

# oppaga Progress Report



July 2003

Report No. 03-38

## Commission Improves Performance Data, But Continues to Face Trust Fund Deficits

### *at a glance*

Since our 2001 report, the commission has addressed most OPPAGA recommendations related to wildlife, freshwater fisheries, and marine fisheries management. It also partially implemented our recommendation for integrating its systems for tracking citations issued to persons violating state laws and regulations.

The commission and the Legislature have also taken action to address our 2001 report's recommendations relating to the commission's financial condition. To address the problem of continuing deficits in several operating trust funds, the commission reviewed its financial situation and recommended that the Legislature increase the fees it charged for certain licenses. The 2003 Legislature subsequently authorized the commission to charge fees for new permits and increase the fees for some licenses. The commission also engaged in a strategic planning process to identify lower priority programs and activities that could be eliminated to address funding deficits.

### Scope

In accordance with state law, this progress report informs the Legislature of actions taken by the Florida Fish and Wildlife Conservation Commission in response to a 2001 OPPAGA report.<sup>1,2</sup> This report presents our assessment of the extent to which the commission has addressed the findings and recommendations included in our report.

### Background

The Fish and Wildlife Conservation Commission was established by a 1998 constitutional amendment that consolidated the responsibility for conserving the state's fresh and salt water aquatic life, and wildlife into a single agency.<sup>3</sup> The commission's mission is to manage fish and wildlife for their long-term well-being and the benefit of people. The commission administers four major programs including freshwater fisheries, law enforcement, marine fisheries, and wildlife.

The commission is funded by general revenue and trust funds. In Fiscal Year 2003-04, the commission was appropriated \$198.5 million, of which \$73.6 million (37%) was from general revenue and \$124.8 million (63%) was from trust funds. The commission was authorized 1,857 full-time positions in Fiscal Year 2003-04.

<sup>1</sup> Section 11.51(6), *F.S.*

<sup>2</sup> *Justification Review of the Fish and Wildlife Conservation Commission*, OPPAGA [Report No. 01-48](#), October 2001.

<sup>3</sup> Article IV, Section 9, Constitution of the State of Florida.

## Prior Findings ---

### ***Freshwater fisheries management***

Our 2001 report noted that commission data showed that the populations of most freshwater sportfish species were stable or improving. However, this data needed to be interpreted with caution for two reasons: (1) the commission was reporting results from annual studies that could be highly sensitive to short-term fluctuations in conditions, and (2) it was based on studies of fish populations of only 24 lakes, which represented 13% of waterbodies managed by the commission and less than 1% of all Florida lakes.

Our prior report also noted that although the commission's lake rehabilitation projects appeared to help increase fish populations, commission data on the effectiveness of its lake rehabilitation activities was limited. Commission employees were not routinely conducting evaluations to assess the effectiveness of rehabilitation projects in increasing fish populations.

Accordingly, we recommended that the commission improve the validity of its fish population performance data by reporting on a multi-year average rather than an annual change, which would reduce the potential effect of yearly fluctuations in fish populations, and by increasing the number of lakes included in studies used to measure fish populations. We also recommended that the commission routinely conduct post-project evaluations of its lake rehabilitation projects.

### ***Marine resources***

Commission data for 2001 indicated that the populations of most marine fish species were stable or increasing, but some species were overfished. The commission had adopted regulations (e.g., minimum size and catch limits) intended to improve marine species, but it was too early to determine their effects. Therefore, we recommended that the commission continue evaluating the effects of

its regulatory actions on marine species to determine if they are improving their status.

We also concluded that manatee deaths attributable to human activity, such as collisions with watercraft, continued to be a concern. We recommended that the commission continue efforts to reduce manatee deaths caused by human activity.

### ***Wildlife management***

In 2001, the commission reported that the biological status of most Florida's wildlife species was stable or increasing. The commission reported this data as a legislatively approved performance measure. However, our 2001 report noted the commission's data considered the biological status of a species over its entire range including areas outside of Florida. Other commission data indicated that wildlife populations within Florida were declining due to causes beyond the commission's control, such as habitat loss. We recommended that the commission report population trends for wildlife species within their ranges in Florida. We also recommended that the commission continue its efforts to improve the biological status of wildlife species, especially non-game species, on lands under its management.

### ***Law enforcement***

The commission's Law Enforcement Program was created by merging law enforcement units from the former Florida Game and Fresh Water Fish Commission and the Department of Environmental Protection's former Marine Patrol.

Our 2001 report concluded that the commission had made progress in integrating the two law enforcement units following the merger. However, we concluded that the commission needed to further integrate its data collection systems for tracking citations issued to persons violating state laws and regulations. Commission law enforcement officers used the same forms to cite individuals for violations occurring in inland and marine locations, but

the citation information was stored in two separate and incompatible databases. This hindered the commission in compiling and retrieving data on violators. We recommended that the commission consolidate its systems for compiling citation information.

### ***Funding shortfall***

Our 2001 report concluded that the commission was facing a financial crisis. At that time, the commission projected a deficit for three of its six operating trust funds by Fiscal Year 2004-05. Declining sales of freshwater fishing and hunting license sales had contributed to revenue shortfalls. Despite the commission's efforts reduce its operating costs, it still projected trust fund deficits. We recommended that the commission increase its license sales and eliminate low priority programs. We also recommended that the Legislature consider authorizing the commission to raise its fees and charge fees for certain licenses that were issued at no charge.<sup>4</sup>

## **Current Status** \_\_\_\_\_

The commission and the Legislature have taken action to address most of our 2001 report's recommendations.

### ***Freshwater fisheries management***

To address our 2001 report's recommendation, the commission plans to modify its legislative performance measure on freshwater fish populations by reporting on a multi-year basis, which will reduce the variability in the commission's reported performance. However, it has not adopted our recommendation to increase the number of lakes included in studies used to measure fish populations.

The commission also addressed our recommendation that it evaluate the effects of its lake rehabilitation projects. Evaluation

activities will include assessing fish populations, habitat conditions, and angler use in rehabilitated lakes.

### ***Marine resources***

The commission addressed our recommendations by continuing to monitor marine fish populations, especially those species historically over-fished. The commission reported that management actions improved the status of marine fish species identified as being over-fished in our 2001 review.<sup>5</sup>

It also addressed our recommendations by taking several actions to reduce manatee mortality due to human activity. These actions include adopting new manatee protection zones, developing new signage, distributing safety information, and increasing law enforcement patrols in protection zones.

### ***Wildlife management***

The commission addressed our 2001 report's recommendation by changing its legislative performance measure for assessing the biological status of wildlife species to reflect the species' population trends within their ranges in Florida. It also is conducting and planning activities to monitor the status of non-game species in lands under its management.<sup>6</sup>

### ***Law enforcement***

The commission partially addressed our 2001 report's recommendation that it improve its systems for recording data on violators. The commission continues to maintain separate databases on citations issued for inland and marine violations. However, it developed a new database to merge all citation information from both databases. The commission expects to start directly entering citation data into the new database in September 2003.

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<sup>4</sup> We estimated that if the commission increased its fees on licenses instituted on or before 1987 to account for inflation, its revenues would have increased by \$2.6 million. The commission reported that it spent \$1 million issuing 162,451 free permits and licenses in Fiscal Year 1999-00.

<sup>5</sup> These fish species include king mackerel on the Atlantic and Gulf coasts, pompano, red grouper, snook, and spotted seatrout.

<sup>6</sup> Habitat management activities include prescribed burning, mowing, roller chopping, exotic vegetation control, and hydrologic restoration.

**Funding shortfall**

The commission continues to face shortfalls in revenues that are used to fund its major programs. It projects a deficit of \$2.1 million in three operating trust funds by Fiscal Year 2004-05: Marine Conservation Trust Fund, Save the Manatee Trust Fund, and Florida Research and Management Trust Fund. Further, the State Game Trust Fund is projected to have a deficit of \$1.2 million by Fiscal Year 2005-06.

The commission addressed our 2001 report’s recommendations by taking actions to address its trust fund deficits. In January 2003, the commission convened an external Financial Review Task Force to review the agency’s financial situation. The task force recommended that the Legislature increase the fees for certain licenses issued by the commission. The commission also is prioritizing its programs and activities as part of its strategic planning process. Commission managers expect that this process will identify lower priority programs and activities that could be eliminated or reduced to address projected funding deficits in Fiscal Year 2004-05.

The 2003 Legislature also took action that addressed our recommendations by authorizing the commission to establish new permits and increase existing fees, which will generate an estimated \$584,914 in revenues (see Exhibit 1).<sup>7</sup>

<sup>7</sup> Chapter 2003-151, *Laws of Florida*.

**Exhibit 1  
New Fees and Increases Could Generate  
\$584,914 in Revenues**

License or Permit	Fee Change		Estimated Revenue
	Old	New	
Wildlife exhibition permits			
a) 25 or less (Class I or II)	\$ 6	\$150	\$209,300 (all permits)
b) more than 25 (Class I or II)	25	250	
c) any number (Class III)	0	50	
Annual Florida nonresident turkey permit	0	100	152,000
Nonresident 10-day hunting license fees	25	45	137,314
Venomous reptile permit	5	100	44,270
Private game preserve license	5	50	27,630
Private hunting preserve	25	70	7,200
Personal possession of wildlife permit (Class II – potentially dangerous)	100	140	7,200
<b>Total</b>			<b>\$584,914</b>

Source: Commission data.

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