

Final

Brevard County Marine Advisory Council (BMAC)
August 19, 2010
Space Coast Room, Building C, Government Center, Viera, Florida

Members Present:

Mike Cunningham, Chairman
Doug Jaren
Jim Mazza
Joe Penovich
Bill Powell

Members Absent:

Jerry Butz
Gary Hanlin
Rick McCrary
John Mongioi

Staff Present:

Ernest Brown, Director, Natural Resources Management Office (NRMO)
Matt Culver, Boating & Waterways Coordinator, NRMO
Holly Abeels, Marine Extension Agent, UF/IFAS Extension Office
Jeanette Scott, Administrative Assistant, NRMO

Public Present:

Special Agent Richard Chesler, NOAA
Officer Jeff Luce, FWC
Dawn Jaren
Mr. Penovich

Handouts and Presentations

(Go to <http://natres.brevardcounty.us/bmac-minutes.cfm> to view the handouts and presentation)

- Federal Fisheries PowerPoint Presentation
- Federal Fisheries Information Sheets
- Southwest Florida Regional Boating and Waterways Workshop Tentative Agenda

I. Call to Order

Chairman Mike Cunningham called the meeting to order at 6:02 PM.

II. Approval of Minutes

Mr. Jaren moved to approve the July 15, 2010 minutes. Mr. Powell seconded the motion and the 7/15/2010 minutes were approved unanimously.

III. Agenda Items

1. New Business

a. Federal Fisheries Presentation by Special Agent Richard Chesler, NOAA

Special Agent Chesler, a member of the Office of Law Enforcement (OLE) within the National Oceanic and Atmospheric Administration (NOAA), presented a PowerPoint on federal fisheries and regulations. He gave an overview of the Snapper-Grouper Amendment 17A & 17B, Oculina Bank & Deepwater Coral Habitat Areas of Particular Concern (HAPC), and protected marine resources. Amendment 17A will continue the closure of the red snapper fishery (commercial and recreational) in Federal waters (3-200 miles) throughout the South Atlantic. The closure area is off of South Georgia and NE Florida from 98-240'. Amendment 17A is proposed due to red snapper being listed as overfished, and

Final

17A will establish a monitoring program to track the recovery of red snapper stock. Public comments on Amendment 17A will be accepted until September 27, 2010. Amendment 17A may be implemented in late 2010 by the Secretary of Commerce. Pending approval, Amendment 17B will prohibit the harvest and possession of speckled hind and warsaw grouper. Additionally, it will prohibit fishing for deepwater species seaward of 240 foot depth in South Atlantic federal waters. Special Agent Chesler provided information on the Oculina Bank and Deepwater Coral Habitat Areas of Particular Concern which protect coral species. Protected marine resources include dolphins and right whales. Dolphins are protected under the Marine Mammal Protection Act. Special Agent Chesler stressed the importance of not feeding or attempting to feed a marine mammal in the wild. Lastly, the right whale is protected under the Endangered Species Act and Marine Mammal Protection Act. Approximately only 300 right whales remain. The area from Brunswick, Georgia to Melbourne, Florida is designated as critical habitat. The 500 Yard Rule restricts approaches within 500 yards of a right whale by vessel, aircraft, or by other means. Special Agent Chesler may be contacted at the NOAA OLE Titusville Field Office by calling 321-269-0004.

Mr. Penovich inquired how Amendment 17A would be enforced. Special Agent Chesler stated outreach efforts would encourage voluntary compliance. Additionally, NOAA OLE would coordinate enforcement efforts with the FWC and U.S. Coast Guard.

Mr. Culver asked how long Amendment 17A would be in effect. Special Agent Chesler stated approximately 20-25 years. Ms. Abeels stated Senator Nelson submitted legislature to overrule the Magnuson-Stevens Fishery Conservation and Management Act.

Chairman Cunningham thanked Special Agent Chesler for his service and informative presentation.

2. Unfinished Business

a. *Fishing Regulations Update – Holly Abeels, UF/IFAS Extension Office*

Ms. Abeels stated Special Agent Chesler thoroughly covered the topic.

IV. Staff Report

1. Matt Culver, Boating & Waterways Coordinator, NRMO

Mr. Culver stated progress has been made on the artificial reef site located 13 miles off the Port. He shared that a contractor would like to make a \$10,000 contribution to the development of the site. The County would need to match the amount. Mr. Culver is exploring partnerships with other County departments and a “naming rights” concept for the public to acquire the matching funds.

Mr. Penovich inquired on the permitting process for the artificial reef site. Mr. Culver explained that the permitting guidelines are clearly outlined. Basically, the County would inform the FWC by submitting a formal description of the site. Lastly, the U.S. Coast Guard would be contacted.

Final

Mr. Culver gave an update on the CM3P by stating the Board of County Commissioners will consider Goals IIB, IID, VA, IIIA, IB and IIA on September 7, 2010 for approval.

Lastly, Mr. Culver reported the removal of five derelict vessels from the Indian River Lagoon within the last three weeks. Mr. Culver worked closely with the FWC.

2. Holly Abeels – UF/IFAS Marine Extension Agent

Ms. Abeels stated the Southwest Florida Regional Boating and Waterways Workshop will be held September 9-10, 2010 in Punta Gorda, Florida. Mr. Culver is scheduled to give a presentation on Brevard County's CM3P at the Workshop.

V. Public Input

- Officer Jeff Luce, FWC

Officer Luce reported he was tasked with data compilation on the derelict vessel database. Currently, there are over 100 derelict vessels listed state-wide. There are 29 open derelict vessel cases in Brevard County. Of the 29, 13 vessels have been derelict since 2008 and about half can be attached to an identifiable owner. Officer Luce stated there have been several complaints on a floating structure. At this time, he reported there are no violations with the structure. Lastly, Officer Luce stated the owner of the shrimp vessel, which caught fire and sunk in the Indian River Lagoon, is cooperating and will remove the vessel at an expense of \$15,000 to the owner.

- Dawn Jaren

Miss Jaren inquired if the Boating and Waterfest has been scheduled for 2011. She also asked about possible topics and locations to conduct the boating-related seminars. Mr. Culver stated the Boating and Waterfest will be held in May 2011 to coincide with National Safe Boating Week. He suggested Lee Wenner Park or the Titusville Marina as possible locations for the seminars.

- Mr. Joe Penovich

Mr. Penovich gave an update on Grills Riverside which opened on May 11, 2010 and employs 110 staff. Mr. Penovich added he has been very pleased and thankful for the success of Grills Riverside.

- Chairman Cunningham announced the tentative opening of Christenson's Landing (formerly known as the South Brevard County Boat Ramp) on August 28, 2010 and urged BMAC members to attend the ceremony.

VI. Attendance Review – Chairman Cunningham conducted the attendance review.

VII. Adjournment

The motion to adjourn was made by Mr. Penovich. Mr. Jaren seconded and the motion passed unanimously. The meeting adjourned at 7:02 PM.