

Florida Fish and Wildlife Conservation Commission

Minutes of the Commission Meeting

September 13-15, 2006

St. Petersburg

A regular meeting of the Florida Fish and Wildlife Conservation Commission was held at the Hilton, 333 First Street, South, Saint Petersburg, Florida on September 13-15, 2006. Commissioner Richard Corbett was not in attendance due to a previous commitment. The meeting was called to order at 8:30 a.m., by Chairman Rodney Barreto with the following members in attendance:

Mr. David K. Meehan, St. Petersburg	Mr. H. A. "Herky" Huffman, Enterprise
Ms. Sandra T. Kaupe, Palm Beach	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
Colonel Julie L. Jones	Director, Division of Law Enforcement
Mr. Nick Wiley	Director, Division of Hunting and Game Management
Mr. Timothy Breault	Director, Division of Habitat and Species Conservation
Mr. Darrell Scovell	Director, Division of Freshwater Fisheries Management
Mr. Mark S. Robson	Director, Division of Marine Fisheries Management
Mr. Gil McRae	Director, Fish and Wildlife Research Institute
Ms. Jacqueline Fauls	Director, Legislative Affairs Office
Ms. Sharon T. Lobello	Director, Community Relations Office
Ms. Sandra Wilson	Director, Finance and Budget Office
Mr. Harry Norris	Acting Director, Data Portal Office
Mr. Gregory L. Holder	Director, Southwest Region
Mr. Rolando J. Garcia	Director, North Central Region
Lt. Col. Louie S. Roberson	Director, Northwest Region
Mr. Charles E. Collins	Director, South Region
Mr. Dennis N. David	Director, Northeast Region

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

Chairman Barreto welcomed the Commissioners, staff and guests to St. Petersburg. He mentioned that the Commission is meeting in the "backyard" of Laurie Macdonald of the Defenders of Wildlife and wanted Ms. Macdonald to know that he appreciates being in St. Petersburg and wished the weather was better.

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

Special Presentations and Recognition

Chairman Barreto asked Colonel Jones to introduce Lieutenant Joe Johnston winner of the 2005 Aviator of the Year Award from the Association of Law Enforcement Aviators. The Association is a nationwide organization of 3,500 pilots from across the world. The award recognizes a pilot for what the Airborne Law Enforcement Association stands for "to serve and protect from the air." Lt. Johnston began service with the agency in 1978 and has served as pilot since 1987, accumulating over 8,000 hours of accident-free flights. The award normally goes to a crew, but the Association gave it to an individual due to the lifetime achievements of Lt. Johnston.

Lt. Johnston remarked that he has enjoyed every minute of his 28 years with the agency, looks forward to going to work everyday, and is honored by the recognition. Chairman Barreto thanked him for his dedication and work seeking out criminals and lending support to field officers.

Commissioner Huffman stated he attended several of the Association's awards ceremonies and agreed it is typically given to a team. It is rare for an officer to receive this award. He congratulated Lt. Johnston for his efforts and career with the agency.

Chairman Barreto asked Col. Jones to present a briefing on the recent law enforcement academy graduation. Col. Jones reported that the class enrollment began with 47 individuals. One individual left due to personal issues. Graduating an entire class without losing anyone to lack of physical fitness or defensive tactics abilities, and all the mental processes, was a first. Graduation occurred August 8 in Tallahassee, with Governor Bush as the guest speaker. The Governor mentioned that he enjoyed being at the graduation and was proud to be part of the ceremony.

Commissioner Yablonski commented on the graduation ceremony and the great work of Col. Jones and her staff.

Chairman Barreto asked Executive Director Haddad to introduce employees from the Southwest Region.

Mr. Haddad introduced the following employees to the Commission: Hunting and Game Management—Joanne Oskay; Habitat and Species Conservation—Nancy

Douglass and Cyndi Gates; Freshwater Fisheries Management—Jeff Willitzer and Sheila Stewart; Fish and Wildlife Research Institute—Bob Muller, Jan Boyett, and Margie Barlas; and the Southwest Regional Director—Greg Holder.

Special introduction was given to:

- Karon Molloy, The Florida Senate, Environmental Preservation Committee
- Glenn Reagan, Executive Office of the Governor, Office of Policy and Budget, Environmental Policy
- Michael Kliner, The Florida House of Representatives, Environmental Regulation Committee

Approval of Minutes and Agenda

Chairman Barreto asked for approval of the minutes of the June 7-8 and August 16, 2006 Commission meetings. Upon motion of Commissioner Kaupe, seconded and carried, the minutes were approved.

Chairman Barreto asked Mr. Vic Heller to announce several changes to the meeting agenda. Mr. Heller stated the proposed changes to the agenda include. The land acquisition issue, Item 4B scheduled for Wednesday, September 13 will not be considered due to delays in the acquisition process. The Monroe County Boating rule, Item 8A scheduled for Thursday, September 14 will be presented as a draft rule for Commission consideration rather than a final public hearing. Remove the duplicate "Staff Reports" item listed on Thursday's agenda.

Mr. Heller asked for Commission approval of the modified agenda.

Upon motion of Commissioner Huffman, seconded and carried, the meeting agenda was approved as amended.

Executive Director's Report

Mr. Haddad presented an abbreviated version of the Executive Director's Report:

Division of Freshwater Fisheries Management—On July 11, 2006, the Juniper Lake Fish Management Area drawdown valve was opened to begin partially dewatering this 665-acre impoundment in Florida's panhandle. The drawdown is designed to improve sport fish habitat by exposing rank strands of aquatic vegetation to freezing temperatures this winter. An engineering firm, funded by Florida Fish and Wildlife Conservation Commission's (FWC) Aquatic Resource Enhancement Section, is measuring muck depths in the littoral zone of the lake to determine if muck removal is needed and practical.

Division of Habitat and Species Conservation—The U.S. Army Corps of Engineers (USACE) Jacksonville District Engineer selected a tentative plan for the

Lake Okeechobee Regulation Schedule Study (LORSS) in June. Since November 2005, USACE, South Florida Water Management District (SFWMD), United States Environmental Protection Agency, United States Fish and Wildlife Service and FWC have worked to develop alternative water regulation schedules to replace current ones, and develop and review performance measures. The selection plan is scheduled to be in place in January 2007, and continue through 2010 when a new schedule will be developed to take advantage of infrastructure implemented through the Comprehensive Everglades Restoration Project.

>About 509,000 hatchery largemouth bass (three to four inches) raised on natural food were stocked into Lake Talquin from 2000 to 2003 to enhance the adult population. A total of 111,000 (22%) largemouth bass fingerlings were marked with a small coded wire tag (CWT) for future identification. By 2005, stocked fish made up 37% of all age-three largemouth bass; spring of 2004 and 2005, hatchery fish contributed an estimated 39% and 25% of the angler catch in local bass tournaments based on tag returns; and in the spring of 2006 hatchery fish continued to contribute an estimated 20-25% of the catch in three local bass tournaments on Lake Talquin.

>In an effort to promote public awareness of existing park regulations and further protect submerged resources, grant funds from the Wildlife Foundation of Florida are being used to place boundary and mooring buoys at the St. Lucie Inlet Preserve State Park, Florida's northernmost coral reef.

>In cooperation with SFWMD, FWC is conducting one of the first reintroductions of the federally endangered red-cockaded woodpecker (RCW) in the southeastern United States on the John G. and Susan H. Dupuis WEA, which lost its RCW population in the late 1980's. This fall, six to ten birds will be relocated to this site from Camp Blanding WMA and other public lands, with more birds to be added annually until a stable population is achieved.

Fish and Wildlife Research Institute—The Ecosystem Assessment and Restoration (EAR) and Fish and Wildlife Forensics Program provided a three-hour workshop for FWC Law Enforcement investigators to address the escalating expectations of courts and juries regarding evidence. The course covered management of gunshot residue, serological, and DNA evidence. FWC South Region investigators were the first law enforcement in the county to receive this training. The program is scheduled to be presented to all the regions within the next few months.

Division of Marine Fisheries Management—As a result of the impacts of Hurricanes Dennis, Katrina, Rita, and Wilma, Congress has appropriated \$128 million in hurricane disaster relief funding for Gulf fisheries restoration and rehabilitation. National Oceanic and Atmospheric Administration will award the funds to the Gulf States Marine Fisheries Commission, which will issue sub-grants to individual states. The Fish and Wildlife Research Institute will receive \$422,700 of the allocated funds to examine geographic and oceanic factors that may contribute to destruction of oyster reefs during a hurricane. The objective is to identify areas best suited for reef survival and productivity to guide reef

restoration/rehabilitation efforts with the goal of decreasing damage from future storm events.

Division of Law Enforcement—At its annual awards luncheon, Mothers Against Drunk Drivers (MADD) recognized three FWC officers for their efforts at detecting and apprehending impaired boat operators. Officers David Erdman (Bay County), Matt Webb (Okaloosa County) and Chris Mattson (Monroe County) each received an award as the officers with the highest number of Boating Under the Influence arrests in 2005.

>At the International Boating and Water Safety Summit held in Palm Harbor the National Safe Boating Council (NSBC) and the U.S. Coast Guard presented the Pillar of Support award to the FWC Boating and Waterways Section for their effort to develop a strong and original local campaign in Lee County that increased awareness for safe boating. Also, during the Summit, NSBC and the National Association of Safe Boating Law Administrators presented an award to the FWC for their response efforts in the aftermath of Hurricane Katrina.

Community Relations Office—The Community Relations Office hosted the annual conference of the Association for Conservation Information (ACI). ACI is a professional organization of conservation communicators from state and federal agencies and non-governmental organizations. FWC won first place in the "Video-Other" category for a recruitment video produced for the Division of Law Enforcement.

Presentation of Resolution

Chairman Barreto mentioned the accidental death of Steve Irwin, "Crocodile Hunter." As a result of Mr. Irwin's tragic death, the Commission wished to offer a resolution to the Irwin family recognizing Mr. Irwin's efforts to educate the world about wildlife conservation. Chairman Barreto read the resolution into the record (attached) and asked for a motion of Commission support.

Upon motion of Vice-Chairman Meehan, seconded and carried, the resolution was adopted as read into the record of this meeting.

Major Proposed Rule Changes for Wildlife Management Areas for 2007-08

Chairman Barreto asked Mr. Nick Wiley to present the major proposed rule changes for wildlife management areas for 2007-08.

Mr. Wiley presented a brief description of proposed changes to the following rules:

- 68A-4.0071, Exclusion of Certain Areas from Open Season
- 68A-9.007, Special-use Permits; Short-term Use Permits

- 68A-11.005 & 11.051, Use of Tracked Vehicles in the South Region (Holey Land, Rotenberger, and Everglades & Francis S. Taylor WMAs)
- 68A-15.061, Southwest Region WMAs:
 - Fred C. Babcock/Cecil M. Webb
- 68A-15.062, North Central Region WMAs:
 - Osceola
 - Twin Rivers
- 68A-15.063, Northwest Region WMAs:
 - Escambia River
 - Wakulla River
- 68A-15.064, South Region WMA:
 - Allapattah Flats
- 68A-15.065, Northeast Region WMAs:
 - Matanzas
 - Tosohatchee
 - Seminole Ranch

Mr. Wiley asked the Commission to conceptually approve the major proposed rule changes and sought concurrence for staff to proceed with public review and comment.

Commissioner Barco suggested the Sunset statute be added to the temporary closure of certain WMAs. Mr. Wiley stated he would review adding a timeframe for closure.

Public Comment

Nigel Morris (South Florida Flatwoods Chapter of Quail Forever) provided Commissioners information and background on the Florida chapter. He announced that the chapter has raised in excess of \$16,000, which will be devoted to quail habitat improvements in the Babcock Webb WMA, with a small portion devoted to youth outreach programs. He also commended FWC for its support in organizing the Youth Day scheduled for September 30. He expressed concerns regarding the possible reduction in hunter access, and related his appreciation to FWC for extending the scientific study for quail research to other areas of habitat and food supply.

Barbara Jean Powell (Everglades Coordinating Council) offered her support of the proposed regulations. She expressed her belief that all tracked vehicles should be registered and that the current specifics of vehicle registration include tracked vehicles. She thanked staff for their assistance in resolving the expansion of dog hunting opportunities on the Babcock-Webb area, and commended Mr. Wiley for his assistance in contacting Quail Forever regarding habitat changes and extensive roller-chopping that could adversely affect deer habitat. The ECC does not oppose the proposal, but agrees with Quail Forever, that review through public workshops is important to review these concerns.

Commission Discussion

Commissioner Yablonski stated the proposal will extend the hunting season and create new hunting areas, giving more freedom and opportunity to the public while protecting the resources.

Chairman Barreto thanked Mr. Wiley for his efforts in "reaching out" to the stakeholders for their input on the proposed rules.

Upon motion of Commissioner Yablonski, seconded and carried, the Commission approved the proposed rules in concept and directed staff to proceed with public review and comment.

Anticipated Late Season Migratory Game Bird Regulations for 2006-07 Hunting Season

Mr. Wiley continued with a presentation on the anticipated late season migratory game bird regulations for the 2006-07 hunting season.

Mr. Wiley explained the regulations process including the federal regulations and schedule. Recent developments have allowed FWC to anticipate changes in federal frameworks and the proposed rule changes for the 2006-07 migratory bird seasons. The framework will not be final until late August for early-season migratory bird hunting regulations and mid-September for the late-season migratory bird hunting regulations. If final federal frameworks differ from staff's predications, the Executive Director will confer with the Commission Chairman regarding any necessary decision, and any resulting rule changes will be made initially by executive order, followed by a corresponding rule change at the December Commission meeting. There are no proposed changes to federal frameworks for rail, gallinule, woodcock, and snipe seasons. The U.S. Fish and Wildlife Service (Service) is proposing a change to the bag limit for dove season. Restrictions would be removed for white-winged doves, making the bag limit 12 mourning or white-winged dove in the aggregate. If the Service finalizes the proposed change to the dove bag limit, an executive order will be executed to effect this change for the upcoming season, followed by a corresponding rule change at the December Commission meeting. There were no proposed changes to federal frameworks for Florida's special September duck season. The Service may propose a 60-day season with a six-bird bag limit for regular waterfowl and coot for 2006-07 in response to a survey to improve breeding populations. Mr. Wiley explained that if the Service finalizes the proposed changes to the canvasback season and the hooded merganser bag limit, staff recommends changing FWC's rules to correspond to these changes. If the Commission concurs with this recommendation, staff would create an executive order in late September, followed by a corresponding rule change at the December Commission meeting. Also, regulations for Florida's Canada goose season on Lake Seminole have been established to maintain consistency with the seasons and bag limits in Georgia and staff does not anticipate any changes to Florida's regulations.

Mr. Wiley asked the Commission to authorize the Executive Director to implement any late season migratory bird regulation changes by Executive Order following consultation with the Chairman, and to formally adopt the revised regulations into rule at a subsequent Commission meeting.

Public Comment

Newton Cook (United Waterfowlers of America, [UFA]) thanked the Commission and the South Florida Water Management District for their assistance in coordinating 1,000 additional hunting opportunities. He also thanked Susan Weaver for her assistance in ensuring the Total Licensing System (TLS) for online licensing worked properly in preparation for goose season, and thanked the Commission for the late goose season. He stated his organization will be proposing a nuisance statewide Canadian goose season, which will not affect migratory birds. He mentioned he was glad to see more law enforcement officers in the field and hoped they were getting trained in the waterfowl area. He conveyed that the UFA strongly supports adequate compensation of law enforcement officers and will work to gain legislative support of this issue to keep officer turn-over low.

Upon motion of Commissioner Huffman, seconded and carried, the Commission authorized the Executive Director to implement any late season migratory bird regulation changes by Executive Order following consultation with the Chairman, and to formally adopt the revised regulations into rule at a subsequent Commission meeting.

Multi-State Violator Compact Agreement

Captain Curtis Brown with the Division of Law Enforcement presented draft rule 68-1.007 to implement the multi-state violator compact. On June 26, 2006, Governor Jeb Bush signed House Bill 471 (Hunter Safety, Enhanced Penalties and Wildlife Violator Compact) into state law. The law gave FWC specific authority under Florida Statute 372.8311, to adopt rules to administer the provisions of the Compact. The importance of the Compact provides FWC access to other law enforcement agencies, the ability to deter wildlife violators suspending their privileges in other states, and if a person is arrested in any of the member states, he/she is processed in the same manner as a resident of that state. The rule will ensure member states work together to control and process violators and protect and manage wildlife resources. Captain Brown described Florida Statute 372.81, Reciprocal Recognition Article V; 372.83, Penalties and Violations and the list of wildlife violator compact categories of suspensions. Rule development workshops were held in August in Tallahassee, Dania Beach and Kissimmee.

Captain Brown asked the Commission to authorize staff to publish a notice of proposed rulemaking, with a public hearing if requested. If no hearing is requested within 21 days of the notice, the rule will be filed for adoption, becoming effective 20 days thereafter. If a public hearing is requested, staff will present the matter at the December 2006 Commission meeting.

Public Comment

Preston Robertson (Florida Wildlife Federation) offered his support of the draft rule.

Captain Pat Kelly (Florida Guides Association) stated FGA participated in the public workshops and supports the draft rule.

Commission Discussion

Commissioner Yablonski stated that the effectiveness and success of the multi-state violator compact involves cooperation of other states, and asked why the non-member states have not implemented this rule. Captain Brown stated the agency hopes non-member states will see the benefit in this rule and subsequently join.

Commissioner Huffman asked about the exceptions for guide/outfitter violations and trespassing, for which the Florida has a very strong law. If a guide from Colorado holds a suspended license, the State of Florida does not recognize that the suspension, but if a hunter has a suspension of his/her hunting license, we recognize that violation. Captain Brown replied that Commissioner Huffman was correct and the agency is investigating correcting the language. The Chairman requested the agency review these probable violations for clarification.

Upon motion of Commissioner Huffman, seconded and carried, the Commission approved the staff recommendation to advertise the rule for adoption, and to pre-approve adoption of the rule after 21 days of advertisement, unless there is a request for a final public hearing. If a final public hearing is requested, the rules would be addressed for final consideration and adopted at the December 2006 meeting in Key Largo. If no public hearing is requested within 21 days of the notice, the rule will be filed for adoption, becoming effective 20 days thereafter.

Chairman Barreto asked the Commission to amend the current agenda, moving the Due Process Issue as the next presentation as it is a lengthy topic and State Representative Mitch Needelman would like to make a presentation to the Commission regarding this issue. Upon motion of Vice-Chairman Meehan, seconded and carried, the Due Process Issue was moved forward on the daily agenda.

Results of Due Process Procedures Workshops

Mr. Roland Garcia reported the results of the agency's due process review workshops. Seven due process procedures workshops were held around the state explaining the agency's due process procedures to the public. The public was provided an opportunity to voice their opinion verbally or on a comment card. Meeting notification was sent to the public by letters and posted on the FWC website. Members of the Florida Legislature received notification letters, and news releases were provided to media outlets and over 100 individuals. Mr. Garcia

explained the entire due process procedure in detail, including a process map outlining FWC's rulemaking steps. Public input totaled 136 workshop attendees, including Representatives Mitch Needelman and Ken Littlefield, and legislative staff. One of the common themes that was heard at the workshops was that agency consider stronger forms of communication tools to implement existing due process procedures and for FWC to work within existing due process procedures. Mr. Garcia reported to the Commission there is no consensus for changing FWC's existing due process procedures. Therefore, staff recommended that FWC maintain its existing due process procedures with an effort to implement them with improved methods of notification of the public relating to rules and workshops.

Public Comment

Representative Mitch Needelman (District 31, and Chair of the Environmental Regulations Committee) thanked the Commission and staff for coordinating the workshops and providing information to the public. Representative Needelman questioned the number of those providing input at the workshops and requested that FWC ask the Legislature to propose a constitutional amendment to amend Section 9, Article IV of the Florida Constitution to further describe how the agency would provide its due process procedures and that its due process procedures would follow the Administrative Procedures Act to the extent practicable.

Newton Cook supported the staff recommendation and strongly opposed any change to FWC's constitutional authority.

Preston Robertson supported the staff recommendation and presented historical information regarding FWC's constitutional authority.

Eugene Bessette (Reptile Industry) offered support of the rules and stated he enjoyed working with the Commission. He stated that everyone with any type of permit should have been notified of the workshops, which possibly would have increased attendance.

Al Hammond (National Rifle Association) offered support of the staff recommendation and suggested that staff concentrate their efforts in educating the public through local media, clubs, the FWC website, and other more effective forms of communication.

Bob Harris (Professional Association of Diving Instructors) congratulated Ken Haddad in connecting with stakeholders during the due process workshops. He stated his organization does not support negative comments made by members of the public during the workshop held in Tallahassee. He expressed his concern that individuals do not appear to have a means to challenge final rules.

Laurie Macdonald (Defenders of Wildlife) offered her support of the Commission's due process procedure rule, and mentioned the Defenders of Wildlife has experienced positive interactions with the Commission and staff regarding a number of issues over the years.

Gloria Johnson (Cougar Ridge Center) offered her support of the Commission's due process procedures.

Ted Forsgren (Coastal Conservation Association) concurred with the staff recommendation and mentioned that constitutional authority was given to the Commission by Florida voters in 1999. The debate comes from the on-going mesh size and the gill nets issues, which has been litigated under due process procedures.

Jim Casselman (United Hunters of Florida) offered his support of the staff recommendation and commended the Commission on their completed work.

Barbara Jean Powell (Everglades Coordinating Council) concurred with the staff recommendation and mentioned that no other agency comes close to the stakeholder involvement provided by the FWC, and she has full confidence in the agency. Ms. Powell added that when individuals feel their input has been disregarded, it creates a counter-productive result.

Captain Pat Kelly (Florida Guides Association) and his association's Board of Directors offered their support of the rules. He added his belief that FWC is fair and impartial.

David Grix (Fishing for Freedom) opposed the Commission's due process procedures. He stated he has attended Commission meetings since 1999 and there have been no due process procedures available for commercial fishermen. He asked the Commission to include science and biology for every proposed rule. Mr. Grix stated his belief that the two-inch mesh size net rule is unconstitutional.

Grady Johnson (Retired Law Enforcement Officer/Rancher) disagreed with the proposed due process rules. He distributed copies of pictures taken from *Florida Sportsman* Magazine showing gill nets, with an article titled "Slaughter in the Water: The Unseen Death in Inshore Netting," including the word "fraudulent" written on each of the documents. He expressed his concern regarding the authenticity of the photographs and asked for an official investigation and reply from the Commission.

Richard Van Munster (Fishing for Freedom) voiced his opposition to the FWC proposed due process procedures.

Van Lewis (Fishing for Freedom) expressed his dissatisfaction with FWC's constitutional authority and its staff-proposed due process procedures.

Edward Olsen (Florida Fishermen's Association) asked how he could get an issue regarding disabled fishermen and American's with Disabilities Act (ADA) requirements for Martin County on the Commission agenda. Commissioner Barco requested staff respond to Mr. Olsen's request. Mr. Jim Antista FWC's Legal Counsel replied that pursuant to the ADA, anyone can seek accommodations to access programs and other activities. Martin County currently has rules that prohibit the use of seine nets. The fishermen are seeking an accommodation under

the ADA to be able to utilize these nets. FWC has not completed the review of their request; the fishers will have to provide documentation of their disabilities prior to staff making an appropriate recommendation to the Executive Director. Mr. Olsen stated he has submitted documented complaints from sports fishermen. Mr. Vic Heller stated Mr. Olsen does not need to address the Commission regarding this issue, because alternative fishing gear is available for fishermen with disabilities.

Commission Discussion

Commissioner Huffman asked if it is the process or the results with which the people disagree. He stated it is important to observe both sides and use scientific data to base a decision. Commissioner Huffman asked about the variance in the total number of workshop participants. Mr. Garcia explained the results of the comment cards versus public input.

Commissioner Meehan mentioned he began his FWC term in 1999 and reviewed the due process criteria and the notification to stakeholders. He has heard public comments, participated in the process when it was challenged, and believes it is exhaustive but necessary. He commended staff for the great work they perform, but agreed there is always room for improvement.

Commissioner Yablonski suggested FWC could do a better job at notifying the public and base Commission decisions on scientific information. He stated FWC's constitutional authority is mandated by the people and it can be changed by the people.

Commissioner Barco agreed with Commissioner Yablonski. She stated that she was impressed by the speakers and information presented on both sides. She mentioned she attended one of the workshops, as well as read all of the email messages and letters sent to Commissioners. The Commissioners are appointed by the Governor and confirmed by the Florida Senate and Commission decisions are not political. She expressed her assurance that the Commission listens to the public.

Commissioner Kaupe agreed there is always room for improvement when communicating with the public and stated the process is bound by the Constitution.

Chairman Barreto thanked the public for their input. He emphasized that it is the Commission's desire for staff to meet with stakeholders prior to Commission meetings to hear their concerns in an attempt to resolve issues before they are brought to the full Commission for review and consideration.

Chairman Barreto addressed Representative Needelman's request to propose to the Legislature an amendment to Section 9 of Article IV of the Florida Constitution and Grady Johnson's issue stating the Commission would respond to their concerns.

Upon motion by Commissioner Huffman, seconded and carried, the Commission decided to make no changes to its due process procedures as adopted

in policy in 1999, and adopted into rule in June 2006, and directed staff to research additional methods of communication to inform and educate the public regarding involvement in FWC's rule development processes.

Commissioner Huffman announced both Chairman Barreto and Vice-Chairman Meehan would not be attending the remainder of the day's meeting due to meeting conflicts. Therefore, Commissioner Huffman chaired the remainder of the day's meeting.

Commissioner Huffman introduced and welcomed State Representative Ralph Poppell, District 29.

Implementation of the Enhanced Penalties Legislation

Captain Brown presented an update on the implementation of the enhanced penalties legislation. On June 26, 2006, Governor Jeb Bush signed House Bill 271 (Hunter Safety, Enhanced Penalties and Wildlife Violator Compact). The Enhanced Penalties portion of this bill became law, effective July 1, 2006. Captain Brown reported on agency efforts to implement the new law and educate the public on the new changes.

Public Comment

Preston Robertson voiced his support of the legislation, stating the importance of the bill and congratulating the efforts of Captain Brown and staff.

Barbara Jean Powell applauded FWC in communicating to the public new information on enhanced penalties.

Statewide Deer-Dog Registration Program

Lt. Colonel Mike Wiwi, Division of Law Enforcement, presented a report on the statewide deer-dog registration program. In June 2005, the Commission adopted a statewide rule change requiring registration for private lands used for deer-dog hunting. The rule was implemented for the 2005-06 hunting season and applied to both the deer-dog training season and the general gun season. Lt. Colonel Wiwi presented the specifics of the rule, a summary of registered properties for 2005-06, an analysis of documented complaint and violation comparisons for the north and south regions, and the results of the survey mailed to deer-dog hunt clubs participating in the registration program.

As FWC prepares for the 2006-07 general gun season, the next step for improving compliance and minimizing conflict will be to educate the registered clubs on the new enhanced penalties and license revocation provisions for repeat violators that became effective July 1, 2006. Additionally, the Division of Law Enforcement will again prioritize enforcement initiatives relative to the hunter responsibility and deer-dog registration rules, and continue to monitor and track

complaints in an effort to evaluate the combined effectiveness of both the registration program and enhanced penalties.

Commissioner Yablonski asked about the total number of complaints from the Northwest Region related to the variance of 10 and asked if that number reflected private land owners. Lt. Colonel Wiwi stated he processed 103 complaints and determined those that were valid and ended with 57, 22 public, 35 private lands of 35, 10 associated with deer-dog clubs. The other 25 were non-organized deer-dog hunters. Commissioner Yablonski suggested the numbers should be more definitive.

Commissioner Barco suggested registering all deer-dog hunters and following up with complainants. Lt. Colonel Wiwi responded that the officer is required to follow up with the complainant regarding the results of the action.

Public Comment

Preston Robertson thanked Lt. Colonel Wiwi for his assistance and offered his support of the deer-dog registration program for private property owners.

Barbara Jean Powell mentioned that the Allied Sportsmen have conveyed their success in working with the Commission regarding this issue.

Consolidate Rules Pertaining to Exotic Species

Commissioner Huffman asked Mr. Scott Hardin with the Division of Habitat and Species Conservation to present the next issue on the agenda regarding a draft rule to consolidate rules pertaining to exotic species. Mr. Hardin explained a new section of Chapter 68 (68-5) is proposed for rules relating to non-native fish, wildlife and marine life. It would provide a single reference point to all rules for non-native species, whereas references currently exist in a number of rules in chapters 68A, F.A.C., as well as chapters 370 and 372 of the Florida Statutes. Mr. Hardin presented a brief description of the following rules: 68A-23.008, Introduction of Non-native Aquatic Species, 68A-12.002, Non-protected Mammals and 68A-25.002, Parasite-free Certification. He also summarized Florida Statutes 372.265, Importation of non-native Species, 372.98, Nutria and 370.081, Importation or Possession of Non-indigenous Marine Plants and Animals. The proposed chapter 68-5 would expand the prohibition on release of non-indigenous animals in 68A-4 to cover marine life, with a small list of exceptions; allow for the unlimited take of non-native species; list all conditional species; list prohibited species that may be possessed only by bona fide research facilities or certified exhibitors; and stipulate other conditions for importation and possession of non-native species. New species unlisted in rule or statute and proposed as prohibited species are red-eared slider and yellow-bellied slider, and Gambian rat.

Mr. Hardin asked the Commission to approve the draft rules and direct staff to move forward to advertise the rules for a final public hearing at the February 2007 Commission meeting.

Public Comment

Eugene Bessette thanked Mr. Hardin for the work he had provided on this issue and is in favor of working with FWC.

Tom Columbano remarked that the public does not realize that it is not okay to release exotic species. He suggested FWC send out a Public Service Announcement regarding this problem because the average person does not know that unwanted pets may not be released into the wild.

Marcus Cantos (Florida Reptile Industry) referred to a petition that was sent to FWC regarding a ban on red-eared sliders. He referred to the hybrid turtles that are a cross between the red-ear and other Florida species recently discovered in some north Florida rivers. The ban on retail sale would make sense, but when you consider that this species has been sold as a pet since the 1950's and 60's, you are looking to close the doors after the cows have left the barn. Currently, a large number of species are imported into Florida from other states each year. 90-95% is exported out of the country or out of the state. Additionally, some breeders are working with some of the higher end species and are making it difficult for them to thrive in Florida. The reptile industry has significant concerns regarding any restrictions of this species and sales not destined for retail sale in Florida could not contribute to the problem cited in the petition and therefore need to be allowed.

Commission Discussion

Commissioner Huffman asked Mr. Bessette if he was satisfied with the direction FWC is taking regarding exotic species regulations. Mr. Bessette responded that the process is on the right track, but could be greatly improved. He stated he is encouraged by the information presented by agency staff and the timetable.

Commissioner Huffman stated exotic species is his Area of Emphasis and stated the responsibility to control this problem should be shared by the reptile industry, retailers and the general public. He stated his belief that south Florida's ecology will be completely different in the very near future without adequate exotic species control.

Upon motion of Commissioner Yablonski, seconded and carried, staff was directed to move forward with Rules 68A-23.008, 68A-12.002 and 68A-25.002, conduct public workshops, and schedule a final public hearing for the rules at the December 2006 Commission meeting.

Captive Wildlife

Col. Jones presented the next agenda item regarding draft rules pertaining to captive wildlife. Col. Jones mentioned the last comprehensive review of the Commission's captive wildlife rules occurred in 1994. Since then, the Florida

population has grown and a large number of exotic wildlife have escaped or have encountered humans. Due to recent incidents, staff initiated a review of all captive wildlife rules. In 2005, 11 experts of the Captive Wildlife Technical Advisory Group evaluated the rules. The Group made recommendations to staff, staff presented rules to the public in workshops in August 2006, and has received additional input from stakeholders and special interest groups. The final rules will be presented to the Commission for review at the December 2006 Commission meeting.

The proposed rules include what is an appropriate neighborhood; new caging specifications for large constrictor species; a new designation for reptiles of concern; new rules for venomous reptiles and new protocols for disaster response plans for captive wildlife. A rule title changed from "Wildlife as Personal Pets" to "Wildlife in Captivity" is also proposed.

Col. Jones asked the Commission to direct staff to move forward with the proposed rules, conduct public workshops, and schedule a final public hearing at the December 2006 Commission meeting.

Public Comment

Bill Armstrong (President, Florida Animal Control Association) presented the Association's position regarding the captive wildlife regulation changes. He asked the Commission to proceed with public input for a final public hearing at the December 2006 Commission meeting.

Sumner Matthes (Sarasota in Defense of Animals) urged the Commission to assist in creating a captive wildlife sanctuary. He suggested using 10-20 acres of the Babcock Ranch Preserve. Commissioner Huffman suggested Mr. Matthes speak with Col. Jones regarding his idea.

Preston Robertson offered his support of the proposed rules.

William Brant (Reptile Industry) mentioned that the proposed rules would provide a large administrative burden on FWC staff. He stated the permanent identification tagging (PIT) process is not ideal for very small species and strongly urged FWC to include a process for reptiles of concern.

Marcus Cantos thanked the Commission staff for their work during the public workshops. He recommended the Commission create a working group. He expressed that some people only get involved in the industry with a hope of predicting the value in producing variations of reptiles.

Tom Columbano proposed regulations for Class II animals with lack of acreage. Mr. Columbano asked if a "warning" sign should be posted on homes with exotic reptiles in residential neighborhoods. Col. Jones stated a sign on an "out-building" in the backyard is sufficient, but is not required.

Gloria Johnson stated her concern with the term "agricultural ranchettes," defined as property less than 200 acres, and how public perception may be

misconstrued particularly as counties are involved in regulations. She presented statistical data regarding total number and types of fatalities with exotics and captive wildlife, and stressed the importance of educating the public regarding captive wildlife regulations.

Lisa Welch (Florida Federation of Aviculture) addressed the “bad” owner issue, those with substandard caging, dirty food and water bowls and horrid conditions, who are usually cited for violations. She stated there are already rules and regulations and a process to be followed. The counties have clearly stated if the state does not provide appropriate regulations, they will take their own action.

Eugene Bessette expressed his concern that the 10-day notice to the public regarding proposed rules is not enough time to plan attendance and review over 16 pages of rule information. He asked the Commission for more lead time. He also stated that digitally photographing species would work well as an alternative to PIT tagging.

State Representative Poppell thanked the Commission for holding public hearings regarding the due process procedures.

Commissioner Discussion

Commissioner Yablonski asked what portions of the proposals are the most controversial. Col. Jones responded that the PIT and the land area requirements for Class I and II wildlife seem to be controversial issues.

Commissioner Barco asked if FWC should require insurance as part of the regulation. Col. Jones stated that statute requires a bond, but it is not often applied. Commissioner Barco suggested that the retailer or individual who sold the species to the public should accept liability.

Col. Jones mentioned that the Captive Wildlife Advisory Committee did not come to consensus regarding the use of the PIT process.

Commissioner Kaupe asked if Col. Jones had read the “National Reptile Study.” Col. Jones agreed that it was a well written report.

Upon motion of Commissioner Huffman, seconded and carried, staff was directed to move forward with the proposed rules, conduct public workshops and schedule a final public hearing at a future Commission meeting.

Babcock Ranch Preserve

Mr. Tim Breault provided an update on FWC’s involvement in the management of the Babcock Ranch Preserve. Approximately 74,000 acres of land were purchased by the State of Florida and Lee County to create a unique public and private sector partnership to manage Babcock Ranch Preserve to operate a working cattle ranch, protect a wide array of natural resource values and provide

for compatible public recreational access. A number of partnerships were developed from this purchase including Babcock Ranch Management, LLC; Babcock Ranch, Inc.; FWC and the Florida Department of Agriculture and Consumer Services (DACS); Lee County and the Governor and Cabinet, acting as the Trustees of the Internal Improvement Trust Fund. A management agreement was executed as a condition of sale that specifies the role, relationship and responsibilities of the working ranch, the management agencies and the Board of Trustees. A not-for-profit corporation, Babcock Ranch, Inc., was created 90 days after closing to serve in an advisory capacity to the working ranch until the management agreement is terminated. The corporation will then assume management of the working ranch and Babcock Ranch Preserve. The FWC and DACS will be advisory to the corporation and the corporation will provide a business plan. Mr. Breault reported on the progress to date. The interim recreational access includes: continued public access to the Babcock Ranch eco-tour operation, hiking trail loop at the eco-tour staging site and Bermont Crossing day-use area.

Commissioner Yablonski asked if there was a mandate for self-sufficiency built into the Management Plan. Mr. Breault replied the plan is for the property to become a working ranch and financially self-sustaining.

Public Comment

Rose Christ (Southwest Florida Outdoorsman's Association of Babcock Preservation Partnership, Inc.) provided a letter to the Commissioners requesting the Commission consider the variety of special interest groups that are represented in this ranch. She encouraged the Commission consider the groups and the variety of activities available on the property as the Management Plan is formulated. Mr. Breault stated he would review the letter and respond to Ms. Christ regarding her comments contained in the letter.

Barbara Jean Powell asked for clarification regarding the type of vehicles that may be used on this property. She understood that the ATV-type vehicles are prohibited. Mr. Breault clarified Ms. Powell's statement.

Commissioner Huffman reminded Commissioners and members of the public that the next issue on the agenda, Land Acquisitions, was formally withdrawn from the agenda.

Other Public Comment

Don Brown stated he submitted letters to FWC regarding regulations on feeding stations and encouraged the Commission to consider changing the legal to take rules of antlered deer. He would like to see aggressive moves to expand dove hunting areas in Pinellas County.

Van Lewis discussed his concerns regarding the Commission's constitutional authority. He provided a letter to Commissioners documenting his concerns including the gillnet size. He also asked if he could submit his typed notes from his hand-written notes to the Commission. Commission Huffman stated he could

submit both. Commissioner Huffman suggested Mr. Lewis meet with Mr. Antista after the meeting regarding his concerns.

Preston Robertson provided statistics regarding hunting license sales compared to last year and provided his support of the Commission.

Commissioner Huffman recessed the meeting at 6:45 p.m. to reconvene at 8:30 a.m., Thursday, September 14.

Chairman Barreto reconvened the meeting at 8:30 a.m., Thursday, September 14. He welcomed Captain Pat Kelly, President of the Florida Guides Association (FGA). Captain Kelly introduced Captain Troy Saph of the FGA, who presented the Association's Law Enforcement Office of the Year Award to FWC Lieutenant Humberto Navarro.

Captain Saph stated Lt. Navarro has demonstrated a commitment to his career and to his fellow FWC Officer Michael Dunnigan and family during their daughter Bailee's fight with leukemia. Officers of his caliber bring to the agency positive recognition of the work that can be achieved through dedication, professionalism, integrity, and loyalty to one's job.

Lt. Navarro thanked Captains Kelly and Saph, FGA and the Commission for the award and the kind words recognizing his commitment to law enforcement.

Captain Kelly presented Lt. Navarro with a check from FGA made payable to the Dunnigan family to assist with their medical and funeral costs. Captain Kelly also presented a personal check for the Dunnigan family and challenged everyone to contribute to the Dunnigan family as well.

Monroe County Boating Restricted Area Rule

Chairman Barreto announced that the Commission approved a change to the agenda pertaining to the next issue. The Monroe County Boating Restricted Area Rule was originally advertised for a final public hearing, but due to the rule not being formally advertised, the Commission will consider the draft rule, and a final public hearing will be conducted at the December 2006 Commission meeting. Chairman Barreto asked Lt. Colonel Jim Brown with the Division of Law Enforcement to present the draft rule.

Lt. Colonel Brown stated the Monroe County Commission and Utility Board of the City of Key West passed resolutions petitioning the FWC to initiate rulemaking creating a "No Anchoring" zone for sailboats and other vessels with masts in the area between Pine and Little Torch keys south of US 1. The vessels have come in contact with power lines during storm events, causing damage to vessels, creating danger to persons on the boats, and power outages in the Lower Keys. This proposal was presented to the public at a workshop in Marathon on July 26. Staff also consulted and coordinated with the U.S. Coast Guard, U.S. Army Corps of Engineers, and the Keys Energy Service. All are in agreement with the proposal, and the Florida National Marine Sanctuary endorsed the action.

Lt. Colonel Brown asked the Commission to allow staff to proceed with Rule 68D-24.144 with a final public hearing at the December Commission meeting. The original intent was to conduct final public hearing at this meeting to have the rule in place prior to the peak of hurricane season. Staff was unable to coordinate all issues in order to publish the rule in a timely manner.

Public Comment

Rich Jones (Monroe County Marine Resources) stated his group created this resolution and requested FWC create a rule. They could not find any other alternative option to move the high-tension electrical lines. Monroe County Marine Resources is planning to develop a mooring field in that area, but currently does not have any shore-side facilities to serve a mooring field.

Commission Discussion

Chairman Barreto stated this was a big issue across the state, particularly in south Florida. He asked Lt. Col. Brown if this area is a state-owned bottom. Lt. Col. Brown replied that it is state submerged land. The Chairman asked if the City of Miami would be able to establish the same regulation of a "no anchor" zone. Lt. Col. Brown replied he did not believe this would take place due to the low land areas with high tension wires. Chairman Barreto expressed his concern regarding the same type of issue in other Florida cities, and stated FWC will be approached with the request in the near future. Lt. Col. Brown agreed there are issues FWC is working with local governments to correct.

Commissioner Kaupe suggested local government and FWC work together to resolve this issue.

Commissioner Barco mentioned the rule includes masted vessels only and asked how FWC plans to inform the public regarding this new rule. Lt. Col. Brown replied FWC will post signage in specific areas with the language, "No Anchorage Masted Vessels." Commissioner Barco mentioned the closing of a marina in her area, which was converted to condos and private slips; a number of vessels moved across the water to anchor because they had nowhere else to re-locate.

Mr. Haddad stated that staff would provide expanded information on the issue at a future Commission meeting. A number of workshops and studies are taking place to determine the best policy to present to the Commission. Chairman Barreto alerted staff to present this before the Legislative session. Chairman Barreto summarized the concern for FWC to "get out in front of the issue." He explained that if someone wants to anchor their boat 100 ft. off of someone else's home, they can throw their anchor, walk away, and there is nothing the resident can do to remove the boat. FWC does not have the legal authority to remove the boat as long as the light is working at night or it does not become a safety issue. There are areas in the Keys where a large group of boats will take up a large area of bay bottom and anchor boats, and no one can do anything to correct this problem. The Chairman requested FWC create legislation to assist cities to set up mooring fields. If we do not get control of this issue, anyone can anchor anywhere and they are disposing their boat's "pump out." Mr. Haddad mentioned we are required to follow a strict process before presenting an issue to the Legislature.

Upon motion of Commissioner Meehan, seconded and carried, the Commission approved the draft rule and directed staff to advertise the rule for a final public hearing at the December 2006 Commission meeting.

Loophole in Monofilament Net Regulations

Col. Jones reported on rule review and discussed the proposal to correct a loophole in regulations pertaining to possession of monofilament nets. Col. Jones stated the Division of Law Enforcement has identified an emerging enforcement issue relative to the successful prosecution of individuals charged with the possession and unlawful use of monofilament entangling nets. The problem exists within the current wording of F.A.C. 68B-4.009, Monofilament Line and Netting: Prohibition of Intentional Discard, Recovery Requirements, and Recommendations for Appropriate Disposal. The current rule language requires persons recovering monofilament fishing line or monofilament netting from the waters of the state to dispose of such on land, and if they can not properly dispose of the netting, they are to contact the Division of Law Enforcement regarding its location to retrieve and dispose of appropriately. Unfortunately, enforcement and prosecution has been challenging as violators are using the defense that they "found" the net and were in the process of "recovering" it for the purpose of turning it over to the Division, which has lead to a "not guilty" verdict in a number of legal cases.

Col. Jones asked the Commission to review the draft rule at the December 2006 Commission meeting, and pending approval of the draft rule, schedule a final public hearing at the February 2007 Commission meeting.

Public Comment

Ted Forsgren stated the individuals violating this rule are "poachers." He urged the Commission to approve the draft rule and advertise for a public hearing and a public hearing at the December 2006 Commission meeting.

Captain Pat Kelly agreed with Mr. Forsgren to move forward and approve the draft rule.

Captain Troy Saph stated the fishermen recovering this monofilament netting should not be in possession of commercial quantities of fish.

Commission Discussion

Commissioner Yablonski asked if there is an estimated number of individuals reporting the nets, and is there a clarification of net size. Col. Jones stated the intent of this rule is not to leave any loopholes with size if someone recovers a small piece of monofilament and it is on one's boat then disposed of on land.

Upon motion of Vice-Chairman Meehan, seconded and carried, the Commission approved a review of the draft rule at the December 2006 Commission meeting and, pending approval of the draft rule, schedule a final public hearing at the February 2007 Commission meeting.

USS Oriskany

The next agenda item was an “after action” report on the deployment of the *USS Oriskany*, the largest artificial reef in the United States. The report was presented by Mr. Robson and Mr. Jon Dodrill, the supervisor of the Commission’s Artificial Reef Program.

The presentation began with a short video of the entire sinking process. Underwater video images were taken by Bill Horn and the photos were taken by Keith Mille with the Division of Marine Fisheries Management. The video presentation was edited by Tim Donovan and Gus Holzer with the Community Relations Office. Some photos were used in numerous magazines, and by CNN and the Discovery Channel.

The *USS Oriskany* was officially de-commissioned on May 17, 2006 off of Pensacola waters. In addition to FWC, the Florida Department of Environmental Protection, Department of Health, US Navy, US Coast Guard, US Environmental Protection Agency Maritime Administration, National Marine Fisheries Service and the US Army Corps of Engineers were involved in the completion of the project. The county partners and private stakeholder groups involved included Escambia County and private contractors from around the nation. The Navy complied with Environmental Protection Agency (EPA)/Maritime Administration (MARAD) Best Management Practices (BMP) for preparing vessels to be deployed as artificial reefs. Due to the vessel’s containing a high level of polychlorinated biphenyls (PCB’s), the Navy had to obtain a PCB risk-based disposal permit from the EPA and verify that there was no human health or ecological risks associated with leaving solid PCB’s on board. The acquisition of PCB Risk Based Disposal Permit entailed a progression of six tasks and associated reports. The Navy’s cost for this work was \$4.1 million; however, much of this information can be used for future Navy ship reefing projects and this cost should not be seen as exclusive to the *USS Oriskany* project. In addition to the Navy’s funding, Escambia County funded \$1 million for some additional vessel preparation and clean-up beyond the minimum BMP.

The final milestones of the project were as follows:

- May 8, 2006 – Final Board Review
- May 13, 2006 – Veteran ceremony; explosives loaded aboard
- May 15-17, 2006 – Off-shore tow, anchor, pre-sink inspection
- May 17, 2006 – Sunk
- May 18, 2006 – Post dive inspection
- May 19, 2006 – Open to the public for fishing and diving

FWC was tasked by the Navy and NMFS to ensure that no marine mammals or turtles were injured by the explosives used to sink the *USS Oriskany*. An after-action report was filed with the Navy.

On May 17, 2006, beginning at 10:25 a.m., 750 lbs. of explosives designed to sink the *USS Oriskany* were detonated and the ship sank 37 minutes later. The Oriskany is located 22.5 nautical miles from Pensacola in 212 feet of water in the Escambia County East Large Area Artificial Reef Site on an open sand bottom. The

vessel is not marked at the surface by a buoy. FWC is contracting with Escambia County to conduct multi-year baseline monitoring of PCB levels in fish tissues of recreationally caught fish. Based on the success of this pilot project, the Navy plans to continue its program to make available a limited number of ships that have been stricken from the Naval Vessel Register for use as artificial reefs.

Commission Discussion

Commissioners discussed the agency's involvement and the success of the project. Vice-Chairman Meehan thanked everyone involved in the project.

Chairman Barreto asked staff to provide the Commissioners an update on the Vandenberg project.

Gulf Reef Fish Issues

Chairman Barreto asked Mr. Roy Williams to provide the next report of reef fish issues in the Gulf of Mexico. Mr. Williams reported that the federal reef fish issues in the Gulf of Mexico are driven by recent Southeast Data Assessment and Review (SEDAR) assessments on red snapper, greater amberjack, vermilion snapper, gray triggerfish and gag grouper. Most of the assessments show either over fishing ongoing or an over fished spawning stock. The SEDAR process consists of three workshops: data, assessment and review. The Gulf Council wrote the National Marine Fisheries Service Southeast Fisheries Science Center asking whether a limited controlled harvest might provide useful information on stock status.

Vice-Chairman Meehan asked Mr. Williams about the National Marine Fisheries Service Southeast Fisheries Science Center's indicating they would be in agreement to allow fishing in these controlled harvest areas. Mr. Williams stated FWC could set up a controlled collection of goliath grouper to research the age distribution of these fish and see the accumulation rate. He stated it would be helpful to know the actual stock size of goliath grouper.

Commissioner Kaupe asked if the suggested closures to recreational anglers from February to March mirrors the current commercial closure. Mr. Williams stated Commissioner Kaupe was correct and this was created due to the concern over the declining number of gag grouper, but especially the change in the male to female ratio.

The Commissioners discussed the statistical information provided regarding discarded species versus gutted and size and bag limits.

Special Presentation by Brad Gentner, NOAA

Mr. Robson introduced Mr. Brad Gentner of the National Marine Fisheries Service (NMFS). Mr. Gentner is an economist with the NMFS Office of Science and

Technology's Division of Statistics and Economics. His presentation titled, "Economics 101: Using Economics for Allocation Decisions" provided insight into the use of economic information to determine fisheries management decisions. He explained the two broad economic measures: economic value - monetizes the value people place on resources and economic impacts – examines the flow of expenditures through a community. He stated the optimum allocation is one that maximizes net economic benefits – not economic impacts. Such is the case in measuring the impact of economics from the recreational fishing side (consumer) or the commercial side. Factor in the anglers willingness to pay for that next fish, including the possible cost to charter a boat, and from the commercial side, the consumer's willingness to pay for fish at the market, harvester and processor profits, rent and labor. Mr. Gentner mentioned a case study titled, "Virginia Sea Grant in 2000" by James Kirkely, Kenneth McConnell, and Winnie Ryan. The study examined the potential economic impacts and benefits to society from allocating the resource among the recreational and commercial fishermen.

Commissioner Barco referenced the Virginia Sea Grant Study and the diminishing returns and the difference of 100% one way and 100% the other way and if there was a large point break listing a big impact. Mr. Gentner replied that due to the diminishing marginal returns, it is not a linear function. It does not continue to increase benefits to the recreational side and only increased the value three million dollars over a 50/50 split. The social impacts of completely shutting down some of these communities on the shores of the Chesapeake Bay may not outweigh the extra three million dollar increases by shutting down the commercial side of the house by 100% recreation allocation. It is necessary to look at every stage along that allocation path to research where net value or benefits to society, are maximized.

Public Comment

Ted Forsgren commented that there is a real problem with red snapper and grouper in the Gulf of Mexico. He stated that he had met to discuss this issue with Mr. Haddad regarding providing a stronger effort toward those fisheries in order to protect Florida's interests. The first priority is protecting the resource. He encouraged the Commission to get more involved or Florida fishermen will suffer.

Bob Zales (Panama City Boater's Association) submitted a letter supporting the Gulf of Mexico Fisheries Management Council's action to delay the red snapper fishing issue until they meet in January 2007. He urged the Commission to assist the Council.

Dennis O'Hern (Fishing Rights Alliance) stated that goliath grouper is becoming a nuisance fish for fishermen and other fish species. He believes the species is over-managed. He urged staff to look into the situation.

Commission Discussion

Chairman Barreto asked if there was an elected official that could "champion" this issue in the Gulf. Mr. Haddad stated Representative Putnam is aware of this

issue. The challenge involves informing incoming congressmen who are not on committees yet, to take an interest in goliath grouper. FWC staff met with and plan to continue to meet with legislators regarding this issue. Mr. Zales suggested contacting Senator Nelson.

Commissioner Yablonski suggested FWC contract with an economist to research this issue further. Mr. Haddad stated both Mr. Gil McRae and Mr. Robson are pursuing this option. FWC will need to decide what data should be collected and go to the Legislature on specific issues to allow for the collection of data.

Spiny Lobster Management Strategy

Mr. Bill Sharp, Fisheries Management Analyst, Division of Marine Fisheries Management, gave an update on the progress of the comprehensive evaluation of Florida's spiny lobster management strategy and presented a draft rule to extend by one year the rule suspending the annual reduction of spiny lobster traps. The rule is scheduled to expire at the end of 2006-07 license year. Mr. Sharp presented background information regarding the three-year comprehensive evaluation of Florida's spiny lobster fishery. The spiny lobster stock assessment study was completed in 2005. The study concluded that the Florida stock is not over-fished, and is not experiencing over-fishing. However, the study emphasized that management benchmarks for the stock cannot be reliably evaluated using only data from the assessment due to the relationship between the abundance of young lobsters settling in Florida with the subsequent abundance of lobsters landed by the fishery. Consequently, the Florida spiny lobster fishery cannot be effectively managed at present by traditional methods such as meeting a target Spawning Potential Ratio (SPR) benchmark. This leads to commercial lobster fishery managed to maximize yield and minimize user conflicts and environmental impacts caused by intense fishing effort. In 2005, staff created an ad hoc Spiny Lobster Advisory Board (SLAB) comprised of stakeholders from around the state to provide guidance to the agency in the form of refinements to the management of the spiny lobster fishery. The SLAB met five times over the last year with a goal to draft a suite of management recommendations at its November 2006 meeting. The recommendations will be presented at a series of public workshops around the state during December 2006. Also, FWRI's annual survey to recreational lobster license holders will contain several questions to acquire additional input from those stakeholders. The combined information and results of the workshops and survey will be presented to the Commission at the April 2007 meeting. Staff will then conduct a second round of public workshops, and return for a final public hearing at the Commission's September 2007 meeting.

Mr. Sharp asked the Commission to approve extending the current suspension of the annual reduction in lobster traps (68B-24.009(4), F.A.C.), which was set forth in rule in 2004.

Public Comment

Jerry Sansom (Organized Fishermen of Florida) offered his support of the staff recommendation.

Commission Discussion

Upon motion of Commissioner Kaupe, seconded and carried, staff was directed to advertise the rule for a final public hearing at the December Commission meeting that would extend the moratorium on the lobster trap reduction program through the end of the 2007-08 fishing year.

Stock Assessment of Sheepshead

Ms. Jessica McCawley, Biological Scientist, Division of Marine Fisheries Management, presented the stock assessment of sheepshead completed by FWRI and included a review of the biology, the fishery and the current regulations for sheepshead. The sheepshead fishery is managed as a single stock or management unit; however, the assessment examines the fish on a coast-wide basis. The regulated minimum size is 12 inches total length with a 15 per person per day bag limit. Prior to 1996, commercial gill and trammel nets were the primary gear used to capture sheepshead. The gear changed to cast nets and hook-and-line due to the net limitation amendment in 1995. The primary gear for recreational fishery is hook-and-line landed in the late fall to early spring. Ms. McCawley continued her presentation with charts measuring the estimated total harvest, number of recreational trips, proportion of recreational landings, compliance with bag limit and SPR values for the Gulf and Atlantic coasts and a recap of the results from the assessment. The current SPR value on the Atlantic coast is 52% and 28% in the Gulf coast. There is currently no biological reference point for sheepshead.

Ms. McCawley stated there is no need for Commission action. The Division will work with FWRI during 2007 to generate a SPR threshold which the stock should not drop below. Staff will return to the Commission with SPR threshold and a recommended target SPR value which would trigger management action.

Snook Working Group

Ms. McCawley continued with an update on the formation of the Snook Working Group. The report included the composition of the group, the results of the first meeting and a timeline for rulemaking. The group will meet at least four more times. If management changes are recommended from the workshop, staff would bring these recommendations to the Commission in draft rule form at either the February or April 2007 Commission meeting. Then staff will conduct public workshops and return for a final public hearing at the June 2007 Commission meeting. If management changes are approved in June, they could be effective prior to the snook season opening in September 2007.

Commission Discussion

Commissioner Kaupe asked why habitat, water quality, and red tide are beyond the agency's jurisdiction. Ms. McCawley stated FWC could not do anything except regulate size, bag limits and closed seasons. FWC would need to partner with DEP regarding water quality management issues.

Federal Issues

Mr. Robson reported that the South Atlantic Fishery Management Council will meet September 18-22 in South Carolina. The Council is focusing on the completion of two main areas of fishery management planning: the snapper-grouper complex and the king-Spanish mackerel fishery. The work continues on the development of a Fishery Ecosystem Plan. At the June 2006 meeting, the Council voted to include in that plan a series of "habitat areas of particular concern" to recognize and protect deepwater coral formations.

Mr. Robson continued his report. The Gulf of Mexico Fishery Management Council met on August 14-17 in Baton Rouge, Louisiana. The topic of discussion was reef fish management. The Council reviewed the results and subsequent Scientific and Statistical Committee (SSC) recommendations for SEDAR 9 and 10. The Council recommended a reduction in the rate of harvest on greater amberjack and gray triggerfish. The Council will also review the public hearing draft of Reef Fish Amendment 27/Shrimp Amendment 14 and discuss king mackerel and the South Atlantic Council's decision to redefine the mixing rate between Atlantic and Gulf groups of king mackerel.

Financial Business Plan

Ms. Sharon Lobello, Director of the Community Relations Office and Team Leader for the Financial Business Plan presented an update on the agency's financial business plan that correlates existing funding with agency programs and considers operational efficiency, possible new revenue streams, and shortfalls. Staff recommendations to implement this plan include addressing shoreline fishing fees; boosting largemouth bass, manatee, and panther specialty license tag marketing; promoting the volunteer heritage program; and developing hunting and fishing license donation check-offs for conservation purposes by July 2007. Additionally, implement redesign the manatee specialty license tag; increase and repackage fishing and hunting licenses fees; and establish a conservation card program before July 2008. By July 2009, consider introducing a \$50 million bond program to benefit fish hatcheries and research on a goliath grouper lottery.

Commissioner Yablonski sent Ms. Lobello information regarding specialty hunts conducted in Montana as a lottery approach. The State of Montana charges a \$5 per person fee and selects 10 names to receive the license. Montana receives almost \$500,000 in revenue with the \$5 fee.

Ms. Lobello mentioned the Gulf Council recommended to NMFS that FWC allow a specific number of goliath grouper to be fished to conduct a scientific study. If that is the case, that program could open up as a possible option for FWC.

Commissioner Huffman mentioned a lifetime license offered in Alabama for persons 64 years and older. The federal agency matches funds for six to seven years. Ms. Lobello stated she would research this program.

Ms. Lobello asked the Commission to authorize staff to work with stakeholders, conduct outreach efforts and seek legislative approval for these funding strategies. Staff will present a final recommendation to the Commission at the December 2006 meeting.

Commission Discussion

Commissioner Yablonski stated the proposed fee increases should include where additional revenues will be spent by the agency in a business plan form to present to the Legislature. This would explain the economic impact. Also, staff should coordinate with lobbyists for support of proposed fee increases.

Upon motion of Commissioner Yablonski, seconded and carried, the Commission authorized staff to develop a Financial Business Plan for the 2007 Legislature that would include revenue proposals for repeal of the shoreline exemption; adjustments in hunting and fishing license fees; marketing programs for the manatee, bass and panther vehicle license plates and a suite of voluntary contribution opportunities. In addition, staff would work with the public and stakeholders to build support for the business plan.

Update on the Future of Freshwater Fishing in Florida

Mr. Darrell Scovell presented an update on the Future of Freshwater Fishing in Florida. The Division of Freshwater Fisheries Management conducted six zone summits in 2005-06, which are the basis for the 2006-07 stakeholder coordination plans. Mr. Scovell described the summit's goals, the issues, recruited stakeholders, and the plan for long-term engagement with stakeholders. The division's regional staff will work with stakeholders on solutions to local issues identified in the summits to foster better communication between regional biologists and stakeholders at the local level, improve and increase the interaction between stakeholder groups and find solutions jointly to resource issues by facilitating interaction between stakeholders and other agencies. The next steps include developing a key group of stakeholders and invite them to participate in a freshwater fisheries "roundtable." The selected individuals will review and comment on the "vision" document and prioritize issue strategies. The final summit vision document should be completed by the spring of 2007 and the document would be presented to stakeholders in the summer of 2007.

Mr. Scovell reiterated DFFM's commitment to develop and implement a plan to sustain or enhance Florida's freshwater aquatic resources and help Florida

anglers become more active conservation stewards of Florida's unique aquatic resources.

Public Comment

John Sprague (Marine Industries Association of Florida) asked the Commission to consider lowering Lake Okeechobee for fishing and to build more islands in Lake Okeechobee on the eastern side, which would assist in cleaning up the water and provide habitat for fish.

Update on the Future of Saltwater Fisheries

Mr. Robson presented an update on the Future of Saltwater Fisheries. A draft executive summary vision document was presented to the Commission for review and comment at the June 2006 meeting. A stakeholder representing recreational fishing interests expressed concern that the format and presentation of the executive summary did not adequately highlight the individual priority issues of concern to those interests. Staff is working on the draft document in consultation with all of the main stakeholder representatives.

Public Comment

Ted Forsgren provided recommendations from the Saltwater Recreational Fisheries Stakeholder Group. He discussed the summary item regarding increasing staff in the Division of Marine Fisheries Management to assist with managing Florida's \$5.5 billion saltwater recreational fishery.

Jerry Sansom discussed the reef fish issue and the grouper re-allocation discussion. He asked the Commission to review the re-allocation based on socio-economic data.

Commission Discussion

Vice-Chairman Meehan asked Mr. Gil McRae to give a brief update on the Port Manatee hatchery. Mr. McRae gave the Commission an update regarding the progress of the hatchery.

Public Comment on Items Not on the Agenda

John Sprague requested the Commission resolve the non-motorized vessel issue and derelict vessels, and suggested all vessels should be registered.

Commission Exchange

Commissioner Barco stated she enjoyed the information regarding economic value versus economic impact. She requested a copy of Mr. Gentner's

presentation. Mr. Robson will provide a copy of Mr. Gentner's presentation and the Virginia Sea Grant Study to Commissioners.

Commissioner Yablonski asked staff to explain the reason for sturgeons jumping out of the water and hitting people in their boats. Mr. Haddad replied there is speculation that it may be tied into breeding cycles. Warning signs have been posted on Lake Okeechobee.

Commissioner Yablonski congratulated staff on the noticeable improvement of the *Florida Wildlife* magazine. He suggested staff pursue private advertisers for the magazine. Mr. Haddad replied the circulation is not yet high enough to attract high-end advertisers. Ms. Lobello and her staff are pursuing advertising packages to attract advertisers.

Commissioner Kaupe expressed her satisfaction with Ms. Lobello's presentation on the Financial Business Plan. She believes Ms. Lobello's ideas are creative and interesting.

Vice-Chairman Meehan expressed his concern regarding the law enforcement officer's pay rate issue and the turn-over problem. Officers are being recruited to police and sheriff's offices for higher pay and benefits after FWC has trained them. He also recommended to staff and Commissioners a book about quail hunting, *A Hand Full of Feathers*. He reiterated his commitment to his decision that the agency's current due process procedures should not be changed.

Chairman Barreto thanked Governor Jeb Bush for speaking at the recent law enforcement academy graduation in Tallahassee. Also, he thanked Mr. Haddad and Mr. Heller for assisting in providing a letter of support to Mr. Mario D'Agenerio from Chairman Barreto regarding the Vandenberg project, which is an artificial reef in Key West. Shortly after this letter was provided, a letter from the Governor's Office was requested by Mr. D'Agenerio to present to their Commission and the agencies that assisted as well. Chairman Barreto stated that subsequently Monroe County met and approved \$2 million for the project.

Recess

There being no further business, Chairman Barreto recessed the meeting at 4:45 p.m. to reconvene at 8:30 a.m., Friday, September 15.

Chairman Barreto reconvened the meeting at 8:30 a.m., Friday, September 15.

Budget Process Time Line

Ms. Sandra Wilson presented the agency's financial status and explained the budget process, timeline, status of the trust funds and reviewed funding, which will begin in June 2006 with directors submitting issue requests to the Executive Director, and end when the Governor releases the approved budget for the new fiscal year in May/June 2007.

Commission Discussion

Commissioner Yablonski asked about the reduction in grant funding. Ms. Wilson explained the grant trust fund program.

Commissioner Barco asked Ms. Wilson for a detailed list of the grant activity and the current grant fund balances.

Commissioner Yablonski and Chairman Barreto discussed the reduction of mitigation fees in the future, and the inclusion of the removal of revenue received from gopher tortoise incidental take permits in the new management plan. Ms. Wilson stated the report would then change dramatically. Chairman Barreto stated the land acquisition portion of the mitigation will reduce. Commissioner Yablonski stated the agency should encourage relocation and not continue to charge a fee. Mr. Breault stated the Commissioners are correct and a management plan would be presented to the Commission at a future meeting to include an overall conservation strategy for gopher tortoises.

FY 07-08 Potential Reductions

Each year, as agencies prepare their budget requests, they are required by law to include a list of potential reductions that will be available for consideration should the State have a need to cutback spending. These potential reductions must come from the recurring base operation budget of the agency and must be at least equal to 1.5% of that budget.

Ms. Wilson presented a summary of five scenarios of FWC potential reductions for FY 07-08: (1) Options to cut specific agency functions or parts of functions, (2) Options for reducing grant spending growth, (3) Options for reducing doc stamp growth, (4) Percentage-based reduction options, and (5) Staff recommendation for potential reductions list, which would reduce grant spending authority in Trust Funds (\$2,410,000) and reduce non-CARL Land Management through a shift from the SGTF to GR (\$810,000). Staff's recommendation for the potential reductions list is Scenario 5.

Commission Discussion

Chairman Barreto discussed with Ms. Wilson the overall reduction of \$3.2 million and the staff recommendation of Scenario 5.

Commissioner Yablonski and Mr. Heller discussed the increase in the alligator response trapper's stipend due to the increase in nuisance calls to the agency. Commissioner Yablonski suggested staff review and compare the industry from year to year to gauge the stipend.

Commissioner Barco requested the exotics funding should be removed from Scenario 1. Commissioner Huffman agreed. Chairman Barreto asked why the exotic fund should be included as an option. Mr. Heller explained how the proposal for reductions was coordinated for the various programs and the recommendation for a grants program reduction.

Commissioner Huffman expressed his concern regarding his understanding of the proposed budget reduction. Mr. Heller stated that every state agency is required to identify 1.5% of their budget to the Legislature for potential reduction.

Vice-Chairman Meehan offered a motion to accept staff's recommendation for reductions listed under Scenario 5, and give authority to the Chairman and Executive Director to work with the House, Senate and Governor's Office to negotiate the proposed 2007-08 budget reductions for the agency. The Commissioners agreed.

Fiscal Year 07-08 Budget Issues Review

Ms. Wilson presented the FY 07-08 budget issues for Commission consideration of priority.

Ms. Wilson asked the Commission to move forward with Tier 1 and to allow the Chairman and Executive Director to make adjustments to the agency's 2007-08 Legislative Budget Request as discussions occur with the House, Senate and Governor's Office.

Public Comment

Ted Forsgren supported the proposed budget for 2007-08. He asked the Commission to consider moving the Marine Fisheries Management Services, 3 full-time employees (FTE) from Tier 2 to Tier 1, and change the name to Marine Resources Conservation Trust Fund.

John Sprague asked the Commission to increase the FTE's in the Boating and Waterways Section of the Division of Law Enforcement. He also discussed his concern regarding the process and funding to remove derelict vessels.

Commission Discussion

Chairman Barreto asked why the agency is unable to have wastewater waived in reference to the sewer at the Keys Marine Lab. Mr. McRae stated staff has discussed the issue with the City of Layton. There is no option to waive the connection fee. However, staff hopes they will allow the agency to defer the cost to next year and hope the LBR goes through. The billing has already started for the connection. Chairman Barreto offered his assistance regarding this issue.

Vice-Chairman Meehan mentioned the quality of individuals in the Division of Law Enforcement and the challenge in keeping Officers in the agency with the current rate of pay. A number of outside agencies are recruiting these individuals fresh out of the academy offering a higher pay scale. Chairman Barreto expressed his desire to have this wage increase passed by the Legislature this year. It is included in the agency's list of priorities. Ms. Jackie Fauls explained the Legislative process regarding this issue.

Chairman Barreto and Lt. Col. Jim Brown discussed the fuel cost and the agency's process to purchase fuel.

Chairman Barreto asked staff to research the backup power currently provided in the agency's regional offices to expand and provide back up to other field offices. Commissioner Barco also asked staff to ensure the selected offices have adequate generators to back up additional facilities.

Commissioner Yablonski asked if the information presented is "new spending." Ms. Wilson explained that a lot of the information is a repeat of last year's budget. Ms. Wilson mentioned the items listed as new spending.

Commissioners Barco and Yablonski asked Ms. Wilson to provide revenue and expenditure information on the agency's three new trust funds – Federal Grants TF, Grants and Donations TF, and Administrative TF. Ms. Wilson stated she would provide this information to the Commissioners.

Chairman Barreto urged Commissioners to direct the Executive Director to present this information to the Legislature based on the agency's priorities as listed on Tier 1.

Commissioner Yablonski offered a motion to direct staff to move forward with Tier 1, and allow the Chairman and Executive Director to work with the House, Senate and Governor's Office to negotiate the proposed 2007-08 budget issues and reductions for the agency.

Legislative Issues

Ms. Jackie Fauls presented the Legislative Time Line and proposed items requiring action for the 2007 Session, which included (1) Financial Business Plan Issues; (2) Blue crab commercial license fees and penalties, black sea bass trap

retrieval, counterfeit lobster trap tag penalties; and (3) increase age requirement for a boating safety education course.

Ms. Fauls presented the potential issues for the 2007 Session, which included (1) Increase penalties for captive wildlife violations (to be filed by Representative Poppell), (2) Seagrass protection (a coordinated issue with the Department of Environmental Protection), and (3) Combination of Chapters 370 (saltwater) and 372 (fresh fish and wildlife) (an interim project of the Legislature). Ms. Fauls also presented potential issues for the 2008 Session, which included (1) Disposal of recreationally caught saltwater fish used as evidence, and (2) Increase age requirement for Personal Flotation Devices (PFD). These issues will be presented at the December Commission meeting. Further discussion of the potential issues may be scheduled for the December Commission meeting, if they are completed.

Ms. Fauls asked the Commission for approval to proceed with the three recommended legislative issues for 2007, 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 to negotiate the proposed 2007-08 budget reductions for the agency.

Public Comment

Bonnie Basham (Standing Watch) urged the Commission to provide the Executive Director and the Director of Legislative Affairs the authority to move the 2007 Session issues forward. However, consider removing the required age limit for a boating safety education course until the 2008 Legislative Session.

John Sprague expressed his concern regarding the boating safety education course requirement. Additionally, he urged the Commission to work with manufacturers to reduce the cost of inflatable PFD vests to provide for sale to the general public.

Stephen Webster (Florida Marine Contractors Association) supported the boating safety education requirement and discussed proper signage in designated waterways.

David White (Ocean Conservancy) supported the boating education proposal.

Peggy Matthews (Citizens for Florida Waterways) supported the increased age for boating safety. She mentioned that CFFW pays for its members to take a boating education course. She communicated statistical information regarding the sale of boats, specifically kayaks and other non-motorized vessels related to boating fatalities.

Commission Discussion

Commissioner Barco thanked Mr. Webster for his comments regarding proper signage for boaters to slow down for manatees. She urged the Commission to review the high number of markers in our waterways to prevent boating fatalities.

Vice-Chairman Meehan commented on the non-motorized watercraft issue and boater fatality.

Upon motion of Commissioner Huffman , seconded and carried, staff was directed to proceed with the three recommended legislative issues for 2007, with authority to the Chairman and Executive Director to make adjustments to the agency's legislative package the agency works with the House, Senate and Governor's Office to negotiate the proposed 2007-08 budget reductions for the agency.

Public Comment on Items Not on the Agenda

David White raised an issue regarding Biscayne National Park and the management plans which began six years ago, with which the Commission has been involved. There is a memorandum of agreement between FWC and the Park Service on how they plan to proceed. He is concerned about the fisheries management plan moving forward without the general management plan. In 2003, Mr. Haddad sent a letter to the Park Service regarding this concern and the Park Service replied in agreement that both plans should be combined. In 2005, the Park Service stated they planned to move forward with the fisheries management plan without the general management plan. He urged the Commission to contact the Park Service regarding this problem. Chairman Barreto stated Mr. Robson is working with the Park Service regarding this issue.

Peggy Matthews thanked the Commission for its assistance with the 2000 rule that closed personal watercraft access to Biscayne Bay. The Park Service closed the ICW to personal watercraft, which detoured boaters to the Atlantic Ocean area in order to access the Keys. She mentioned this is a potential boating safety issue. Currently, the Commission is pursuing this as a potential issue and has sent a letter regarding this issue to the Park Service.

John Sprague urged the Commission to formulate a standard management plan to allow consistency with other agency's and the general public.

Commission Exchange

Commissioner Kaupe thanked Ms. Fauls and Ms. Wilson for their work on the proposed Budget and Legislative information presented.

Commissioner Huffman stated he hopes the debate over the agency's constitutional authority will be resolved this year.

Commissioner Barco stated the meeting was very informative. She mentioned the public received a great civics lesson during the due process workshops held around the state.

Vice-Chairman Meehan thanked staff for a great meeting and urged staff to schedule a future Commission meeting in this same location. He recognized and thanked Mr. Greg Holder for coordinating such a successful meeting.

Chairman Barreto thanked Mr. Holder and Ms. Carla Green for her efforts as well. He also thanked Mr. John Ditullio, Regional Operations Manager in the South Region for his assistance during the meeting. He recognized and thanked Mr. Glenn Reagan from the Governor's Office for his support and attendance at the meeting. Chairman Barreto asked staff to provide Commissioner Corbett a briefing of the meeting due to his absence.

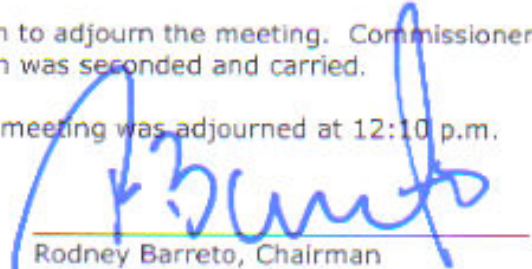
Commission Administrative Matters

The next regular Commission meeting will be held December 6-7, 2006 in Key Largo, commencing at 8:30 a.m. each day.

Adjournment

Chairman Barreto called for a motion to adjourn the meeting. Commissioner Kaupe offered the motion to adjourn, which was seconded and carried.

There being no further business the meeting was adjourned at 12:10 p.m.



Rodney Barreto, Chairman



Kenneth D. Haddad
Executive Director



Commission Secretary

Respectfully submitted:

/kh

Minutes\September 2006

RESOLUTION

WHEREAS, the Florida Fish and Wildlife Conservation Commission is a duly constituted governmental agency, dedicated to the cause of fish and wildlife conservation, and

WHEREAS, a well-informed public is critical to this cause, and

WHEREAS, the future of fish and wildlife resources around the world depends on a sense of stewardship among people, and

WHEREAS, Steve Irwin possessed a unique combination of passionate love for wildlife and a communication style that, even now, inspires others to appreciate the natural wonders all around them, and

WHEREAS, Steve Irwin used his own celebrity to draw attention to the need for stewardship over the other species that share this planet and the delicate balance of nature that binds all species in a fascinating web of life, and

WHEREAS, the Florida Fish and Wildlife Conservation Commission joins the entire world in sincerely mourning the loss of Steve Irwin and sends its condolences to his wife, Terri; his daughter, Bindi Sue; and his son, Bob:

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 sense of stewardship fostered by Steve Irwin.**
- 2. That we do hereby acknowledge and proclaim our admiration for Steve Irwin and cherish his memory.**
- 3. That we do herewith acknowledge and proclaim Steve Irwin will forever stand out as a giant among those who serve in the cause of fish and wildlife conservation.**
- 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 St. Petersburg, Florida this 13th day of September, A.D. 2006.

**FLORIDA FISH AND WILDLIFE
CONSERVATION COMMISSION**

Chairman Rodney Barreto

Commissioner H.A. "Herky" Huffman

Commissioner Kathy Barco

Commissioner Brian S. Yablonski

Vice Chairman David K. Meehan

**Commissioner Sandra T.
Kaupe**

**Commissioner Richard A.
"Dick" Corbett**

Attest: _____