

Florida Keys National Marine Sanctuary Advisory Council

**April 19, 2005
Marathon Garden Club**

FINAL MINUTES

Members Present:

Chris Bergh	Martin Moe
Ralph Boragine	Ken Nedimyer
Jack Curlett	George Neugent
Richard Grathwohl	Kathleen Patton
Debra Harrison	Bruce Popham
David Hawtof	
Don Kincaid	
Mark Klingbeil	
Jerry Lorenz	

Alternates Present:

Tom Dillon
Scott Fowler
Bob Holston
Bob Jason

Call to Order/Approval of Minutes/Adoption of Agenda/Introductions

Chair Bruce Popham called the meeting to order at 9:06 a.m. The minutes were approved as presented. The agenda was adopted as presented. Chair Popham recognized Maury Kolchakian, Assistant Director for Enforcement with Florida Department of Environmental Protection. Sanctuary Superintendent Billy Causey recognized Lt. Robert Kamphaus, Assistant Manager, Lower Keys Region, Deputy Secretary Tim Keeney, NOAA, Matt Stout, Director of Communications for the National Marine Sanctuary Program and Angela Calos, Communications Specialist from Silver Spring, MD. Deputy Secretary Keeney spoke briefly about the tanker grounding and oil spill response drill being conducted in the Upper Keys. He thanked advisory council members for all their contributions made in advising sanctuary managers.

Blue Star Program – Cheva Heck (FKNMS)

Ms. Heck gave a PowerPoint presentation on a proposed voluntary certification program for dive and snorkel shop operators in the Florida Keys National Marine Sanctuary. It is intended to provide supplemental protection for coral reef resources. She is developing the product in conjunction with local business partners. Discussion concerned details of the program, the voluntary nature of the program and community standards already in existence. Concerns were expressed on behalf of the Keys Association of Dive Operators (KADO) that some of the language may require additional legal scrutiny before complete acceptance of the program in the dive community.

Public Comment

H.T. Pontin: Mr. Pontin read the attached notes into the record.

Ceci Roycraft: Ms. Roycraft, owner of Dive Key West, commented on the Blue Star Program and said that 90% of all dive operators follow these recommendations. She said the matter of concern is legal liability, and that some legal advice that would protect dive operators will make the program a success. She observed that dive operators are conservation supporters and educators in the Florida Keys.

Mr. Causey thanked Ceci Roycraft and Bob Holston for all the years of hard work they have contributed to environmental education in the Florida Keys.

Advisory Council Housekeeping – Bruce Popham (Chair)

Mr. Popham welcomed new council members and alternates Chris Bergh (Conservation & Environment), Denis Trelewicz (Maritime Heritage), Tom Dillon (Citizen-at-Large, Upper Keys alternate), Capt. Jim Sharpe (Charter Fishing, Sport alternate) and Dr. Jerry Lorenz in the new seat for South Florida Ecosystem Restoration. Rich Fortmann vacated the Citizen-at-Large, Middle Keys seat and moved to California, where he will be volunteering with Gulf of the Farallones National Marine Sanctuary.

Spear Fishing Tournament Working Group Update – Bob Holston (Dive Key West) and Anne McCarthy (FKNMS)

Mr. Holston reported that the group met and found consensus on a number of issues previously thought to be contentious.

Ms. McCarthy reported that the group heard from three panels of experts comprising reef fish scientists, tournament organizers and participants, and non-consumptive reef users.

Discussion concerned possible recommendations to come from the group, such as breath hold only tournaments, gear types and breeding seasons for target species. A question was raised about the possible reintroduction of longlining for swordfish in the south Atlantic.

Sanctuary Superintendent's Report – Billy Causey (FKNMS)

Mr. Causey gave a status update on the Revised Draft Management Plan. He noted that although the plan contains no new regulations, a parallel process is being undertaken to implement new regulations already covered under existing sanctuary regulations. They are:

- 1) Fish feeding
- 2) Special Use Permits for tow-boat operators that salvage vessels
- 3) Discharge, including the sanctuary-wide No Discharge regulation that will cover federal waters

In addition, more Wildlife Management Areas will be added.

Mr. Causey mentioned an upcoming cruise to Pulley Ridge, a recent meeting to discuss coral aquaculture and mariculture in the sanctuary and an educational visit to

Congresswoman Ileana Ros-Lehtinen as part of the annual program managers meeting in Washington, D.C. He reported on other VIP interactions with the sanctuary.

Richard Grathwohl moved that the Florida Keys National Marine Sanctuary Advisory Council write a thank you letter to the recreational fisherman [Josh Miller of Cocoa, FL] who recovered a sanctuary mooring buoy while fishing off Jacksonville, FL. The motion was seconded by George Neugent and passed unanimously upon voice vote.

Florida Department of Environmental Protection Report – Anne McCarthy (FKNMS)

Ms. McCarthy reported on two vessel groundings that are under investigation. She said that there is an Oceans Bill before the legislature in Tallahassee which will produce \$1 million towards projects recommended in the Pew Oceans Commission report for the Florida Oceans Initiative. The management agreement between Dry Tortugas National Park and the state of Florida is to come before the Governor and Cabinet, and no problems are anticipated in its acceptance. Ms. McCarthy met with Bob Ballard, Deputy Secretary for Land and Recreation at FDEP, Billy Causey and U.S. Fish & Wildlife Refuges personnel to discuss personal watercraft in the backcountry. She said that an agreement was reached between the Department of the Interior (DOI) and the state of Florida to conduct an initial two-year assessment of the potential environmental and socioeconomic impacts if the state of Florida chooses not to renew the existing management agreement between DOI and the state. Discussion concerned an appropriate time frame for such an assessment, and appropriate entities to conduct it.

U.S. Fish & Wildlife Refuges Report – Van Fischer (USFW)

Mr. Fischer reported that the first scoping meetings for the Comprehensive Conservation Plan for the Key West, Great White Heron and Key Deer Refuges have been held, with representatives from the personal watercraft industry present. Discussion concerned the swimming hole on Big Pine Key.

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

Mr. Hunt reported on the most recent commissioners meeting held in Tallahassee. He announced that the Florida Bay Science Conference will be held from December 11th-14th at Hawk's Cay. It was noted that a Sanctuary Advisory Council meeting is scheduled for December 13th. Discussion concerned standardized fish measurements, which are being revised for enforcement reasons. After further stakeholder meetings and workshops, the final ruling will be made in September. Further discussion concerned the possibility of listing the southern stingray as a species of concern. Significant catch of the stingray is not recorded in FWC trip ticket records, although anecdotal evidence indicates a far greater harvest.

Law Enforcement – Capt. Laurie Luher (FWC)

Capt. Luher reported that there have been four violations of the Area To Be Avoided and four citations issued. Officers were involved in the two vessel groundings mentioned, as well as attempts to eliminate the Gambian Pouched Rat from the Middle Keys. She noted that two of the stranded dolphins have been sufficiently rehabilitated for release from

Virginia Key. She gave a status update on the vessels used to patrol the Dry Tortugas. The 31ft manta currently in use, which is woefully inadequate, will be supplemented by a surplus Coast Guard 55 foot patrol vessel whilst the custom built 85 foot fiberglass vessel is under construction. Discussion concerned the EP Force television program centred on Florida Keys FWC officers. Capt. Luher reported on a shrimp vessel incident in the Dry Tortugas which culminated in two firsts: assistance from the Park Service in such a case, and criminal charges against the perpetrators.

Richard Grathwohl moved that the Florida Keys National Marine Sanctuary Advisory Council write letters of appreciation and thanks to Officers Charlie Mallow, Kevin Mehegan and Mathew Cushing for their contributions to apprehending shrimping violators in the Tortugas Ecological Reserve. The motion was seconded by Martin Moe and passed unanimously upon voice vote.

Further discussion concerned charges in relation to destroying *Diadema* in a vessel grounding case.

The Dr. Nancy Foster Environmental Complex – Lt. Robert Kamphaus (NOAA Corps) and Lori Arguelles (National Marine Sanctuary Foundation)

Lt. Kamphaus gave a PowerPoint presentation on the progress of demolition and construction at the Key West site.

Ms. Arguelles gave a PowerPoint presentation on educational and interactive plans for the center and discussed funding for the project, particularly for exhibitry. She noted the many sponsorship levels at which contributions can be made, from the agency and foundation to the individual level. The Sea Star initiative is available at three levels, and star-shaped pavers with personal names will be laid on behalf of contributors in the walkway to the visitor center. There is also an 80 seat theater planned, available to both tourists and the local community, within the center. \$1.43 million of a targeted \$1.8 million has already been raised. Discussion concerned the decision not to include live exhibits.

Ms. Arguelles announced that a fund-raising Gala Event will take place in Key West on November 12th in honor of the 15th anniversary of the Florida Keys Sanctuary Designation. Congresswoman Ileana Ros-Lehtinen will also be honored for her support of the Florida Keys. Mr. Causey thanked Ms. Arguelles and the Foundation for all that they do for the nationwide sanctuary system.

Billy Causey thanked Lt. Robert Kamphaus at the end of his tour of duty with the Florida Keys National Marine Sanctuary for always going above and beyond the call of duty. He said that Lt. Kamphaus hit a home run with everything that was tossed at him.

George Neugent moved that the Florida Keys National Marine Sanctuary Advisory Council write a letter of thanks to Lt. Kamphaus for services rendered to the sanctuary and to the SAC. The motion was seconded by Richard Grathwohl and passed unanimously upon voice vote.

Florida's Clean Boater Partnership – Maury Kolchakian, Assistant Director for Enforcement (DEP)

Mr. Kolchakian gave the background history of this public/private partnership between the state of Florida and the boating industry. He said that there are over 2,000 marinas in Florida, all potential participants in the Clean Marina program. He said that Bruce Popham, as first chair of the program which has predominantly industry membership, has been instrumental from the beginning in mentoring other facility operators. His boatyard is soon to be the second Clean Boat Yard designated in the state. Discussion concerned the number of Clean Marinas in the Keys, the cost of maintaining pumpout facilities and the stringent requirements for handling stormwater at a boatyard that conducts industrial activities.

Sanctuary Advisory Council Charter and Membership - Discussion Amongst Advisory Council Members and Billy Causey

Chair Popham outlined the process for becoming a member of the advisory council. Two seats that are not selected under the normal process were discussed: the Commercial Fishing (fin/shell) seat and the Elected Official seat. Eligibility became an issue for further review. The need to clarify wording in the Sanctuary Advisory Council Implementation Handbook was noted. It was agreed that a preferred environment for discussing non-voting issues is at a retreat and not at an advisory council meeting. The question of whether or not the advisory council should vet new members was also raised. Other potential topics for consideration at a retreat, such as working group composition, were mentioned. The retreat will take place after Father's Day.

Sanctuary Advisory Council Objectives – Discussion Amongst Advisory Council Members

Chair Popham suggested that the council select three or four objectives to accomplish in a year in line with the Management Plan Review. He proposed that the council define for each objective a strategy with action plans and results. His recommended four areas are:

- working groups
- education, outreach and stewardship
- water quality
- maritime heritage (to include working waterfront and waterfront access)

Subjects for consideration as working groups are new Wildlife Management Areas, a regional approach to water quality and the listing of acroporid corals as threatened under the Endangered Species Act. Further discussion concerned the implications of the listing for the Florida Keys. It was determined that over the course of the next year NOAA Fisheries will be using public input to define the guidelines, and Mr. Causey stressed the importance of advisory council members providing comment on behalf of their constituents.

**Adjourn
3:00 p.m.**

Respectfully submitted by Fiona Wilmot

