

Florida Fish and Wildlife Conservation Commission

Minutes of the Commission Meeting

August 16, 2006

Tampa

A special meeting of the Florida Fish and Wildlife Conservation Commission was held at the Doubletree Hotel, 4500 West Cypress Street, Tampa, August 16, 2006, and called to order at 1:00 p.m., by Vice Chairman David K. Meehan with the following members in attendance:

Mr. H. A. "Herky" Huffman, Enterprise                      Ms. Kathy Barco, Jacksonville

Mr. Brian S. Yablonski, Tallahassee

Staff

Mr. Kenneth D. Haddad	Executive Director
Mr. Victor J. Heller	Assistant Executive Director
Mr. James V. Antista	General Counsel
Mr. Mark S. Robson	Director, Division of Marine Fisheries Management
Ms. Jacqueline Fauls	Director, Legislative Affairs Office
Mr. Gregory L. Holder	Director, Southwest Region

Three persons registered as speakers during the meeting.

Vic Heller gave the invocation. Commissioner Huffman led the assembly in the Pledge of Allegiance to the Flag.

Vice Chairman Meehan explained that the original meeting agenda included an item on rules for the Tosohatchee Wildlife Management Area. During the June 2006 meeting the Commission approved a set of regulations for Tosohatchee that provided a management framework for the area as part of a proposed transfer of lead management authority for the area from the

Department of Environmental Protection to the Fish and Wildlife Conservation Commission (FWC). Approval of the Tosohatchee area rules was contingent upon approval by the Governor and Cabinet of lead management authority transfer to FWC.

The Tosohatchee area rules were included on this agenda as a safeguard in the event that the Cabinet did not take up the issue at its August meeting, as the rules passed by the Commission in June had to be filed within 90 days following approval. However, the Cabinet did address and approve the lead management authority transfer at its August meeting. Consequently, the rules were filed within the 90-day timeframe. Therefore, the FWC has removed the Tosohatchee rules action from the agenda.

Vice Chairman Meehan addressed a procedural issue, which was added into the record for the June 7, 2006 Commission meeting. Kathleen Hampton, Commission Secretary, read into the record a voting disclosure form executed by Commissioner Yablonski from the June Commission meeting regarding imperiled species listing (attached).

Commissioner Meehan recognized Dr. Edwin Roberts for his involvement in the decommissioned *USS Oriskany* project. The *USS Oriskany* was finally laid to rest as the largest artificial reef project in U.S. history in May. The FWC was the lead state partner in this monumental project, which culminated in the deployment of the decommissioned aircraft carrier Oriskany as an artificial reef off the coast of Escambia and Santa Rosa counties. Due to Dr. Roberts' unwavering support and hard work for the Oriskany project, the Commission presented a resolution recognizing his efforts. The resolution was read into the record, signed by Commissioners and the original was forwarded to Dr. Roberts in appreciation for his efforts (attached).

#### Blue Crab Effort Management

Mr. Mark Robson presented the Blue Crab Effort Management Program issue. This is a final public hearing of rule amendments to the Blue Crab Rule 68B-45.004(9)(b), Regulation and Prohibition of Certain Harvesting Gear, and 68B-45.007, Blue Crab Limited Entry Program, Florida Administrative Code (F.A.C.). Amending Rule 68B-45.004(9)(b) will continue the moratorium on the issuance of new blue crab endorsements until July 1, 2007. Amending Rule 68B-45.007, F.A.C., will delay the implementation of the Blue Crab Limited Entry Program until July 1, 2007 and changes the program's name from "Blue Crab Limited Entry Program" to "Blue Crab Effort Management Program." The amendments to this rule entail changing various filing and qualification deadlines and start dates to reflect at least a one-year delay in implementation of the program. The date of dissolution of the blue crab advisory board is also extended by one year.

(1) 68B-45.004, Regulation and Prohibition of Certain Harvesting Gear—The proposed rule would continue the moratorium on issuance of new blue crab endorsements until July 1, 2007.

(2) Rule 68B-45.007, Blue Crab Limited Entry Endorsement Program—The proposed rule would delay the implementation of the Blue Crab Effort Management Program until July 1, 2007, delay the requirement of blue crab trap tags until July 1, 2007, and reset all program dates back one year.

Staff also recommended technical changes to the rule based upon comments from the Joint Administrative Procedures Committee (JAPC). The suggested technical changes to Rule 68B-45.007 are:

(3)(a) Except for those qualifying for a non-transferable blue crab effort management limited entry endorsement as specified in subsection (6), the Blue Crab Effort Management Limited Entry Endorsement Application must be received by the Commission no later than September 30, 2006. An applicant may be a person, firm, or corporation.

~~(b)(a)~~ In order to qualify for a blue crab effort management limited entry endorsement number other than a V-N endorsement issued pursuant to subsection (6), an applicant must have held a valid saltwater products license with a valid restricted species endorsement and a blue crab endorsement pursuant to Section 370.135(2), F.S., at the time of application and establish landings ~~qualify~~ as specified in paragraph (3)(c)(b). ~~A limited entry blue crab endorsement number will not be issued to an applicant who did not hold a valid saltwater products license with a valid restricted species endorsement and a blue crab endorsement pursuant to Section 370.135(2), F.S., at the time of application.~~

~~(b)~~ Except as specified in subsection (6), qualification for a blue crab limited entry endorsement number shall be determined by landings of blue crab reported on a valid saltwater products license with a valid restricted species endorsement and a blue crab endorsement, and as specified in paragraph (c).

(c) Qualified blue crab effort management limited entry endorsement number applicants must have documented blue crab landings in quantities as specified in subsection (4) or (5) pursuant to Commission trip ticket records generated under the provisions of Rule Chapter 68E-5, F.A.C., during at least one of the following three license years: July 1, 2000 through June 30, 2001, July 1, 2001 through June 30, 2002, or July 1, 2002 through June 30, 2003. Qualifying landings must have been received by the FWC by August 1, 2003; applicants lacking sufficient blue crab landings during the qualifying years may have their eligibility for a blue crab effort management limited entry endorsement considered by the blue crab effort management limited entry endorsement appeals board as specified in subsection ~~(11)~~(10).

(6) Non-transferable blue crab effort management limited entry endorsement (V-N). Persons will qualify for the V-N endorsement if they held a valid saltwater products license with a valid restricted species endorsement and a blue crab endorsement pursuant to Section 370.135(2), F.S., at the time of application ~~meet the criteria set forth in paragraph (3)(a)~~, have had no convictions for violations associated

with gears defined in subsection 68B-4.002(3) or (4), F.A.C., since July 1, 1995, and have documented landings using such gears pursuant to Commission trip tickets generated for the Marine Information System under Rule Chapter 68E-5, F.A.C., prior to July 1, 1995, or, sold nets to the state according to the provisions of the net buy back program, Chapter 95-414, Laws of Florida. Qualifying landings must have been received by the Marine Information System no later than August 1, 1995.

Staff recommended that the Commission approve and adopt proposed Rule 68B-45.004(9)(b) as advertised and Rule 68B-45.007, F.A.C. as amended.

#### Public Comment

Russell Stewart (Blue Crab Advisory Board) and Jerry Sansom (Organized Fishermen of Florida) offered their support.

Albert Darlington also offered his support and expressed concern regarding the number of boats on one endorsement. Mr. Haddad replied staff would review his concern.

#### Commission Discussion

Upon motion from Commissioner Huffman, seconded and carried, Rule 68B-45.004 was approved as advertised and Rule 68B-45.007 was approved as amended.

#### Commission Exchange

Commissioner Huffman provided an update on the exotic species program. He attended a working group involved in studying the specific animal behavior and suggested the Commission involve Jane Goodall in this study.

Additionally, Commissioner Huffman mentioned the promotional piece produced by the Office of Community Relations, "Florida Invaders" and commended staff on the quality of information included in this publication.

Commissioner Huffman also stated that he participated in the Association for Conservation Information conference last month in Orlando and complimented staff on their efforts in coordinating the conference.

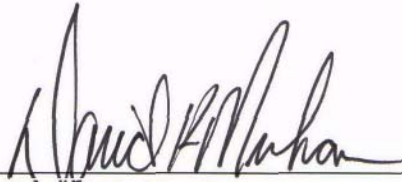
#### Commission Administrative Matters

The next regular Commission meeting will be held September 13-15, 2006 in St. Petersburg, commencing at 8:30 a.m. each day.

#### Adjournment

Vice Chairman Meehan called for a motion to adjourn the meeting. Commissioner Barco offered the motion to adjourn, which was seconded and carried.

**There being no further business the meeting was adjourned at 1:45 p.m.**

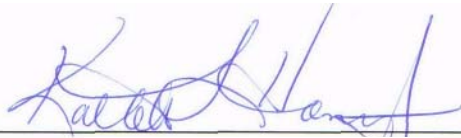


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Kenneth D.  
Haddad Executive  
David K. Meehan  
Vice Chairman



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Commission

Respectfully  
submitted:

## **RESOLUTION**

**WHEREAS, the Florida Fish and Wildlife Conservation Commission is a duly constituted governmental agency, created to serve the Great State of Florida, and**

**WHEREAS, said service includes management and enhancement of Florida's marine resources and providing for recreational and commercial use of said resources, and**

**WHEREAS, Dr. Edwin P. Roberts is an avid angler and outdoorsman who understands first-hand the importance of maintaining and nurturing Florida's valuable resources, and**

**WHEREAS, Dr. Roberts worked tirelessly in executing his duties throughout his tenure as Commissioner and Chairman for the Florida Fish and Wildlife Conservation Commission, and**

**WHEREAS, Dr. Roberts was diligent in his efforts to secure the decommissioned aircraft carrier U.S.S. Oriskany as an addition to Florida's artificial reef system, and**

**WHEREAS, Pensacola, Florida is the Cradle of Naval Aviation, and**

**WHEREAS, the decommissioned aircraft carrier now rests on the floor of the Gulf of Mexico, near Pensacola, Florida, where it will nurture the marine food chain and provide enormous commercial and recreational benefits for anglers and divers for many centuries to come, and Dr. Roberts led the charge to secure this artificial reef for this great state:**

**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 attest and record on behalf of all the citizens of Florida, and for all who come after us, our deep appreciation for the valuable service rendered by Dr. Edwin P. Roberts to secure the U.S.S. Oriskany for Florida's waters.**

**2. That we do hereby acknowledge and profess our admiration for Dr. Edwin P. Roberts.**

3. That we do herewith proclaim that the lives of all Floridians are deeply enriched as a result of the dedication, diligence and perseverance of Dr. Edwin P. Roberts in pursuit of enhancement, protection and conservation of Florida's treasured natural heritage and ensuring that said heritage is available for the enjoyment of the people of the Great State of Florida in the years to come.

4. That we hereby record the sentiments of this resolution forevermore upon the minutes and records of the Florida Fish and Wildlife Conservation Commission.

DONE AND RESOLVED at Tampa, Florida this 16<sup>th</sup> day of August, A.D. 2006.

**FLORIDA FISH AND WILDLIFE  
CONSERVATION COMMISSION**

*Rodney Barreto, Chairman  
Richard A. Corbett  
Kathy Barco  
Brian S. Yablonski*

*David K. Meehan  
Sandra T. Kaupe  
H.A. "Herky" Huffman*

Attest: \_\_\_\_\_