

**FLORIDA KEYS NATIONAL MARINE SANCTUARY ADVISORY COUNCIL**

**April 17, 2007  
Marathon Garden Club**

**MINUTES**

**Members Present:**

Chris Bergh	Krueger Nicholson
Richard Grathwohl	Bruce Popham
George Neugent	Deborah Shaw
Jeff Cramer	Kathleen Patton
Ken Nedimyer	Dolly Garlo
Jerry Lorenz	
Martin Moe	
Gary Randolph	
Don Kincaid	
David Hawtof	

**Alternates Present:**

Peter Frezza  
Scott Zimmerman

**Call to Order/Approval of Minutes from February 20, 2007 Meeting/Adoption of the Agenda**

Chair Bruce Popham called the meeting to order at 9:18 a.m. The minutes of the February 20, 2007 meeting were approved as presented without objection. The agenda was approved without additional comments.

**Chairman's Comments**

Chair Popham welcomed Sanctuary Advisory Council (SAC) members and the public and thanked them for their participation. He recognized the successful GLEE event that took place over the weekend and commented on the increasing public awareness of issues that the SAC has been addressing for over 15 years. This comment made some members feel old. He quickly introduced the meeting agenda and referenced materials supplied to members in their packets including articles on marine protected areas and over fishing.

**South Florida Water Management District (SFWMD) Report**

Cecelia Weaver introduced the emergency situation concerning the South Florida water supply for both the built and natural environment as one of the worst droughts on record. April and May known to be the driest months of the year do not bode well for near term relief. Lake Okeechobee is 4 feet below average level and is likely to reach historic lows in the near future. The National Weather Service forecasts the dry cycle to persist for 2-3 years. Year round water restrictions are likely. The St. Johns district has announced it to start commencing May 10. The WMD district is in emergency response mode with 20 drought management teams coordinating

with the Governors office and DEP. Water restrictions are mandatory with the exception of 100% reclaimed water. SFWMD funding reverse osmosis plants in North Key Largo, Florida City, and Big Coppitt.

**Member discussion:** Commissioner Neugent raised this as a most serious issue for the County and South Florida. Suggested the SAC might want to take a position on this. Related that Monroe County uses very little water in comparison to mainland Florida. He summarized his understanding of a conversation with Mr. Jim Reynolds of the FCAA stating that FCAA has no authority to deny access for water supply as a result of new development. Consumptive use permit is regulated by SFWMD and capped at 17.8 mgd for Monroe County. They have no say in how it is used. Commissioner Neugent offered that this appeared to be an oversight which should be addressed. He went on to say that the County and other Government Agencies should be leaders in this area and questioned why waterless toilets, cisterns, and other “green” options were not being used in the new Murray Nelson County building. He also questioned the SFWMD position regarding water allocation approval for the proposed Glades Power Plant which the SAC, County, and ENP have significant concern over. Ms. Weaver responded with options for support and examples of SFWMD co-funding of projects with FCAA to support low flow toilets, cisterns, rain barrels, etc. She could not comment on the water use implications or approval of the Glades Power Plant stating that the SFWMD has not received a formal application.

### **Sanctuary Superintendent’s Report**

Commander Score thanked Cecilia for the comprehensive report on the drought and measures in place to address it. He reiterated Commissioner Neugent’s concern over the seriousness of the situation and reminded members of the black water event that occurred on the heels of the 2001 drought period. Building on the introduction of GLEE by the Chair, CDR Score introduced a NMSP initiative to take significant steps to ensure the program meets “green” standards. He reminded members that the Key West Office Complex and FKEDC is a LEEDS facility close to Silver certification with room to improve through innovative technologies. His expressed position is that NOAA and the NMSP should be a leader in the use of alternative energy with the goal of reducing the programs “foot print” in the community. He also suggested that the Key West LEEDS facility could serve as a model for other builders. Please contact him to arrange tours and introductions to the design and build team. Post script was that landscaping is forthcoming.

Announcement that 2007 budget allocation is 4.9 million. Impacts not quantified but for reference the 2003 budget allocation was 4.9 million. Inflation for salaries, fuel, rent, and utilities will result in a serious program short fall. Alternative funding through the Sanctuary Friends Foundation is allowing critical education programs to continue and other partner programs are helping to hold the line. He expressed the benefit and importance of these relationships which are maintained and strengthened through involvement with the SAC.

CDR Score seemed pleased to announce the planned hiring of a new SAC/Volunteer coordinator. Lilli Ferguson was selected from a competitive pool of applicants and will start as a member of the FKNMS team on April 27. The combining of SAC and Volunteer coordination functions clearly represents a program downsizing. CDR Score urged all SAC members to engage with

Lilli and ensured that FKNMS staff would work smarter under the difficulty budget times to meet program responsibilities. One of her first priorities will be to coordinate the selection of new SAC members.

On another happy note, CDR Score congratulated Chairman Popham on his selection as one of the 10 Environmental Heroes to be honored by NOAA in 2007. Everyone should be proud of Bruce and build upon his ethic of "doing the right thing." Bruce will be flying to Washington D.C. at the end of the week to accept the award and take the opportunity to further champion the FKNMS.

As a follow up to the consensus desire of the SAC to have NMFS agency representation at meetings. CDR Score announced that NMFS is looking forward to providing a representative. Joe Kimmel serves on the Gray's Reef SAC and will begin attending FKNMS meetings. Joe may delegate this role to Jack McGovern who has more experience with South Atlantic issues.

CDR Score introduced a summary of the South Florida coral reef system, and a handout was provided.

### **Florida Department of Environmental Protection (DEP) Report**

Lower Region Manager Kent Edwards gave the report for Stephanie Bailenson, Director of Coastal and Aquatic Managed Areas (CAMA). Ms. Bailenson regrets not being able to attend but is involved with Oceans Day in Tallahassee and a busy legislative session which is still ongoing. Preparing for CAMA budget meetings which will include presentations and requests to support FKNMS initiatives. An example from last years budget is the \$250K to support removal of marine debris. This contract is being finalized and will begin in the next several weeks.

Related that Governor is demonstrating significant interest in climate change and coastal issues including water quality and long term planning. CAMA will play a lead role in developing policies and initiatives for the administration.

Announced new hire through DEP for management of the FKEDC. Craig Wanous joins the FKNMS with significant background and experience in managing businesses including the concession at Bahia Honda State Park. Please welcome Craig when you have the opportunity.

Announced maintenance dredging of Key West Harbor will commence on April 21<sup>st</sup> and last approximately 6 weeks. A small project to remove sediment transported during hurricanes.

### **U.S. Fish & Wildlife Service (USFWS) Report**

Anne Morkill, Manager for the Refuges of the Florida Keys, reported that the compatibility determination for the Keystone Pit restoration was completed and favorable to accept clean portions of the fill from the 18 mile stretch project. Permits from DEP and SFWMD should be coming this week and Monroe County has voiced support for the project.

Discussed Pine Rocklands Climate Change workshop. While an upland issues they are closely tied to the marine ecosystem. Sensitive to climate change and rising sea level. 90% of native pine overstory lost during storm surge from hurricane Wilma on Sugarloaf and Big Pine Key.

Efforts underway to integrate short term and long term management needs. Good movement in area of climate change across DOI. Congressional panel including DOI (Dan Kimball) to be held the following week in Washington, DC.

Ms. Morkill announced hiring of new director of operations, Jim Wigginton, who was in attendance.

**Member Discussion:**

Richard Grathwohl related that there has been an increase in the dumping of artificial habitat in the refuges due to NOAA's enforcement efforts related to "casitas."

Chris Bergh suggested that the SAC hear formal presentation related to the good programs and projects that the Refuges are employing. Feels that not a lot of people know about the value provided by Refuge Programs.

**Sanctuary Law Enforcement Report**

Lt. Ed Maldonado represented Captain Laurie Luher. He provided the interim grounding report with a total of 33 groundings evenly divided between the upper and lower Keys. Several investigations are on-going with FFWCC officers making cases on evidence collected as part of the assessments. This includes matching pieces of rudders found on site to the responsible vessels. Announced several ATBA violation cases and associated settlements. Related Sanctuary Enforcement response to Spiegel Grove dive tragedy. They were on scene and transported victims throughout incident. Suggested the SAC recognize the contributions of FKNMS Mooring Buoy member Steve Shock who volunteered to support victim recovery operations and was instrumental in locating and recovering the victims.

**Member Discussion:**

Debra Harrison asked if the Sanctuary was going to go back and "close" the areas penetrated by the divers that died on the wreck? CDR Score responded that although the incident was a tragedy and all are saddened by the loss of life, this was outside the scope and purview of the Sanctuary. He related that the SG received an unprecedented degree of safe access preparation and the County, along with the Upper Keys Chamber of Commerce and KADO developed a safety plan outlining the areas of the wreck that could be safely accessed by recreational dives. Recommendations concerning safe diving of the site are communicated as part of pre-dive briefings and other materials. The areas accessed were sealed prior to the vessels scuttling but opened by technical divers seeking a place to use their advanced skills. An initiative to re-close the areas would put personnel at undue risk and have limited benefit. Discussion likened wreck diving to skiing and realizing limits of ability and experience and the associated risks.

Commissioner Neugent suggested the SAC Chair write a letter to FKNMS mooring buoy specialist Shock commending him for his voluntary participation and expert technical support for the recovery of victims on the Spiegel Grove. There was general concurrence from the rest of the members.

John Hunt and Don Kincaid inquired about the use of funds recovered as part of groundings. LT Maldonado related that FFWCC recovered costs for responding. CDR Score related that depending on the size of injury funds were specified to restore the area impacted through a

variety of means. The legal requirements for use of the funds control how they can be used and are specific to restoration and/or direct compensation. Communicated the potential need to look for mechanisms to use these funds for proactive “preventative” strategies such as educational signs and channel reef marking in grounding hot spots.

### **Florida Fish & Wildlife Conservation Commission (FWC) Report**

John Hunt reported that the Mutton Snapper SEDAR workshop recommended and supported by the FKNMS SAC was due to kick off the following day at the Garden Club. Requested the SAC to spread the word and encouraged attendance.

Derelict lobster trap and debris removal rules to be modified as the result of the Lobster Advisory Panel’s recommendations. The Commission is fast tracking this issue and will address rule making at the June meeting.

Mr. Hunt announced that the development of a monitoring program for the implementation of the Dry Tortugas Research Natural Area was well underway. A workshop will be held on May 3<sup>rd</sup> in Key Largo to review current recommendations to monitor zone effectiveness under the broad MOA between FFWCC and the NPS. Consideration for the lack of commercial fishing and comparatively low level of recreational fishing pressure needs to be factored in to the analysis.

### **Public Comment**

No public comment was requested.

### **Agenda Item: *Strategic Planning and Working Group Discussion***

Chairman Popham led the discussion framing it as a check on the status of implementation of the SAC’s strategic goals and objectives. He noted that the Ecosystem Working Group was fully engaged and making great strides to implement the goals under Jerry Lorenz’s chairmanship. He reminded the members that their strategic planning session in August of 2005 outlined 3 major issue areas: Ecosystem Restoration; Water Quality; and Education and Outreach. ERWG seems to be on track, Water Quality Working Group reinvigorated WQSC, are developing report cards and making pertinent recommendations, Education and Outreach Working Group has identified and supported funding for core programs not able to be funded through the federal appropriation. Chairman Popham asked the members if the process was still on track? Asked if they were losing focus? How can they ensure continued success and involvement? The substantive work of the SAC has always been done at the working group level then vetted through the full SAC.

Member Kathleen Patton noted the problem of geographic dispersal in participation for meetings. The long distances between Key Largo and Key West create problems for active participation. Member Lorenz suggested meeting eight times per year with two of the meetings being topic oriented based on SAC priorities. All recognized the difficulties in committing time to additional meetings. Member Harrison strongly urged the SAC to return to a proactive role vs. being spoon fed issues. The SAC used to meet monthly and should consider doing this again based on the crisis the ecosystem is facing. There was a general discussion of the additional commitment for individual schedules and consensus that additional meetings should only be

scheduled if driven by a specific issue or need. Broad understanding was related concerning the need to be responsive to emergent issues and that additional meetings may be necessary to do this. Members Patton and Shaw suggested that meetings should be scheduled monthly but only held if they were warranted. This would “save the date” for members scheduling purposes. Chairman Popham agreed that there may be some value in the ability to hold additional meetings. CDR Score indicated that FKNMS would support additional meetings if consensus on that point from the SAC but it would entail additional costs. Program would find a way to make this happen if the will of the SAC because value of SAC input is critical to effective management decision making. Chairman Popham reiterated model to use working groups more effectively to get the SAC business done in a strategic manner. That model allows reaching out to broader constituents, involvement, and ideas.

Member Moe related that he is active on two working groups. Ecosystem Restoration and Education and Outreach. Informed the SAC that there is a big difference between the two groups in terms of participation and results. The Ecosystem Group is taking on specific issues, making recommendations, and creating follow up actions. The education group is less focused and tends to hear from staff why new ideas cannot be implemented instead of working to find ways to implement new strategies. These meetings are more informational from staff to members than working to address identified issues. He noted that the programs run by FKNMS staff are very good and professional but all felt more could be done by working together. He related a big difference between the Ecosystem and Education working group was in having administrative and facilitation support. Alex Score instrumental in keeping the Ecosystem Group informed and focused. Nobody to do this on the Education Group. Also a problem with the education group not being able to take on a specific issue.

CDR Score suggested that all working groups include education and outreach as part of their strategies and discussions. He also reminded members that the new SAC/Volunteer Coordinator, Lilli Ferguson, would be starting work next week which should improve facilitation and administrative support for working groups.

Member Shaw agreed that more meetings need to be scheduled because events happen too fast and the group needs to be able to respond to issues in a timely fashion.

Motion by member Shaw “that the SAC return to a monthly meeting schedule” Seconded by member Harrison.

Discussion: Member Bergh suggested that the Action Plans are too blunt and the group needs to make progress in filling in the details. He offered an alternative to more meetings, to have three topic driven workshops in addition to the regular meetings and to potentially have them during the evenings so members and the public would not have to take time away from work. Chairman Popham responded that the business model for the Action Plans was just the start but activity under the plans has to happen for issues to be resolved.

Member Grathwohl indicated that he is self employed and already gives up six fishing days and would not be able to make additional meetings. He is already booked with trips.

Member Neugent shared that his life is a “constant meeting” and therefore he is not “opposed” to additional meetings but thinks that the SAC needs to be realistic about the role. Even though he wished they had a greater role and responsibility the reality is that are only advisory. Thinks that the SAC does good thing and is generally appreciated for input they will not be able to save the Reef. He still has not heard what is killing the reef. Suggests they need to determine what the value of additional meetings would be. Vision with a plan can change the world. Willing to come to additional meetings, likes the food.

Member Lorenz related that support staff on the working groups allows work to get done. Missing from the Education Working Group. If members don't work or have support they will not be able to get things done. Example is the workshop where tremendous effort was required to organize it. Work of Alex Score, John Adornato, Chris Bergh and others allowed this to happen. Also suggested that a working group needs to know limits of what it can take on, communicate as a body without vetting through the full SAC? If an issue needs to be dealt with, what are their options? Further suggested that Action Plans need to be dynamic, they made changes but the SAC doesn't know about it. Not reflected in current materials. Should have a web based Action Plan that can be routinely updated but housed in one place for all to see and use. Need to look at the Action Plans as living documents.

Chairman Popham likes the idea of a meeting in Key West and one in Key Largo to reach out more to the public. Reminded members of the importance of communicating to constituents between meetings.

Member Moe supported the idea of three evening workshops and the Key Largo and Key West venues. Reminded members that email can be used to review information and then provided input if a member could not attend a specific meeting.

Member Harrison cautioned that with only three more evening meetings that are issue focused they may miss issues and be unable to be responsive. Maybe meet in the late afternoon but do working group meetings the same day. Meetings should be a good thing where things are accomplished to protect the special Florida Keys. Chairman Popham thought that the model of committee meetings prior to the full SAC meeting could work well. Should explore further. He is open to restructuring meetings and suggests this will require more discussion.

Chairman Popham reminded the group that a motion was on the table. Do we need more meetings or not?

Member Lorenz suggested tabling the motion for now until they could discuss in more detail.

Member Shaw felt the motion should be addressed now and not wait. They can work out details later. Member Lorenz responded that he felt there was too much uncertainty on the direction new meetings would take them and they should flesh out alternatives for presentation to the SAC at the next meeting. He framed the main points of the discussion into categories that need to be further explored:

- Monthly Meetings vs. current bi-monthly
  - 12 regular
  - 6 regular with special issue oriented
  - Evening meetings
  - Funding for extra meetings
- Proactive vs. Reactive
- Alternate Attendance
- Agency reports – written updates in advance, action oriented and brief at SAC meetings
- Moving meeting locations to include Key West and Key Largo
- Organizational/administrative support at working groups
- Use morning of SAC meeting for working group meetings prior to general
- Utilize Coordinator to funnel information between meetings
- Limits of power of working groups in representing entire SAC – full SAC approvals
- Action items with tight timelines – process via email – logistics, meeting requirements of public notice and involvement?

Chairman Popham concurred that this would be a good approach and offered to work with member Lorenz between meetings to develop some proposals.

Member Garlo concerned about funding but thinks more meetings will clearly be required. Feels it is important to look at the process and how meetings are run to make them effective.

Member Shaw reluctantly withdrew her motion with the understanding it will be brought back up at the June meeting with alternatives for meeting structure presented for discussion.

Chairman Popham thanked the SAC for the thoughtful conversation on this issue and stated he would compare notes with member Lorenz and provide a summary of the “thematic” alternatives covered during the discussion. He sees good potential to work smarter and make the meetings more productive and efficient.

## **Presentations**

### *Florida Reef Resiliency Program / Climate Change LEADS*

Chris Bergh of the Nature Conservancy provided an overview and update of the Florida Reef Resiliency Program. Eric Mioldbrecht of WWF provided an overview and update of the Climate Change LEADS program funded through NOAA and integrated closely with FRRP. The desired outcome of both programs is to develop useful “resilience” maps of corals.

Power point presentations were made.

**Member Discussion:** Member Moe offered that herbivory disorder (HD) is the root cause why reefs are not recovering. Diadema are needed to recover first to restore the balance of the system.

CDR Score related that Laurie MacLaughlin is serving as the Coral Bleaching lead for FKNMS and is integrating very closely with FRRP to ensure we are ready to respond and act. Both these programs are critical tools for management. Need the best available data and information to make decisions and communicate this rational to the public.

*Update on the Total Maximum Daily Load Process for the Florida Keys – Scott McClelland*

The Council was provided with an overview and update on the process to meet established EPA standards for point and non-point loading to Florida Keys waters. The State Department of Environmental Protection decided to pursue a process dubbed “reasonable assurances” in lieu of establishing fixed measures. This approach provides for a performance standard to achieve targeted measures for water quality improvement that are currently in various planning stages through a variety of State, Federal, and Local projects. The Monroe County Storm Water and Waste Water Master Plans are the focal point for this documentation effort and evaluation.

The presentation was provided to members.

The presentation related that this was an on-going state wide process. Emphasis on the difficulty to establish specific load maximums in an open system such as the Florida Keys. No reliable way to determine where the inputs originated. Move towards codifying and verifying local plans to ensure success. Process allows stakeholders (state and local governments) to present data and information regarding plans for implementation projects to ensure water quality improvements.

Concern with accountability for implementation. Difficult to ensure compliance if no standard is targeted. The point was made that monitoring of the FKRAD would occur and 5 years review would dictate if further intervention was necessary. Developing TMDL standards and regulations without proven and/or available science for nutrients or other pollutants it problematic making the FKRAD approach a logical first step towards ensuring lasting water quality improvements.

The draft of the FKRAD is due to be released in June or July of this year and the group looks forward to SAC comments.

**Member Discussion:**

Commissioner Neugent asked how this related to AWT standards and programs already in place? Mr. McClelland related that there was a difference between established standards and restoration of impaired waters. Looking for a performance standard based on the goals and objectives of the in place and planned projects. Clearly funding is an issue for implementation.

Member Harrison pointed out that the SAC is supposed to be commenting on outside influences that can impact sanctuary resources so this is a very pertinent topic for them. She did raise concern that the county not receive credit or recognition of “doing the right thing.” Lots of efforts and activities from the WQPP. Local no discharge, AWT, movement of the stormwater front, long term monitoring, etc. Mr. McClelland stated that this was one of the main points for doing the FKRAD to acknowledge and adopt the in place efforts. Hopefully this would assist with efforts to fund programs.

Member Moe raised that the number, depth, and flow restrictions of canals in the Keys is a major problem with water quality. Aeration could be a solution but not fully understood. Mr. McClelland responded that this would be outside the scope of the FRAD because it was not a currently adopted strategy.

Member Bergh cautioned that if the process did not involve regulations, it would be difficult to dictate accountability. Member Harrison supported this observation and reiterated that much more needed to be done at the state, federal, and local level to ensure long term improvement.

### **Presentation – Update on Dolphin SMART Program**

FKNMS Communications Director, Cheva Heck, discussed the recent launch of the Dolphin SMART program and introduced the SMART program coordinator, Celeste Weimer. Celeste has hit the ground running and has already conducted an initial training session and certified the first Dolphin SMART operator, Garry Sands, as the charter member.

On Behalf of the Dolphin SMART partnership, CDR Score presented Mr. Sands with a plaque recognizing him as the charter member, thanked him for setting an example and challenging others in the business to do the same. During the presentation he commented on this type of partnership program with the business community being the key to sustaining the keys ecosystem.

Mr. Sands thanked the SAC for recognizing him and related that he not only stepped up for bragging rights but did it as the right thing to do to make sure his kids could view dolphins and “wild” life in the future. Hoped it would also be good for his business too. He will use it as a selling point.

### *Coral Nursery and Restoration Update – Ken Nedimyer, David Makepeace and students*

Member Nedimyer updated the SAC on activities to date with the *Acropora* coral nursery and associated restoration experiments. He introduced long time (34 year) Coral Shores high school teacher David Makepeace and two students who have been instrumental in keeping the nursery efforts moving forward. An overview of the history of the project, current activities, needs, and proposed plans for moving corals to the reef tract in an attempt to spur recovery was provided through a combined presentation between the students, Mr. Makepeace and Member Nedimyer. The nursery currently holds 1000 corals which could easily expand to 3,000 within the next year to 18 months. It is overflowing and there is urgency to do something now even if it is just a start or experiments to move in that overall direction. The presenters strongly recommended and urged the Sanctuary to approve the plan to adopt some donor sites that were on the reef tract but not part of a previous ship grounding or restoration effort. There was general discussion about the efficacy and concerns regarding moving corals from one locale to another that included genetic and ecological considerations. Several individuals raised that the Sanctuary and SAC should be concerned with bigger picture issues such as climate change and ocean acidification as opposed to small scale transplant efforts that will have limited results. Several members spoke in support of Member Nedimyer’s unique ability to perform this work and importance of using

these donated corals for beneficial use. CDR Score thanked Mr. Nedimyer and his collaborators for their efforts to date and pledged support for future collaborative efforts. Member Nedimyer indicated that obtaining permits from FKNMS, DEP, and potentially NMFS has been problematic in the past and hoped there would be a way to streamline the process to start using the corals sooner rather than later. Currently a design challenge for a transplant module is being conducted between Ken and students from Coral Shores. They hope to improve upon the design and effectiveness and efficiency of the reef starts currently in use at the wellwood site and near the nursery. They have proven expensive and exhibited a high rate of failure due to breakage and poor stability in certain habitats/conditions.

Member Debra Shaw proposed the following motion, seconded by Member Berg:

The Sanctuary Advisory Council urges Sanctuary Management to support the work of Ken Nedimyer and to use his coral colonies, at his discretion, for the benefit of the Florida Keys coral reef system. Additionally, FKNMS is urged to find funding to financially support the use of these invaluable coral colonies. The SAC applauds the work of Ken Nedimyer and wholeheartedly supports his efforts.

The motion was passed unanimously.

CDR Score stated that the Sanctuary and staff have been very supportive to date of Mr. Nedimyer's efforts and are actively seeking funding support for on-going coral nursery projects including Mr. Nedimyer, MOTE, and TNC. He reminded the SAC that the scientific community remains divided on the issue of coral restoration and that the sanctuary needs to take a precautionary approach, engage the scientific community, and design coral restoration experiments that answer questions needed to determine the efficacy of conducting large scale coral restoration efforts. He felt that a permit to conduct a small scale demonstration project designed to answer some of these questions would be feasible and did not foresee anything insurmountable in this regard. He encouraged Mr. Nedimyer to prepare and submit a permit application.

Chairman Popham suggested the Ecosystem Working Group could assist in the development of the permit application as well as engaging the scientific community to frame appropriate questions to be answered. He requested the stay abreast of this topic for the SAC.

*Derelict Lobster Trap Removal Issues in SPAs – Jacqueline Laverdure FKNMS Team OCEAN.*

Mrs. Laverdure framed the issue of derelict lobster traps and materials existing in many of the Sanctuary Preservation Areas and Ecological Reserves without an efficient way for staff and volunteers to remove them due to the law requiring only sworn enforcement officers be able to remove them, or a waiver be granted for clean up activities via a pre-approved plan. She participated on behalf of FKNMS with the Lobster Advisory Committee convened by the FWCC to address trap reduction and other issues surrounding the lobster fishery.

A video was shown depicting derelict and “ghost” lobster traps and Mrs. Laverdure presented a power point on the proposed regulatory changes to assist in the efficient removal of traps in

SPAs by FKNMS personnel. The presentation outlined trap and general marine debris clean up efforts by Team OCEAN volunteers. Team OCEAN has had success in obtaining approval by the Commission in the past to clean up specific areas but the process is cumbersome. The LAC was supportive of allowing specific areas (SPAs and ERs) to be policed of traps by non-law enforcement personnel provided it be done in a controlled manner. The presentation educated the SAC on the amount of debris existent within the sanctuary and some of the successful efforts undertaken to clean them up. Statistics presented included that in 100 ft of shoreline, 1500 lbs of debris were collected. The majority of this weight was poly propylene trap line. One mile of line weighs approximately 100 lbs therefore they estimated there to be over 11 miles of line cleaned up as part of this effort. 118,000 traps are lost during an average season.

**Member Discussion:**

Member Jeff Kramer expressed concern that the video presented the worst of the worst and did not present an accurate picture of the industry. He related that the industry was very proactive in removing and locating their traps as it was in their best interest and the right thing to do. He related significant concern with letting the general public have open season on ghost traps as enforcement would then be impossible. Did not see any hope that the FWCC would support this and the industry would need to oppose it.

Member Nedimyer agreed in that he felt allowing to flexible a mechanism for trap removal would allow, or at least, suggest that individual who did not like lobster traps could just remove them or cut the line then remove them.

John Hunt related that the debris side is the primary issue at hand and where the rule may be able to be changed to allow clean ups in areas that don't collect whole traps so there is no confusion or concern on anybodies part.

Member Kramer agreed with this concept and supported finding ways to allow the debris to be removed in a streamlined fashion. This is what the LAC was doing with the proposed rule.

Chairman Popham opined that 99% of the fisherman want to do the right thing, don't want to lose expensive traps, and want to recover them to the maximum extent possible. Felt that this is more about removing debris and working with the fisherman cooperatively on the issues of traps both during the season in SPAs and after the season throughout the sanctuary.

Member Martin Moe related that in New England traps are no longer "protected" 30 days after the season ends. Wondered if something like that might work in the Keys.

Member Kramer indicated that this would not work and the FWCC would never agree to it. Enforcement and fairness were at issue. Something like this could become a free for all which would not protect fisherman.

John Hunt again indicated that the definition of debris is somewhat problematic and finding a way to have it removed from closed areas was the primary issue the LAC was addressing. He feels the new language proposed by the LAC to the FWCC for the June meeting will allow more efficient removal without creating a free for all for traps. The important message to remember is

that trap debris is a problem out there and it is causing harm which needs to be proactively addressed. This process is a part of the solution.

*SAC Ecosystem Working Group Report – May 22 Workshop Discussion – Jerry Lorenz*

Discussion focused on upcoming workshop, however, member Lorenz reported other topics discussed by the EWG as priorities for the SAC to develop. These included the need for research on Marine Protected Areas (MPAs) and what more needs to be done in a strategic manner that could assist in future management of the sanctuary. The EWG suggested the Sanctuary Technical Advisory Committee should be addressing this issue but meets too infrequently and only when coordinated by EPA as part of the WQPP. Discussion of a MPA workshop should be placed on the June agenda.

Member Lorenz raised the recommendations and discussion regarding the Lake Surprise Causeway removal. Mentioned a supposed interagency meeting which discussed the status. CDR Score indicated that Upper Region Manager, John Halas, and Associate Science Coordinator, Scott Donahue participated in discussion with DOT and SFWMD on this issue and that the next step was for the agencies to assemble a group of topic area experts to convene on the subject. The DOT has a permit to conduct the work as approved in July 2008 so any modifications will need to be determined in the immediate future.

Member Lorenz presented the draft agenda of the Alternative Energy and Climate Change Workshop for review and comment by the full SAC. Chairman Popham and CDR Score recognized and commended the hard work of the EWG in putting together an ambitious agenda and taking the lead on this important issue for the Sanctuary and Monroe County. Chairman Popham raised concern that the agenda is too full and would be difficult to get through it all in the given amount of time. Member Lorenz indicated that the EWG shared his concerns and developed a strategy to run the meeting similar to a scientific symposium paying strict attention to time limits. There was some discussion of the EWG drafting preliminary motions for consideration by the full SAC to save time. Member Berg suggested that the EWG draft working resolutions on climate change, pollutants, water use, and the coal fired power plant. USFWS Director, Anne Morkill, suggested that climate change is such a major issue that more discussion would likely be necessary. Member Moe related that the workshop is meant to be informative and educational. More of an introduction for all of the SAC and the public on this extent of the issues which very well might need follow on deliberation. Member Lorenz related that he felt and hoped the SAC could reach some consensus opinions and recommendations after the meeting.

Chairman Popham raised the issue of televising the workshop. According to Commissioner Neugent, if it were held in Key West the County would be able to record and hopefully broadcast the session. General discussion ensued with the majority opinion recommending the meeting be held in Key West. CDR Score agreed to proceed in this direction.

Announcements concerning the workshop included:

Lunch for participants and the SAC will be provided by TNC and WWF to save time.

A speaker on water use and hydrological conditions in the area was being sought. Potentially Kevin Fulton from ENP.

The FPL application is on-line at the DEP web site. SAC members were urged to review this information prior to the workshop.

**SAC Motions:**

Member Debra Shaw proposed the following motion, seconded by Member Berg:

The Sanctuary Advisory Council urges Sanctuary Management to support the work of Ken Nedimyer and to use his coral colonies, at his discretion, for the benefit of the Florida Keys coral reef system. Additionally, FKNMS is urged to find funding to financially support the use of these invaluable coral colonies. The SAC applauds the work of Ken Nedimyer and wholeheartedly supports his efforts.

The motion was passed unanimously.

**Concluding Remarks:**

Chairman Popham thanked members, staff, and the public for their participation in another full meeting and reiterated his appreciation for the excellent work of the Ecosystem Working Group. He feels that this is the model for the SAC to take on substantive issues and be action oriented.

**4:55 Adjourned**