

Communication



*Establishing a dialogue between
industry and state regulatory agencies*

Sue Colson

Cedar Key Aquaculture Association, Inc.

City of Cedar Key

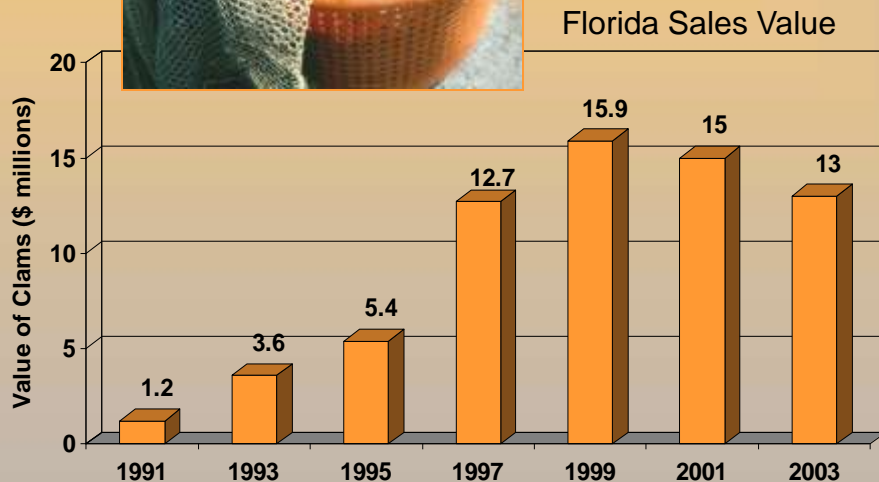
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UF / IFAS Shellfish Aquaculture Extension

FNRI Practicum, Class V, October 2005

Background

Cedar Key clam culture industry



- Initiated in 1990s as a result of job retraining programs for under-employed oyster harvesters and net fishermen
- Created and driven by local efforts, “bottom up” approach
- Has brought economic revitalization to area
 - Over 200 clam farms with sales value of \$10M (2003)
 - Impact of \$22M (1999)
- Proactive clam growers association, formed in 2000, addressing many issues

Background

State agency regulatory responsibilities



- Originally regulatory oversight complex, many agencies involved
 - DEP (DNR), DER
- Monumental state laws, **supported by local efforts**, passed in 1996-8 fostering aquaculture
 - Aquaculture IS agriculture
 - Shellfish aquaculture in public interest
- All regulatory responsibility transferred to Department of Agriculture & Consumer Services
 - Certificate of registration
 - BMPs in lieu of traditional permitting process
- Division of Aquaculture created within DACS in 1999



Problems in Clamallot, 2004-5

- Industry grows as does size of support facilities
 - Specifically, aquaculture docks exceed 1000 ft²
- DEP receives complaints about aquaculture docks from citizens
- DACS puts a hold on approving docks
- DEP begins inspecting other upland facilities (land-based nurseries, wholesalers' plants)
- DACS receives complaints from citizens about use of net dips on clam bags
- DACS waffles on approving net dip products
- DACS makes multiple changes to lease policies and increases fees administratively **without industry input**

DACS – Department of Agriculture and Consumer Services
DEP – Department of Environmental Protection



Situation Assessment

★ Lack of Communication

- DACS and DEP do not communicate amongst themselves on perceived problems, resulting in gridlock and concerns of industry management
- Industry does not communicate amongst themselves and with citizens in community, resulting in “finger pointing”
- DACS does not communicate with industry about issues pertaining to their livelihood, resulting in lack of trust and uncertainty in businesses

Situation Assessment

Interest groups	Interests in Issues	Representatives	Power, Roles & Responsibilities
Clam farming Industry	Certainty in business (“just wants to work”) – dock permits, net dip usage, no surprises in leases	Individual growers	Business people, taxpayers, viable industry, responsible to “do it right”
Cedar Key Aquaculture Association (CKAA)	No clamunication with agencies	9 Board of Directors	Represents industry, Promotes and protects to ensure sustainability
Department of Agriculture & Consumer Services (DACS)	To regulate without problems, status quo	Division of Aquaculture staff	Shellfish regulatory authority, Administers and enforces lease, BMP and certification programs
Department of Environmental Protection (DEP)	To ensure compliance, no perceived violation on their “watch”	Local field representatives	Regulatory authority for mangroves, fill and docks?
University of Florida IFAS Extension	Facilator role and educational role compromised by DACS	Shellfish Aquaculture Extension Program	Educational and technical support to industry, trustworthy, not regulatory
City of Cedar Key	Citizen complaints on fill, dock and net dip issues	LPA and commissioners	Land use regulations
Citizens	How can we have a dock without a permit? Net dip-is black OK? Shell is fill? Is industry complying?	Individuals	They vote and buy clams
Florida Legislature	To assist their constituents	Local legislative delegation (Argenziano and Kendrick)	To decide who is in charge, Can correct by law-making
Florida Board of Trustees (BOT)	Sovereign submerged lands are managed and used properly	Governor and Cabinet	Authority over state-owned lands, They are clam industry’s “landlords”
Clams (<i>Mercenaria mercenaria</i>)	To be nursed on aquaculture docks, to have net dip for protection and to ensure affordable housing (leases)	Clamity & Klem	To grow, procreate and “fill every order”



NRLI Practicum

- ★ DACS and DEP interface
- ★ Use of net dips on clam bags
- ★ Lease changes
- ★ Establishing communication with DACS

DACS and DEP interface

Overview of Process

- Round table discussion with local field reps
 - CKAA* Board of Directors
 - Clam farmers
 - City officials
 - IFAS Shellfish Extension
- DEP identifies issues by providing pictures of problem areas
- Each issue is discussed
- Regulatory authority clarified in some issues
 - Water discharges
 - Mangrove cutting

Round table discussion
February 1, 2005
Marine Lab

Nursery /
process
water
discharges

Mangrove
cutting



Shell
deposition

Docks

*CKAA – Cedar Key Aquaculture Association

DACS and DEP interface

Results: Clam Shell Recovery



- CKAA and IFAS provide answers
- Educate DEP and city officials on shell recovery efforts
 - Volunteer program
 - Newly funded project in which shell is collected at wholesale plants
- Educate wholesalers on programs and issue of dumping shell below MHW mark
- Educate public

DACS and DEP interface

Results: Aquaculture Dock Authority

2005 Legislative
Session



HB 955
Waterfront Property
Co-sponsored by
Rep. Kendrick

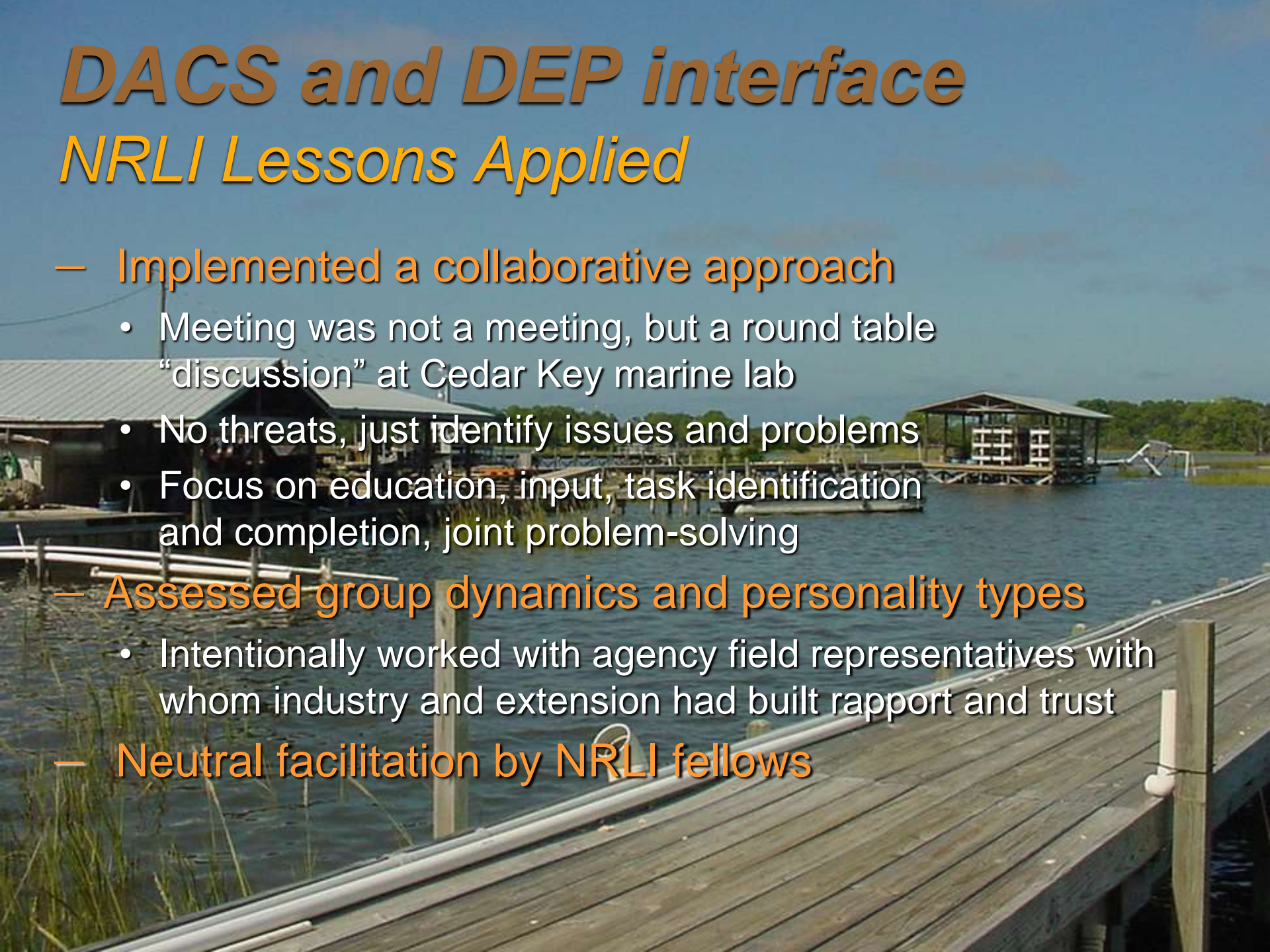


- DACS lacks statutory authority on issuing docks for aquaculture
- CKAA and IFAS seek solution
- Initiate “law” making with local legislative delegation
- Assist in lobbying efforts and partner with
 - Florida Aquaculture Association
 - Florida Farm Bureau
- “Glitch” bill attached to HB 955 in 2005 session passes
 - Effective January 1, 2006
- DACS begins accepting requests for aquaculture docks

DACS and DEP interface

NRLI Lessons Applied

- Implemented a collaborative approach
 - Meeting was not a meeting, but a round table “discussion” at Cedar Key marine lab
 - No threats, just identify issues and problems
 - Focus on education, input, task identification and completion, joint problem-solving
- Assessed group dynamics and personality types
 - Intentionally worked with agency field representatives with whom industry and extension had built rapport and trust
- Neutral facilitation by NRLI fellows



DACS and DEP interface

NRLI Lessons Applied

— Participatory process

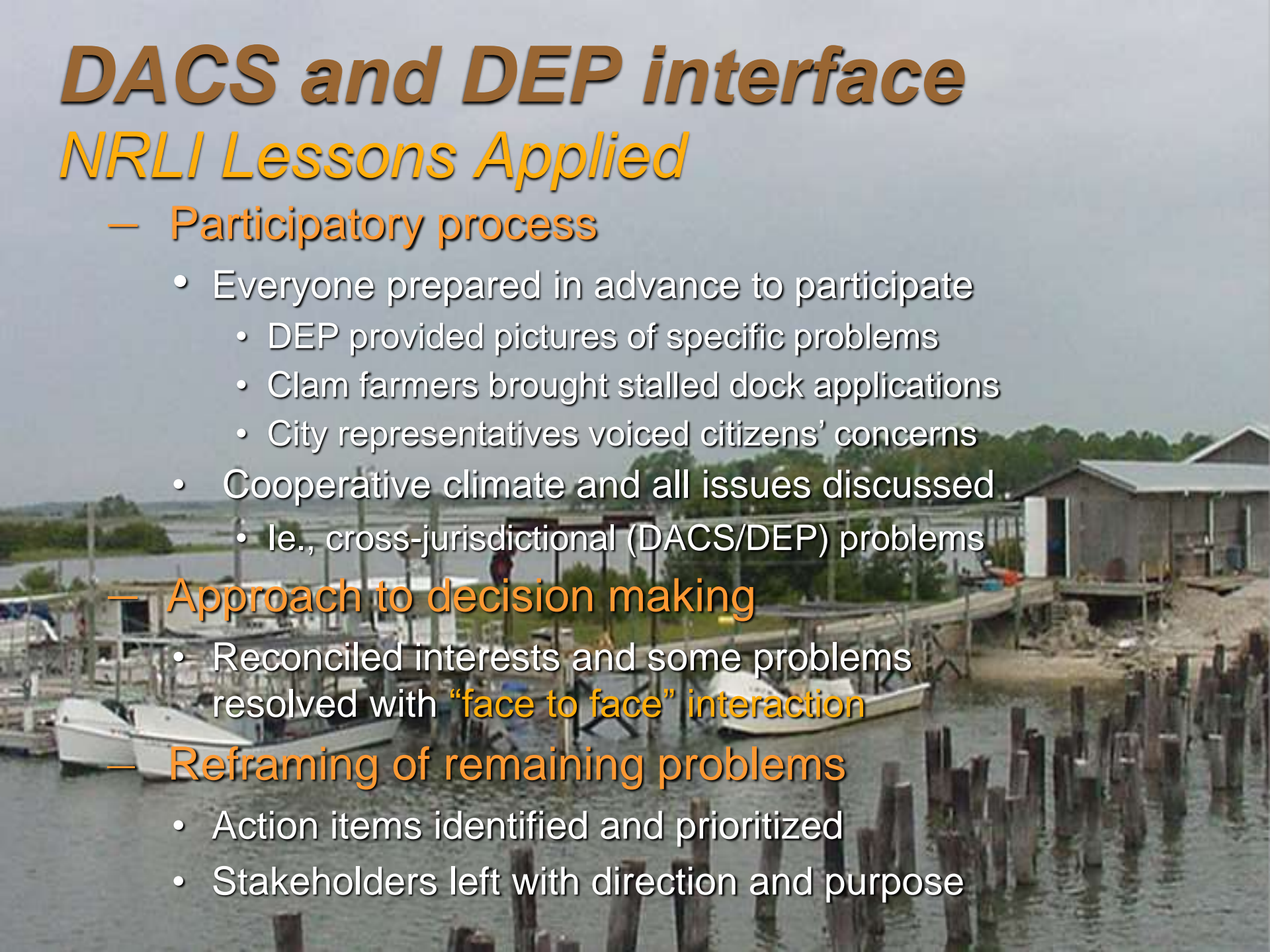
- Everyone prepared in advance to participate
 - DEP provided pictures of specific problems
 - Clam farmers brought stalled dock applications
 - City representatives voiced citizens' concerns
- Cooperative climate and all issues discussed
 - I.e., cross-jurisdictional (DACS/DEP) problems

— Approach to decision making

- Reconciled interests and some problems resolved with “face to face” interaction

— Reframing of remaining problems

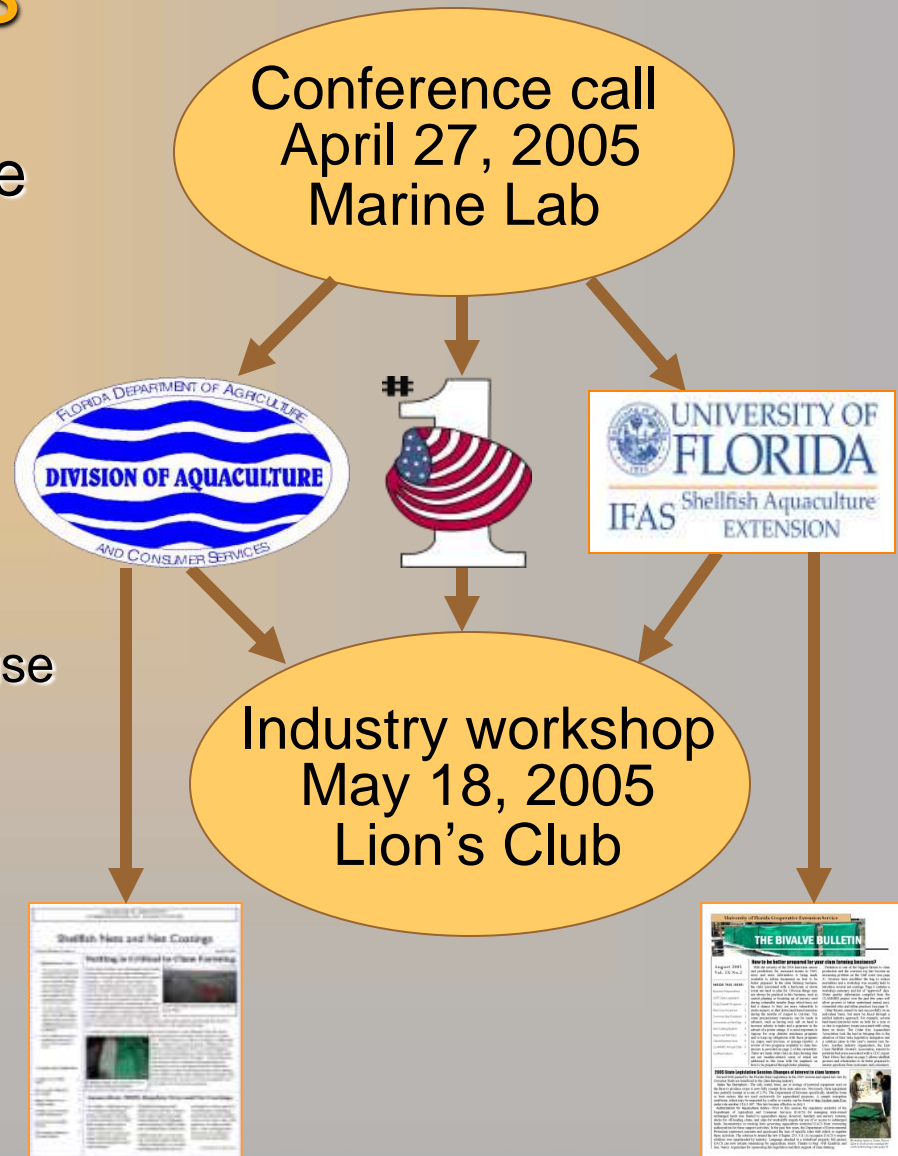
- Action items identified and prioritized
- Stakeholders left with direction and purpose



Use of net dips on clam bags

Overview of Process

- Increasing complaints from public result in reaction to issue
 - Some growers using petroleum-based products
 - Perception all “black” dips are bad
- Conference call to discuss plan of action
- DACS responds by
 - Visiting Cedar Key to understand use of net dips (protective coating and increased predator protection)
 - Establishing approval process
- Dissemination of information to industry and public
 - CKAA and IFAS host workshop
 - DACS and IFAS provide pubs



Use of net dips on clam bags

Results: Industry Workshop



The Cedar Key Aquaculture Association and UF/IFAS Shellfish Aquaculture Extension Program invite you to

New Products for Clam Aquaculture WORKSHOP

Featuring: **Net Coatings**

Wednesday, May 18, 2005
7:00 to 8:30 PM
Lion's Club, 809 6th Street
Cedar Key, Florida

- Review of Best Management Practices and lease provisions pertaining to clam culture equipment and supplies
- How to request net coating and other equipment approval from the DACS Division of Aquaculture
Mark Berrigan, Department of Agriculture and Consumer Services
- Introduction of "environmentally friendly" net coatings for clam bags from several manufacturers
- A look at other new products for clam aquaculture—Aquatic Eco-Systems and Reed Mariculture
- Cedar Key Aquaculture Association—General Membership Meeting

DOOR PRIZES will be given away to the lucky attendees—salinity refractometer, clam bags and more!

Please contact the meeting organizer below if you need further information on the

Leslie Stumer
University of Florida
Shellfish Aquaculture Extension
Phone: (352) 543-5057
Email: LNST@ifas.ufl.edu

UNIVERSITY OF FLORIDA
EXTENSION
Division of Aquaculture

People requiring special assistance due to disabilities should contact the agent listed above at least 5 working days in advance of the meeting.

May 18, 2005
Lion's Club, Cedar Key

Community
location



Public invited



Refreshments served

Use of net dips on clam bags

Results: Industry Workshop



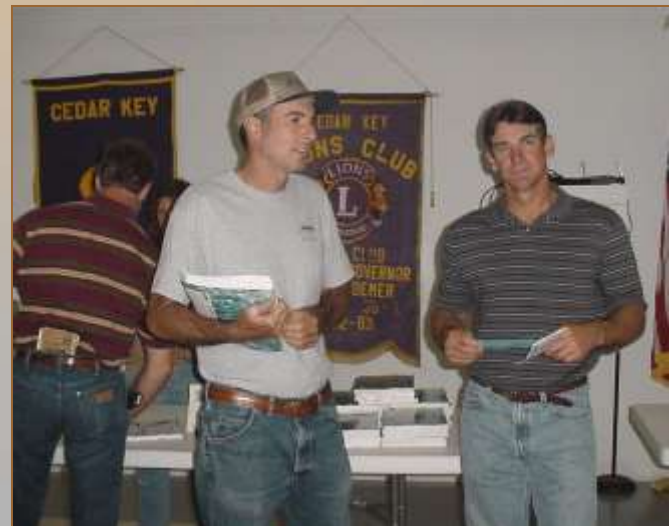
Suppliers invited



“Trade show” set-up



Product samples / information provided

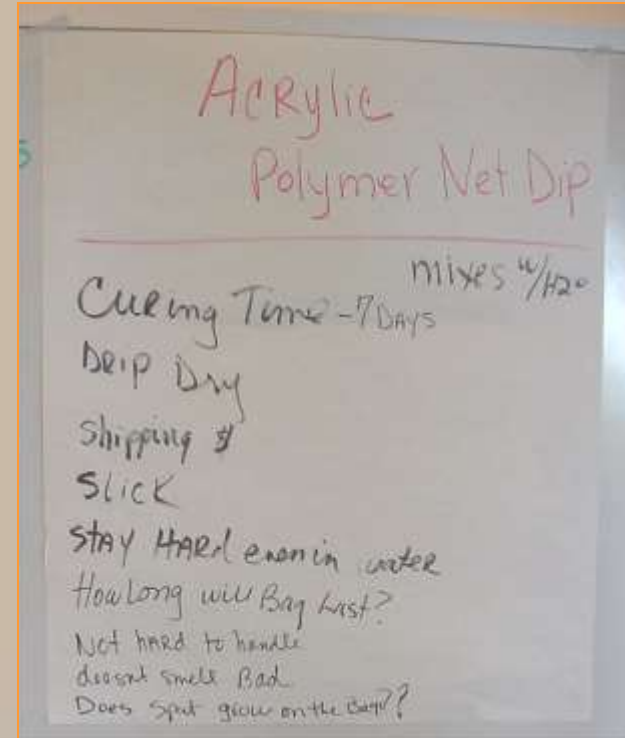


Use of net dips on clam bags

Results: Industry Workshop



Plenty of time
allowed for
discussion and
interaction



Industry comments
recorded, summarized
and provided latter



Use of net dips on clam bags

Results: Industry Workshop

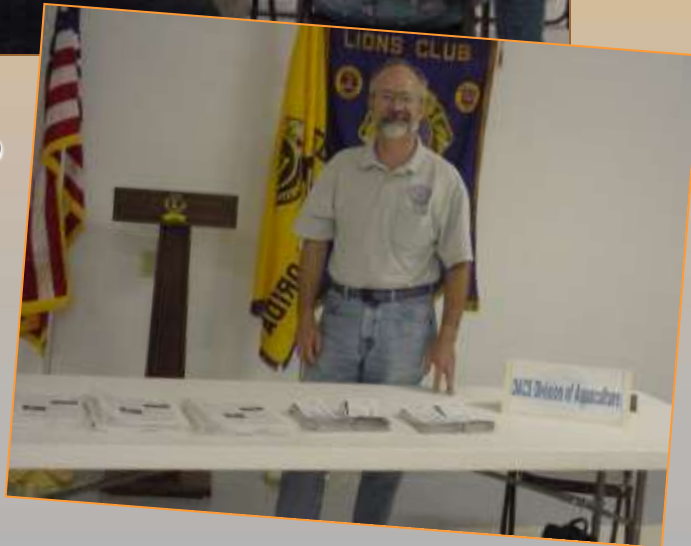


Casual seating arrangement



Door prizes given away

DACS invited to review BMPs and lease provisions pertaining to clam culture equipment

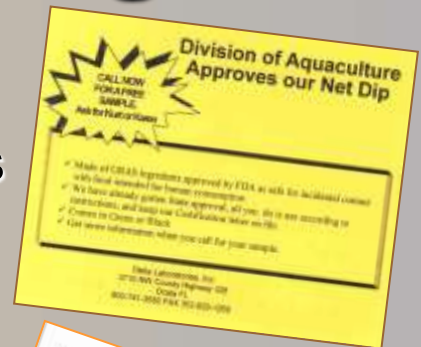


Use of net dips on clam bags

Results: Industry Publications

Manufacturers/suppliers

- Send out notices



DACS Technical Publication:

Shellfish Nets and Net Coatings

- Reviews pertinent regulations, food safety issues and approval process
- Provides recommendations on how to apply, handle, store and cure

UF/IFAS *Bivalve Bulletin* Newsletter

- Summarizes industry comments about various net dips from workshop
- Lists DACS “approved” net dips and identifies manufacturers and suppliers

Use of net dips on clam bags

NRLI Lessons Applied

- Implemented collaborative approach and conflict management
- Reframed problem during conference call
 - Not an issue of intentional public health violation by industry but an educational opportunity
 - All stakeholders needed to be provided with relevant information
- Agenda design for workshop was critical
 - Change in format and venue from previously held industry workshops

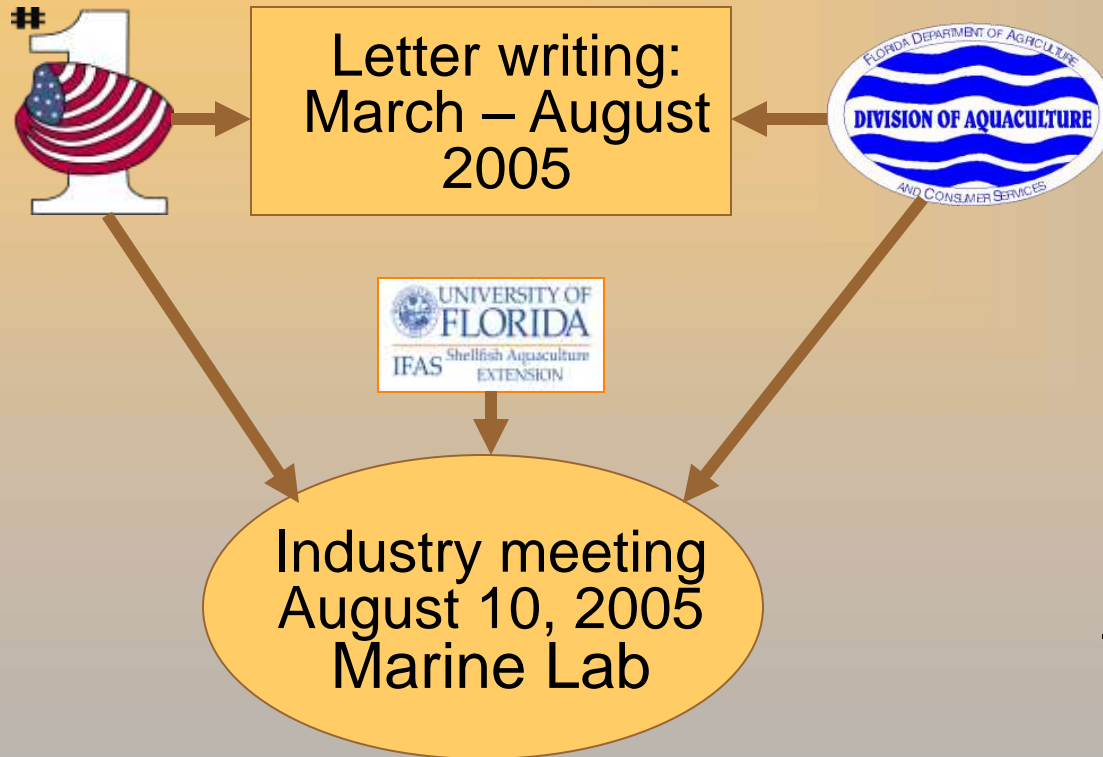
Use of net dips on clam bags

NRLI Lessons Applied

- Agenda design for workshop was critical (continued)
 - Focused on interactive educational experience
 - Industry participation and input necessary
 - “Hands-on”, visual, creative
 - Used flip charts to capture industry comments
 - Products and information available to take home
- Neutral facilitation by NRLI fellows
 - Sue opened meeting with welcome and “setting the stage”
 - Leslie refocused group to meeting design after DACS presentation
- Effective outcome -- industry compliance and no more public complaints

Lease changes

Overview of Process



- Series of changes to lease policies and increase in lease fees result in written correspondence between CKAA and DACS
 - Initially seeking info and request for input
 - Delayed responses
 - Finally antagonistic tone
- “**Face to face**” meeting requested by CKAA

Lease changes

Results of “face to face” meeting

- Promise by DACS to actively communicate with CKAA on all issues pertaining to their businesses
- An apology given by DACS
- Formation of a statewide industry task force to meet regularly with DACS
 - Task force will also serve as statewide advisory committee for UF/IFAS Shellfish Extension
 - First meeting planned for November



Lease changes

NRLI Lessons Applied

- Implemented advocacy strategy
- Political strategy
 - Ass't. Deputy Commissioner and Division Director attended meeting
- Legal strategy
 - Reviewed transcripts of Board of Trustees (Governor and Cabinet) meetings
 - Set up timeline of changes, letters and BOT meetings
- Negotiation strategy
 - Let Director answers questions directly to CKAA BOD
 - Sought compromise

Lease changes

NRLI Lessons Applied

- Identified outcome alternatives with individual stakeholders prior to meeting
 - BATNA
 - PATNA
 - WATNA



What we didn't do...

- *Fully inform speaker of meeting agenda design and intent*
- *Provide advance notice of intention to “record” meeting*
- *Save the world*

Communication is not complete until it is understood. -author unknown