

Florida Keys National Marine Sanctuary Advisory Council
Final Minutes – April 18, 2000

Members Present

Virginia Cronk	Don Kincaid
Tom Davidson	Karen Lee
Fran Decker	Duncan Mathewson
Jim Fryer	Ken Nedimyer
Richard Grathwohl	George Neugent
Debra Harrison	Deborah Shaw
David Hawtof	
Warren Johnson	

Alternates Present

Greg DiDomenico for Tony Iarocci
Todd Firm for Rob Bleser
Sheri Lohr for Anita Schwessinger

The meeting was called to order at 9:05 a.m.

Approval of Minutes/Approval of Agenda

Upon motion by Fran Decker, seconded by Greg DiDomenico, the minutes of the February 15, 2000 meeting were approved. The agenda was approved as presented.

Sanctuary Superintendent's Report – Billy Causey wished everyone a happy Earth Week, announcing that there are many activities throughout the Keys commemorating the 30th anniversary of "Earth Day". Mr. Causey reported that the Florida Keys National Marine Sanctuary three volume Management Plan is on the web site at www.fknms.nos.noaa.gov. Mr. Causey also reported on recent positions which have been advertised. He announced that Mary Tagliareni has been selected as the Education Coordinator, and the Science Coordinator position will soon be advertised, which is the position currently held by Ben Haskell who is transferring to the Stellwagen Bank National Marine Sanctuary.

Mr. Causey announced that the Dr. Nancy Foster Florida Keys Environmental Center at Truman Annex in Key West will be dedicated April 26. Dr. Foster is currently the head of the National Ocean Service; she was the first Chief of the Marine Sanctuary Program

in the 1970s and 1980s; she then worked for the National Marine Fisheries Service, and returned to the National Ocean Service a couple of years ago.

Mr. Causey reported on the US Coral Reef Task Force meeting held March 2 in Washington, DC where the National Action Plan to Conserve Coral Reefs was approved. He also reported that March 8 through March 10, Dan Basta, the Interim Chief of the National Marine Sanctuary Program toured the Sanctuary and met with staff. March 21 through March 23 Mr. Causey attended the Gulf of Mexico Fishery Management Council meeting in San Antonio, where they discussed an options paper for the proposed Tortugas Ecological Reserve. Mr. Causey also reported on the annual Coastal Program Managers Meeting he attended in Washington, DC the last week in March, which included Capitol Hill visits with Congressional leaders. He also reported that he and Dick Ring of the National Park Service did a joint presentation at a public workshop held in Miami on March 31 and April 1, sponsored by the Center for Marine Conservation, National Audubon, and Environmental Defense, entitled "Talking for the Fish/Talking Tortugas". He and Mr. Ring then went to Nassau to give their presentation to the Bahamas National Trust which is in the process of establishing ecological reserves.

Mr. Causey reported that he and members of the FKNMS team met with architects to initiate planning efforts for the Dr. Nancy Foster Florida Keys Environmental Center the week of April 10. They also met with Whitney Tilt from the National Fish and Wildlife Foundation regarding projects to fund with additional monies from the Royal Caribbean Cruises plea agreement.

Mr. Causey gave an update on the status of the Draft Environmental Impact Statement for the proposed Tortugas Ecological Reserve, stating that tentative dates for the joint public meetings are: June 12 at Homestead High School; June 13 at the Naples Comfort Inn; June 14 at the University of South Florida in St. Petersburg; June 21 in Marathon at the Sombrero County Club; June 22 in Key West at the Holiday Inn Beachside; and July 11 at the US Commerce Building in Washington, DC.

Mr. Causey announced that pictures will be taken of each SAC member to be put on the FKNMS web page.

Greg DiDomenico asked for clarification regarding the preferred alternative for the Tortugas Ecological Reserve being a little larger than the SAC approved. Mr. Causey said only a couple of square miles have been added within the Park boundary, which will not affect commercial fishermen. Mr. DiDomenico also asked for clarification regarding

the proposed “no anchoring of vessels and no recreational diving”. Mr. Causey responded these are Gulf of Mexico Fishery Council recommendations to the FKNMS for the Tortugas Ecological Reserve.

Public Comment

Warren Johnson – A copy of Mr. Johnson’s presentation is attached. Discussion was held regarding Mr. H. T. Pontin’s public comment to the SAC over the years regarding jurisdiction and rights to navigation. The members discussed their appreciation of his input, as well as the importance of invaluable input by members of the public.

Richard Grathwohl stated that another fishing guide told him about concerns regarding a grounding which have left prop scars reported to the Florida Marine Patrol with no response. Mr. Causey asked Mr. Grathwohl for more detail on the incident, when it was called in and at what time.

Florida Department of Environmental Protection – Anna Marie Hartman reported on the March 2 US Coral Reef Task Force meeting, commenting that numerous strategies are based on what is happening in the Florida Keys National Marine Sanctuary, which is something we can be very proud of.

Ms. Hartman reported that a Cabinet Aides field trip to the Dry Tortugas is scheduled for May 30-June 1. She also reported that action on the Tortugas Ecological Reserve will be late fall, or possibly January 2001. Discussion was held on the timeline for the Tortugas 2000 process, with Ms. Hartman explaining that the Governor and Cabinet will not take action until the process is final, after all of the hearings and after the Gulf Council and FWC takes action. Debra Harrison asked when the Tortugas Ecological Reserve will actually be in place. Mr. Causey said, possibly early spring, 2001. Dr. Nelson replied that the FWC will be adopting the policy and putting the regulations in place at the beginning of their next fiscal year, which is July 1.

Chairman Neugent recognized former Key West Mayor Sheila Mullins in the audience, who is a new alternate on the Sanctuary Advisory Council.

Mr. Causey introduced Jim Fryer of the Nature Conservancy, the new conservation member on the Sanctuary Advisory Council.

Florida Fish and Wildlife Conservation Commission (FWC) Report – Dr. Russell Nelson reported on the reduction program for stone crab traps, a part of which will be a surcharge on stone crab and lobster licenses that creates a dedicated pool of funds for trap clean up after the season and after storms. Dr. Nelson also reported they are currently working on a Memorandum of Understanding with the DEP allowing them to use FEMA money for trap clean up. He also said they are supporting a proposal banning nearly all harvesting of sargassum. The FWC is also supporting a proposal to ban the feeding of fish underwater by divers and snorkelers.

Sanctuary Enforcement Reports – FWC/FMP– Lt. Bob Currul introduced Captain Donnelly with Florida Fish & Wildlife Conservation Commission. Lt. Currul reported on groundings, stating that statistics indicate that officer's response to reported groundings has been over 90%. Discussion was held regarding data reports, and the development of a GIS driven groundings database which will be funded through the damage assessment center of NOAA. Following considerable discussion regarding channel marking, there was a consensus among the members to include an update on the SAC June agenda from Rich Jones of Monroe County regarding the status of the Monroe County channel marking project. Discussion was also held regarding the importance of educating boaters to recognize the value of the natural resources in the Keys.

Unfinished Business

Warren Johnson asked if a meeting of the Key West Harbor Ad Hoc committee was held in March. Mr. Causey said a meeting was held, and he would request that Fritz Wettstein provide Mr. Johnson with a report of that meeting.

Lobster Trap Removal Update – Greg DiDomenico reported on the status of FEMA funds; federal disaster money, and grant money to assist commercial fishermen with lobster and stone crab trap clean up following the season and following storms. Richard Grathwohl expressed his concerns with this ongoing problem, commenting that it needs to be resolved now. Mr. DiDomenico replied that short term and long term fixes have been discussed, and he believes both of them will be implemented in time to the fishing guide's satisfaction. Chairman Neugent added that this is a difficult situation and he understands the Guides Association's frustration, but Mr. DeDomenico, Fritz Wettstein, Doug Gregory and others are working very hard on this particular issue, and no one wants to get the traps out of the water any more than they do.

Working Group Reports

Submerged Cultural Resources – Duncan Mathewson announced the upcoming Florida Keys Maritime History Conference will be held in Key West, Saturday, May 6. He also reported on the Historic Shipwreck Policy Council which has been working for a number of years in close association with Dave Savage and John Halas of FKNMS and State archeologists in Tallahassee on final verbiage on archeological guidelines. He also talked about permitting, commenting there seems to be a considerable amount of cooperation between the salvage community and the Sanctuary staff. Debra Harrison asked about the status of the use of prop deflectors. Mr. Savage replied there have been some recent permits issued on the ocean side which permits their use on sand or silt bottom, and not within a 40-75 yard radius around any natural resources of coral heads and seagrass areas. Mr. Savage also reported on the process to recruit volunteers for the submerged cultural resources inventory project.

Mr. Causey announced that he received a letter from Warren Johnson resigning as chair of the Working Group, and recommending Dr. Mathewson. On motion by Debra Harrison, seconded by Warren Johnson, the Sanctuary Advisory Council accepted the resignation of Warren Johnson as chair and approved the appointment of Duncan Mathewson as chair of the Submerged Cultural Resources Working Group. The motion carried unanimously.

Personal Watercraft – Karen Lee reported that the Working Group met on April 12. The meeting was led by Dave Savage and was very well attended. Karen also reported that the next meeting is scheduled for May 30 at the Upper Region FKNMS office at 4:00 p.m., and the first public forum will be held in June. Tom Davidson asked about the public forum process relating to why this process will have different results

than in the past. Ms. Lee explained the process and purpose, commenting that other communities have recently had success enacting regulations where natural resources are in peril. Mr. Causey talked about the history of this issue, commenting that it has become extremely polarized around the country. Mr. Causey encouraged the SAC members to participate in a fair, objective process.

Warren Johnson commented that H. T. Pontin's court case regarding personal watercraft will be heard June 20. Debra Harrison stated that there is a long history of justification for taking stronger action relating to regulating personal watercraft, and she thinks that the efforts of the Personal Watercraft Working Group can be very successful.

Water Quality – Debra Harrison reported that the Monroe County Wastewater Master Plan has been released and will be presented to the Monroe County Commission at their regularly scheduled meeting on Thursday, April 20. Ms. Harrison requested that George Garrett, Marine Resources Director for Monroe County be asked to present the Plan at the next Sanctuary Advisory Council meeting. She also said that the Executive Summary of the plan can be obtained by calling the Marine Resources Division at 289-2500.

Warren Johnson stated that he included copies of two letters (attached) from Joe Allen Sr. relating to cesspit replacement, and he suggested that Mr. Allen be on the Water Quality Steering Committee or Water Quality Working Group.

Chairman Neugent reported on the upcoming action in Key Largo regarding acceptance of a central sewage plant. He expressed his concerns relating to wanting to address water quality and protect our natural resources, but will spending millions of dollars achieve the desired product, and does it open the door to continued growth and development in the Keys where preservation may be lost. He said there are some tough questions to be answered, and Monroe County has some tough decisions to make.

Debra Harrison discussed current information regarding cesspit credits, suggesting that Mr. Allen be brought up to date on the progress that has been made. She also stated her appreciation for the appointment of Mr. Jim Fryer of the Nature Conservancy to the SAC, and asked Mr. Fryer to give an update on the federal initiatives to assist with local costs for wastewater improvements.

Mr. Fryer reported on the Deutsch bill passed by the Transportation and Infrastructure Committee April 11 for 213 million dollars over five years for wastewater

improvements in the Keys. He said there is not a companion bill in the Senate at this time which is some reason for concern. Mr. Fryer and Ms. Harrison talked about the importance of urging Senators Graham and Mack to introduce a companion bill to the Senate.

Mr. Fryer also reported on the Conservation and Reinvestment Act (CARA) bill and explained how the money would be distributed in Florida. Ms. Harrison commented that these bills were supported by the SAC at their last meeting, as well as support relating to a toll on US 1, and she asked Chairman Neugent to give an update on this issue.

Chairman Neugent reported that there was a lot of conceptual support for the toll, and the communities were called together to see if they could build a consensus. There was agreement that there should be criteria to determine if an attempt to pursue the toll should move forward, and that it would be a great way to receive funding to address wastewater issues and the acquisition of sensitive lands. However, there seems to be resistance building as to if it is actually doable from a standpoint of traffic concerns and would it generate enough revenue. Chairman Neugent said that legislative support would be needed, and the Governor will support it if Monroe County can develop a consensus. He reviewed which Monroe County communities have passed resolutions in support of a toll, and said the if it is determined that it can generate “x” amount of dollars, and if that money can be used for what we want it to be used for, and if other issues are doable, then it will go forward and be presented to the Board of County Commissioners.

Ms. Harrison announced that work is being done between the Water Quality Joint Action Group, the World Wildlife Fund, and a grant from the South Florida Water Management District, and she asked Karen Lee to report on their first report.

Ms. Lee introduced and distributed copies of the Florida Keys Water Quality report the Joint Action Group will produce, on a bi-weekly basis, with unbiased information about water quality, Florida Bay, and near shore and off shore waters in the Florida Keys, and will give the general public information that is not readily available from any other source. She reviewed the report, pointing out there is a form in the back of the report to fill out if you want to be on the mailing or e-mail address list. She also said it is available from the web site from Buffy Turner at www.keyswaterquality.org.

Further discussion was held regarding the Deutsch bill. Debra Harrison moved that the Sanctuary Advisory Council advise the Florida Keys National Marine Sanctuary Superintendent that they fully support that Senator Graham and Senator Mack introduce a

companion bill to H.R. 673. The motion was seconded by Karen Lee and upon vote, carried unanimously.

Other Items

Greg DiDomenico announced that Tony Iarocci has been nominated by the Governor of Florida for the South Atlantic Fishery Management Council, and moved that the Sanctuary Advisory Council advise the Florida Keys National Marine Sanctuary management of their support of this appointment. The motion was seconded by Debra Harrison. Discussion was held regarding individuals and organizations who have supported the appointment. Ms. Harrison stated she thinks it is critical we have an appointee from this area who understands our issues. She said Tony Iarocci has been a long time member of the SAC, and helped draft the FKNMS Management Plan, and he is a wonderful balance between fisheries issues and conservation concerns. Upon vote, the motion carried unanimously.

Working Group Reports – continued

Enforcement Working Group – Karen Lee commented that she would like to see the Enforcement Working Group become more active.

Artificial Reefs – **Sheri Lohr** reported that the Key West project is moving forward, that Mayor Jimmy Weekly has agreed to sponsor a resolution to be heard by the Key West City Commission May 2.

New Business

Chumming with Cracked Corn – **Richard Grathwohl** reported there are a number of recreational fishermen who use cracked corn for chum in the Keys, and the Marathon Guides Association is concerned because it is not digestible by fish, it swells up in their bellies, and they would like to see the practice stopped. Discussion was held regarding this practice in the Keys, relating to some members awareness of the use of cracked corn, and some members never having heard of its use in the Keys, and whether or not Sanctuary regulations would cover this practice. Karen Lee moved that the Sanctuary Advisory Council request that Team Ocean issue a bulletin advising the Monroe County bait and tackle stores and feed stores of the concern that local fishermen have regarding the suspected impact of cracked corn on the digestive system of fishes, and that the

bulletin reference the regulation regarding non-fish discharges being permitted in the Sanctuary regulations. The motion was seconded by Debra Harrison.

Chairman Neugent suggested the SAC be given more information on the impact of this practice. Mr. Causey mentioned he will check the regulations to make sure they are not specific to the Special Protected Areas (SPA). Lt. Currul said the regulations also mention traditional fishing methods, which we would not interfere with. Further discussion followed, with Warren Johnson commenting that more information is needed, and we haven't heard from the people that do chum with cracked corn.

Debra Harrison moved to amend the motion to table action on this item pending further discussion and review at the June 20 meeting. The motion was seconded by Karen Lee. Mr. Causey stated that Dr. Nelson agreed to ask FWC scientists to review this matter. Upon vote, the motion passed unanimously.

Lobster Tag Returns/Lottery – **Douglas Gregory** reported that he has been working the last two years with the Sanctuary on a monitoring project at the ecological reserve. He stated he is with the University of Florida and Monroe County Cooperative Extension Service, and with the Florida Sea Grant Program. Mr. Gregory said his main purpose is to give a brief overview of the project, and then he will do a lottery drawing of the tags that have been returned. Mr. Gregory gave a slide presentation outlining the three objectives of the study – to directly involve commercial fishermen in monitoring; to determine how catch rates and size differs within the reserve and outside the reserve; and to determine if the reserve is contributing yield to adjacent areas. The slide presentation was followed by a lottery drawing by the SAC members. Winners of \$100, \$50, and \$25 lottery awards were announced and listed, and each winner will be sent a letter.

Deborah Shaw asked who responded. Mr. Gregory said the largest response was from commercial fishermen. He talked about the low tag return, stating he does not know the cause, but it is so low the project will not continue. He said they did get enough information to show that at least half the lobster are moving around way outside the reserve, and moving east and west.

The presentation was followed by a question and answer session relating to: the effectiveness of the tags; the recovery rate; the areas where tagging was being done; migration patterns; and storm effect. Chairman Neugent asked if he is correct in assuming that we have a very healthy lobster resource, and the maintenance of the lobster level is steady and improving. Mr. Gregory said that is correct, and Dr. Nelson

commented that it is a very healthy and well managed fishery, and should continue to be very prosperous.

Zone Monitoring Status Report – Ben Haskell stated he has been the FKNMS Science Coordinator for the past five years, and announced he will be transferring soon to the Stellwagen Bank National Marine Sanctuary. He said for the last five years his main responsibility was to get the monitoring program at the Sanctuary up and running and to work on the Tortugas 2000 plan. He said he will be reporting on the results of the monitoring of the no take zones that went into effect in 1997. Mr. Haskell reviewed many reasons to monitor the ecosystem. He said we are establishing a baseline which can be compared to future years when water quantity and water quality starts to change. We are looking at corals, sea grasses, and water quality throughout the Sanctuary, and at the no take zones. Mr. Haskell also said we are primarily concerned the changes in the coral and alge community, the changes in fish and lobster, and the changes we see in human perceptions and value related to the quality of the environment, so a three level monitoring program has been created.

Mr. Haskell presented the highlights and performance measures of the program, referring to the 1998 First Year Zone Monitoring Report and the 1999 Second Year Monitoring Report, and a map showing the complete network. He commented that while these zones are not put in place to monitor fish, we have the opportunity to look at fishery effects for the Tortugas Ecological Reserve. Discussion was held regarding the fish species referred to in the report; data collection in research only areas; and the change in the size and the catch of lobsters.

Debra Harrison said, on behalf of the Sanctuary Advisory Council, Ben Haskell has been a wonderful asset to the Sanctuary and our community. Mr. Causey added that Ben has been a tremendous asset to the FKNMS team and has done a great job, and we are going to miss him.

Sargassum Report – Don Kincaid did a slide presentation from a 1976 National Geographic assignment to do a story on sargassum weed. Mr. Kincaid's slides depicted many of the things they saw in the Dry Tortugas including sharks and rare sargassum trigger fish. Mr. Kincaid also talked about ancient history of Florida Bay relating to geology. He said in the Riley's Hump area they saw larvae, large schools of fish, many different types of fish—permit, red tail trigger fish, spawning mutton fish, goat fish, and turtles, dolphin, flying fish, and lobster. There were also slides of Tortugas Banks and the Sherwood Forest area showing tiger grouper and black coral rock.

Discussion was held regarding the harvesting of sargassum. Dr. Nelson said that the harvest of sargassum weed is being phased out, the rationale being it is fish habitat, as are coral reefs and sea grasses.

Public Comment – Warren Johnson stated, regarding the channel marking update for the next SAC meeting, a representative from the Coast Guard, possibly Joe Embers, should be present. Mr. Johnson said there is information that has been entered into the record from June, 1999 regarding channel markers which should be sent to the SAC members.

Announcements

Warren Johnson announced that the Propeller Club meets 4/19 at Perry's in Key West and Billy Causey will be the guest speaker, and the public is invited. Mr. Johnson also announced the May 22 is Maritime Day. The Propeller Club's celebration will be held Sunday, May 21 on the Western Union, and anyone interested in reservations, call him at 872-3440.

Chairman Neugent announced that June Cradick will be participating in National Marine Sanctuary meetings on Sanctuary Advisory Councils, and if any members have items they would like her to bring up at her first meeting in Washington State later this month to please let her know.

Items for Next Agenda

Chairman Neugent said that June Cradick has requested that anyone with information or items for future agendas to please send it to her at least two weeks prior to the next meeting.

The following items were selected to be placed on the June 20 agenda:

1. Channel Marking Status – Rich Jones/Monroe County
Joe Embers/US Coast Guard
2. Monroe County Wastewater Master Plan – George Garrett/Monroe County

Bill Kruczynski/EPA

3. Chumming with Cracked Corn

The meeting was adjourned at 2:55 p.m.