



**Gulf of Mexico Alliance Community Workshop
Apalachicola, Florida – August 25, 2005
Notes from Breakout Session on Priority Issues**

**ISSUE 1: DEVELOPMENT PRACTICES AND LACK OF EFFECTIVE
GROWTH MANAGEMENT**

- 1. How we define the issue with respect to the Gulf of Mexico (GOM)**
 - Developers control the policies, instead of policy controlling the development, not community controlled.
 - Developers identify developable land
 - Concept approval - development approval
 - Doesn't leave time for long range plan
 - Looking at economic gain vs. short range
 - Local gov and state gov needs to stand ground for “good “ development and be accountable for how and what is developed based on character, value, capacity.
 - Repeating mistakes are unacceptable - bad precedents can be set.

- 2. Access to information - Sources of info:**
 - Newspapers - document approved plan – clear that public left out of process
 - Dept Comm. Affairs
 - Planning and Zoning mtgs
 - Word of mouth – tight community
 - Public notices (newspaper, on property)
 - Other FL community mistakes and successes
 - Regulation used by/for developers
 - DOT studies
 - Web
 - Comprehensive plans for community for county, state
 - NFWFMD
 - Fl Atlantic Univ Dept of Comm. Dev.
 - DEP, USFWS, FWC
 - FEMA/NOAA/EPA/ACOE
 - CZMP
 - NERRs

3. Constraints:

- Apathy of public; many bitter and cynical from seeing bad precedents and politics at work
- Costly for citizen to file complaints with plan, city/county not supportive, developers paying for legal costs to protect their plans
- Local /state officials not holding themselves accountable
- Lack of responsible growth planning
- Lack of support for small communities from state/feds
- Lack of enforcement of good existing policy
- Zoning – arbitrary variances
- Nostalgia as opposed to current reality
- Trained planners - lack of education and tech support - for decision makers
- Lack of participation by planners in training opportunities

4. Role of public:

- Never give up – read notices, stay informed, self education (see regs for dev uses section) and participate, attend meetings and speak at meetings and submit comments.
- Voluntary restraint, put community before personal gain, or for benefit of community.
- **Voting**
- Communicate with elected officials and other citizens.
- Support and inform advocacy groups and encourage groups to work together.
- Petitions and referendums
- Networking – informal
- Legal recourse - suits

5. Role of government:

- Play by rules, fair and consistent
- Create a level playing field – no unfair exemptions to rules.
- Intergovernmental communication – provide info/data to public w/in communities,
- No turf battles
- Coordinate info and simplify for dissemination (baseline data – to know how environment is doing)
- Voluntary restraint for benefit of community – don't be driven entirely by economics.
- Self educate to be effective decision makers (or seek appropriate training) and provide opportunities for formal training on rules, regs, and env.
- Provide incentives for doing the right thing
- Gov must be accountable to citizens

ISSUE 2: LACK OF ENFORCEMENT

- 1. How we define this issue with respect to the health of the Gulf of Mexico:**
 - Failure to enforce existing Florida Department of Environmental Protection (DEP) regulations (Ex: encroachment on wetland vegetation during permitting)
 - Failure to adhere to existing comp plans and zoning regulations (Ex: counties ignore setback regulations to build houses)
 - Inability to enforce fishing regulations for both commercial and recreational
 - Regulations defining proper functioning of septic systems and problems with enforcing them (Ex: on the barrier islands)
 - Incompatibility of existing regulations (Ex: agricultural regulations between agencies)
 - Army Corps of Engineers (ACOE) rarely denying permits, allowing inadequate mitigation to wetland restoration (Ex.: wildlife islands from dredge fill)

- 2. Access to information - Sources of info:**
 - Regulatory offices: DEP, ACOE, Environmental Protection Administration (EPA), municipalities, Florida Department of Community Affairs (DCA)
 - Internet
 - Health department
 - DEP hotline: 1-800-320-0519
 - Statutes
 - Riverkeeper, conservation organizations

- 3. Constraints:**
 - Lack of communication among agencies
 - Overlap of jurisdictions
 - Means for public to get information
 - Lack of resources for regulatory agencies
 - Lack of a political will or will to not enforce
 - Knowing whom to call
 - Influence of money in the regulatory process
 - Fines/consequences are inadequate deterrent
 - Money to be made by being environmentally harmful is great
 - High staff turnover
 - Lack of scientific information on which to base regulations
 - Follow-up on cases minimal/ system overload – case vs. personnel
 - Permits and regulations complicated to understand
 - Difficulty for regulatory staff to make case that will hold up in court
 - Legal staff
 - Unwillingness to enforce – just warn
 - Fear of reprisal

4. Role of the public:

- Demand enforcement
- Be willing to come forward
- Fix problems themselves
- Shoulder some civic responsibility – self educate
- Be politically active – vote for folks who represent your (ones) views
- Peer pressure – police yourself
- Recognize that environmental regulations apply evenly to everyone
- Clarify the chain of command
- Address concerns with rules to rule makers not enforcers
- Public has the power to make changes

5. Role of the government:

- Get administrators in the field so they can experience the problems
- Effective communication among agencies
- Remove the overlap of jurisdictions
- Increase resources to enforcement programs (both \$ and personnel)
- No gray area and flexibility in rules – they are what they are
- Clearly communicate regulations and rules to the public and what penalties/Consequences for violation are
- Offer creative incentives for compliance (Ex: monitoring less frequently)
- Streamline regulation process without jeopardizing existing regulations
- Evaluate culture of regulatory agencies – focus on plusses of compliance
- Insulate regulatory organizations from political influence

ISSUE 3: HABITAT DESTRUCTION

1. How we define the issue with respect to the Gulf of Mexico (GOM)

Types of habitats:

- Aquatic – seagrass, hard bottom, benthic, coral reefs
- Terrestrial
- Wetland
- Marshes (estuarine & high estuarine – saw grass communities etc.) (low/high marsh) more of difference in east coast
- Beach communities, dunes, shorelines
- Open marine (blue water)
- Savannah/prairie
- Chemosynthetic comm..

Causes of destruction – (also crosses into water quality):

- Too much paving/impervious surfaces
- Septic tanks
- Storm water runoff, agricultural runoff
- Pesticides & nutrient loading

- Poor silvicultural practices (forestry)
- Fisheries practices (trawling, dragging)
- Vessel impacts on seagrass - prop scarring
- Electrical production (barges, dams)

2. Access to information - Sources of info, assistance, \$:

- Fed, state, local gov't (county commissioners, politicians & regulators)
- FWC, marine patrol
- EPA
- DEP
- DOACS shellfish division
- NGOs
- Environmental groups
- Regulated community/businesses (e.g. Florida Power & Light, St. Joe)
- Mitigation
- Educational institutions;
- Old-timers, historical knowledge from locals (Florida springs program has “old-timers day”)
- Riverkeeper
- Liveries, outfitters
- Industry groups (fishermen, boaters)
- Seafood industry, restaurants (e.g. using oyster shells from restaurants)
- Private trusts and foundations like PEW, Ted Turner foundation

3. Constraints:

- Time
- \$\$\$
- Lawsuits by developers and environmental groups
- Lack of forward thinking, planning
- Low-impact areas should be learning from areas that have already experienced high impact, preventative protection (e.g. seagrass in St. Joe)
- Big \$ & political contributions
- Lack of education & awareness
- Lack of long-term data sets
- Lack of knowledge of where to get data
- Lack of proper philosophy
- Area draws development b/c of attractiveness
- Some part-time residents don't care
- Some part-time residents do care – some visitors may do more to protect than locals
- Many of those impacting habitat live far away (e.g. Atlanta, Alabama, etc.) – even if they do care can be difficult for them to effect change
- Inability to link upland to Gulf ecosystems, how all connect and watershed perspective

- People too busy, may not participate
- Aren't stakeholder groups created that can bring all sides to table? (doing on manatees & making progress)
- Need for different processes of engagement and different methods for gathering input
- Opportunities to participate e.g. fishermen can't attend a day meeting
- Too many people
- Boundaries/jurisdictions unclear over whose job it is to regulate each thing
- Knowing who's in charge
- Adequate support for those in charge
- Lack of historical perspective
- Knowing link between threatened & endangered species and their habitats (habitat requirements – habitat destruction leads to endangerment) - e.g. beach mice, red-cockaded woodpeckers, fish
- How impacting one species impacts an entire ecosystem (e.g. plants that depend on mice to propagate seeds, etc.)
- Bureaucratic stumbling blocks
- Forgiveness easier than permission w/ dock permits
- Regulatory community focuses of what have more control of (e.g. restoration)
- Maybe too many regulatory agencies
- Consistency of review across agency lines
- Special interest groups (on both sides of issues)

4. Role of the public:

- Volunteer
- Get involved politically (contact legislators, county commissioners, get involved locally)
- Get involved locally
- Be educators for rest of public
- \$\$\$
- The public needs to communicate what they want to decision-makers
- Base restoration standards on historical communities
- Work w/ NGOs
- Contact & involve media
- Support harder regulations (where justified)
- Form grassroots organizations
- Stewardship, personal responsibility – be a steward, take care of own backyard, native landscaping, buying a specialty license plate
- Subsidies for agriculturalists who are doing the right thing for habitat protection
- Expand stewardship
- Practice what you preach
- Embrace BMPs

5. Role of the government:

- Streamline bureaucracy
- Make the regulations simple, easy for public to understand
- Everyone entering Florida should get pamphlet explaining regulations and consequences/penalties for not following them
- Terrestrial & submerged land acquisition – with adequate resources to manage
- Long-term planning (decade & century)
- Prohibit building in coastal hazard zones
- Make provisions to try innovative technologies for storm water management
- Zoning sensitive to habitats
- Stricter septic tank laws (not too close to water bodies)
- \$\$ for alternative energy research
- Increase offshore drilling to fund environmental protection
- Agencies coordinate, work together
- Environmental policies, laws & regs that go beyond state & national boundaries
- Require electric motors in sensitive areas, need to define sensitive areas
- Educate the public
- Reduce dependence on political contributions/campaign reform (perhaps this is a function of public pressure, not gov't) - \$ from contributions can help stymie regulations that would help environment
- Instead of spending so much \$ on campaigns, use that \$ for environmental protection
- Sponsor community/stakeholder meetings & groups
- Donations on tax forms for environmental protection
- Develop regional plans & guidance (how everyone can contribute)
- Fund academic research
- State income tax
- Fees & permits (vessel, fishing, hunting) should be increased to fund agency habitat protection
- Equitable user fees – apply to all users, no exemptions
- Environmental resource permitting (ERP) in the panhandle – adequate funding to implement ERP
- Higher gas prices
- Tax incentives for using alternative energy sources
- Tax incentives for proper stewardship (e.g. for farmers)

ISSUE 4: WATER QUALITY AND QUANTITY

1. How we define the issue with respect to the Gulf of Mexico (GOM):

- 3-d watershed: people's affiliation is what they care about, agencies jurisdictions relate to surface or ground water, atmospheric deposition (rain) planning needs to be comprehensive and include ...
 - surface and groundwater (rain)
 - geologic component (sediment, bedrock)
- Measure and monitoring
 - Quality Florida Department of Environmental Protection (DEP)
 - Wquantity Water Management District (WMD)
 - Minimum flows and levels
 - Volume of water flowing from key locations, upstream, downstream
- Management (agricultural practices, dam releases, upstream water management; slow down flow!)
- We know the effect of poor water quality, but what exactly is the cause (oyster bar closures, what from? Atlanta, local, rain, etc?)
- Need to integrate water quality and water quantity
 - Withdrawal of groundwater results in subsidence, sinkhole development, and wetlands drying up
 - Time of travel of pollution events in relation to causes
 - Watershed control across state boundaries, different governments involved (Apalachicola/Chatahoochee/Flint Rivers - ACF)

2. Access to information - Sources of info:

- DEP (Water quality)
- US Environmental Protection Agency (EPA)
- Water Management Districts (WMD) (water quantity)
- US Geological Service (USGS)
- Florida Geological Survey
- Minerals Management Service - MMS (Beach and sand)
- National Oceanic and Atmospheric Administration - NOAA (sediments and rocks)
- WAFR/WACS data bases (inaccessible to public)
- Gulf States Consortium
- Army Corps of Engineers (ACOE)
- Private sector

3. Constraints:

- Lack of central coordinated data, no single integrated source – lots of data spread across many agencies and govt structures
- Inaccessible information (especially to public), no simple data interpretation
- Political Influence (emphasis on certain projects or lack of, changing ideals, policies, concerns), results in changes to projects and associated data

- Transparency and communication of what’s being done, funding and results/data.
- QA/QC standards
- Need to know causes of pollution (effect is closed fishery, causes hard to determine)
- Inconsistent publication of water quantity data
- No incentives to do management, monitoring or measuring
- Separate jurisdictions re quantity and quality

4. **Public Role:**

- Riverkeeper
- Incentives for public water quality monitoring (funding, publicity, etc.)
- Participate in water quality monitoring programs (Watchdog, Florida Lakewatch)
- Standard and easy way of accessing data
- Volunteer groups
- Stakeholder groups (watchdogs and educators)
- Whistleblowers
- Private partnering with politics
- Education
- Vote for appropriate environmental candidates
- Educate public officials
- Recognition of good practices
- Publicize the “good, bad and ugly”
- Partner with govt agencies
- Provide funding, grants

5. **Government Role:**

- Develop a templates, guidelines and consistent measurement standards to guide the public
- Fund environmental permitting (ERP)
- Enforcement
- Educate public
- Put this on the school curriculum
- Update water control plans and other government using best, updated scientific data available and impacts on local and regional economy
- Regulation based on science (Data)
- Provide the facts in a simple way for all to understand.
- Create a water data center (WDC) = demystify the data, clearinghouse of info/activities
- Facilitation organization, streamlining/refocusing resource
- Funding and other incentives (grants, Clean Marina Program)
- Purchase sensitive areas
- Share experts