years; and the agency's internal mechanisms to implement the Governor's Executive Order.

Public Comment

Preston Robertson (Wildlife Federation) thanked the Commission and Mr. Collins for drafting the global climate change resolution and mentioned next year's legislation regarding energy companies leasing land to capture carbon dioxide (timber) for future energy.

Jerry Karnas (Environmental Defense) stated he has enjoyed working with agency staff and the Commissioners to implement the reduction of carbon dioxide emissions in the State of Florida.

Chairman Barreto asked Jerrie Lindsey, Director of the Office of Recreation Services to introduce Lynne Flannery, Volunteer Coordinator of the Ridge Rangers. The Rangers were recognized by Take Pride in America for their volunteer work as well as Ms. Flannery for her management of the Lake Wales Ridge Wildlife and Environmental Area. Ms. Lindsey described the Ridge Rangers program and how the State of Florida benefits. Chairman Barreto presented a plaque recognizing her assistance and leadership.

Chairman Barreto asked Darrell Scovell to introduce Glen Lau, a preeminent largemouth bass photographer and cinematographer and partner of the Florida Bass Conservation Center (Center). Mr. Scovell stated Mr. Lau donated his artwork to the Center and has allowed the Wildlife Foundation of Florida to sell his lithographs, videos and DVD's with profits going to support the Center. Additionally,

his world famous bass photos have been incorporated into a 2008 largemouth bass fishing calendar, with profits also going to support the Center. Mr. Scovell read and presented a plaque to Mr. Lau in recognition of his generosity and assistance in providing artwork to help support the agency and the Center. Mr. Lau said a few words regarding his work and future goals in educating Florida's citizens regarding bass conservation.

Chairman Barreto asked Vic Heller to announce several changes to the meeting agenda. Mr. Heller stated the proposed changes included the addition of the election of a new Vice Chairman on Wednesday, September 12. Upon motion of Commissioners Wright, seconded and carried, the Commission approved the meeting agenda as amended.

Mr. Heller continued with an additional change to the meeting agenda. The Coastal Conservation Association requested a presentation to the FWC Officers of the Year Awards on Thursday, September 13. Upon motion of Commissioners Wright, seconded and carried, the meeting agenda was approved as amended.

The National Association of State Boating Law Administrators (NASBLA) requested presenting a special public service award to Terry Tomalin with the *St. Petersburg Times* on Thursday, September 13. Upon motion of Commissioner Bergeron, seconded and carried, the Commission approved the meeting agenda as amended.

Chairman Barreto mentioned the letter from Governor Crist requesting the Commission defer the final decision to change the status of the Florida manatee to "threatened." Public testimony was accepted during the meeting on Wednesday, September 12 due to the fact that the request was made by the Governor on September 11. However, if the motion passes; the decision to downlist the Florida manatee and approve the Florida Manatee Management Plan will be deferred; and there will be no vote taken from the Commissioners during the meeting. Upon motion of Commissioner Corbett, seconded and carried, the Commission approved deferring the final approval of the imperiled species status of the Florida Manatee and the Management Plan to a future Commission meeting.

Under discussion, Commissioner Wright offered to speak with the public regarding the Florida manatee issue. Commissioners Bergeron and Stephenson stated they appreciated the additional time to evaluate the information provided by staff regarding the Florida manatee in order to make the appropriate decision.

The next agenda item included the election of the new Vice Chairman by the Commission. Commissioners Barco and Corbett verbally nominated Commissioner Yablonski for the seat of Vice Chairman. The Commission unanimously approved the election of Brian Yablonski as Vice Chairman with a term beginning September 2007 through December 2007.

Approval of Minutes and Agenda

Chairman Barreto asked for approval of the minutes of the June 13-14, 2007 Commission meeting. He asked that Commissioners Wright and Bergeron abstain from voting. Upon motion of Commissioner Corbett, seconded and carried, the Commission approved the minutes.

Chairman Barreto asked Mr. Heller to describe the two items listed on the Consent Agenda. Mr. Heller described the following: (1) technical changes to rule 68B-44.004, Practice of Finning Prohibited, Removal of Fins from Sharks Harvested in State Waters Prohibited, Compliance with Federal Requirements, Filletting Prohibited and rule 68B-44.005, Commercial Harvest of Sharks: Federal Permit Required; and the report on anticipated late season migratory bird regulations for 2007-08. Upon motion of Commissioner Stephenson, seconded and carried, the Commission approved the Consent Agenda.

Executive Director's Report

Chairman Barreto asked Mr. Haddad to present the Executive Director's Report. Mr. Haddad highlighted several of the agency's 2007-08 budget reductions presented to the House and Senate and presented an update on the City of Naples Waterway issue.

Additionally, per Chairman Barreto's request, Mr. Haddad described the status of the documentary stamps issue.

Commissioner Barco asked Mr. Haddad to clarify the elimination of law enforcement officers listed on the budget reductions list. Mr. Haddad described the program reductions process.

Mr. Haddad alerted the Commission to a memorandum sent to Commissioners from Mark Robson dated September 7, 2007, recommending that the red drum regulations revision process be postponed to 2008. Commissioners approved staff's recommendation to defer the red drum regulations revision process to 2008.

Chairman Barreto asked Mr. Haddad to introduce employees from the Southwest Region. Mr. Haddad introduced the following employees to Commissioners and the public: Habitat and Species Conservation—Matt Singer, Eric Seckinger, and Daniel O'Brien; Fish and Wildlife Research Institute—Bill Sergeant and Joe Martfeld; Freshwater Fisheries Management—Travis Haas; and Law Enforcement—Investigator Lenny Barshinger and Mary Jane Moore.

Imperiled Species Management Plans and Rules

Chairman Barreto asked Tim Breault to present an overview of the agencies imperiled species management plans for the Florida manatee, gopher tortoise and bald eagle; and proposed rules related to their change in imperiled status. Mr. Breault presented a high level review of the agency's listing process, management plans, how the plans were developed, results from the plans, the final gopher tortoise management plan, and the revised draft plan for the bald eagle. Mr. Breault asked the Commission for approval of the rule changes and gopher tortoise management plan. Staff also asked Commissioners for a conceptual approval of the revised draft bald eagle management plan and rules.

As discussed earlier in the meeting, Chairman Barreto reminded the public about Governor Crist's request to the Commission to postpone the decision to downlist the Florida Manatee to a future Commission meeting, which was approved by the Commission. He invited members of the public to speak on this issue if they desire.

Public Comment

The following individuals did not support downlisting the Florida manatee:

Jessica Koelsch (Ocean Conservancy); Steve Kingery; Stacy Dunn; Tracy Colson; Sara Hollenhorst (resident of Desoto County); Michael Rader (Tierra Verde & Isla Del Sol); Katherine Archer (Save the Manatee Club); Rebecca Falkenberry; Bill Stokes (Alliance for a Viable Pinellas County); Lars Andersen (Adventure Outpost); Patricia Kiesylis; Dr. Jennifer Hobgood (Humane Society); Polly Kimball; Terry Nearing; Kelly Novak; Beth Lockwood; Michelle King; Emily Casey; Doug and Debra Lyn Brown; and Frank Jackalone.

Pat Rose (Save the Manatee Club) thanked the Commission for their decision to accept Governor Crist's request to postpone the decision to downlist the Florida manatee. He expressed his concerns regarding the International Union for the Conservation of Nature's (IUCN) criteria and offered to meet with the new Commissioners to discuss this issue further.

Gail Kostelnick (City of Crystal River) provided a handout to the Commissioners and discussed her documented concerns.

Katie Tripp discussed a number of concerns regarding manatee protection and mortality.

Elizabeth Fleming (Defenders of Wildlife) discussed the IUCN's "red list" including species suffering from levels of extinction.

Laurie Macdonald (Defenders of Wildlife) thanked the Commission for their decision to accept Governor Crist's request to postpone the decision to downlist the Florida manatee.

Alan Davis, resident of Gulf Port, urged the Commission to research the issue of stormwater run off that includes toxins.

Boyd Blihorde (Gopher Tortoise Council) asked about the protection of the manatee and why the listing change is being concerned. Mr. Haddad responded that the protection of the manatee and the listing of the manatee are based on the biological review.

Rebecca Eagan urged the Commission to not make a decision regarding the Florida manatee listing until staff has attended the global climate change conference in 2008 to receive a better understanding of the impact of the climate change on Florida's wildlife. She stated her concerns about the "rush" to downlist the manatee.

The following individuals supported downlisting the Florida manatee:

Nancy Vildibill; Ken Stead (Marine Industries of Florida); and Bonnie Basham (Boat US).

Frank Herhold (Marine Industries of Florida) supported delaying the decision; however, commended staff in producing the Plan.

David Chiles (National Marine Manufacturers Association) urged the Commission to follow the science; re-read the biological assessment; the credentials of their authors; carefully read the Florida Manatee Management Plan again; and look for any reduction in protection that could result in a need for additional regulations. He commended Kipp Frohlich and his staff for obtaining and consideration stakeholder comments when drafting the Florida Manatee Management Plan.

Gary Haugh (Citizens for Florida's Waterways) urged the Commission to move forward with the decision to downlist the manatee and provide additional protection for the Florida manatee, such as slow speed zones. Also, he read a letter from Ron Pritchard supporting downlisting the manatee and the National Academy of Science's audit of the state reliance on slow speed as the answer and that we should recognize the work and theories of Tom McGill and Edwin Gerstien

Jim Gray (Coastal Conservation Association) asked the Commission to assist the new Commissioners in understanding the listing process and criteria; take every opportunity to educate the Governor and his staff regarding the process; consider the staff's process; and other factors in making their final decision at the December 2007 Commission meeting.

Ted Forsgren (Coastal Conservation Association) supported the Florida Manatee Management Plan and urged the Commission to address the downlisting decision and management plan to the December 2007 Commission meeting.

Winifred Perkins (Florida Power and Light) discussed climate change and their plans to meet the Governor's target to reduce carbon. She urged the Commission to consider the affects of the climate change and carbon dioxide emissions in deciding the fate of the Florida manatee.

Captain Pat Kelley (Florida Fishing Guides Association) reiterated the Commission's mission to follow sound science when making decisions on various wildlife conservation and preservation issues.

David Wilks discussed his concerns related to slow speed zones to protect manatees and asked for clarity on the listed species criteria. Mr. Haddad deferred Mr. Willis to discuss his concerns with staff.

Commission Discussion

Chairman Barreto stated the decision to downlist the Florida manatee will be coordinated with the Governor's Office and presented at a future Commission meeting.

Gopher Tortoise Management Plan (Plan)

Chairman Barreto asked Greg Holder to present the Gopher Tortoise Management Plan (Plan) to reclassify the gopher tortoise from a Species of Special Concern to a Threatened species. He presented an overview of the Plan with an explanation of the conservation goal, measurable objectives, conservation actions, draft rules, proposed permitting system, implementation strategy, significant changes from the earlier drafts, remaining high-profile issues; and proposed regulations 68A-27.005 – remove gopher tortoise and regulations from Species of Special Concern list, 68A-27.004 – add gopher tortoise and regulations to the Threatened Species list. Mr. Holder discussed an amendment to the plan stating that staff would seek legislation as part of the anticipated Florida Forever Successor Program to allocate sufficient funds necessary to acquire and manage suitable or potentially suitable habitat for imperiled species, including the gopher tortoise to meet the habitat and land acquisition objectives of this and other Commission management plans over the next ten years. Staff recommended the Commission approve the final Gopher Tortoise Management Plan as amended and approve the associated Rules 68A-27.005 and 68A-27.004 as advertised.

Public Comment

The following individuals supported the Gopher Tortoise Management Plan:

Barbara Burgeson (Gopher Tortoise Stakeholder Group); Preston Robertson; David Shots; Steve Godley; Doug Rillstone (Florida Chamber of Commerce, Florida Farm Bureau, Florida Home Builders Association); Beth Longwood (Society for the Prevention of Cruelty to Animals, Tampa Bay Chapter); Dr. Diane Alvarez (Beautyberry Books); Emily Casey; Becky Serinski; Becky Eagan; and Julie Wraithmell (Audubon of Florida).

Dr. Jennifer Hobgood supported the Plan; however did not support grandfathering current permit holders.

Laurie Macdonald requested a review based on the implementation plan that is within the management plan regarding what progress has been made one year from now and stated her

concerns regarding the lack of funding to implement the management plan, specific to the relocation of gopher tortoises.

Ray Ashton stated his concerns regarding the establishment of a proper relocation system and requested an interim structure in the meantime and the new single family homes being built related to the take issue.

The following individuals did not support the Gopher Tortoise Management Plan:

Carol Saviak (Coalition for Property Rights) and Thomas Connally (Gopher Tortoise Organization).

Commission Discussion

Chairman Barreto stated the entombment of gopher tortoises must stop and a decision regarding the approval of the management plan must be made at this meeting.

Chairman Barreto and Commissioner Wright commended agency staff and stakeholders for their commitment in providing the Gopher Tortoise Management Plan. Commissioner Wright encouraged the Commission to ensure that there is a strong follow up process in place when the Plan is implemented.

Commissioner Barco requested staff present a status report at the September 2008 Commission meeting in Jacksonville; including where the funds will come from to implement the Plan. Mr. Breault discussed the Trust fund allocation for the implementation of the Plan.

Commissioner Corbett asked Mr. Holder to summarize the current recipient sites for the relocation of gopher tortoises and asked about other potential sites. Mr. Holder stated that FWC staff has not developed the recipient site management guidelines needed to implement the new permitting system. He stated that staff will immediately begin drafting specific recipient site guidelines as soon as the management plan is approved so that landowners are aware of the management requirements to receive gopher tortoises displaced from development sites. He further stated FWC staff had received written requests from two large landowners stating they were interested in establishing portions of their property as gopher tortoise recipient sites, and had received inquires from other major landowners regarding the same. FWC staff is working with these landowners to establish prototype recipient areas to evaluate the cost and conservation effectiveness of the draft recipient site guidelines.

Commissioner Bergeron thanked staff and stakeholders for their input in producing the Gopher Tortoise Management Plan.

Commissioner Stephenson thanked staff for their commitment to produce the Plan and reiterated his interest in a follow up status report in 2008.

Upon motion of Commissioner Stephenson, seconded and carried, the Commission approved the Gopher Tortoise Management Plan; the amendment to the Plan; and Rules 68A-27.004 and 68A-27.005 as advertised with the additional request for staff to provide a status report on the implementation of the Plan at the September 2008 Commission meeting.

Bald Eagle Draft Management Plan (Plan)

Robin Boughton, Avian Coordinator with the Division of Habitat and Species Conservation, presented the Bald Eagle Draft Management Plan (Plan). Ms. Boughton presented the following included in the Plan:

conservation goal; conservation objectives; proposed draft regulations; remove bald eagle from the threatened species list (68A-27.004) and establish a new rule, 68A-16.002, for non-game birds; add the bald eagle and associated protective regulations to that rule; permitting framework; management actions; implementation; and economic impacts. Ms. Boughton mentioned the bald eagle was removed (delisted) from the Federal Endangered Species Act by the United States Fish and Wildlife Service on August 8, 2007. Staff recommended the Commission approve the conceptual draft management plan and draft rules and present the rules and final management plan for a final public hearing at the December 2007 Commission meeting.

The following individuals supported the Bald Eagle Draft Management Plan:

Linda White and Julie Wraithmell (Audubon of Florida); and Elizabeth Fleming.

The following individuals did not support the Bald Eagle Draft Management Plan:

Doug Rillstone stated his concerns with a number of issues included in the Plan. He encouraged the Commission to delay approving the Plan.

Steve Godley stated the Plan includes insufficient data.

Carol Saviak (Coalition for Property Rights) provided a handout and discussed her organization's concerns regarding the Plan.

Commission Discussion

Members of the Commission discussed details of the Plan with Ms. Boughton.

Commissioner Barco asked Ms. Boughton to clarify the use of the \$35,000 contribution to the Bald Eagle Conservation Fund (Fund). Mr. Breault responded that the contribution, managed by the Wildlife Foundation of Florida, would assist with the ongoing surveying and monitoring. Staff will work on resolving outstanding issues before presenting the Plan for final public hearing in December 2007.

Chairman Barreto reiterated the incredible success story in bringing back the endangered bald eagle. Chairman Barreto requested staff clarify the use of the \$35,000 cost for bald eagle nests. Ms. Boughton stated the nest can never be removed or the tree cut down. The mitigation payment allows activity closer to the nest area than the guidelines would otherwise allow.

Commissioner Wright asked if there is a consensus to adopt the Plan conceptually, that we make this clear that it is approved as a draft Plan for further stakeholder input and resolution of outstanding issues.

Commissioner Bergeron asked for clarification on conservation easements. Ms. Boughton stated a conservation easement around a nest would need to be purchased off-site in exchange for construction inside the nest buffer onsite.

Upon motion of Commissioner Corbett, seconded and carried, the Commission approved the Bald Eagle Draft Management Plan, rules 68A-27.004 and 68A-16.002; and directed staff to present the final Plan and rules for final public hearing at the December 2007 Commission meeting.

Final Rules-Marine Turtle Permits

Chairman Barreto asked Mr. Frohlich to present the marine turtle permits issue. Staff proposed amendments to Rule 68E-1 in order to provide clarity with proposed changes at the April 2007

Commission meeting. Subsequent issues raised by the Joint Administrative Procedures Committee (Committee) and a rule challenge from Palm Beach County (County) resulted in staff not filing the rule. Modifications have been made to the rule to address the Committee's and the County's concerns, resulting in the rule being re-submitted for approval by the Commission. Staff responded to all issues and concerns outlined in correspondence from the staff attorney representing the Committee via letters (dated May 1, 2007 and August 3, 2007) and via telephone conversations. Suggested changes were made yet do not alter the intent or the practical application of the rule as it was previously approved by the Commission in April 2007. The changes include clarification of rule criteria which was intended to reduce conflict-of-interest among different local government programs, which would have prohibited local government entities permitted to conduct sea turtle conservation programs to also be the government program responsible for beach management. Staff worked with the County and agreed to offer amendments that allowed local government to have both turtle conservation programs and beach management within one program making the program eligible to receive a turtle permit; provided the Principal Permit Holder primarily responsible for turtle conservation and not primarily for beach management. Staff proposed that the rules be approved as modified, re-advertised in the Florida Administrative Weekly (FAW) and become law 21 days after filing provided no additional comments are submitted.

Upon motion of Commissioner Corbett, seconded and carried, the Commission approved and directed staff to submit the amended language for publication in the FAW; after 21 days, staff will submit the final rule to the Secretary of State for inclusion in the FAW.

Deer Management Program

Chairman Barreto asked Dr. Robert Vanderhoof to present an update on the Deer Management Program. Dr. Vanderhoof presented an update on the Deer Management Program assessment, strategic plan and program recommendations. Staff asked the Commission for approval to proceed with plan development and return for final approval at the February 2008 Commission meeting.

Public Comment

Preston Robertson thanked agency staff for their work in providing the deer management program. He urged the Commission to research how to keep Florida residents from paying for a deer hunting permit outside of the state.

Newton Cook (United Water Fowlers of Florida) thanked the Commission for allowing him to serve on the Deer Management Planning Committee.

Bill Wilson (Bow Hunters Council) discussed the lack of habitat for deer and the need for valid scientific data.

Byron Maharrey (Everglades Coordinating Council) thanked staff for their work on the Deer Management Process.

Jim Casselman (United Hunters of Florida) discussed his interest in continuing to educate the general public regarding deer hunting and thanked the Commission for allowing him to participate in the Deer Management Team.

Mark McNichols (United Hunters of Florida) discussed his concerns regarding the deer tagging system.

Commission Discussion

Commissioner Corbett asked how staff obtains input for the development of the Plan. Dr. Vanderhoof replied information comes from stakeholders through surveys to annual license deer hunters.

Commissioner Barco asked about data related to the hunters interested in using the deer's meat versus those interested in the trophy. She suggested rotating Wildlife Management Areas to take the pressure off of some sites, thereby increasing the harvest rate. Dr. Vanderhoof replied the Plan includes a process to achieve a fairly high harvest rate.

Upon motion of Commissioner Barco, seconded and carried, the Commission approved and directed staff to proceed with the development of the Plan and return for final approval at the February 2008 Commission meeting.

Major Proposed Rule Changes to Wildlife and Freshwater Fish Regulations for 2008-09

Mr. Wiley presented a review of the major proposed rule changes to wildlife and freshwater fisheries regulations for 2008-09. Mr. Wiley described the background and history of the biennial rule development process, the objectives of the process and the "on-year" schedule. Staff requested conceptual approval of major proposed rules and to proceed with further public review and comment, returning with a detailed presentation including a summary of public input at the December 2007 Commission meeting.

Mr. Wiley continued with a review of the major proposed rule changes to wildlife regulations for 2008-09, including an overview of the FWC managed lands and waters; proposed rule changes pertaining to the possession of guns and wild hogs on FWC managed lands. Staff proposed the following highlighted rules:

- Rule 68A-4.001, General Prohibitions
- Rule 68A-9.004, Permits for Hunting or Other Recreational Use on WMA's
- Rule 68A-1.004 and 68A-9.010, Taking Nuisance Wildlife
- Rule 68A-11.003, Use of Motorboats on Certain Waters; Permits

Mr. Wiley described the antler restrictions for deer hunting on selected WMA's; proposed the establishment of six new wildlife management areas; and rule change proposals for 21 wildlife management areas.

Staff proposed the following highlighted rules:

- Rule 68A-25.032, Regulations Governing the Establishment of Alligator Management Programs
- Rule 68A-25.042, Regulations Governing Statewide Alligator Trapping, Permitting, Taking and Sale
- Rule 68A-31.001, Regulations Relating to Commission Managed Shooting Ranges (*New*)

Staff requested conceptual approval of the major proposed rules and to proceed with further public review and comment. Staff will provide a detailed presentation including a summary of public input at the December 2007 Commission meeting.

Darrell Scovell presented the major proposed rule changes to freshwater fishing regulations for 2008-09 for fish management areas, freshwater fishing gear, and bag or length limits for freshwater fish. Staff requested conceptual approval of major proposed rules and approval to proceed with public review and

comment. Staff will present a detailed summary of public input at the December 2007 Commission meeting.

Public Comment

Newton Cook discussed the reduction in hunters over the years due to the lack of hunting areas. He stated his concerns regarding the existing quota system. He commended Mr. Wiley for his commitment to deer management.

Wilmont Curtis (Sumter County-East Pasco-Indian River Coon Hunter's Association) stated his concerns regarding the reduction in raccoon hunting in the State of Florida. Chairman Barreto asked Mr. Curtis to meet with Mr. Wiley regarding his concerns.

Dr. Jennifer Hobgood stated her support of the proposed rule to end remote control deer hunting.

Byron Maharrey discussed deer management units as a means to obtain higher quality deer, the deer tagging system, the long gun issue, reducing the doe harvest, and duck hunting season in and access to the Allapattah Flats WMA.

Michael Giacin and Damon Carroll (Broward County Airboat Club) discussed the need to regulate all-terrain vehicle (ATV) use in the WMA areas of Holey Land, Rotenberger, and Everglades. If the agency implements the usage of airboats when the waters high, then the same should be done for the camp owners' ATVs. He requested the agency include a description of an ATV to ensure the camp owners know what constitutes an ATV. Additionally he urged the agency to include the alligator trapping and an assistant for alligator permitting. Chairman Barreto mentioned that Commissioner Bergeron resides Broward County and provided Mr. Giacin with Commissioner Bergeron's business card to contact and discuss his concerns.

Lo Morrison (Gumrust Bowhunters and Florida Bowhunters Council) discussed the Hatchet Creek WMA regulations and asked staff to reconsider the proposal for an archery only area, which would be consistent with the historical hunting on the track.

Todd Hallman (Florida Sportsman Conservation Association) discussed the importance of safety when creating the rules for WMA's, specific to residential areas in close proximity to WMA's.

Jim Casselman recommended the Commission approve the rule to end remote control deer hunting. Also, he discussed his concerns regarding antler restrictions and the prospect of deer harvest reduction in the future.

Commission Discussion

Commissioner Wright asked Mr. Wiley about the decline in hunters and if other states are seeing a decline in hunters. Mr. Wiley responded that there is a decline in other states.

Upon motion of Commissioner Wright, seconded and carried, the Commission approved the major proposed rule changes to wildlife and freshwater regulations for 2008-09 and directed staff to present a detailed summary of public input at the December 2007 Commission meeting.

Commissioner's Areas of Emphasis

Mr. Scovell presented an update on the agency's progress towards building a vision for the future of Florida's freshwater fisheries. To collect input on potential problems and solutions for future management of the states freshwater fisheries resources, staff have conducted an online survey with over

1,500 anglers responding and conducted six zone summits across the state with 94 stakeholders attending, representing 24 groups/organizations. The next step includes inviting a group of selected individuals representing a broad spectrum of freshwater fishing interests to participate in a Freshwater Fisheries Roundtable (Roundtable). The goal of the Roundtable is to identify and prioritize strategies, help develop a freshwater fisheries vision document, encourage interaction and unification of stakeholders, and energize stakeholders to become active advocates for sustaining or improving freshwater fisheries resources. Key stakeholders asked to participate in the Roundtable include: fishing and resource-oriented organizations, tackle and boating industry representatives, government and university representatives, fishing guides, anglers, and media. Approximately 20 participants are expected to attend the event, which will be held October 19, 2007 in Celebration, Florida. The event will be hosted by FWC and ESPN/BASS. A final report and approval of the Future of Freshwater Fishing Vision Document is planned for the February 2008 Commission Meeting.

The Commissioners accepted the Future of Freshwater Fishing in Florida Vision document.

Public Comment on Items Not on the Agenda

Preston Robertson discussed federal legislation on conservation easements. He urged Commissioners to review the Senate Bill before the opportunity ends on December 31, 2007. He mentioned Florida Forever no longer has funds available to continue their progress and that the Wildlife Federation plans to approach legislation to assist in obtaining funds to continue the work of Florida Forever. Chairman Barreto asked Mr. Robertson to discuss his concerns with Jackie Fauls.

Newton Cook discussed the Florida Forever program related to public land management.

Bill Robb (FATA) discussed the proposed agency budget reduction to eliminate the alligator stipend fee and urged the Commission to continue the providing this fund to trappers. He suggested a one-time stipend fee for trappers. Chairman Barreto discussed the stipend fee issue and asked Mr. Haddad to research retaining the fund.

Alan Rigerman (HerpaFauna Plus) discussed a variety of subjects, including the need for an increase in law enforcement salaries and the captive wildlife bond issue.

Jerry Flynn, Tracy Hansen, and Curtis Lucus urged the Commission to keep the alligator stipend fee for nuisance trappers.

Laurie Macdonald invited Commissioners or a representative of the agency to the Defenders of Wildlife's 60th Anniversary celebration scheduled September 27, 2007.

Todd Hallman discussed deer hunting opportunities and urged the Commission to assist in increasing deer hunting in the State of Florida.

Commission Exchange

Chairman Barreto asked the Commissioners to reserve their comments on the day's issues to tomorrow's meeting. Their comments will be addressed at the beginning of the meeting on September 13.

Recess

Chairman Barreto recessed the meeting at 6:45 p.m. to reconvene at 8:30 a.m., Thursday, September 13.

Chairman Barreto reconvened the meeting at 8:30 a.m., Thursday, September 13. He introduced newly appointed Commissioners Wright and Bergeron; Commissioner Stephenson; and congratulated Commissioner Barco on her re-appointment to the Commission for a five-year term by Governor Charlie Crist.

Chairman Barreto introduced George Giger, President of the Coastal Conservation Association to present the FWC Law Enforcement Officer of the Year Award to: Lieutenant Don McMillen, Lieutenant Camille Several, Investigator Tony Hall, and Investigator Al Corfield. The officers were involved in an undercover operation called “No More Back Door” posing as recreational fishermen trying to sell fish to restaurants and retail establishments. Their actions resulted in 123 investigations, 158 citations, 50 arrests, and 44 warrants.

Chairman Barreto mentioned that the meeting agenda was amended and approved during the previous day’s meeting adding the recognition of Terry Tomalin by the National Association of State Boating Law Administrators as this year’s recipient of the Public Service Award. Chairman Barreto asked Captain Richard Moore, Section Leader of the Boater Safety Program, State Boating Law Administrator, and the current Vice-President of NASBLA to introduce Mr. Tomalin. Captain Moore stated that Mr. Tomalin is an outdoor writer for the *St. Petersburg Times*; is recognized by the public and his peers for his outstanding research and reporting; and has won numerous awards. Mr. Tomalin thanked Captain Moore and the Commission for the award.

Final Rules – Trap Retrieval and Trap Debris Removal

Chairman Barreto asked Bill Sharp, Biological Administrator III with the Division of Marine Fisheries Management to present the final public hearing on proposed rule amendments to the Trap Retrieval and Trap Debris Removal rules 68B-55, F.A.C. The rule amendments would:

- modify the current definition of a derelict trap to account for the fact that blue crab traps will be required to be marked with Commission-supplied trap tags
- modify the existing rule to exempt local, state, or federal government personnel from acquiring authorization from the agency before removing traps, derelict traps, or trap debris from areas where trapping is prohibited
- provide a mechanism to enhance the capability of trappers to recover their traps following a major storm

Mr. Sharp described proposed rules 68B-55.001, Definitions; 68B-55.002, Retrieval of Trap Debris; 68B-55.004, Retrieval of Derelict Traps; and 68B-55.005, Recovery of Traps in Areas of Natural Disaster. Staff recommended the Commission approve rule amendments 68B-55 as advertised.

Public Comment

Christina Johnson discussed the high number of thefts of blue crab traps and stated her concerns regarding the fee to obtain fishermen’s stolen traps, her concerns pertaining to the agents contracted to retrieve traps not knowing who these individuals are, and difficulty obtaining trap retrieval data for Collier County. Mr. Sharp addressed Ms. Johnson’s concerns and will follow up with her to provide the data she requested.

Jerry Sansom (Organized Fishermen of Florida) supported staff’s recommendations and discussed his concerns regarding fraudulent trap retrieval.

Keith Ward (Fishing for Freedom) asked staff to assist in retrieving trap retrieval from his area.

David Grix (Fishing for Freedom) discussed his concerns regarding trap retrieval and blue crab trap debris.

Commission Discussion

Chairman Barreto asked Mr. Sharp about ghost traps yet to be recovered in the Flamingo Park area. Mr. Sharp stated the trap retrieval team have contacted the head ranger at that park and they have been picking up traps and have encountered a large number of derelict traps and that there appears to be some illegally purchased traps retrieved by their team.

Commissioner Barco asked if individuals can report stolen traps and not pay a fee. Charlie Shelfer, Senior General Counsel addressed her question.

Upon motion of Commissioner Barco, seconded and carried, the Commission approved staff's recommendation to adopt rule amendments 68B-55 as advertised.

Final Rules – Blue Crab Recreational Traps

Mr. Sharp continued with a presentation on the final public hearing on proposed amendments to rules 68B-45.002 and 68B-45.004, F.A.C. The proposed amendments to rules 68B-45.002, Definitions; and 68B-45.004, Regulation and Prohibition of Certain Harvesting Gear would modify rule language to allow for a less narrowly defined configuration of the shape of fold-up traps. The modified rule language would allow the legal use of fold-up traps up to 1 cubic foot in volume as presently stipulated in the F.A.C., but the traps would not necessarily have to be pyramid-shaped or have a square base panel no larger than 12 inches. Staff recommended the Commission approve rule amendments 68B-45.002 and 68B-45.004 as advertised

Commission Discussion

Upon motion of Commissioner Wright, seconded and carried, the Commission approved staff's recommendation to adopt rule amendments 68B-45.002 and 68B-45.004 as advertised

Final Rules – Withlacoochee River Boating Restricted Area

Chairman Barreto asked Colonel Julie Jones to present the final public hearing on proposed rule 68D-24.109, Withlacoochee River Boating Restricted in Citrus, Hernando, Marion, and Sumter counties during flood conditions. Col. Jones stated the purpose of the proposed rule changes include:

- update flood stage levels to ensure more efficient Idle Speed No Wake restrictions
- requested by local government, the public, and law enforcement
- implement a provision that would automatically close the river when it reaches critical levels in certain segments of the river, and eliminating the need for emergency rules
- implement a provision that would automatically rescind restrictions when water levels recede below flood levels

Col. Jones described the areas of North Central Florida and traverses affected by the rule change. After holding three public workshops in Lecanto and Brooksville, staff recommended the Commission approve adopting amendments as presented.

Commission Discussion

Commissioner Bergeron asked Col. Jones if signage is posted to inform the public of the water levels and the speed zones. Col. Jones stated boaters are aware of signage.

Upon motion of Commissioner Bergeron, seconded and carried, the Commission approved staff's recommendation to adopt rule 68D-24.109 as advertised

Final Rules – Captive Wildlife

Col. Jones continued with a presentation on the final public hearing on the proposed amendment to rule 68A-6.0024, Commercialization of Wildlife; Public Contact; Bonding or Financial Responsibility Guarantee. Col. Jones stated the rule change would:

- establish methods of payment, minimum term length, and alternative instruments to be used for bonding and financial responsibility guarantees
- include performance bonds, cash, cashier's check, certified check, or irrevocable letter of credit
- allow Class I wildlife exhibitors to maintain \$2 million comprehensive general liability insurance in lieu of the bond

Staff mailed stakeholders information related to the proposed rule change for comment and received the following recommendations:

- grandfather existing licensees, with a clean record, from the bonding or insurance
- accept a corporate guarantee
- place a property lien on a Class I exhibitors property

The following public comments were incorporated into the proposed rule:

- established terms of the bond for venomous reptiles and Class I wildlife
- provide for a cash bond refund if license is denied, revoked or not renewed
- added a Certificate of Insurance as insurance verification

Staff recommended the Commission adopt rule 68A-6.0024, Commercialization of Wildlife; Public Contact; Bonding or Financial Responsibility Guarantee as advertised.

Col. Jones presented a floor amendment to move the implementation of the rule to January 1, 2008. Staff would implement the bonding provision for new applicants after January 1, 2008 and for anyone who renews their existing permit as the permits come up after January 1, 2008. Staff asked that the proposed rule be approved as amended.

Public Comment

Gloria Johnson (Cougar Ridge) provided a handout and discussed her concerns regarding the bonding issue.

Marcus Cantos (Florida Reptile Industry Association) discussed his concerns regarding the bond issue and neighbor notification provision.

Eugene Bessette (Florida Reptile Industry Association) did not support staff's recommendation.

Dr. Lawrence Killmar (Tampa's Lowry Park Zoo) discussed his concerns regarding the bonding issue as a financial hardship for the majority of individuals and did not support staff's recommendation.

Lisa Welch (Florida Federation Aviculture) urged the Commission to include the corporate guarantee for the \$10,000 bond in the rule and mentioned the lack of a competitive insurance market.

Gloria Johnson (Cougar Ridge) did not support staff's recommendation.

Carole Baskin (Big Cat Rescue) provided a handout and discussed the data pertaining to big cat incidents. She supported staff's recommendation.

Kathy Baird discussed her concerns regarding the bonding issue and urged the Commission to provide an affordable answer. Commissioner Barco asked Ms. Baird about her experience in obtaining quotes. She said she called several companies and they could not come up with a quote.

Gini Valbuena (Valbuena Chimps) commented on a news article regarding the bonding issue quoting several U.S. Senators.

Dr. Jennifer Hobgood supported staff's recommendation.

Alan Rigerman commented on the bonding issue.

Dr. Rick Piatt discussed his concerns regarding the bonding issue and mentioned he is scheduled to meet with Senator J.D. Alexander to discuss this issue further requesting an amendment. He urged the Commission to postpone their decision regarding the bonding issue.

Susan Bradshaw (Zooville USA) discussed her concerns regarding the bonding issue.

Deanna Depper (Shy Wolf Sanctuary Education and Experience Center) discussed her experience in obtaining insurance for her facility. She urged the Commission to look into other options for those who care for captive wildlife unable to obtain insurance. She did not support staff's recommendation.

Commission Discussion

Chairman Barreto asked Col. Jones to address the public's concerns regarding obtaining insurance. Col. Jones discussed the proposed rule and the activity involved in resolving public concerns. Because of rule making requirements, she can not meet the deadline to change the rule; however, she can come back to the Commission in December for a final approval at the February 2008 Commission meeting.

Commissioner Wright stated it would be wise to postpone the decision to adopt the amended rule to research options for the public related to bonding. Mr. Antista stated that if the Commission approves the rule, the agency does not have the appropriate time to file the rule, which is 90 days. Col. Jones discussed the industry's options related to finding an insurer or a corporate guarantee.

Commissioner Barco stated her concerns that the public may not be able to find an insurer to write a policy by January 2008; even if the decision is deferred.

Chairman Barreto directed staff to research the bonding issue further and return to the Commission in December 2007 with a report. Col. Jones stated legal counsel suggested February, rather than January 2008, which would provide staff enough time to file the rule.

Commissioner Bergeron reiterated the importance of seeking options for the public before a final decision is made by the Commission.

Upon motion of Commissioner Corbett, seconded and carried, the Commission approved the adoption of rule 68A-6.0024 as amended for February 2008.

Draft Rules – Captive Wildlife Regulations

Col. Jones presented a description of the following changes to rules:

- 68A-6.007, Removes the reference to Statute repealed in SB 2766 and removes the reference to sea snakes now found in 68A-5
- 68A-6.0071, Removes the reference to Statutes repealed in SB 2766
- 68A-6.0072, Removes the reference to Statutes repealed in SB 2766 and replaces the word implementation with implantation

Staff proposes technical changes before the effective date of January 1, 2008.

Additionally, Col. Jones presented a proposed change to rule 68A-6.003, Facility and Structural Caging Requirements for Class I, II, and III Wildlife. The rule was adopted in April 2007 and staff proposed an amendment to include the notification to adjacent landowners by new applicants who want to possess Class I wildlife. Col. Jones described the purpose of draft rule 68A-6.003. Staff recommended the Commission approve draft rules 68A-6.007, 68A-6.0071, 68A-6.0072, and 68A-6.003 and direct staff to proceed with the public input process on the proposals and requested a final public hearing in December 2007. The public workshops are scheduled October 8 and 9.

Chairman Barreto introduced Representative Will Kendrick to the meeting. Representative Kendrick introduced Lennie Zieler, Staff Director of the Committee on Conservation and State Lands Florida with the House of Representatives. Representative Kendrick thanked the Commission for allowing him to speak to the Commission.

Chairman Barreto also introduced Glenn Reagan with the Office of Policy and Budget, Environmental Policy with the Governor's Office.

Public Comment

The following individuals did not support staff's recommendation:

Eugene Bessette; Dr. Lawrence Killmar; Marcos Cantos; Dr. Rick Piatt; Lisa Welch; Kathy Baird; Gini Valbuena; Deanna Depper; Tom Columbano; Julio Hector; Susan Bradshaw; David Foley; and Alan Rigerman.

Gloria Johnson did not support staff's recommendation and discussed her concerns regarding the grandfathering element of the rule.

Lily Brooks (Levy County Commissioner) did not support staff's recommendation and asked about a planning committee regarding zoning issues, non-conforming issues for all 67 counties and municipalities. Mr. Antista addressed the Commission relative to an existing rule regarding Class I wildlife in residential neighborhoods. The agency has the authority to require this notice. Ms. Brooks expressed her concerns regarding the agency "taking control" of zoning requirements for those with captive wildlife Class I. Col. Jones clarified the details of the rule regarding residential zoning regulations. Chairman Barreto asked Commissioner Brooks to work with Col. Jones regarding her concerns. Commissioner Brooks provided an audio recording of the Levy County Commission meeting including a recording of the neighbor notification and zoning issue.

Richard Stahl (Pinellas County Animal Services) discussed zoning issues and asked if the rules could include additional language pertaining to specific areas required to notify neighbors, i.e. solely residential. He provided a copy of the email message he discussed previously with Col. Jones.

The following individuals supported staff's recommendation:

Connie Brooks (Animal Services) supported staff's recommendation.

Nancy Smith (Shy Wolf Sanctuary)

Dr. Jennifer Hobgood discussed various public myths regarding her organization and supported staff's recommendation.

Commission Discussion

Chairman Barreto introduced and welcomed Representative Mitch Needelman to the meeting.

Commissioner Barco stated neighbors should be notified of captive wildlife; however, if there are outstanding issues that concern the public, they should be resolved.

Commissioners Stephenson and Bergeron stated notification when an animal escapes is justified; however, the Commission may be crossing lines regarding the invasion of privacy.

Col. Jones clarified that the Commission has instructed staff to move forward with item 3 of the proposed rule 68A-6.003 as written.

Upon motion of Commissioner Barco, seconded and carried, the Commission approved rules 68A-6.007, 68A-6.0071, and 68A-6.0072; and directed staff to proceed with the public input process proposals and return for a final public hearing in December 2007.

The Commission voted against requiring applicants for Class I authorization to notify neighbors of the proposed facility location and requested authorizations. The Commission did approve proceeding with the requirement for notification upon the escape of Class I wildlife.

Draft Rule – Red Snapper (State Waters of the Gulf of Mexico Only)

Chairman Barreto asked Bill Teehan, Section Leader of the Division of Marine Fisheries Management to present the proposed draft rules for red snapper. Mr. Teehan described the current status of the red snapper fishery related to overfishing and the Gulf of Mexico Fishery Management Council's plan to end overfishing by 2010 and rebuild the red snapper stock to sustainable levels by 2032. In August 2006, the Council voted to delay actions to address overfishing in the red snapper fishery until more recent information became available for the directed red snapper and shrimp trawl fisheries. In response to the delay, the National Marine Fisheries Service implemented an Interim Rule during April/May 2007 that included a range of temporary measures to address overfishing of red snapper. Mr. Teehan described the Service's measures and Florida's current regulations for the recreational red snapper fishery in state waters. At the Council's meeting in June 2007, they adopted regulation changes for red snapper in federal waters of the Gulf of Mexico. The final plan amendment is currently in the federal process awaiting final approval by the Secretary of Commerce. Staff anticipates that the rules will be published in the federal register in early December and implemented January 1, 2008. The Service's Interim Rule remains in effect until the plan amendment is implemented.

Mr. Teehan continued his presentation with respect to the directed Gulf red snapper bycatch from shrimp fishery regulations and the mortality of red snapper in the eastern Gulf of Mexico.

Mr. Teehan stated the draft rule language amendments to the Commissioner's Reef Fish Rule, 68B-14, Florida Administrative Code (F.A.C.) would be necessary to bring state red snapper regulations into consistency with federal regulations in the Gulf of Mexico. Mr. Teehan described the following proposed draft rules:

- Rule 68B-14.0035, amended to reduce the minimum legal size of red snapper harvested commercially from the Gulf of Mexico from 15 inches to 13 inches total length
- Rule 68B-14.00355, amended to reduce the minimum legal size of imported red snapper from 15 inches to 13 inches
- Rule 68B-14.0036, amended to reduce the recreational red snapper bag limit in the Gulf of Mexico from 4-fish to 2-fish per person per day. The rule would also be amended to establish a zero daily bag and possession limit of red snapper for captains and crew on for-hire vessels in the Gulf of Mexico.
- Rule 68B-14.0038, change the recreational fishing season for red snapper in the Gulf of Mexico from: April 15 – October 31 to: the dates established according to the caveats described in side 7, which are either June 1 through September 15; June 1 through September 30; or May 15 through October 15.
- Rule 68B-14.0045, amended to reduce the commercial bag and trip limit of red snapper in Gulf state waters from 4-fish to 2-fish per day.
- Rule 68B-14.005, amended to allow only non-stainless steel circle hooks to be used to harvest any reef fish species specified in subsection 68B-14.001(2), when using natural baits. In addition, a venting tool and a de-hooking device must be present onboard vessels harvesting any reef fish species specified in subsection 68B-14.001(2).

Staff recommended the Commission adopt draft rule language to make Florida's red snapper regulations in the Gulf consistent with federal regulations, and to direct staff to take consistency draft rule language to a final public hearing following the publication of the federal red snapper regulations in the Federal Register at the February 2008 Commission meeting.

Public Comment

Scott Robson urged the Commission to open state waters for fishing with a bag limit of two fish per person from April 15 through October 31.

Paul Johnson (Ocean's Conservancy) supported staff's recommendation.

Bob Zales (Panama City Boaters Association) discussed stock assessment data; other state's fishing regulations, and the fishing season of April 15 through October 31.

Richard Van Munster stated his concerns regarding the slot and bag limit on grouper.

Ted Forsgren supported staff's recommendation.

Commission Discussion

Chairman Barreto welcomed Mark Lewis, Superintendent of Biscayne Bay's National Parks Service.

Upon motion of Commissioner Corbett, seconded and carried, the Commission approved the adoption of draft rule language to make Florida's red snapper regulations in the Gulf of Mexico consistent with

federal regulations, and directed staff to take consistency draft rule language to a final public hearing following the publication of the federal red snapper regulations in the Federal Register at the February 2008 Commission meeting.

Draft Rules – Uniform Rules of Procedures, Due Process Procedures and Delegations of Authority

Chairman Barreto asked Jim Antista, General Counsel to present the next agenda item. Mr. Antista summarized the following draft rule amendments:

- Rule 68-1.001, Adoption of Uniform Rules of Procedure; Due Process Procedures; Subject Matter Index; Official Reporter. The proposed rule would delete the reference to the FWC's Due Process Procedures adopted by the Commission on July 7, 1999.
- Rule 68-1.008, Due Process Procedures. The proposed rule would publish the current FWC Due Process Procedures in its entirety in accordance with Legislative direction and to make them more visible and accessible.
- Rule 68-1.009, Delegations of Authority. The proposed draft rule would incorporate into rule by reference the Commission's Delegations of Authority to its Executive Director.

Staff recommended the Commission approve the draft rule amendments and authorization to advertise the proposed rules in the Florida Administrative Weekly for final public hearing and approval at the December 2007 Commission meeting.

Public Comment

David Grix discussed his concerns regarding the agency's due process procedures.

Keith Ward urged the Commission to work out a solution regarding the net referendum issue, discussed the weekend closures on mullet fishing and requested a stakeholder work group on mullet. Commission Barco reiterated that the agency did not schedule a mullet workshop. Mr. Robson stated staff is scheduling next year's (July 2008) workshops and would try to factor his request into the schedule. Chairman Barreto asked Mr. Robson, staff and Mr. Haddad to review Mr. Ward's request for a mullet work group.

Richard Van Munster discussed trial cases won by his organization.

Bob Harris (Diving Equipment and Marketing Association) discussed his concerns regarding the Commission's due process procedure and urged the Commission to adopt rules that are based on constitutional authority. Also, he thanked the Commission for their efforts in bringing the *USS Oriskany* to the Pensacola area, which increased diving and tourism.

David Foley commented on Section 372.021 of the Florida Statute.

Ted Forsgren mentioned the due process procedures involved in the net referendum issue, which took place before the constitutional enactment. He supported staff's recommendation.

Jerry Sansom urged the Commission to utilize Chapter 120 whenever possible.

Representative Mitch Needelman, Florida House of Representatives and former Marine Patrol Officer, provided a handout and presented his concerns regarding the lack of options available for the public to respond and/or challenge an issue and asked the Commission to re-evaluate the agency's due process procedures and included a proposed legislative bill in the packet provided to the Commissioners.

Commission Discussion

Chairman Barreto stated he would review the information provided by Representative Needelman and will follow up with Mr. Antista.

Upon motion by Commissioner Wright, seconded and carried, the Commission approved the draft rule amendments and directed staff to advertise the proposed rules in the Florida Administrative Weekly for final public hearing and approval at the December 2007 Commission meeting.

Federal Issues Report: South Atlantic Fishery Management Council

Mark Robson reported on the results of the South Atlantic Fishery Management Council (Council) meeting held June 2007. Mr. Robson presented a summary of the following issues that were addressed by the Council: The Snapper-Grouper, King/Spanish Mackerel Management Plans, Aquaculture/Red Drum/Joint Reef Fish/Mackerel, Red Drum, and Reef Fish.

Public Comment

Dennis O'Hern (Fishing Rights Alliance) discussed the stock assessments on gag grouper and urged the Commission to look into the increased rate of death due to the fish staying on deck for research.

Commission Discussion

Chairman Barreto asked staff if there are any issues that affect the State of Florida that the Commission should be given the opportunity to review and understand the information in advance. Mr. Robson stated he is working on a process to inform the Commissioners in advance of the Council meetings. Mr. Haddad reiterated staff provides information to Commissioners in advance and suggested staff will present a plan at the next Commission meeting to ensure the right issues are presented in advance for the Commissioners.

Commissioner Wright stated informing (engaging) the Commissioners regarding the issues assist everyone in providing a credible decision.

The Commission accepted the Federal Issues Report from the South Atlantic Fishery Management Council.

Federal Issues Report: Gulf of Mexico Fishery Management Council

Chairman Barreto asked Bill Teehan to present the Federal Issues Report on the Gulf of Mexico Fishery Management Council. Mr. Teehan presented a summary of the following issues that were addressed by the Council: Reef Fish Amendments 30A, 30B, and 29; the Aquaculture Amendment; allowable catch limits and accountability measures; and a research project regarding offshore adult red drum populations. Staff asked for continued support for Amendments 30A/30B and guidance for the allocation issue.

Public Comment

Ted Forsgren supported staff's recommendation for additional measures to reduce the take of amberjack so that the species can rebuild. Mr. Forsgren stated their concerns involving the Gulf Councils intent to abandon the allocation that was set up in 1990 to allocate 84% recreational and 16% commercial. The allocation needs to be enforced, not changed. He urged the Commission to take a position to keep the allocation set up in 1990 for gray triggerfish.

Bob Zales discussed his concerns regarding the recreational fisheries sector in the Gulf of Mexico based on the reef fish allocations.

Captain Pat Kelly urged the Commission to work to stop people from selling amberjack.

Dennis O'Hern agreed that staff needs guidance from the Commissioners prior to their attendance at Council meetings. Also, he discussed the release mortalities of reef fish.

Scott Robson urged the Commission to retain the 84% recreational and 16% commercial allocation for reef fish.

Commission Discussion

The Commissioners discussed the alternative allocations for reef fish with staff. Mr. Robson mentioned staff has already asked the Gulf Council staff to research other alternatives related to the reduction in allocation of reef fish.

Chairman Barreto described the process in approaching the Council with Alternative 1. Mr. Teehan stated he works to negotiate the best alternative for the State of Florida. Mr. Robson stated it would be helpful to have something in writing from the Commission to provide to the Council, which would add weight to negotiations.

The Commission accepted the Federal Issues Report on the Gulf of Mexico Fishery Management Council and directed staff to vote for the 1981-1987 time series and provide management alternatives for recreational that do not include fractional bag limits.

Federal Issues Report: Biscayne National Park

Mr. Robson presented an update on the Memorandum of Understanding (MOU) between FWC and Biscayne National Park (BNP) and an update on the status of a draft fishery management plan (Plan) for the Park. The current MOU is scheduled to expire in October 2007. Staff recommended the Commission approve renewing the existing MOU as is, with direction for FWC staff to meet with BNP staff to negotiate language modifications and return with an update on amended language at the December 2007 Commission meeting.

Public Comment

Mark Lewis (National Park Service) mentioned that he was introduced to the issue two years ago and requested that the Commission extend the MOU. Staff from the agency and the Park Service including stakeholders could work together and return at the December 2007 Commission meeting with suggested written modifications to the MOU for Commission approval. Chairman Barreto and Commissioner Corbett commended Mr. Lewis for his involvement in renewing the Plan.

Paul Johnson urged the Commission to not eliminate any alternatives to manage the Park properly.

David White (Ocean Conservancy) provided a handout and advocated that the language that prohibits the consideration of marine reserves in the Park be eliminated from the agreement.

Ted Forsgren stated CCA has been active with the BNP Plan since inception. CCA does not believe that everything in fisheries management should have a designated "No Fishing Zone." Angler access is a huge issue for the Commission and anglers. CCA's recommendations have not been adopted or

implemented related to the Park's regulations, such as a lower bag and size limit to achieve a different type of fishery; education; and marking of channels.

Commission Discussion

Chairman Barreto mentioned that if the agency does not approve the renewal of the MOU, the Park would have to draft a new MOU.

Upon motion of Commissioner Wright, seconded and carried, the Commission approved renewing the existing MOU between FWC and Biscayne National Park MOU.

Representative Will Kendrick thanked the Commission for their assistance and support for a resolution to end the entombment of the gopher tortoises. He has planned to present a dedicated funding source for such items like gopher tortoise into the land management budget. He also discussed the seagrass issue, his service on the Gulf States Marine Fisheries Council, the issues planned for next year's legislation as Chairman of the State Lands and Conservation Committee.

Chairman Barreto, on behalf of the Commission, thanked Representative Kendrick for his assistance and support of the agency and issues presented to the Legislature. Chairman Barreto mentioned the agency's challenge to retain law enforcement officers due to the rate issue and offered to meet with Representative Kendrick to look into a solution.

Federal Issues Report: Magnuson-Stevens Implementation

Mr. Robson presented an update on the recent reauthorization of the Magnuson-Stevens Fishery Management and Conservation Act. The report described provisions that affect Florida, including a national registry of saltwater anglers and the revision to the saltwater recreational data collection and delivery programs. The law requires the Department of Commerce to establish a regionally based registry program of recreational anglers that registers all those fishing in the federal "exclusive economic zone", or EEZ. Under the program, the Secretary of Commerce shall exempt from registration those recreational fishermen or charter fishing vessels that were licensed, permitted, or registered under the laws of the State: "...if the Secretary determines that information from the state program is suitable for the Secretary's use or is used to assist in completing marine recreational fisheries statistical surveys, or evaluating the effects of proposed conservation and management measure for marine fisheries." NOAA Fisheries would be authorized to charge a fee for that registration starting January 2011. NOAA Fisheries has not yet determined the level of completeness of state licensing systems that will be acceptable for their purposes. FWC staff is urging federal managers to quickly identify those systems that will qualify for exemption, and what actions may be taken by the individual states to modify or improve their licensing systems.

Commission Discussion

Commissioner Barco asked Mr. Robson to explain the shoreline exemption related to the EEZ. Mr. Robson stated the issue involves federally managed species that may be caught in state waters as well. Therefore the presumption is that if the Commission desires to satisfy the harvest levels for federally managed species, any potential fisherman should be notified that they could be catching those species of fish.

Commissioner Barco stated her concerns regarding the information provided to the State of Florida in obtaining a recreational fishing license, i.e. address, phone number, social security number and other personal data, which could provide the opportunity for someone to steal one's identity. Mr. Robson replied that most of the information assists the Commission in obtaining future stakeholder surveys.

Commissioners' Areas of Emphasis

Mr. Robson presented an Executive Summary of the Future of Saltwater Fishing in Florida: A Vision for Florida's Marine Resources. Staff recommended the Commission approve the final vision document as presented.

Commission Discussion

Upon motion of Commissioner Corbett, seconded and carried, the Commission approved the Future of Saltwater Fishing in Florida Vision document.

Federal Issues Report: Goliath Grouper Research Planning

Mr. Teehan presented a report on the Goliath Grouper Research Planning process.

Public Comment

Dennis O'Hern stated he attended the Goliath Grouper Research Planning meeting and the stock assessment of grouper is much higher than anticipated.

Commissioners' Areas of Emphasis

Mr. Robson presented an Executive Summary of the Future of Saltwater Fishing in Florida: A Vision for Florida's Marine Resources. Staff recommended the Commission approve the final vision document as presented.

Commission Discussion

Upon motion of Commissioner Corbett, seconded and carried, the Commission approved the Future of Saltwater Fishing in Florida Vision document.

Chairman Barreto welcomed Dr. Roy Crabtree, Regional Administrator for the Southeast National Marine Fisheries. Dr. Crabtree addressed the Commission and thanked them for allowing him to speak to the Commission.

Public Comment on Items Not on the Agenda

Alan Rigerman discussed his concerns regarding law enforcement officers.

David Grix and Richard Van Munster discussed their concerns regarding the one-inch square mesh net size regulation for commercial fishermen.

John Sprague commented on the downlisting of the Florida manatee issue.

Commission Exchange

Chairman Barreto asked staff to meet with the new Commissioners and discuss the history of the net referendum issue.

Commissioner Corbett thanked Chairman Barreto for taking time to brief the new Commissioners.

Commissioner Barco stated her satisfaction with the daily meeting accomplishments.

Commissioner Wright thanked Chairman Barreto for his support and assistance, as well as staff in meeting with stakeholders to discuss the various issues. The extent of information was impressive.

Commissioner Bergeron thanked Chairman Barreto for his guidance and expressed his honor as a member of the Commission. He stated his belief is to serve the public and stakeholders of our state, as well as protect our resources for future generations. Also, he was impressed with the commitment and professionalism of the agency's staff, particularly during his one-day orientation in Tallahassee.

Commissioner Stephenson thanked Chairman Barreto, the Commissioners, Mr. Haddad, and staff for their assistance and support. He mentioned his observation of the passion expressed by stakeholders.

Chairman Barreto encouraged the Commissioners to speak with and participate in stakeholders as much as possible to obtain a better understanding of the resources available from our state. He welcomed the new Commissioners. He encouraged the Commissioners to attend the next agency law enforcement academy graduation.

Recess

There being no further business, Chairman Barreto recessed the meeting at 7:25 p.m. to reconvene at 8:30 a.m., Friday, September 14.

Chairman Barreto reconvened the meeting at 8:30 a.m., Friday, September 14.

Budget Process Time Line

Sandra Wilson presented and explained the agency's financial status and budget process; including the timeline, the status of the trust funds and funding, which began in June 2007 with division directors submitting issue requests to the Executive Director, and **will complete its cycle** when Governor Crist releases the approved budget for the new fiscal year in May/June 2008.

Commission Discussion

Chairman Barreto thanked Ms. Wilson, Jackie Fauls, and staff for their assistance with the budget process.

Chairman Barreto asked staff to look at the current license plate program for a potential re-design campaign to increase Trust Fund revenue. Mr. Haddad stated a marketing campaign was recently launched by the Wildlife Foundation of Florida promoting the Commission's five license plates with the assistance of tax and tag offices throughout Florida. Commissioner Wright suggested partnering with non-profit organizations to assist with promotions. Commissioners discussed the five license plates managed by the agency and the potential to re-design the plates with a combined marketing campaign.

Fiscal Year 2008 Potential Reductions

On June 29, 2007, the Governor, House and Senate notified state agencies of a projected shortfall in fiscal year 2007/08 revenues and instructed agencies to prepare a list of potential reductions by August 8, 2007. The agency lists should equal 10% of recurring appropriations, which is significantly more than the 4% estimated shortfall. The process is done to present enough options to allow the Legislature to be selective in reaching their goal. The following list contains the submission from the agency to the Legislature.

Ms. Wilson presented a summary of twelve scenarios of FWC potential reductions for FY 07-08:

- (1) eliminate red tide control and mitigation grants (\$850,000) GR FWRI
- (2) eliminate Smithsonian marine ecosystem exhibit contract (\$80,000) GR FWRI
- (3) eliminate manatee avoidance technology sonar grants (\$115,000) MRCTF FWRI
- (4) eliminate Smithsonian biological monitoring contract (\$124,800) MRCTF FWRI
- (5) reduce red tide monitoring and research (\$1,200,000) GR FWRI
- (6) eliminate Florida Keys mooring buoy contract (\$25,000) MRCTF FWRI
- (7) eliminate oceanaria reimbursements for manatee rehabilitation and support for the University of Florida marine mammal veterinary program (\$2,000,000) MRCTF FWRI
- (8) eliminate boating safety education grants and manatee avoidance technology grants (\$400,000) MRCTF DLE
- (9) eliminate nuisance alligator trapper stipend (\$210,000) SGTF DHGM
- (10) eliminate new financial analyst position (1 FTE & \$200,000) ATF OFB
- (11) eliminate facilitation contracts for advisory board and workgroup activities (\$40,000) MRCTF DMFM
- (12) reduce non-CARL land management (\$3,003,303) SGTF DHSC
- (13) reduce lake restoration projects (\$4,094,749) SGTF DHSC
- (14) reduce law enforcement (70 FTE, \$3,383,040) GR; (20 FTE, \$963,714) MRCTF
- (15) adjustments for reimbursement and flow through appropriations (\$2,018,527)

Staff requested the Commission approve the potential budget reductions list and direct staff to work with Commissioners and the Executive Director to finalize the list for submission to the Governor.

Public Comment

Pat Rose (Save the Manatee Club) explained the history of the Club and the manatee license tag. Also, he asked the Commission to reconsider the elimination of the oceanaria reimbursements for manatee rehabilitation and support for the University of Florida marine mammal veterinary program from the potential reductions list.

Dr. Jennifer Hobgood opposed the elimination of the oceanaria reimbursements for manatee rehabilitation, law enforcement from the potential reductions list, and the University of Florida marine mammal veterinary program from the agency's budget reductions list.

Alan Rigerman discussed his concerns regarding reducing law enforcement.

John Sprague discussed his concerns regarding the list of the agency's potential budget reductions.

Commission Discussion

Upon motion of Commissioner Wright, seconded and carried, the Commission approved and directed staff to work with Commissioners and the Executive Director to submit a final reductions list to the Governor.

Under discussion, Commissioner Barco asked if the alligator trapper stipend fee would be removed from the list of potential reductions. Mr. Haddad stated the potential reductions list has already been presented to the Governor and he did not select it. However, he noted the agency's intent is to keep the alligator stipend fee **intact and** off of the reductions list **in the future**.

Fiscal Year 2008-09 Budget Issues Review

Ms. Wilson presented the FY 08-09 budget issues for Commission consideration of priority.

Governor Charlie Crist's Visit

The Honorable Governor Charlie Crist made a special visit during the meeting. He spoke to the Commission and thanked them for their work for the citizens of Florida and stated the Commission is his "personal favorite." He discussed Florida's wildlife; the everglades; coral reefs; sea life; bays and estuaries; and the protection of the Florida manatee. He stated his appreciation to the Commission for approving his request to postpone their decision to downlist the manatee.

Chairman Barreto thanked the Governor for taking the time to visit the Commission; the new appointments (Dwight Stephenson, Ronald Bergeron, and Kenneth Wright) to the Commission as well as Commissioner Barco's re-appointment; and his assistance and support regarding a variety of issues, specifically the long-line issue.

Chairman Barreto introduced and welcomed the Mayor of the City of St. Petersburg, Rick Baker.

Chairman Barreto mentioned the Commission signed a Memorandum of Understanding (MOU) with the Miami-Dade Fire Department and the State of Florida including FWC's aircraft to ensure anti-venom is flown and delivered to individuals bitten by venomous snakes. That MOU was signed by Governor Crist and Chairman Barreto.

Chairman Barreto asked Tim Breault to approach the podium and describe the Gopher Tortoise Management Plan. Chairman stated that through the mitigation fee, thousands of acres of land have been purchased to relocate tortoises to end the entombment dilemma.

Governor Crist thanked Mayor Baker for his attendance. Mayor Baker approached the podium, thanked the Governor, Commissioners, and welcomed everyone to St. Petersburg,

Commissioner Wright expressed his positive experience during his participation in the Commission meeting and was impressed by the agency's staff and the issues presented.

Governor Crist reiterated that his office is a proponent of protecting our citizens and the agency's law enforcement officers and advocated to cut our property taxes even more on January 29, "it is up to the will of the people" and encouraged everyone to vote, "yes" to give our citizens additional revenue.

Commissioner Barco stated her first impression included how "user friendly" and responsive the agency is to our citizens of Florida.

Commissioner Bergeron mentioned the Governor expressed to him his support and compassion toward the natural resources of the State of Florida. He stated how proud he is to be part of the Commission.

Commissioner Stephenson stated he is excited about being part of the team and is looking forward to continuing the good work.

Chairman Barreto mentioned that this was the first time a State of Florida Governor attended a Commission meeting and thanked him for taking time from his busy schedule to visit.

Upon the departure of Governor Crist, Ms. Wilson continued her presentation of the FY 08-09 budget issues for Commission consideration of priority.

Ms. Wilson asked the Commission to move forward with items listed under Tier 1; and allow the Chairman and Executive Director to make adjustments to the agency's 2008-09 Legislative Budget request as discussions occur with the House, Senate and the Governor's Office.

Public Comment

Dr. Jennifer Hobgood supported the enhancement of the gopher tortoise management planning funding and commended the agency's decision to list the gopher tortoise as a threatened species and approve the management plan.

John Sprague discussed license fee increases.

Bernie Kaiser (Hillsborough County Parks, Recreation and Conservation Services) thanked Greg Holder and staff for their involvement with the gopher tortoise management plan and to end the entombment of the tortoise. He discussed his concerns regarding the increasing population of an exotic species called the Argentine black and white tegu on a preserve and residential area of Florida.

Alan Rigerman urged the Commission to educate local communities that they can hunt non-endemic species.

Commission Discussion

Upon motion by Commissioner Barco, seconded and carried, the Commission approved directing staff to move forward with Tier 1; allow the Chairman and Executive Director to make adjustments to the

agency's 2008-09 Legislative Budget Request as discussions, occurs with the House, Senate and Governor's Office.

Under discussion, Commissioner Bergeron asked about the process after the Commission approves the budget. Ms. Wilson described the process.

Legislative Issues

Chairman Barreto asked Jackie Fauls to present the Legislative Report. Before presenting the report, she announced that the Legislative Special Session to deal with budget cuts for the current year is scheduled October 3-12 in Tallahassee. She also invited the Commissioners to Tallahassee to meet with legislators and assist in the legislative process, as they are able.

Ms. Fauls presented the Legislative Time Line and proposed items requiring action for the 2008 Session, which include: (1) Personal Flotation Devices; (2) Boating Safety Education; (3) Seagrass Protection, including Rep. Kendrick's request to apply the issue initially to aquatic preserves; and (4) Confiscation and Disposition of Illegally Taken Fish and Wildlife.

Ms. Fauls mentioned that the issue of Vessel Operation Management would be proposed for the 2009 Session and referred the Commissioners to other issues of interest in their meeting packet, which include: (1) Sunset Review; (2) Florida Forever/Land Management; (3) Combination of Chapters 370/372, Florida Statutes; (4) Senate Governmental Operations Committee-Interim Project and Public Records; and (5) Senate Judiciary Committee-Interim Project on Federal/State Jurisdiction on Territorial Waters.

Ms. Fauls asked the Commission for approval to proceed with the recommended legislative issues for the 2008 Session, and give authority to the Chairman and Executive Director to make adjustments to the agency's legislative package as the agency works with the House, Senate, and Governor's Office during the 2008 Session.

Public Comment

John Sprague stated his concerns regarding the list of proposed issues.

Julie Wraithmell supported the seagrass protection and boater safety education issues proposed for the 2008 Legislative Session.

Pat Rose expressed his support of the seagrass protection and boater safety education issues proposed for the 2008 Legislative Session.

Ted Forsgren supported repealing the shoreline exemption and supported seagrass protection for the 2008 Legislative Session.

Alan Rigerman commented on the shoreline exemption issue.

Al Davis discussed the vessel operation management proposal for the 2009 Legislative Session and the effects of vessel debris to wildlife. Commissioner Wright agreed with Mr. Davis regarding the effects of poor water quality due to vessel debris.

Cindy Davis proposed an Amnesty Day for owners of derelict vessels to turn them over to the State of Florida without penalty.

Commission Discussion

Chairman Barreto suggested adding a fifth item to the list of proposed 2008 legislative issues – repeal of the shoreline exemption. He described the issue to the Commission and the public.

Chairman Barreto asked Mr. Haddad to meet with Commissioner Wright regarding his ideas for finding innovative new revenue sources for the agency's budget.

Upon motion of Commissioner Wright, seconded and carried, the Commission approved and directed staff to proceed with the recommended legislative issues for the 2008 Session, and gave authority to the Chairman and Executive Director to make adjustments to the agency's legislative package as the agency works with the House, Senate, and Governor's Office during the 2008 Session.

Public Comment on Items Not on the Agenda

Rande Kessler (Advanced Coastal Technology-ACT) presented information regarding the innovative technology for erosion control. He discussed ACT's innovative solution including the ProTecTube subsurface geotextile placed on a graded surface, after proper surveying, as landward as possible (usually up against the escarpment of an eroded sand dune). It is then covered with sand, graded to the finished slope, and re-vegetated. Turtle nesting can be recovered. Chairman Barreto asked Mr. Kessler to work with Ms. Fauls and staff to look into their proposed solution further.

Julie Wraithmell supported staff's actions regarding incidental take when there is any consideration of coastal armoring.

Alan Rigerman discussed his past experience in teaching wildlife conservation and exotic animals.

Commission Exchange

Commissioner Barco asked everyone to remember that if a species is downlisted, it is a success story. Also, she discussed the following: gopher tortoise management plan and the red drum decision are on hold until the stock assessment is ready for review.

Commissioner Stephenson stated he was excited to be in attendance.

Commissioner Bergeron stated he was honored to be part of the Commission; thanked the staff, the citizens of the State of Florida; and learned a lot and he looks forward to continuing his commitment to make the best decision for the citizens of the state.

Chairman Barreto welcomed the new Commissioners and is looking forward to working with them.

Mr. Haddad welcomed the new Commissioners and appreciated the relationship with the Commissioners. He thanked Chairman Barreto for coordinating Governor Crist's visit to the meeting.

Chairman Barreto stated he was very appreciative to the Governor and his staff for taking the time to visit the meeting and he thanked agency staff for the work they provide in support of the Commission.

Commission Administrative Matters

The next regular Commission meeting will be held December 5-6, 2007 in Key Largo, commencing at 8:30 a.m. each day.

Adjournment

Chairman Barreto adjourned the meeting at 1:45 p.m.

Rodney Barreto
Chairman

Kenneth D. Haddad
Executive Director

Respectfully submitted:

Commission Secretary

WHEREAS, the Florida Fish and Wildlife Conservation Commission is a constitutionally created governmental agency dedicated to the cause of fish and wildlife conservation for the benefit of Florida residents and visitors, and

WHEREAS, a growing body of science indicates there has been a global rise in temperatures over the past half-century, and

WHEREAS, human activities are at least partially responsible for global climate change, and

WHEREAS, global climate change can affect Florida's fish and wildlife and their habitats, and

WHEREAS, global climate change creates an intensified hydrological cycle, resulting in an increase in extreme precipitation, flooding and droughts, and

WHEREAS, global climate change can disrupt Florida's unique natural systems and affect unique species of fish and wildlife that depend on these systems, and

WHEREAS, global climate change can cause ocean temperatures and levels to rise, thereby altering coastal wetlands, estuaries and barrier islands, and increasing saltwater intrusion, and

WHEREAS, the mostly subtropical, nonnative, invasive plants and animals in Florida will spread, unchecked by warming trends, hurricanes and hydrologic changes, and

WHEREAS, the State of Florida includes 53,927 square miles of land, 10,550 miles of rivers and streams, over 7,700 lakes, reservoirs and ponds, 663 miles of beaches, 2,276 statute miles of tidal shoreline, and more coastline than any other state, except Alaska, and

WHEREAS, owing to its geographic location, subtropical to temperate flora and fauna, peninsular configuration and low topography, Florida and its fish, wildlife and ecosystems are likely to be more affected than other states to changing sea levels, climatic extremes, and warming trends, and

WHEREAS, Florida's fish and wildlife resources and boating generate over \$30 billion in economic impact and more over 338,000 jobs for Florida's economy, and

WHEREAS, all Floridians depend on healthy fish, wildlife and ecosystems, which are of critical economic importance to the State of Florida:

NOW THEREFORE, be it resolved by the Florida Fish and Wildlife Conservation Commission in a duly constituted and assembled meeting:

1. That we do hereby express our deep concern as to the potential effects of ongoing global climate change on the fish and wildlife resources of the State of Florida.
2. That we hereby encourage and support science and management that will effectively assess the future effects of global climate change on Florida's fish, wildlife and ecosystems.
3. That we hereby direct the staff of the Commission to engage with other experts from government, academia, industry and conservation organizations to develop recommendations for conserving fish and wildlife in the face of global climate change.
4. That we support state, federal and international programs that will reduce or abate human-induced causes of global climate change.

5. That we do hereby record the sentiments of this resolution forevermore in the minutes and records of the Florida Fish and Wildlife Conservation Commission.

DONE AND RESOLVED at St. Petersburg, Florida this 12th day of September, 2007.

FLORIDA FISH AND WILDLIFE
CONSERVATION COMMISSION

Chairman Rodney Barreto

Commissioner Ronald M. Bergeron

Commissioner Kenneth W. Wright

Commissioner Kathy Barco

Commissioner Richard A. "Dick" Corbett

Commissioner Brian S. Yablonski

Commissioner Dwight Stephenson

Attest: