

**FLORIDA KEYS NATIONAL MARINE SANCTUARY ADVISORY COUNCIL**

**August 15<sup>th</sup>, 2006  
Marathon Garden Club**

**FINAL MINUTES**

**Members Present:**

Chris Bergh	Ken Nedimyer
Jack Curlett	Krueger Nicholson
Richard Grathwohl	George Neugent
Debra Harrison	Bruce Popham
David Hawtof	Deborah Shaw
Mark Klingbeil	Brad Simonds
Jerry Lorenz	
Martin Moe	

**Alternates Present:**

Tony Iarocci

**Call to Order/Approval of Minutes from June 20<sup>th</sup>, 2006 Meeting/Adoption of Agenda**

Chair Bruce Popham called the meeting to order at 9:12 a.m. The minutes of the June 20<sup>th</sup>, 2006 meeting were approved as presented. The agenda was adopted as presented.

**Introductions**

Stephanie Bailenson introduced Kent Edwards, the new Environmental Administrator and Lower Region Manager. Billy Causey recognized Major Skip Russo. Bruce Popham recognized sanctuary staff members Brian Keller, Cheva Heck, Nancy Diersing, Nick Tagliareni, Joy Tatgenhorst, Kent Edwards and Ivy Kelley.

**Chairman's Comments**

Chair Popham observed that it has been a year since the advisory council retreat at Hawk's Cay and that a number of achievements have been accomplished since that time: three working groups have been meeting and going through their action plans. The Water Quality Protection Program (WQPP) Steering Committee has re-convened; funding for sanctuary education projects is being identified and *Diadema* are being restored to reefs.

**Sanctuary Superintendent's Report**

Commander David Score reported that the installation of exhibits at the Eco-Discovery Center in Key West is taking place. Sanctuary staff and vessels have worked with SAC members and Mote Marine Laboratory adjunct scientists Ken Nedimyer and Martin Moe on *Diadema* restoration. The WQPP steering committee meeting was productive and Cheva Heck and Ivy Kelley will be working on a communications strategy with the U.S.

Environmental Protection Agency. He said that the coral spawning cruise in conjunction with Mote Marine Laboratory was highly successful, with *Acropora* spawning on cue.

### **Florida Department of Environmental Protection Report**

Stephanie Bailenson said that Kent Edwards will bring regulatory, technical and process skills to the sanctuary. She welcomed Jacquelyn Laverdure as the new Team OCEAN coordinator in the Lower Keys. Ms. Bailenson distributed copies of the Florida Coastal and Ocean Economies Report, noting that it is full of good information and is a good investment for the state.

### **Sanctuary Law Enforcement Report**

Officer Bill Green, substituting for Lt. Burns who was attending an agency meeting on vessel groundings, reported on the two-day sport lobster (mini) season. He said that there were 473 vessel inspections resulting in 26 resource citations and 34 resource warnings. Unfortunately, there were also four fatalities. There was one ATBA violation and four vessel groundings, but no summary settlements since the June meeting.

### **U.S. Fish & Wildlife Service Report**

Tom Wilmers reported on a resurgence of numbers of green sea turtles in the Marquesas and noted the absence of fibropapillomas on turtles that had been captured. There is GPS data on every turtle captured and satellite tagged. This is in contrast with the populations of loggerheads that are still in a six year decline in nesting numbers. More good news comes from populations of Great White Herons, White Crowned Pigeons and some other migratory species.

### **Florida Fish & Wildlife Conservation Commission Report**

John Hunt observed that the increase in lobster size and numbers during mini-season comes as no surprise, since the commercial fishery ended very early in 2005 due to hurricane activity. He said that data will show a substantial shift in size structure of the commercially harvested population. He reported that the next commission meeting is in St. Petersburg in September. Mr. Hunt said that Tony Iarocci has persuaded him to submit a proposal to NOAA for cooperative fisheries to test some trap designs made by Mr. Iarocci and Martin Moe. A very strong story about habitat interactions comes from a lobster that was fitted with a sonic tag on the sand bar off shore from Western Sambo Ecological Reserve and was later sighted within it.

### **Regional Director's Report**

Billy Causey reported on a regional meeting in Galveston with a focus on maritime heritage, and the national marine sanctuary program's executive team meeting. He elaborated on the coral spawning cruise, during which bundles of fertilized spawn were collected for later settlement. The Florida Keys Revised Draft Management Plan was sent up to headquarters last week. Gray's Reef management plan is out for public review, and Flower Garden Banks is initiating the management plan process. Discussion followed concerning the potential involvement of the council in snapper spawning aggregations and the Research Natural Area in Dry Tortugas National Park.

## **Ballyhoo Working Group Report**

Captain Steve Leopold, representing the Islamorada Charter Boat Association on the working group, requested that the sanctuary advisory council approve the recommendations made by the working group at their July 18<sup>th</sup>, 2006 meeting in Key Largo on the special hair-hooking permit for baitfish in three upper Keys Sanctuary Preservation Areas.

Martin Moe, seconded by Captain Brad Simonds, moved that the Florida Keys National Marine Sanctuary Advisory Council accepts the recommendations of the Ballyhoo Working Group on hairhooking in selected Sanctuary Preservation Areas in the upper Keys and requests that sanctuary managers implement the following recommendations:

### **RECOMMENDATIONS REGARDING PROGRAM FUTURE AND ELIGIBILITY:**

- The hair hook permit program shall remain open / continue subject to a change in data, environmental conditions, or fishing activity.
  - The Ballyhoo Working Group shall meet yearly to check-in, review previous years' data, and make necessary recommendations to FKNMS.
1. Permit conditions and log form requirements shall remain the same as current.
  2. The permit and log form will be edited to more clearly note that catch must be reported to FKNMS by the given deadline (May 31 of year), even if no catch was taken from the SPAs.
  3. The FKNMS will mail a renewal letter to all hair hook permit holders in April/May of given year as a reminder of log requirements and to note that non-respondents are not eligible for renewal.
  4. All previous permit holders and new applicants shall be eligible for the issuance of a hair hook permit, with the exception of those who did not report on-time in the past season (2005-06; see #4b, below).
    - a. All applicants who submit the required catch log on time (May 31 of given year) shall be eligible for a permit renewal. Applicants stating they did not use the permit but reporting this on time shall also be eligible for renewal. An un-written, 10-day grace period will apply to the deadline for all log submissions. No exceptions beyond this grace period will apply.
    - b. Applicants who do not submit a log form or who submit it late (>5/31 + 10-day grace period) are not eligible for a permit renewal until the next full hair hook permit season (e.g., one year hiatus from program).
  5. Permittees who are found to be in violation of the permit conditions by FKNMS law enforcement shall be ineligible for the permit in the following year.

6. It is recommended that the same requirements regarding log form submission and renewal eligibility (#4a and b, and #5, above) apply to holders of cast net/baitfish permits in the interest of consistency in the FKNMS permitting program.

The motion was approved unanimously upon roll call vote. Discussion concerned the regulatory status of the permit, and it was clarified that it is discretionary.

#### **Water Quality Working Group Report**

Chair Popham reported on the Water Quality Protection Program Steering Committee meeting which took place on July 25<sup>th</sup> at Key Colony Beach City Hall. Funding for infrastructure improvement projects was discussed, as well as a communication strategy for stakeholders. Water quality linkages between the Everglades and the Florida Keys were mentioned, as well as other upstream sources. Jon Fajans from Keys Marine Laboratory briefly described the SEAKEYS program, which is accessible online at <http://keysmarinelab.org/seakeys.htm> Dr. Joe Boyer of Florida International University briefly described the sanctuary's water quality monitoring program which is accessible online at <http://floridakeys.noaa.gov/wqpp.htm>.

#### **Education & Outreach Working Group Report**

Martin Moe reported on the meeting between SAC working group members and sanctuary staff on July 19<sup>th</sup>, 2006 in Key Largo. The essential role of education and outreach in fulfilling the sanctuary's mission was noted, and the lack of funds due to budget constraints for educational programs was also noted. Two major initiatives for the working group have been identified: to secure funding for sanctuary programs and to get an ocean ethic introduced into the FCAT standards. Discussion concerned various funding sources and mechanisms.

#### **Ecosystem Restoration Working Group Report**

Dr. Jerry Lorenz introduced his co-chairs, John Stieglitz and Alessandra Score. He reported on the meeting of this working group on August 7<sup>th</sup>, 2006 in Key Largo. Revisions to the group's Action Plan were presented with emphasis on the separation of water quality from flow in the Everglades restoration plan, and the need for a water quality expert on the working group was noted. Resource restoration was discussed, particularly *Diadema* and acroporid corals, and a request was made of sanctuary management for a white paper on marine zoning around the world to determine which strategies are being adopted to protect resources and how well they are working, and for a presentation on zoning at a future SAC meeting.

#### **Algal Blooms in Florida Bay and Adjacent Areas**

Peter Frezza of the Tavernier Science Center gave a PowerPoint presentation on the recent anomalous algal blooms and a sponge die-off bordering the 18 Mile Stretch. Discussion concerned the difficulty of hind-casting the cause of the blooms and the role played by highway construction and hurricanes in perpetuating the blooms.

### **Diadema Restoration Working Group**

Martin Moe and Ken Nedimyer reported on the collaborative project in the upper Keys to transplant juvenile long-spined black sea urchins from the rubble zone into safer reef habitat. Over 1100 individuals have been relocated this season. The *ad hoc* working group formed after the meeting of the Ballyhoo Working Group, and is a subsector of the Ecosystem Restoration Working Group.

### **Ten-year Replication of Study on Recreation-Tourism in the Florida Keys: “Linking the Economy and Environment of the Florida Keys/Florida Bay” and Five-year Replication of the Socioeconomic Study of Reefs in Southeast Florida: A short overview of the proposed project.**

Dr. Vernon R. (Bob) Leeworthy from NOAA’s Coastal and Ocean Resources Economics Program gave a PowerPoint presentation on two upcoming studies in the Florida Keys. Funding the studies was noted as an issue to be addressed.

### **EVERGLADES RESTORATION PANEL**

Greg May, Executive Director of the South Florida Ecosystem Task Force, moderated the panel. He gave an overview of the ecosystem-based, interagency approach established by Congress for Everglades restoration, with 112 separate projects involved.

### **South Florida Everglades Ecosystem Restoration**

Dennis Duke from the U.S. Army Corps of Engineers gave a PowerPoint presentation describing major projects and challenges in Everglades restoration.

### **ENP Seepage Management, Biscayne Bay Coastal Wetlands, C-111 Spreader Canal and Florida Bay/Florida Keys Feasibility Study: Project overview**

Tommy Stroud from the South Florida Water Management District gave a PowerPoint presentation and highlighted the state of Florida’s Acceler8 program in restoring sheet flow.

### **Hydrology Goals for Florida Bay and Biscayne Bay**

Dr. Tom Van Lent from the Everglades Foundation gave a PowerPoint presentation on historic, present and desired pathways for water flow into Florida Bay and Biscayne Bay.

### **Ecological Impacts of Everglades Restoration on the Florida Keys National Marine Sanctuary and Adjacent Waters**

Dr. Jerome Lorenz from Audubon of Florida gave a PowerPoint presentation in which he reviewed historic projects to alter flow in the ecosystem and discussed possible ecological effects of proposed restoration projects.

Rock Salt, Director of the Everglades Restoration Task Force discussed the roles of the federal agencies involved with restoration and emphasized the need to address the quality of water flowing through the system, and salinities in estuaries.

## **Public Comment**

Mary Barley, a resident of Monroe County recognized all members of the panel. She commented on the C-111 spreader canal, water quality, Taylor Slough and distribution. She mentioned the Florida Forever Act and noted that flood protection is intended primarily for streets and not domestic dwellings. She observed that adaptive management usually means that the environment loses, and concluded with the reminder that people are the most important resources to the state of Florida.

John Adornato from the National Parks Conservation Association responded to panel presentations. He noted that some projects are a little further on than might be supposed from the presentations. He addressed the potentially negative effects of CSOP on Taylor Slough and Florida Bay. He said that there are a lot of developments in the footprints of projects in south Dade County that would affect Taylor Slough. He added that the C-111 project is one of the solutions for Everglades National Park and that water quality also needs to be addressed and proposed a draft resolution for consideration by the advisory council that the sanctuary superintendent should recommend backfilling of the C-111 canal

Alex Score from the World Wildlife Fund said that she echoed all the preceding comments, and read the attached letter from a group of organizations to the advisory council chair concerning remedial action for the algal blooms in Florida Bay and adjacent waters.

## **Panel Discussion**

Discussion began with identifying the need to have a united stand in support of the principles of restoration in order to secure congressional support.

## **Sanctuary Advisory Council Questions and Comments for the Panel**

Debra Harrison asked the panel, given that Acceler8 provides for flood protection, and does not address the needs of Florida Bay, why the C-111 and Modified Waters projects can not be moved forward together without waiting for federal funding. Discussion followed concerning the primacy of filling in C-111 before any other results will be seen. Funding for a pumpstation in the Corps' PIR to protect Florida City was cited as an impediment to the project. The complexities and uncertainties involved in meshing projects was also discussed.

Martin Moe asked how much current and projected development in Miami-Dade is going to affect the restoration of more natural flow to Taylor Slough. Land prices and local government issues were discussed.

Chris Bergh asked if sea-level rise has been taken into account in the overall restoration planning. Difficulties of conducting surveys in the vegetation type were mentioned.

Richard Grathwohl asked whether a new bridge was going to be built over the canal, which would then be filled in. It was determined that DOT plans to stay with the old bridge. Concern was expressed that the DOT 18 Mile Stretch project, which was

undertaken before the Feasibility Study came out, might have to be taken out by the Corps. The need for transparency in government was mentioned, as was the need to engage citizens at a higher level. Biological evaluation of partial projects was encouraged. Information on projects can be found at [www.sfrestore.org](http://www.sfrestore.org).

Rock Salt commented that the President's budget was not big enough for restoration, and that the Senate has severely cut Corps funding, while the House fully funded the President's budget.

### **Sanctuary Advisory Council Motions**

Debra Harrison moved, seconded by Ken Nedimyer, that the Florida Keys National Marine Sanctuary Advisory Council requests sanctuary managers inform and educate the President of the U.S. Senate on the importance that the appropriation requested in the President's budget for Everglades Restoration be restored in the Senate appropriation for FY07. The motion passed with one abstention, after discussion concerning language, upon roll call vote.

Debra Harrison moved, seconded by Richard Grathwohl, that the Florida Keys National Marine Sanctuary Advisory Council accepts the resolution (forthcoming attachment) concerning the C-111 Spreader Canal Project and requests that sanctuary managers recommends to the South Florida Water Management District and the U.S. Army Corps of Engineers that:

- (1) The backfilling of the lower C-111 canal is the main project element that will provide the most significant benefits for the restoration of Florida Bay and should be conducted in conjunction with the construction of the C-111 spreader canal;
- (2) The spreader canal should be aligned to follow the topographic contours of the land to maximize restoration benefits;
- (3) Water quality standards must be met, including a potential stormwater treatment area, to be constructed at the same time as the spreader canal;
- (4) Acquiring the necessary lands for the spreader canal, wetland restoration, and stormwater treatment area should be immediately undertaken to ensure the other components can be properly implemented.

The motion passed after discussion, with one abstention, upon roll call vote.

Richard Grathwohl moved, seconded by Jerry Lorenz, that the Florida Keys National Marine Sanctuary Advisory Council (FKNMSAC) asks sanctuary managers to request of the South Florida Water Management District that it determines the cause of the blue-green algae blooms in north east Florida Bay and southern Biscayne Bay. If the problem is related to the construction work on the 18 Mile Stretch, all necessary actions should be taken to alleviate any anthropogenic causes of the problem as soon as possible. The FKNMSAC further requests that Florida Department of Transportation and South Florida Water Management District work with the Florida Keys National Marine Sanctuary to alleviate this problem and inform the FKNMSAC of their findings at the bimonthly

advisory council meeting on Tuesday, October 17<sup>th</sup>, 2006 at the Marathon Garden Club, Monroe County, Florida. After discussion concerning timing, the motion passed unanimously.

The advisory council requested an update on the matter at the October 17<sup>th</sup>, 2006 meeting.

**5:10 Adjourned**

Minutes respectfully submitted by

Fiona Wilmot  
Advisory Council Coordinator