

Seagrass Protection in Florida: A Growth Management Issue

**Practicum Project
NRLI Class IV, 2006**

**NRLI Fellows: Betty Staugler,
Curtis Brown, Steve Johnson**

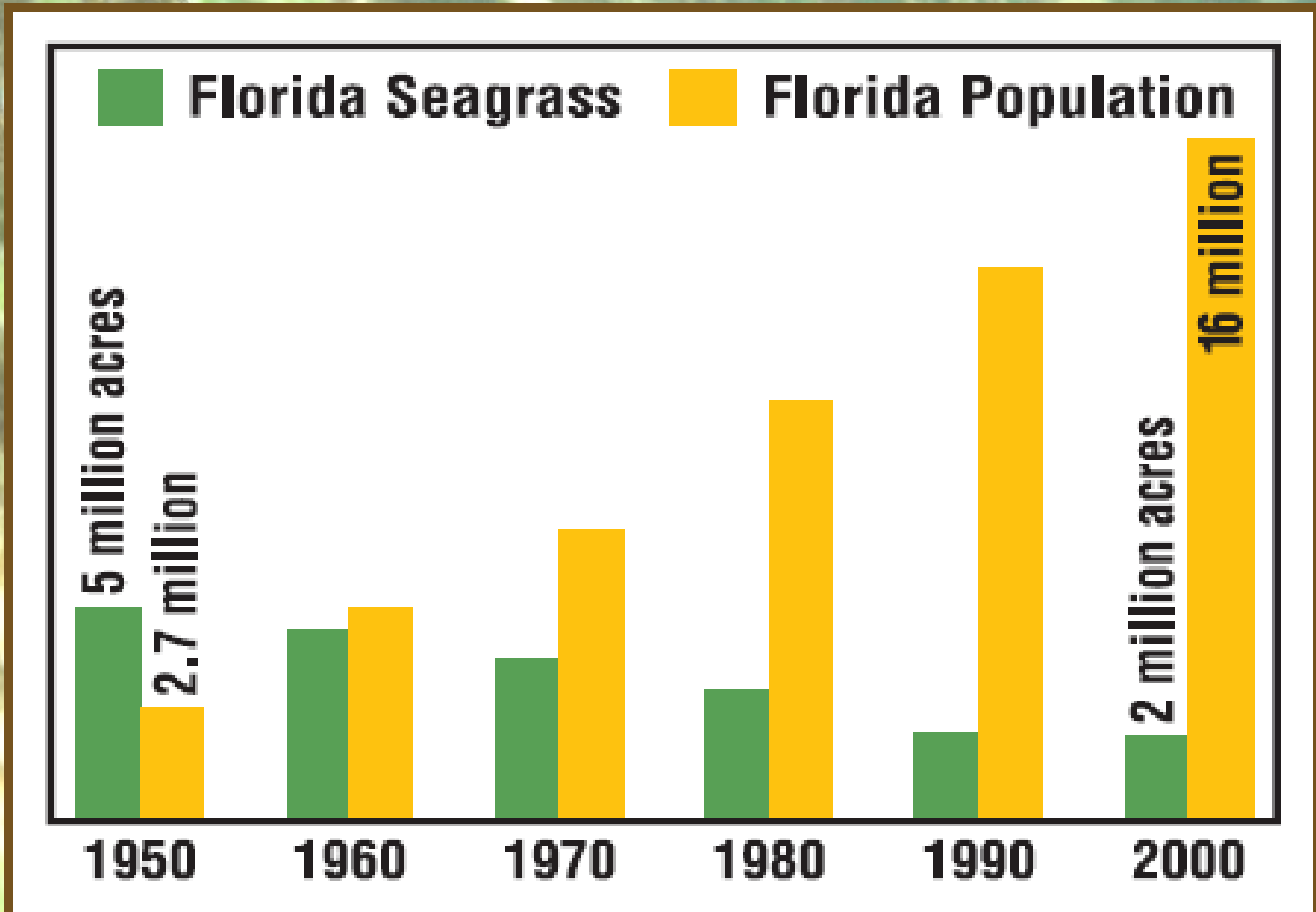
Situation Assessment/Background

•Seagrass Beds

- Produce oxygen
 - Provide food and shelter for marine life including inverts, sportfish, marine mammals, sea turtles
 - Serve as a substrate for algae and invertebrate species
 - Keep the sediment stable
 - Reduce water turbidity
 - Aid in nutrient cycling
- 70% of recreationally important fish spend portion of life in seagrass**

Situation Assessment/Background

- Growth management issues



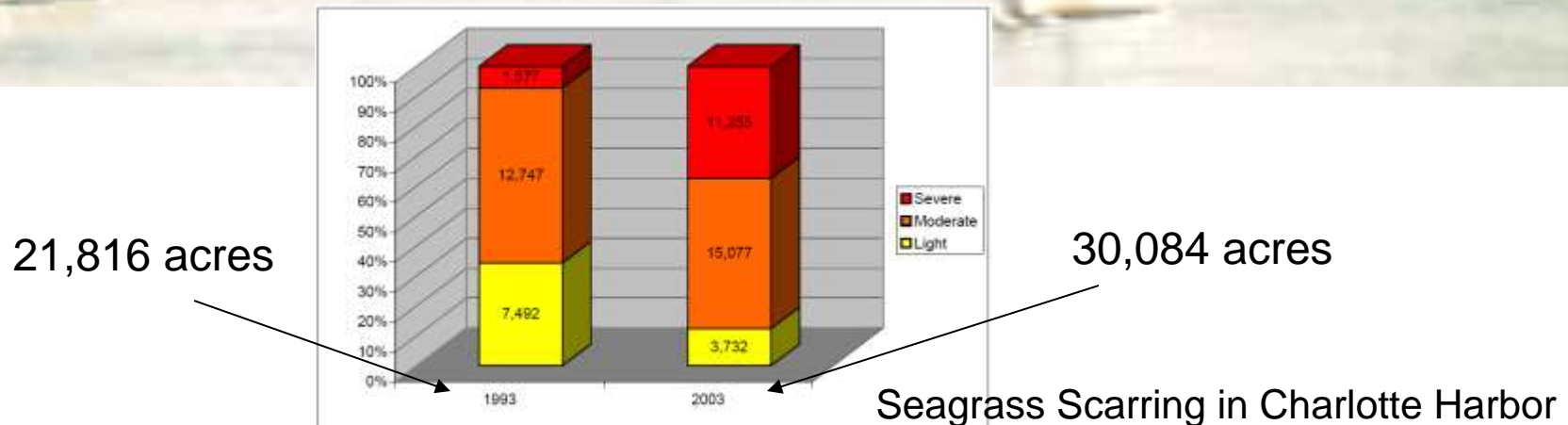
Situation Assessment/Background

- Human Impacts to seagrass beds
 - Pollution: point and non-point sources
 - Dredge and fill projects for marinas, navigation
 - Dock shading
 - Vessel grounding and prop scarring



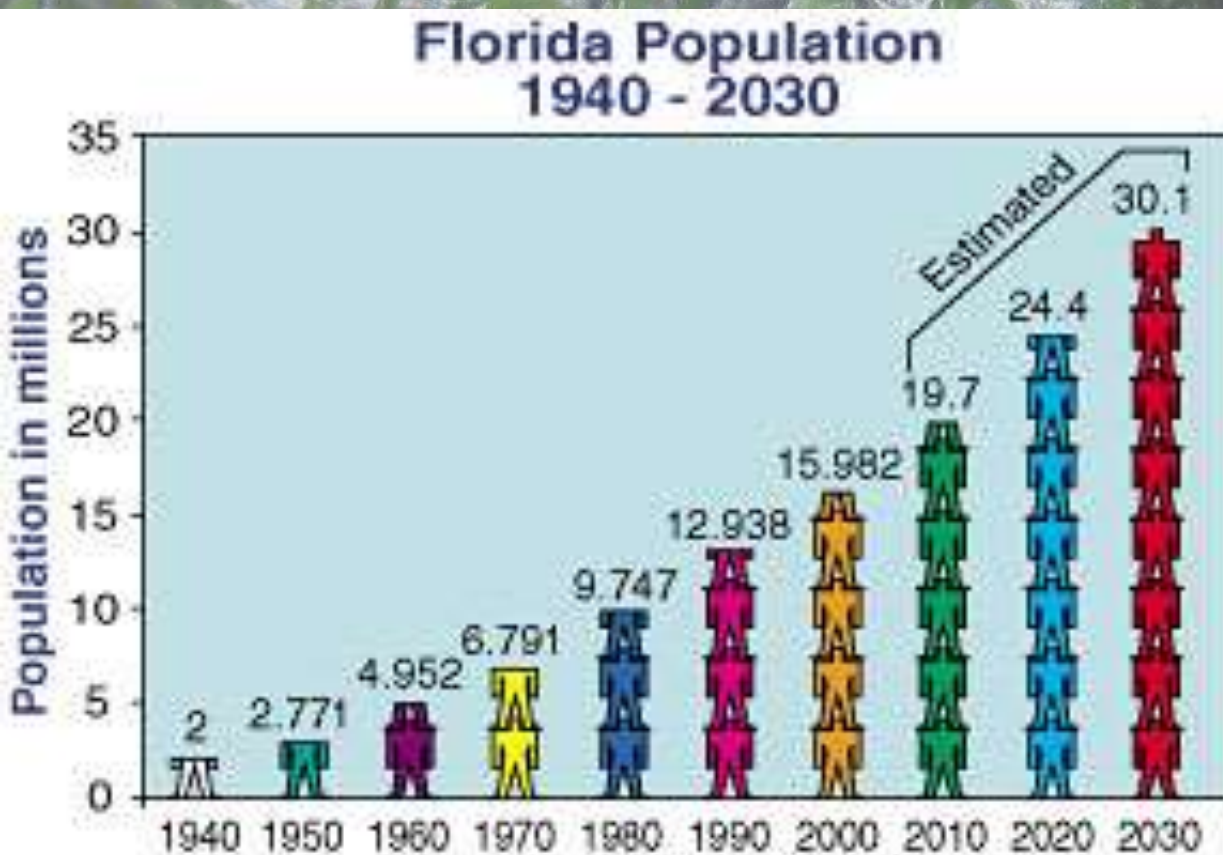
Situation Assessment/Background

- Growth management issues
 - 1970-2005: Vessel registrations increased 429%
 - Florida leads nation in registered vessels (1,010,343)
 - Increased impacts to seagrass beds from boaters
 - Marine industry in FL = \$18.4 billion (2X citrus \$)



Situation Assessment/Background

- Growth management issues



Situation Assessment/Background

- Lack of enforcement to protect seagrasses
- Growing concerns about the resource
- FWC/DEP cooperative endeavor
- Initial stakeholder meeting Feb. 2005

Situation Assessment/Background

- Areas of concern/potential solutions identified
 - Adopt statewide program for enforcement
 - Work within current statutes—e.g., fines
 - Clarify agency roles
 - Develop an Operational Guidance document between FWC/DEP on the enforcement protocol
- *Our practicum project*

Stakeholder Group

Fish and Wildlife Commission:

Kent Smith, Jim Brown, Paul Ouelette, Curtis Brown, Penny Hall, Paul Carlson, Alan Richard, Jim Antista

Department of Environmental Protection:

Georgia Vince, Danny Riley, Larry Nall, Kelly Samek

Jim Anderson—Seagrass Recovery, Inc.

Chuck Coleman—Hillsborough County

Pat Rose—Save the Manatee Club—Legal

Ross Burnaman—Self

Peggy Mathews—Personal Watercraft Industry Assoc.

Mariane Gengenbac—The Nature Conservancy

Amanada Ghaffari—National Marine Manufacture's Assoc.

Scott Deal—National Marine Manufacture's Assoc.

Larry Olsen—Environmental Business Assoc. WCIND

Eric Fohrmann—Pinellas County DERM

Ed Sherwood—Environmental Protection Commission

Eric Lesnett—Environmental Protection Commission

Eric Draper—Audubon of Florida

Bonnie Basham—FL. Council of Yacht Clubs/Standing Watch

Practicum Objectives

- Increase stakeholder awareness about the “operational guidance” document
- Inform stakeholders about the proposed pilot project in the JBAP
- Successfully facilitate a stakeholder meeting for FWC/DEP
- Gather stakeholder feedback to enhance the success of the enforcement campaign

Jensen Beach Aquatic Preserve

Site of pilot enforcement project



Meeting Prep

- Conference Calls with FWC/FDEP
- Invitation Letter to Stakeholders
 - Agenda
 - Ground rules
 - Background documents
- Pre-meeting planning meeting

Ground Rules

- Be tough on the issues, not the people.
- Listen to all perspectives respectfully and with an open mind.
- Do not interrupt another person, wait to be recognized.
- Raise your hand if you wish to contribute to the conversation. The facilitator will establish an order of speakers, which may be temporarily interrupted to follow-up on specific ideas.
- Seek understanding before responding.
- Speak concisely and do not repeat what has already been said—we have a limited amount of time for the meeting.
- Remember, we are meeting to discuss the OG document and the pilot enforcement project only. Please keep on task and avoid getting off on tangents.
- Do your part to help us adhere to the agenda—the facilitator will ensure that the meeting stays on schedule
- Again, be tough on the issues, not on the people—arguing among participants will not be tolerated.

Seagrass Vessel Damage Stakeholder Meeting
Room 272 Ferris Bryant Building (FWC Headquarters)
15 August 2006, Tallahassee, FL
Draft meeting agenda

- 12:30-12:50 Welcome and Introductions: Steve Johnson (UF), meeting facilitator
- 12:50-1:10 Historical Overview: Kent Smith (FWC)
- 1:10-1:30 Operational Guidance—Law Enforcement & FWC/CAMA Biological Assessments: Jim Brown/Kent Smith (FWC)
- 1:30-1:45 Compliance and Enforcement: Ann Lazar (FDEP)
- 1:45-2:45 Open stakeholder forum—comments, concerns, questions
- 2:45-3:00 Break
- 3:00-3:30 FWC/FDEP response period
- 3:30-4:00 Stakeholder response period

Meeting Intro



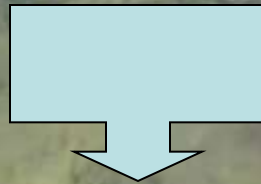
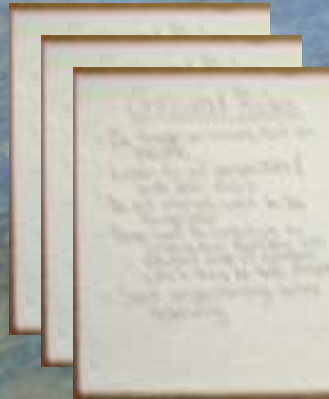
Steve – Starts the Meeting



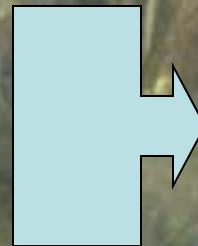
Jim Brown & Kent Smith –
Operational Guidance

Meeting Strategy

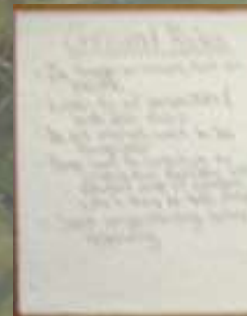
All Concerns Recorded



Major Concerns



Major Consensus



Areas of concern documented during the meeting

- Missing timely Manner
- Dollars generated are too small to restoration efforts
- Need statute to make process more simplified - uniform citation
- Step back and regroup
- Triage plan for SG restoration
- Moving processes forward could lead to Stakeholder action for legislation – simultaneous Pilot Project and legislation
- Uniform protection / fines / citation
- Require boat insurance, current requirements- restoration
- Adopt the Keys Model
- Pilot Project only after channel marking improvements
- Willful Scaring VS.
 - lack of boater education
 - commercial education
- Fine schedule too high
- Rapid reporting mechanism for the public (clarification and education)
- Enforcement and protection – establish fine levels
- Ticket and boating school with Seagrass component
- All fees go to restoration
- Rate impact (ex. 1-10) tie to fine
- Uniform channel marking- AP Management Plans
- In house damage assessment staff on board with FWC- DLE
- Unintended consequences- agitating boaters
- Fines go to Restoration
- Need funding- Restoration needs Legislation
- Expand Pilot areas East/ West
- Work on definition for violations
- Settlement Agreements for lesser Violations? Fines
- Rapid assessment- UBC- for low level prop scar (list)
- Need Legislation
- Form Legislative language for 2007
- Take into account other programs in State (what works- what doesn't) for JBAP Pilot Program

Major Concerns

- 1) the proposed operational guidance was too cumbersome to be effective
- 2) the statutorily mandated fine structure is too heavy-handed for minor propeller scarring, which is the type of damage that generally occurs
- 3) such an approach, if implemented, would alienate the boating community from the regulatory community, and would likely cause a back-lash counter to the goals of seagrass protection sought

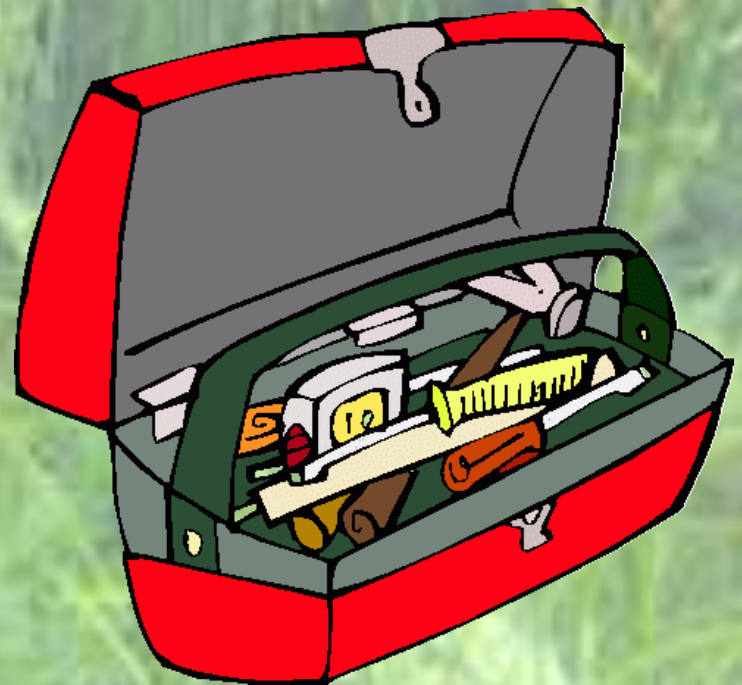
Consensus

- **Pursue using operational guidance and pilot project for egregious damage.**
- **Redefine level and extent of damage to exclude minor propeller scarring or similar small-scale damage.**
- **Stakeholders continue to work with the agencies to develop and provide legislative support for new legislation (DEP lead) addressing propeller scarring:**
 - **Simplified uniform citation**
 - **Non-criminal violation**
 - **Violation funds toward restoration (even if small amount)**
 - **Seagrass trust fund development**
 - **All funds go back into the trust fund**
 - **Work on definitions for willful violations, minor violations, unintentional violations, prop-scarring (as opposed to egregious seagrass damage)**

NRLI Toolbox

NRLI tools used or at the ready (NRLI-isms)

- Identify stakeholders
- Identify meeting objectives
- Agenda design
- Ground rules
- Solicit comments early
- Room organization
- Flip charts (dots if needed)
- Time keeper
- Pre-stakeholder planning
- Recognized 'groan zone'
- BATNA for agencies
- Dealt with late arrival
- *Holistic synergy*



Lessons Learned

- Curtis does not take very good photos
- Gator shirts & pins in Tallahassee can be a good thing
- Betty cannot spell or navigate well on land
- There are no photos of the photographer
- We were Stellar!



Lessons Learned (for real)

- Follow up emails
- Practicum NOT a daunting task
- Need refreshments
- Be prepared to deal with late arrivals



CURRENT STATUS

FWC and DEP have developed draft legislation and they will present that draft to Stakeholders on November 15th, 2006 in Tallahassee from 1-4 PM.

The DEP will be the agency leading the seagrass legislation for prop-scar penalties during the 2008 Session.