

Brevard County Marine Advisory Council (BMAC)
April 16, 2009
Space Coast Room, Building C, Government Center, Viera, Florida

Members Present:

Jerry Butz
Mike Cunningham
Gary Hanlin
Jim Mazza
John Mongioi
Joe Penovich

Members Absent

Gene Cate
Doug Jaren
George Reynolds
Rick McCrary

Staff Present:

Ernie Brown, Director, Natural Resources Management Office (NRMO)
Matt Culver, NRMO Boating & Waterways Program Coordinator
Eddie Leonard, Marine Science Extension Agent, Agriculture & Extension Services
Liz McDuffee, Administrative Assistant, NRMO

Public Present:

Bill Giers, United States Coast Guard Auxiliary
Deputy Evan Hightower, Brevard County Sheriff's Office (BCSO) Agriculture & Marine Unit
Sgt. Byron Keck, BCSO Agriculture & Marine Unit
Officer Jeff Luce, Florida Fish & Wildlife Conservation Commission (FFWCC)
James N. Marino, Director of Engineering, Coastal Tech
Ron Morgan
Petty Officer Marshall Riff, United States Coast Guard
Lt. Robert Rowe, FFWCC
Jenna Vogt, Staff Engineer, Coastal Tech

I. Call to Order

Chairman Mike Cunningham called the meeting to order at 6:05 PM.

II. Approval of Minutes

Gary Hanlin moved to approve the 3/19/09 minutes and Jerry Butz seconded the motion. The minutes were approved unanimously.

III. Agenda Items

1. New Business

a. Welcome to Joe Penovich, District 5

Mike Cunningham introduced Joe Penovich who has been appointed by the Board of County Commissioners to fill the vacant District 5 position on the BMAC. Mr. Penovich said that he has grown up on Florida's east coast in Merritt Island and now has a business in Port Canaveral.

b. Farewell to Eddie Leonard, Staff Liaison, Agriculture & Extension Services Office

Mr. Leonard, Marine Science Extension Agent, has taken a biologist position in Jacksonville with the Fish and Wildlife Conservation Commission. Mr. Leonard

expressed his appreciation for the opportunity to work with the Marine Advisory Council members over the last few years. Mike Cunningham wished Mr. Leonard and his wife the best of luck and thanked him for all of his help. Gary Hanlin asked Mr. Leonard to stay in touch. Mr. Leonard said that he would be glad to help the BMAC in the future if he could. He added that he would be taking the side scan equipment back to Gainesville tomorrow. He will download the artificial reef data from it and email the results to Matt Culver so he can pursue reinstating Brevard County's artificial reef permit. The BMAC and staff members applauded Mr. Leonard and wished him the best. Mr. Leonard's scientific knowledge and participation in maritime events will be greatly missed.

2. Old Business

a. Space Coast Boating Week and Waterfest – May 8th – May 17th

Anchor Events

Jerry Butz stated that the boating week is on track with two anchor events. The first event, the International Sailboat Match Race, is just about sold out. People are traveling across the country to attend this event. The second anchor event, the Brevard Challenge Sailboat Race, is in its 43rd running. This year, multi-hull catamarans will also be participating.

First Annual BoatBrevard.com Waterfest

Ernie Brown stated that BoatBrevard.com and Island Oasis have teamed up to sponsor the First Annual BoatBrevard.com Waterfest from 11am to 4pm at Ski Island on May 9th. Ski Island, which is located in the Banana River, is a primary recreational congregation point in the Indian River Lagoon System.

Boating Safety

Ron Morgan introduced Bill Giers, Coast Guard Auxiliary, and Petty Officer Marshal Riff, U.S. Coast Guard, and stated that their organizations will assist in protecting and educating the public during the boating week. Mr. Morgan stated that during the last meeting, the BMAC discussed obtaining funding for printing handouts and that he hoped that the Coast Guard Auxiliary could help out. Ernie Brown stated that revisions to anchoring handouts are currently on hold until related pending legislation has been approved. Matt Culver has already been working with PBS&J on the concept.

Mr. Morgan stated that a reporter for the Hometown News talked to Matt Culver and Jerry Butz. Mr. Morgan also forwarded to the reporter excerpts from past BMAC minutes and the fall regatta schedule that Jerry Butz distributed.

Mr. Giers described the safe boating week events that the Coast Guard Auxiliary is planning. Mr. Giers also stated that the Auxiliary had not decided whether to make May 16th (which would be during the Space Coast boating week) or May 23rd (which would be a week after the boating week) the major focus day for safe boating week. Ernie Brown asked Mr. Giers to forward their schedule once it is finalized. Then, if the organization is open to it, NRMO will post their schedule on the Space Coast Boating Week and Waterfest web site (<http://natres.brevardcounty.us/bmac/BoatingWeek.cfm>).

Petty Officer Riff said that the Coast Guard is also looking at May 16th or 23rd for their Safe Boating Week activities. The Coast Guard will perform vessel inspections

and provide materials to the public. Mr. Brown added that the Space Coast Boating Week and Waterfest dovetails into the Safe Boating Week, so the event is even bigger than originally anticipated. The educational opportunities are huge, and we just need to be sure that everything is well coordinated. The Cocoa Craft fair on the 16th will provide an enormous audience. Mr. Brown would like to see boating week events expanded south and further north within the county. Mr. Hanlin asked if the regatta patrol would be available for the anchor events. Mr. Butz responded that the regatta criteria is not met for either events and traditionally it has not been present. Mr. Hanlin replied that next year it would be nice to have that kind of visibility. Mr. Giers stated that the Coast Guard Auxiliary can have a vessel out for safety patrol. Mr. Hanlin asked Mr. Butz to explain the procedure for responding to situations during the races, and Mr. Butz gave a short explanation to the BMAC.

Mr. Hanlin asked if a meeting could be arranged for the early part of next week with representatives of the Coast Guard and the Coast Guard Auxiliary, Power Squadron, FWCC, Sheriff's Office Marine Unit, and the County's Parks & Recreation Department. BMAC members and members of the public were asked to give Liz McDuffee contact information for those individuals who should attend.

Other possible events

Mr. Hanlin asked if anyone had contacted any representatives for sailboard racing. No one on the BMAC had yet.

Mr. Cunningham stated that he has made some inquiries about bringing collegiate rowing teams to the boating week; however, he has not received any commitments yet. Mr. Cunningham also stated that he has contacted a representative in Singapore about having real dragon boats participate in the Space Coast Boating Week and Waterfest. Apparently there are two Singapore dragon boat racing teams who travel and give exhibitions.

Mr. Morgan stated that next year, it would be nice to have a tall ship on display at the Port. The schedule is usually set three to five years in advance, but we can put a request in.

Planning for next year's event

Gary Hanlin said that this year's efforts will lay the groundwork for next year's event. Mr. Hanlin felt that it will probably require a committee working for the entire year to properly prepare for next year's event.

b. BMAC Stationery Update

The BMAC developed a letterhead design with both the county and the BMAC seals. State Statute limits the use of the county seal to county officials and employees, unless the Board of County Commissioners expressly approves its use. The Board will be asked to authorize its use on the BMAC's letterhead at the 4/28/09 Board meeting.

c. Sebastian Inlet Marina

Mike Cunningham said that the Sebastian Inlet Marina is thinking about expanding, but it has a parking problem. Ernie Brown stated that in order to change the County's marina parking criteria, the code would need to be changed. The first step in changing the code would be to present a legislative intent to the Board. Mr. Cunningham said that Sebastian Inlet Marina is not ready to pursue expansion yet. Jerry Butz said that if changing the code would help marinas and boating to thrive,

then he is in favor of moving forward on this issue now. Gary Hanlin moved that Mr. Brown develop a legislative intent. Mr. Butz seconded the motion. John Mongioi suggested that Ernie bring back a draft legislative intent with supporting data for the BMAC to review.

III. Reports

1. Staff Report – Matt Culver & Ernie Brown, Natural Resources Management Office (NRMO)

a. *Blue Crab Cove – Stan Mayfield Grant Update*

On April 14th, the Governor’s Cabinet approved grant funding for three projects including Brevard’s Blue Crab Cove project. The next step is to obtain appraisals of the property.

b. *Derelict Vessels*

To date, fifteen derelict vessels have been removed from the Indian River Lagoon and Brevard has recently received some press on the subject. Mr. Butz asked if there is a hot line that people living on the water can call to report a derelict vessel. Lt. Rowe stated that the Fish and Wildlife Conservation Commission should be called (1-888-404-FWCC). An officer will be sent out to investigate. If it turns out to be a derelict vessel, the information will be forwarded to Officer Jeff Luce. So far the process seems to be working well. Ernie Brown said that the goal is to have the FWCC as the primary contact with the Sheriff’s Office and NRMO in the loop. Mr. Hanlin asked Lt. Rowe to provide stickers with the FWCC phone number for distribution during boating week. Lt. Rowe said that he would check the local office for the stickers. Jerry Butz asked if the database of long-term anchored boats is available to the public. Lt. Rowe replied that FWCC could not release the long-term anchored list to the public; however, it could release the derelict vessel list to the public.

c. *Comprehensive Maritime Management Master Plan (CM3P) Work Group II*

The second CM3P Work Group has some final editing on its document. It is expected that the group’s last meeting will be held on April 22nd. The third CM3P Work Group will be starting shortly after that. Emails, mail outs and newspaper articles have been used to promote participation. This group’s focus will be on promoting safe navigation and coordinating planning efforts with local, regional and state governments. Mr. Culver is hoping that representatives from regulatory/enforcement agencies will be able to participate.

d. *Red Snapper Closure*

Joe Penovich asked how the BMAC could become involved in issues such as the Red Snapper Closure. Eddie Leonard stated that the South Atlantic Management Fisheries Council has five meetings and publishes drafts for public comment. One public meeting has traditionally been held at Port Canaveral. BMAC could send a representative to the meeting to have the BMAC’s comments officially noted. Mr. Penovich stated that the Red Snapper Closure issue is in the process now. The Magnuson-Stevens Fishery Conservation and Management Act was amended in 2006 with stronger language regarding required actions and associated implementation timeframes. If an area is “experiencing overfishing,” then the Act allows up to two years to change the legislation and implement the changes. If an area is classified as “overfished,” then it can take no longer than one year to change legislation and implement the changes. Interim rules are now pushed up with little notice and closures are implemented the next year. Mr. Penovich stated that there is controversy over stock assessment data and how the classifications for “experiencing

overfishing” and “overfished” are determined. Mr. Penovich stated that there are two main sources for the data: a creel survey and a marine recreational fishing survey that is conducted via a random telephone poll. The data may be correct or be over estimated or under estimated. The parameter inputs may not be that good, but the agency is required by law to use them. Mr. Leonard encouraged the BMAC to stay on top of this complex issue and recommended that the BMAC pay close attention to the agency’s “List of Recommendations.” Gary Hanlin said that several years ago, when the BMAC was working on artificial reefs, a sports fishing group presented a lot of data and suggested that Mr. Penovich contact them. Mr. Penovich said that he will attend the public meeting and will try to get the word out to sports fishing groups. Mr. Hanlin stated that he would like to see more sports fishing groups work with the BMAC. Ron Morgan asked if the discussion related to what is referred to as “marine protected areas.” Mr. Leonard replied it did and that the strategy is to create sanctuaries that will increase fish population that will spill over into fishing areas. Mr. Brown stated that NRMO would put up links to related resources on the BMAC education web page (<http://natres.brevardcounty.us/bmac/bmac-education.cfm>).

IV. Public Input

Bill Giers, Coast Guard Auxiliary

Mr. Giers stated that one of his organization’s goals is to help disseminate information to marinas. After the derelict vessel pamphlet is printed, they can assist in distributing it and would be happy to disseminate other educational material as well. Mr. Giers stated that the Auxiliary also takes on large or small projects pertaining to waterways, boating safety, marine mammals, etc.

Ron Morgan

Mr. Morgan asked if there is money in the budget to print more of the boater’s guide. Matt Culver replied that we would apply for grants. Mr. Morgan asked if we could print a one-page anchoring regulations handout. Mr. Brown stated that he would like more guidance from the BMAC on its content. Reprinting of existing and development of new educational items are currently on hold until the legislature is finished addressing various maritime issues.

Sgt. Byron Keck, BCSO Agriculture & Marine Unit

Sgt. Keck stated that their surplus radios will not be available until next month; however it looks like the transfer of the surplus radios to local FWCC officers will still occur. This will allow the local FWCC officers to being able to access the same emergency channel as other local enforcement agencies.

IV. Adjournment

The motion to adjourn was made by Jim Mazza and seconded by Jerry Butz. The motion passed unanimously and the meeting adjourned at 7:20 PM.