

Florida Keys National Marine Sanctuary Advisory Council

**February 15, 2005
Marathon Garden Club**

FINAL MINUTES

Members Present:

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| Ralph Boragine | Martin Moe |
| Jack Curlett | Ken Nedimyer |
| Todd Firm | Krueger Nicholson |
| Richard Fortmann | George Neugent |
| Debra Harrison | Kathleen Patton |
| David Hawtof | Bruce Popham |
| Mark Klingbeil | |

Alternates Present:

Scott Fowler
Stephen Friedman
Bob Holston
Bob Jason
Deb Shaw
Jody Thomas

Call to Order

Chair Bruce Popham called the meeting to order at 9:07 a.m.

Approval of Minutes/Adoption of Agenda

The Minutes were approved as presented. The Agenda was adopted as presented.

Revised Management Plan

Billy Causey reported that the Revised Management Plan is out for public review and input is being taken at meetings on March 28-30th. The final date for comment is April 15th, 2005.

Public Comment

Lynda Berrigan of Marathon Garden Club invited all meeting participants out into the Wonder Garden.

Letter to Secretary Gutierrez from Council Chairs

Bruce Popham said that the Chairs from all the Sanctuary Advisory Councils drafted a letter to new Secretary of Commerce Carlos Gutierrez introducing themselves and their constituents and requesting his support for reauthorization of the National Marine Sanctuaries Act.

Ken Nedimyer moved that the Florida Keys National Marine Sanctuary Advisory Council advises sanctuary managers of its proposal to endorse and support the draft letter written jointly by the chairs of the National Marine Sanctuary Program's advisory councils to Secretary of Commerce The Honorable Carlos Gutierrez at their meeting at Cordell Bank National Marine Sanctuary on February 11th, 2005. The motion was seconded by Ralph Boragine and passed unanimously upon roll call vote.

Discussion followed about a possible national sanctuary advisory council. Two visions were suggested, one comprised of chairs of all the sanctuary advisory councils, and another of appointees to advise the National Marine Sanctuary Program. Further discussion indicated support for a council of chairs, if such a body is to be formed. Concerns were raised about the cost involved in holding such meetings.

Public Comment

Michael Vaughan of the Lower Keys Guides Association said that 30 years ago the refuges were nice peaceful areas for stone crabbing, canoeing and lobstering. When personal watercraft came on the scene they disturbed the peace for wildlife and fishermen. All 50 members of the Lower Keys Guides Association are opposed to the reintroduction of fast and unexpected vessels into the backcountry refuges.

Richard Grathwohl of the Marathon Guides Association said that all of the Guides Associations in the Keys back not having personal watercraft in the refuges, and the Florida Guides Association endorses this view state-wide. He added that Marathon Guides endorses a no motor zone in front of Curry Hammock.

Sanctuary Superintendent's Report – Billy Causey (FKNMS)

Mr. Causey introduced Leigh Espy, the new Chief of Staff for the Sanctuary. He said that this year's budget is \$6.2 million and outlined the new regionalization of the sanctuary system. He will be acting superintendent for the Gulf of Mexico, southeast Atlantic and Caribbean operating out of the new Key West office at the Foster Center. He distributed Situation Reports for the past two months. Mr. Causey said that the Revised Management Plan does not contain any new regulatory actions. Leigh Espy will be working on those in a parallel process.

Seagrass Awareness Month

Education Specialist Nancy Diersing said that the Seagrass Outreach Partnership is a coalition of government and non-government personnel engaged in promoting seagrass awareness during the month of March. She distributed seagrass bookmarks.

Council members discussed regionalization and the loss of working waterfront and public waterfront access in the Florida Keys. Monroe County is putting together a marine management plan for the community. There is a house bill in Tallahassee to address the matter at state level, and it is a nationwide issue of concern.

Florida Department of Environmental Protection – Anne McCarthy (FDEP)

Ms. McCarthy conveyed Kacky Andrews' apologies for absence. She reported that there is a request for \$1 million for state oceans initiative being reviewed by the Florida senate appropriations committee. No decision has been reached by DEP on personal watercraft in the Wildlife Refuges within the Sanctuary. A management agreement has been reached between the state of Florida and the U.S. Parks Service that still needs approval by the Governor and Cabinet concerning jurisdiction in the Dry Tortugas. National Marine Sanctuary Program Director Dan Basta signed the artificial reef permit, for the Vandenburg, which has been delivered to the City of Key West. She said that NOAA Fisheries is developing marine mammal stranding protocols.

Sanctuary Law Enforcement – Capt. Laurie Luher

Capt. Luher reported that all vessels will have radar and GPS upgraded this year. Officer LaRosa made a case on a vessel that came 32 feet inside the Area To Be Avoided line at Pickles Reef. She said that officers are ensuring that bait fishers have been operating within their permits at the SPAs. Officer Dipre and Investigator Roudebush responded to the cruise ship grounding in the shipping channel in Key West. There were no violations against Sanctuary resources so no charges were made. A 53 foot hatteras ran aground at Red Bay Bank and blew a deep hole in the seagrass. Discussion concerned the availability of information from citations and warnings issued to persons conducting unpermitted activities in Sanctuary Protected Areas.

National Wildlife Refuges – Dr. Phil Frank (US FWS)

Dr. Frank, the Manager for the three refuges within the Sanctuary, said that the first public scoping meetings for the management plan will be held in March. Personal watercraft will be addressed then.

Florida Keys Backcountry – Van Fischer (US FWS)

Mr. Fischer gave a PowerPoint presentation on the 500,000 acres of backcountry. First protected by President Teddy Roosevelt through the Key West Refuge as part of the national migratory bird program, the backcountry is a national treasure. He explained that the 1964 Wilderness Act defines wilderness as "...lands designated for preservation and protection in their natural condition..." and as "... an area where the earth and its community of life are untrammelled by man..." and also as "... an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvement or human habitation...". Discussion concerned fishing regulations, which are managed by the state of Florida, and water skiing in channels and tidal creeks.

Debra Harrison, seconded by Richard Grathwohl, moved that the Florida Keys National Marine Sanctuary Advisory Council recommends that Sanctuary managers oppose actions to weaken U.S. Fish & Wildlife Service regulations in the Backcountry Management Plan for the Florida Keys that would allow the use of personal watercraft, airboats, hovercraft, aircraft landings or water skiing within currently prohibited areas. The motion passed unanimously upon roll call vote.

Discussion concerned the Guides' Association protocol for avoiding areas where there are roosting and nesting birds. Mr. Causey observed that federal law has not been repealed over local and state laws and that there are multiple federal regulations with jurisdiction over the surface of the water, regardless of whether the state has jurisdiction over submerged lands. He invited Dr. Frank to join the ex-officio representatives at future Sanctuary Advisory Council meetings.

Fifteen Years of Nurse Shark Biology in the Dry Tortugas – Dr. Wes Pratt (Mote Marine Laboratory, Summerland Key)

Dr. Pratt introduced David Vaughan, the new Director of Mote Marine Laboratory at Summerland Key. He gave a PowerPoint presentation focused on reproduction in nurse sharks in the Dry Tortugas and showed unique photos and video film of male nurse shark cooperation and reciprocal altruism in mating with females. He said that the information is also available on the National Geographic website. Future work will involve marking as many adults as possible to determine their genetic relationships and habitat use by different life stages. Discussion concerned parturition and the ecological role of nurse sharks in culling the weak, the weary, the wounded and the old from prey populations.

Mr. Causey mentioned that he received a call from a reliable source concerning an individual taking thousands of pounds of Southern Stingray from the flats around Big Pine and selling them to the fish houses as crab bait. Dr. Pratt observed that sharks and rays are both slow growing, long lived animals and that their populations cannot sustain this kind of harvest.

Martin Moe, seconded by Richard Grathwohl, moved that the Florida Keys National Marine Sanctuary Advisory Council requests Sanctuary managers to investigate and promote ways to protect inshore rays and sharks from commercial bait fishing because of the vulnerability and great susceptibility to depletion of these populations. The motion passed unanimously upon roll call vote.

Monroe County Waterfront Management Plan – Rich Jones (Monroe County)

Mr. Jones reported that the County Commission gave approval to the Planning Department for an interim planning ordinance to withhold planning applications for waterfront properties that involve slips and marinas while the county prepares a report on existing facilities. The report is scheduled to be completed by December 31st. The contract is in line with the South Florida Regional Planning Council.

Data Navigator for South Florida – Dr. John McManus (The National Center for Caribbean Coral Reef Research)

Dr. McManus gave a PowerPoint presentation on a map-based GIS system that his group has compiled of metadata for non-scientists, available free online at www.ncoremiami.org. He showed a video of a large-scale hydrodynamic model for the Florida Keys and noted that how nutrients are processed in Florida Bay has engendered a debate that is not based on solid information. Data analysis, decision trees and models will be used for future information gap analysis.

Identifying Larval Sources and Sinks in the Florida Keys Using Drift Vials – Gabriel Delgado (Florida Fish and Wildlife Research Institute)

Mr. Delgado gave a PowerPoint presentation on an experiment conducted in part in the Sanctuary, as well as in the Florida Straits and in Mexican waters. The aim was to identify the origin of larvae in the region and find the best places to relocate conch to maximize their reproductive potential. The results indicate that vials released during the experiment in the Florida current were recovered in the Miami area, whereas those released in the Keys were retained in the Keys. The study has implications for fisheries management and resource management. Discussion concerned other invertebrates and conch genetic studies.

Safe Sanctuary 2005 – LCDR Stephen Beckwith (NOAA Corps)

LCDR Beckwith gave an overview of an incident response training that will be held in the Upper Keys off The Elbow on April 20th and 21st. A simulated tanker grounding and oil spill response will be coordinated by U.S. Coast Guard and NOAA Office of Response and Restoration. The public is being asked to stay out of the area for those two days.

Caribbean Marine Protected Areas Network – Bob Glazer (Florida Fish and Wildlife Research Institute)

Mr. Glazer gave a PowerPoint presentation on this organization that developed out of the World Parks Congress in Durban. The mission is to form networks of marine protected areas in the Caribbean region and the people who manage them. Partnerships were formed at the White Water to Blue Water meeting in 2004, and the Sanctuary has provided enforcement training for groups from the Caribbean. He said that the database will be available in June 2005 as part of NOAA's MPA database. Discussion concerned the definition of "marine protected areas". It was clarified that they are broadly defined and are not necessarily synonymous with "no take" areas. As an example, Costa Rica has zoned all of its territorial waters, which constitutes one large Marine Protected Area.

Public Comment

Dr. Deborah Shaw invited those present to attend the Green Living and Energy Expo at Coral Shores High School, Tavernier on March 12th and 13th and learn how to live a little easier on the land. She said that over fifty vendors will be at this big event, as well as national speakers and panel discussions.

FWRI Projects in the Florida Keys – Kathleen O'Keife (FWRI, St. Petersburg)

Ms. O'Keife gave a PowerPoint presentation on past and current projects in the Keys. FWRI provided all the GIS data layers for the Carrying Capacity Study. It produces the Boating & Angling Guides for the Keys. Ms. O'Keife distributed the new Guide for the Middle Keys. The Technical Report "Benthic Habitats of the Florida Keys" was produced by FWRI. The institute collaborates with U.S. Environmental Protection Agency on data storage and retrieval for water quality, seagrass and coral reef monitoring in the Keys; information can be found at <http://www.epa.gov/store/dbtop.html>. It is also

available on request in CD-ROM format. She said that NASA, USGS and FWRI are working on lidar mapping of the reef tract in the Florida Keys. Other projects in the state can be reviewed at www.ocean.floridamarine.org.

Management Plan

Discussion of priorities for the coming year was deferred until the next meeting. The lengthiness of the Management Plan process was discussed. It was clarified that most of the time taken was in review at headquarters, due to a number of sanctuaries producing management plans at the same time. This situation is unlikely to be repeated at future reviews.

Adjourn

The meeting was adjourned at 3:00 p.m.

Submitted respectfully by

Fiona Wilmot