

Florida Keys National Marine Sanctuary Advisory Council

Key Colony Beach City Hall
December 10, 2002

FINAL MINUTES

Members Present

Fran Decker	Ken Nedimyer
Richard Grathwohl	George Neugent
Debra Harrison	Bruce Popham
Don Kincaid	Anita Schwessinger
Nancy Klingener	Deborah Shaw
Duncan Mathewson	
Martin Moe	

Alternates Present

Jody Thomas

Call to Order

Chair Neugent called the meeting to order at 9:18 a.m.

Approval of Minutes/Adoption of Agenda

The Minutes of the October 15, 2002 Council meeting were approved as presented. Ms. Harrison requested that the agenda be amended to discuss the Council adopting a position of support for an increased boater registration fee to offset boater impacts to Sanctuary resources to be considered by the Monroe County Board of County Commissioners at their meeting on December 18, 2002 in Marathon. Chair Neugent requested that Sanctuary Superintendent Billy Causey provide details of the reef named for Doug Cooper in the Tortugas Ecological Reserve. The Agenda was adopted as amended.

Introduction

Billy Causey recognized Rafaela Monchek, the Department of Interior's representative for the South Florida Ecosystem Restoration Task Force.

Public Comment

Steve Davidson described a website maintained by the University of Florida that makes digital aerial photographs available online for the entire State of Florida. He recently used it (www.labins.org) to prepare a map of Lignumvitae Key for Sanctuary staff monitoring seagrass recovery. He can be contacted at 293-6921 or Scddkw@bellsouth.net.

Rick Trout with the Marine Mammal Conservancy provided some history of marine mammal stranding responses nationally and an update on the status of the volunteer

dolphin rehabilitation facility that is being constructed on Key Largo. He thanked the Council for past support and requested that it be continued in the future.

Russ Rector of the Dolphin Freedom Foundation distributed copies of a petition signed by a large number of persons in Monroe County, and requested that it be put on the agenda. He reviewed some issues with the National Marine Fisheries Service and asked Mr. Causey whether he had received a response from Dr. Hogarth. Mr. Causey said that he had a draft response and was awaiting clearance at that moment from Dr. Hogarth to release the letter. Mr. Rector again requested that marine mammal issues raised in the petition be put on the agenda. Chair Neugent indicated that County staff is looking for additional marine mammal rehabilitation sites within Monroe County.

Boater Registration Fee

Chair Neugent said that there is a proposal coming before County Commissioners to raise the boater registration fee by \$9.25 in order to generate revenue of approximately \$230,000 annually that would go towards addressing water quality issues within Monroe County. Mr. Popham, who represents the marine industry, and is Chairman of the Clean Boating Partnership, emphasized that boater registration fees collected by the State are returned to the County and have to be spent on boat-related activities. He indicated that money raised by the County would in part go towards matching funds to offset the costs of pump-out facilities that are now mandatory within the No Discharge Zone in State waters of the Sanctuary.

Ms. Harrison moved that the Sanctuary Advisory Council recommend to the Sanctuary Superintendent that he send a message of support for this initiative on behalf of the Council to Monroe County commissioners at their meeting on Wednesday, December 18 in Marathon. She clarified for Mr. Nedimyer that the proposed increase is tiered to reflect the size of motorized vessels and that the practice of raising fees is standard in the State of Florida. Mr. Grathwohl, representing The Marathon Guides Association, seconded the motion which passed unanimously upon voice vote.

Particularly Sensitive Sea Area – Billy Causey (FKNMS)

Mr. Causey gave the history of the establishment of the Area To Be Avoided (ATBA) that restricts ships greater than 50 meters in length from entering certain areas of the Sanctuary. He said that Deputy Secretary of Commerce Bodman announced the designation of the Particularly Sensitive Sea Area (PSSA), comprising the entire Florida Keys National Marine Sanctuary and Biscayne National Park, in Washington in November. This is one of only three in the world established through the International Maritime Organization that will now appear on all admiralty charts as a No Anchor Area. Sanctuary staff identified alternative anchoring areas for large vessels in the region. Discussion followed concerning the protocols for establishing a PSSA, damage caused by smaller vessels and the usefulness of the designation in enforcing existing regulations. Mr. Causey recognized Cheva Heck for her role in ensuring that the designation received wide national media coverage.

Sanctuary Superintendent's Report – Billy Causey (FKNMS)

Mr. Causey regretted that Mr. Rector had left the meeting and assured Council members that Dan Basta respects the decision made by the Council not to include marine mammal strandings on the agenda, at this time, and he intends to uphold it. He presented the attached report. Chair Neugent said that it is important to note that the proposed Windley Key Preservation Area, although supported by the Sanctuary and the County, is a Village of Islamorada initiative.

Mr. Causey and Mr. Wettstein presented Lt. Robert Kamphaus with NOAA's Special Achievement Award for his sustained superior performance as Operations Officer on board the NOAA ship Ron H. Brown. The award comes from Rear Admiral Evelyn Fields who is the Director of the NOAA Corps.

Florida Department of Environmental Protection Report – Fritz Wettstein (FDEP)

Mr. Wettstein read the attached report. He said that in November Sanctuary staff joined Doug Cooper's family in a ceremony in the Tortugas to commit his ashes to Sanctuary waters and to informally designate an offshoot of Tortugas Bank Cooper's Reef. A 41 foot vessel used in the Lower Region has been named the Cooper in his memory.

Florida Fish & Wildlife Conservation Commission Report – John Hunt (FMRI)

Mr. Hunt said that the press releases which he distributed to Council members serve as the basis for his report. He observed that for the Commission to pursue legislation in support of establishing a fee-based special two-day sport season permit in Monroe County, the legislature will require substantial support from local legislators. Ms. Klingener moved that the Sanctuary Advisory Council recommend to the Sanctuary Superintendent that he communicate the support of the Council for the legislative proposal of the FWC commissioners to Representative Ken Sorensen. The motion was seconded by Mr. Nedimyer and passed unanimously upon voice vote.

Mr. Hunt announced that the Commission's Division of Marine Fisheries has entered into a partnership with the industry and the University of Miami to conduct an economic assessment from the perspective of individual commercial fishermen as opposed to the industry as a whole.

Sanctuary Enforcement Report – Captain Jayson Horadam (FWC)

Capt. Horadam reported that Colonel Julie Jones, the recently appointed Director of FWC Law Enforcement, visited Monroe County and was able to meet with Sanctuary and FWC officers, as well as visit the FKNMS vessel, the Pt. Monroe. She is impressed by the Sanctuary's use of interpretive enforcement and the interagency cooperation that exists. He noted that there is now a captain for the Pt. Lobos who will train with Lt. Joe Scarpa on the Pt. Monroe. Officer Greg Stanley has been promoted to Lieutenant and is transferring out of the Keys. Capt. Horadam said that the Pt. Monroe continues with four-day patrols and recently took a group from National Geographic out with the Damage Assessment team to film. The crew of the Pt. Monroe also removed over 30 fish

traps from State and Sanctuary waters. He agreed with Mr. Causey about the importance of the designation of the PSSA and cited a recent infraction of the ATBA in the Upper Keys that will result in a substantial fine. Discussion followed concerning the extent of the authority exercised by FWC officers. Capt. Horadam clarified that FWC can board foreign registered vessels after approval from the State Department but that it is not usually practical and that there is close cooperation between FWC and the Coast Guard.

Mr. Grathwohl recommended that the Sanctuary Advisory Council send a letter to the State Prosecutor commending her for her aggressive action on criminal violations of Sanctuary regulations. Chair Neugent requested that Mr. Causey draft a letter.

Mr. Causey said he regretted that Mr. Rector and Mr. Trout had left the meeting, and distributed the letter to Council members which had just been authorized by Dr. Hogarth for release.

He reported on the recent visit to the Tortugas Ecological Reserve by Administrator Christine Todd-Whitman of the Environmental Protection Agency (EPA) that was jointly hosted by EPA, the National Park Service and the Sanctuary.

Report on the Technical Advisory Council Meeting and Update on the Status of the Science Plan – Dr. Brian Keller (FKNMS)

Dr. Keller reminded the Council of the joint Florida Bay Science/Greater Everglades Ecosystem Restoration Science Program meeting, From Kissimmee to the Keys, to be held in April outside Tampa. Ms. Harrison observed that the meeting is normally held in close proximity to Florida Bay. Dr. Keller and Mr. Hunt clarified that the joint meeting exceeds the capacity of local facilities at an affordable rate.

Dr. Keller reviewed the purpose of the Technical Advisory Council and said that at the most recent meeting in November the purpose was to discuss the Sanctuary's final draft comprehensive science plan and to discuss forthcoming EPA requests for proposals (RFP) for a new cycle of Special Studies to be funded by the Agency. He gave the attached PowerPoint presentation, noting that a major source of funding for the Sanctuary's research and monitoring is the Water Quality Protection Program. One of the important topics in the RFP will be additional monitoring of water quality with regard to human health issues; a second is factors affecting the recruitment of key species, specifically the long-spined urchin, elkhorn and staghorn corals, anemones, crinoids and various reef fishes. The third area of special concern is factors involved in reef community declines particularly the amount of live coral cover. The final comprehensive science plan will be on the Sanctuary website at www.fknms.nos.noaa.gov.

Sustainable Seas Expedition (SSE): video footage from a recent cruise in the Gulf of Mexico – Ben Richards (FKNMS)

Mr. Causey introduced Mr. Richards who represented the Sanctuary as a Deepworker pilot on the Expedition. Mr. Richards described the single occupant, deep diving, mini-submersible used on the five year expedition partnered by National Geographic, NOAA

and the Goldman Fund to explore the deep areas of the National Marine Sanctuaries and the continental shelf margin of the United States, as well as areas in Central America. He presented a video reflecting the process and progress of the expedition whose goal is both exploration and the testing of new technologies and he highlighted work conducted in the Gulf of Mexico through to the Florida Keys. He answered questions throughout the presentation and selected images are attached.

Fishtraps in the Alabama Alps

Mr. Richards showed a second video that documents the effects of three large ghost traps in 750-1500 ft of water in a region of the northern Gulf. Selected images are attached. He pointed out the bone pile associated with each trap caused by fish entering the traps, dying and becoming bait for more fish to enter and die, repeating the cycle throughout the life of the trap. Discussion followed concerning the removal of traps, the legal status of using fish traps and the problems of poaching in Sanctuary waters.

Mr. Causey mentioned that the Gulf of Mexico Fisheries Management Council recently voted to accelerate the phase-out of fish trapping in the region before 2007, but was overruled by the regional administrator. After discussion among Council members, Ms. Harrison moved that the Sanctuary Advisory Council recommend to the Sanctuary Superintendent that he communicate to the Gulf of Mexico Fisheries Management Council that all fish traps in their jurisdiction be banned immediately. After further discussion between Council members and Capt. Horadam concerning enforceability of no-take zones and the widespread opposition to this method of fishing amongst commercial fishermen, the motion was seconded by Mr. Grathwohl and passed unanimously upon voice vote.

Seagrasses: an introduction to the Mini 312 damage assessment and restoration program in the Florida Keys National Marine Sanctuary – Sean Meehan and Kevin Kirsch (NOAA/DAC)

Sean Meehan of the Damage Assessment Center gave the attached PowerPoint presentation. He described the seagrasses present in the Florida Keys National Marine Sanctuary, their function in the environment, and what the DAC response is to boater injuries to seagrasses. He gave a detailed technical description of how damage is mapped, evaluated and calculated at each injury site and how that evaluation is presented in court to claim reparations from the perpetrator, where known. All funds resulting from such claims are used to restore injured sites. Discussion followed concerning the value of seagrasses as a resource, and the importance for this program to be made more widely known in the community. At the suggestion of Council members, Mr. Meehan and Mr. Kirsch agreed to participate in a number of public presentations.

Large Vessel Working Group Report – Nancy Klingener (SAC/TOC), Don Kincaid (SAC/Stars and Stripes), Fritz Wettstein (FDEP)

Ms. Klingener characterized the working group as representing a broad sector of stakeholders from the community, as well as cruise ship representatives and agency representatives. The December meeting which was held in Old City Hall, Key West was professionally facilitated and was concerned with raising important issues for acceptance

by the group. She said that the Navy's proposed maintenance dredging of Key West Harbor is a major issue for the group, as is projected increased use of the harbor by the Navy.

Mr. Kincaid added that turbidity caused by large ships (Navy vessels, cruise ships, Coast Guard and NOAA vessels) entering and leaving the harbor and discharges from large ships are important issues that will be addressed by the group. He said that the next meeting will be concerned with information gathering, including a presentation by NOAA economist Dr. Vernon Leeworthy and Dr. Kelly Rankin of the Stevens Institute who is involved with cleaning up New York Harbor. He referred to plans to assess the historic and prehistoric cultural remains contained within the proposed dredge material in the harbor. Mr. Causey mentioned that Harold Hudson will be conducting some growth ring tests on nearby coral heads to determine if and what impact large ships are having on the environment. Duncan Mathewson, Fran Decker and Richard Grathwohl agreed to join the working group, and it was recommended that Don DeMaria be invited to join.

Announcements

Mr. Hunt introduced the former Executive Officer of the Florida Bay Program Management Committee, Dr. William Nuttle.

Ms. Klingener announced that The Ocean Conservancy is sponsoring a workshop on Thursday evening at the Islamorada Fishing Club starting at 6.30 p.m. on the Management Plan for Biscayne National Park.

Items for the February 18, 2003 Agenda

- Pulley Ridge – Dr. Robert Halley (USGS)
- Fish traps

Confirmation of Calendar for Advisory Council Meetings, 2003

Mr. Hunt noted that the April 15 meeting date coincides with the Florida Bay/GEER Science Conference. The date has been changed to April 8, 2003.

Adjourned 12:43 p.m.

Submitted by

Fiona Wilmot