

FLORIDA KEYS NATIONAL MARINE SANCTUARY ADVISORY COUNCIL

**Marathon Garden Club, Marathon, Florida
August 21, 2007**

FINAL MINUTES

Members Present

Jeff Cramer	Jerry Lorenz
Jack Curlett	Martin Moe
Dolly Garlo	Ken Nedimyer
Richard Grathwohl	Krueger Nicholson
Debra Harrison	Bruce Popham
David Hawtof	Brad Simonds
Don Kincaid	

Alternates Present

Peter Frezza	Bob Holston
--------------	-------------

Call to Order/Roll Call/Approval of Minutes from June the 19, 2007 Meeting/Adoption of Adenda for this Meeting/Chairperson's Comments and Introduction

The meeting was called to order by Chair Bruce Popham at 9:08 A.M. The Sanctuary Advisory Council (SAC) reviewed the draft minutes and resolution of the June 19, 2007 SAC meeting were discussed; an incomplete paragraph in the draft resolution was removed (motion by Debra Harrison, seconded by Ken Nedimyer), and the minutes and resolution were unanimously passed (motion by Bob Holston, seconded by Richard Grathwohl). The draft agenda was reviewed by the SAC and the agenda for this meeting was adopted. A little later in the morning the agenda was amended to add a discussion of dismantling the marine resources department to add to the agenda after the SAC charter review item. Introduction/announcement highlights follow.

CDR Dave Score, Superintendent of the Florida Keys National Marine Sanctuary (FKNMS) announced that people should save the date of September 22, 2007, as Sanctuary Biologist Harold Hudson is retiring after 50 years of government service. A reception will be held at San Pedro Church, mile marker 89.5, Plantation Key. CDR Score also introduced Paul Michel, his counterpart at Monterey Bay National Marine Sanctuary, who was visiting the Keys. He also wished the National Wildlife Refuge "Happy Birthday."

Jim Wigginton, U.S. Fish and Wildlife Service (USFWS), is the Deputy Project Leader, Florida Keys National Wildlife Refuge. He is filling in for Anne Morkill today; he has been here five months now.

Capt. Laurie Luher, Florida Fish and Wildlife Conservation Commission (FWC), said it was a busy mini lobster season, and the regular lobster season has started. She put out some handouts with law enforcement statistics at the back of the room.

Don Kincaid: He represents the diving industry, lower Keys. He is an underwater photographer, and has thousands of photographs of the reef, which show changes over time.

Richard Grathwohl: He represents flats fishing guides. The Director of FWC sent him a thank you and plaque for participating in the FWC's recent snook workgroup.

Bob Holston: He represents the tourism industry. Recently, he worked with the National Marine Sanctuary Program (NMSP) in Silver Spring, to finalize a presentation for the Diving Equipment & Marketing Association dive show. They'll be bringing people together for a series of seminars.

Martin Moe: He represents education and outreach interests. He is appalled at the condition of the reefs when he gets out there. He started diving here in the 1960s, and now he is working with *Diadema antillarum* (a long-spined sea urchin). It is the keystone herbivore of the western Atlantic coral reefs. He is trying to culture them, and experiment with ways to return herbivory to the coral reefs, working on technology for spawning and rearing them in large numbers. He has everything in place now after working on this for over a year, and they are developing well into larvae now. He should have an update at the October meeting.

David Hawtof: He is a retired surgeon, and represents the citizens at large, lower Keys. He is interested in limiting the fishing of spawning aggregations of fish.

Dolly Garlo: She represents Citizens at large, middle Keys. She is just learning, as she started in on the council December, and she attended her first education and outreach working group meeting earlier this month.

Krueger Nicholson: He represents tourism in the upper Keys. The start of the Florida saltwater circumnavigation trail has been announced. He tries to represent paddlers and other nonconsumptive tourism in the Keys.

Joe Boyer: He is a guest speaker today, from Florida International University. They do water quality monitoring in the Keys and upstream areas, including Florida Bay and Lake Okeechobee.

Brian Keller: He is the FKNMS Science Coordinator and the Acting Regional Coordinator for the Southeast Region. He has been in St. Petersburg now for over a year, so Scott Donohue, Associate Coordinator is the "man on the ground" now.

Debra Harrison: She represents the conservation community. She shared how Governor Christ has created an Energy and Climate Change Commission, which has some quick turnaround time frames for action. They will be looking at things such as ways to diversify energy, promote efficiency, conservation, carbon free energy for Florida, reducing the carbon footprint, etc., and making recommendations to the legislature. The first meeting is August 29. It will operate for a minimum of two years. She has been invited to serve on the commission, and will be reporting back to this group on its activities. She is particularly concerned with global warming impacts on corals, nearshore waters, coastal communities and National Parks, and has gotten a lot of input from various groups already.

Chair Bruce Popham: He represents the boating industry. He introduced Glenn Patton, Director of the Sanctuary Friends of the Florida Keys Foundation (SFFFK). Mr. Patton presented a certificate of thanks and membership to Tom Stroud and Tom Halford. They were essential in helping get funding for mooring buoys. They made a lot of phone calls, and got \$1,500 from Disney for mooring buoys in the Archer Key area, as the Sanctuary did an assessment that there was a need for them there. Mr. Patton gave the check to CDR Score. PADI Aware donated cordage to support the mooring buoy program earlier this year. CDR Score recognized Kent Edwards, Jacqueline Laverdure, and the rest of Team O.C.E.A.N., which worked with the friends to examine this issue and if the capacity would be there to maintain them, and found that in this case, there was. Mr. Patton also recognized two new SFFFK employees: Tracy Ahearn will be doing event coordination at the Eco-Discovery Center in Key West, and Marlisa Garrett is the Administrative Assistant in Marathon. Following those announcements, Chair Popham passed on an announcement from the FKNMS Team O.C.E.A.N. Coordinator for the Lower Keys, Jacqueline Laverdure, that there are three coastal cleanups coming up for which volunteers are needed, on September 15 and 29, and October 20.

Agency Report Highlights and Superintendent's Report

Superintendent's Report - CDR Score, Superintendent, FKNMS, NOAA Corps

CDR Score thanked FKNMS Sanctuary Advisory Council and Volunteer Coordinator Lilli Ferguson for getting out the recent Situation Reports to the council, and encouraged council members to contact the staff in between meetings. On the last round of SAC seat applications, the recommendations for the selected people are moving slowly through the state and NOAA clearances processes. The Sanctuary will be announcing additional seats soon, that are either vacant or the term is up for renewal. Existing SAC members are encouraged to reapply. He mentioned Ms. Ferguson has done a good job working to getting this process back on track, and has had some correspondence with people whose seats are coming up. The intention is to get into a three tiered process for filling seats, on a schedule. There may have to be some shorter terms to get on the schedule. The notice for applications for the next round of seats should be getting out within the next week or two. This afternoon, he will be giving an update on the management plan update and where we are in the regulatory process, to review the Sanctuary regulations.

Florida Department of Environmental Protection (DEP) Report - Kent Edwards

Kent Edwards followed up on what Ms. Harrison said earlier, and has heard reports that the summit in Miami on July 13 was worthwhile. Three Executive Orders came out of it, one on safe government, and one on CO2 reduction. Also, there is a green lodging initiative, with thirty or so hotels/lodging around state that are already in that process. Those are very on the ground, result oriented things. There is an Executive Order on reduction in the state of Florida, for example, changing the building code, including permitting of electric facilities, to cut back on energy usage. Within DEP, they are looking at car maintenance, to be sure maintenance is kept up to date to reduce gas usage, etc. Also, there has been a 1% reduction in the state budget per quarter, but it shouldn't affect Sanctuary State staff members. Last week, the mooring buoy staff got out to the Dry Tortugas, and got 36 buoys, with 12 active for mooring, up and running.

USFWS Report - Jim Wigginton

Jim Wigginton said that \$50,000 has been transferred to the NOAA Office of Restoration for backcountry restoration. The USFWS coordinated with the Sheriff's Department and the FWC on lobster season. There have been some increasing problems with jet skis. Finally, on November 17, they will have a celebration, in conjunction with the opening of the administrative facility on Big Pine Key. In February, they should be celebrating the 100th anniversary. They have been placing signage in the backcountry.

FWC Law Enforcement Report - Capt. Laurie Luher

Capt. Laurie Luher stated that the FWC did undercover surveillance, starting July 20, in three phases, using canine teams and undercover officers to find lobsters and turtles. FWC did 2,205 vessel inspections and answered 154 calls for critical service, and there was one fatality (due to heart attack). There were 172 resource arrests, all lobster related. There seemed to be a lot of newer and younger people out this year. On the state budget reduction, we can expect a 10% decrease through general revenue, along with a 4 % reduction over four quarters. There are a lot of vacancies (55 statewide), and with this budget, they will not be able to hire more people. She urged people to call dispatch if there are violations, but urged understanding that officers may not be able to respond quickly as they may be up to 70 miles away. Also, she reported that there is talk about doing away with the FWC Academy; if this happens, potential officers would have to pay for schooling on their own (such as at a community college or other school), then once they are with FWC, they would get specialized fish and wildlife training for 12 weeks.

Discussion and questions ensued about the effects of budget cuts, and Ms. Harrison suggested people let the Governor and Commissioners know if they are not satisfied with things. In response to questions, Capt. Luher and CDR Score explained NOAA provides FWC with some funding, which goes towards salaries and op costs. It goes to the 17 officers sanctioned in the cooperative agreement. FWC spends about \$300-400,000 in NOAA funds per quarter, for salaries, overtime, and operations. Officers do a 10-hour schedule, 4 days a week, and are funded to provide law enforcement within the sanctuary (all the regulations in state and federal waters). The sanctuary management plan calls for funding 43 officers, but it is operating at a 2001 budget level, with costs having increased since then. Recruitment can also be difficult due to the high cost of living. The officers do not do education and outreach, but Team O.C.E.A.N. continues to be active, to try to educate people to do the right thing. There are currently 69 people working for the sanctuary, which includes NOAA, FWC, DEP, and contractor staff members. We need to find better ways to engage those people on the water, and to disseminate what they see to law enforcement and management. While it may not be possible to use volunteers for enforcement due to liability and other issues, people may take photographs and pass them on, or individuals or outside groups may write to the Governor.

FWC Report - John Hunt

John Hunt has been busy working on developing proposals. They recently held workshop in St. Pete (and Brian Keller attended it) on goliath grouper; there is controversy among scientists about killing goliath groupers to do stock assessments, but the stock assessment folks think it is necessary. There is the potential for a few hundred fish to be sacrificed to do stock assessment. There will be future discussions about this. FWC has been funded to do Tortugas research, on the Research Natural Area (RNA). He and folks in St. Pete will be working next spring on a

three-year project on fish inside and outside the RNA, looking at size and abundance, and doing tagging for determining movement patterns. Visual surveys were completed in the Tortugas in partnership with NOAA, the University of Miami, and FWC. FWC is writing another proposal to NOAA, in partnership with Mr. Keller, regarding connectivity between the three preserves in the Tortugas, including a number of activities including tagging mutton snappers and groupers to track movements, and looking at spawning aggregations. They will be seeking input from folks such as Brad Simonds. FWC is also working to submit two proposals to the National Marine Fisheries Service regarding casitas north of the lower Keys. Finally, he stated the Commission meeting will be in Key Largo in December.

Discussion ensued about the removal of casitas; Capt. Luher and Mr. Edwards said that removal for this year was completed at the end of July. Quite a bit of debris was removed. CDR Score stated that there isn't a good handle on the scale of the problem, but fishermen say there are thousands out there. We can only get a handle on the scale through remote sensing. Mr. Cramer said this was talked about at the Lobster Board. There are only a dozen or less of the "big guys" still putting out artificial lobster habitats. He used to have a few in his area, but that stopped once the new laws came out. People get their friends and relatives to get a lobster license, and they sell the excess that a person brings in but cannot sell themselves. CDR Score stated the Sanctuary has to defer to the Commission on the fishery issue, but that the sanctuary has the ability to close large areas of the sanctuary to access or diving when there is an ecological issue, but believes we need a handle on the scale of the problem.

Mr. Hunt's proposals regarding den traps are dead in the water; they were turned down two years in a row. Mr. Moe's tests in the past showed lobsters did use dens during day for shelter, and left at night to forage. Using them could help with the problems of shorts and nighttime poaching.

Ms. Harrison said the sanctuary owes a debt of gratitude to commercial fishermen for participating in this SAC and development of the Tortugas areas. She recommended the SAC create a new working group, or fold the issue into the Ecosystem Restoration Working Group, to address impacts related to this illegal issue, explore avenues to make recommendations to various agencies on how it gets addressed. CDR Score said that the agencies are continuing to address impacts concerns. Would letter of support from SAC help with the proposals? Mr. Hunt replied that they are in. CDR Score agrees this is not an acceptable practice, and we need continue working to elevate it.

Capt. Luher mentioned recent enforcement efforts, but said the crime of illegally transferring lobsters needs to be witnessed while in progress. Special Agent Smith added that there are probably three separate investigations into this issue, but it takes many hours, and usually has to be done covertly.

Public Comment - Marlisa Garrett

Marlisa Garrett asked if the group could tap into the anger, and pass out information to people coming for lobster weekend; perhaps the information could be the size of a business card, and include where to report violations. She said it might also work to have people at marinas providing information to people buying gas and supplies. Capt. Luher replied that she knows

Team O.C.E.A.N. and the rest of the staff under Mary Tagliareni are committed to doing that, and do provide information and go to the monofilament collections stations. She added that she recently saw placemats in Montana with the regulations for bass fishing printed on them. There is a number to report violations to the FWC. Mrs. Tagliareni said the staff did several radio shows prior to the lobster season, and mentioned the target audience is people who don't know the regulations or need a nudge to do the right thing. People who are violating know what they are doing wrong, know the fine, and know that is the price they could pay.

Mr. Cramer asked Mr. Hunt what is going on with the tagging system proposed with the Lobster Board. Mr. Hunt replied it will be going to public hearing and public workshops in the fall, probably October. He is not sure if will come back before the board in December or not.

National Marine Fisheries Service (NMFS) Law Enforcement Report - Dick Smith, NOAA, NMFS, Office of Law Enforcement

Special Agent Dick Smith gave a presentation about what the NOAA Office of Law Enforcement does. He is in his 19th year of law enforcement, and in October 2006 came to be based at the sanctuary. His office investigates fisheries enforcement issues, and enforcement of sanctuary laws and regulations, the Magnuson Stevens Act, highly migratory species, marine mammal protection, and the Lacey Act (which gives them the authority to carry weapons). When he first came here, turtle excluder devices were a big thing. He has also worked on vessel grounding, illegal shark fishing and finning, investigations of fish containers suspected of having drugs inside, illegal harvest of bluefin tuna, spiny lobster poaching, and has the ability to seize boats used in a crime. There is a uniformed component of the force, and there are also investigators and undercover agents. They have only 150 agents worldwide, so they work closely with other law enforcement partners. Due to small size of the force, they sometimes travel to other areas to provide assistance.

Marine Protected Areas Management/Climate Change Report - Brian Keller, FKNMS Science Coordinator

Brian Keller gave a presentation, "U.S. Climate Change Science Program: Preliminary Review of Adaptation Options for Climate-Sensitive Ecosystems and Resources: Marine Protected Areas." He talked about some of the contents of report and the timeline for its publication (plan is for public review in August and publication in December). It is intended to support policymaking and adaptive decisions. Mr. Keller is the lead on the marine protected area (MPA) chapter, working with a team; the report focuses on federally managed areas, and this chapter highlighted National Marine Sanctuaries. There was a recent stakeholder meeting, and a number of people participated, including Chair Popham. The MPA chapter includes a number of topics, including the current status of management, key ecosystem characteristics, direct climate change stressors, ocean acidification, the decrease of carbonate availability over time, projected sea level rise, increase in intensity of storms, and interactions of climate change with existing "traditional" stressors of concern. There are case studies, including one about the FKNMS. Some of the tactics to address these issues include to ameliorate existing stressors in coastal waters, protect apparently resistant and resilient areas, develop networks of MPAs, and incorporate climate change into MPA planning, management and evaluation. Currently, the NMSP has no systematic way to deal with climate change, but a working group has been formed to work on the issue.

Water Quality Monitoring on the Southeast Florida Shelf - Joe Boyer, Florida International University

Joe Boyer gave a presentation, "Importance of Continued Water Quality Monitoring on the Southwest Florida Shelf." He described the existing water quality monitoring network, which has been funded by the South Florida Water Management District and the U.S. Environmental Protection Agency (EPA). There is now a proposal to do away with all the shelf monitoring. Mr. Keller has sent a letter to the District in support of the program, and Fred McManus of the EPA has also sent a letter. The terrestrial output of the Everglades effects Florida Bay and the Keys. A wet year lowers salinities in the Keys. In a dry year, there is hypersalinity all through the shelf and down to the middle and lower Keys. There is a fairly direct connection with the nutrients as well. Some of the patterns we see are related to the movement of water, currents, upwelling. Eliminating all monitoring on the shelf would save \$85,000. To sample the approximately ten sites most affected by the Everglades would be a difference of about \$22,000. Mr. Boyer also talked about the cyanobacteria bloom in eastern and western Florida Bay. Satellite photos confirm the bloom and changes to it over time. It is the same type of bloom as seen previously. Scientists are not sure what started it, but it can maintain itself easily.

Chair Popham said that Mr. Boyer had asked to speak to the SAC, to ask for support for the monitoring, which has been going on since 1991. There was discussion about the issue, including about sampling sites and funding sources, and general agreement to support the monitoring. Mr. Lorenz agreed to draft a resolution at Chair Popham's request, for consideration by the SAC later in the meeting, taking into account recommendations by Ms. Garlo and others. CDR Score said the recommendation should be to have the Superintendent inform the Water Management District of the Sanctuary's recommendation, to have him pass it on to them.

Working Group Reports - Martin Moe and Mary Tagliareni, Education and Outreach Working Group

Martin Moe stated that the Working Group recently had a good meeting, with good attendance. The agenda covered four different things. There was an in-depth discussion of a matrix/spreadsheet/inventory of organizations in the Keys involved in education and outreach. The plan is to use an updated version for the SAC and other organizations to better understand, organize and interact with the sanctuary and the community, so know people what is available, and who is doing what. Mrs. Tagliareni said this item developed out of when the sanctuary was first designated in 1990. There was a meeting at the Sombrero Country Club to find out what everyone was doing, and the Florida Keys Environmental Research Directory (FKERD) came out of that. It was printed twice (last time in 1997), and it lists the organizations, agencies, programs offered, etc. In 2001, the sanctuary contracted with Alex Score, and she got the information updated, with the intention of making it available on the FKNMS web site. However, this did not happen due to computer technical issues and federal standards. The Working Group is again discussing making it available to the community in web-based format. The SAC Working Group could either do it on its own, or the SAC could make a recommendation to the staff to do it, and the staff could then work it into the Annual Operating Plan. The SAC discussed the idea, and people felt it would be good for the Working Group to work on this issue. Where to host it (FKNMS web site, SFFFK, or another site), what the boundaries of the information should be, audiences, goals, etc. need to be determined. Collecting updated data can take quite a bit of time.

There was also a discussion about funding programs, through SFFFK, and working with staff. Mrs. Tagliareni expressed appreciation to the SFFFK for the funding for such things as BlueStar, the protect our reef grant, Coral Reef Classroom, and Team O.C.E.A.N kayaks for cleanups. Mr. Patton then reviewed a number of SFFFK projects and amounts (some funded by SFFFK, and some by outside grants), including "sea awards," Teall maps, University of Miami research, Mr. Nedimyer's coral restoration project, this year's coral spawning cruises, and mooring balls. They will be meeting soon on the \$31,700 for BlueStar. It will be a challenge to spend the money acquired for Coral Reef Classroom due to the FKNMS staff's time and activities, but progress is being made. SFFFK is also participating in the process with John Halas and Mote Marine to document shipwrecks. In the future, SFFFK will ask the FKNMS staff to provide proposals to SFFFK for funding.

There was a brief discussion about bringing one organization in the Keys to each SAC meeting to provide a short description of its activities in education and outreach, on the theme, "What do you do for your sanctuary, and what can your sanctuary do for you?" This would include a presentation by the organization, and then a discussion by the SAC focused on improving/increasing education and outreach in the Keys. The first organization to do this would be the FKNMS Education and Outreach staff. Crane Point would like to make the presentation after that. SAC members agreed with this proposal.

Last, the Working Group plans to review the education and outreach action plan, to make it more valuable to the SAC, and for the SAC to be better able to accomplish its mission.

The next Working Group meeting will be after September 25; the Aquarius mission is coming up in September, and there will be lots of outreach related to it.

In October, the full SAC meeting will be in Key Largo at Ocean Reef.

Working Group Reports - Jerry Lorenz, Ecosystem Restoration Working Group

Jerry Lorenz read the resolution he and Ms. Garlo worked on during lunch, on water quality monitoring. Mr. Lorenz moved to pass it, and Ms. Harrison seconded it. It was passed unanimously; one change was to change the references to "CERP" in the last paragraph to "FIU."

The final text of the resolution follows:

Resolution of the Florida Keys National Marine Sanctuary Advisory Council August 21, 2007

Whereas, terrestrial output from the Everglades via the mangrove estuaries of the southwest coast of Florida has a significant impact on the salinity and nutrient condition of The Florida Keys National Marine Sanctuary (FKNMS).

Whereas, this impact has been well documented over the twelve years of quarterly sampling performed by Florida International University (FIU) and without this sampling monitoring the effects of Comprehensive Everglades Restoration Plan (CERP) will be greatly diminished and practically eliminate the use of adaptive management in this region. Information crucial to CERP performance assessment will only increase in significance as implementation of everglades restoration proceeds.

Whereas, alterations of freshwater inflows will effect circulation, water quality and salinity patterns within the FKNMS and these changes will alter the structure and function of associated ecosystem.

Whereas, termination of this sampling would totally eliminate our ability to examine or predict the impact of harmful discharges from the Everglades through the Caloosahatchee and Charlotte Harbor that profoundly impact the FKNMS.

Whereas, the ubiquitous use of these data in scientific forums demonstrates the importance of this data set, not only for South Florida Water Management District (SFWMD) use, but is also critical to numerous government and non-governmental agencies.

Whereas, reducing effort will diminish the value of the previous 12 year investment and will limit future use of this valuable data set.

Now therefore, the FKNM Sanctuary Advisory Council (SAC) recommends that the sanctuary management strongly urge the SFWMD to retain all monitoring activities performed by FIU on the Southwest Florida Shelf. While the SAC feels that the alternative proposed by FIU for reduced sampling in nearshore areas of the mangrove estuary is inadequate, we would support this action as a temporary and minimal approach and request that restoring funding of full scale sampling be a priority of the SFWMD at the earliest opportunity.

Passed unanimously on this date: August 21, 2007.

The Council is an advisory body to the Sanctuary Manager. The opinions and findings of this publication do not necessarily reflect the position of the Florida Keys National Marine Sanctuary and the National Oceanic and Atmospheric Administration.

The Working Group met on August 16, and the agenda included a presentation by Dan Wagner, FIT and Eric Mielbrecht, Emerald Coast Consulting, on a climate change CC LEADS GIS tool. The integration of data it could produce would be very helpful. The presenters would also like to make a presentation to the SAC about this in the future (not scheduled yet).

The group also discussed holding a SAC MPA workshop, and felt that Chris Bergh should be in charge of heading up this effort. The group would like to hold it either in January or March

2008, due to sanctuary management plan update process which is coming up. The SAC was in agreement with this idea.

The group also discussed the Lake Surprise U.S. 1 road construction again; FDOT is still mulching and dumping woody material and doing filling, which they said they would not do. Mr Lorenz attended a USFWS workshop, which discussed key species used to gauge restoration; the gist was actions taken to maintain the sparrow populations have not been effective, and actions have damaged other populations of birds. While the system is changed, the sparrow might lose its home. The Working Group also talked about the Tamiami Trail restoration; it has been some of the activities have been discontinued at this point in time, but will be brought up again later. There will be minimal increase in water flow across Tamiami Trail into the Everglades. With the C-111 project, it has been downgraded. A reservoir is proposed to be built, and some canals plugged, but until the C-111 is removed, Mr. Lorenz stated there won't be any real restoration to the area.

Mr. Lorenz then read the last part of a water use resolution that the SAC had been given in advance of the meeting. Debra Harrison moved that it be passed, and Ken Nedimyer seconded it. After discussion about including the phrase "applicable agencies" (such as the U.S. Army Corps of Engineers, South Florida Water Management District, EPA, etc.) and how the Superintendent can use this resolution as needed, the motion unanimously passed.

The final text of the resolution follows.

Resolution of the Florida Keys National Marine Sanctuary Advisory Council
Regarding Water Usage
August 21, 2007

Whereas, the Florida Keys National Marine Sanctuary was established by President George H. Bush in 1990, and

Whereas, the legislation creating the FKNMS found that adjacent to the Florida Keys land mass are located spectacular, unique, and nationally significant marine environments, including seagrass meadows, mangrove islands, and extensive living coral reefs, and

Whereas, these marine environments support rich biological communities possessing extensive conservation, recreational, commercial, ecological, historic, research, educational, and aesthetic values which give this area special national significance, and

Whereas, these environments are the marine equivalent of tropical rain forests in that they support high levels of biological diversity, are fragile and easily susceptible to damage from human activities, and possess high value to human beings if properly conserved, and

Whereas, the south Florida region not only is home to the Everglades and the world's third largest coral barrier reef, but it shelters more than 6 million full-time residents and attracts

millions of seasonal visitors annually with nearly 4 million traveling to the Keys alone each year, and

Whereas, the EPA states that “The Everglades and other south Florida ecosystems already are stressed by the pressures of human development, with global warming adding additional stresses, such as higher water levels, increased salinity and warmer temperatures, and

Whereas, Florida’s estuarine and marine environments are an important “engine” of the region’s economic prosperity generating nearly 40,000 jobs annually in Monroe, Miami-Dade, and Broward Counties, and producing nearly \$3.4 billion in income and sales, and

Whereas, these estuarine and marine environments are connected to and dependant on the Everglades landscape for sources of fresh water and other components associated with freshwater runoff to estuarine and marine systems, and

Whereas, poorly planned water management decisions in the Everglades region have resulted in past damage and loss of ecological integrity in estuarine and marine systems within, and

Whereas, The CERP is an \$11 billion civil works project funded jointly by a state/federal partnership that is designed to restore natural quantity, quality, timing and distribution of water to the entire greater Everglades region including Florida Bay, Biscayne Bay and the Florida Keys and

Whereas, for the purposes of the FKNMS and Protection Act the term “adverse effect” means any factor, force, or action that would independently or cumulatively damage, diminish, degrade, impair, destroy, or otherwise harm any of those qualities, values, or purposes for which the Sanctuary is designated, and

Whereas, it is consistent with the FKNMS and Protection Act for local, state and federal agencies to cooperate with the FKNMS Advisory Council, charged with providing recommendations to the Secretary of the Department of Commerce on actions necessary to provide for the protection of the marine resources of the Florida Keys, in addressing adverse effects over which those agencies have jurisdiction, and

Whereas, the human populace of the south Florida regions is currently under significant water restriction, and

Whereas, Everglades Restoration is ongoing and will require all of the water that is currently going to tide,

Therefore, the FKNM SAC requests that when future water use issues present themselves, the superintendent of the FKNMS advise applicable agencies that Everglades restoration and existing residential water use take precedence over major water use requests (e.g. power plants, water parks, golf courses) during state and federal permitting processes.

Passed unanimously on this date: August 21, 2007.

The Council is an advisory body to the Sanctuary Manager. The opinions and findings of this publication do not necessarily reflect the position of the Florida Keys National Marine Sanctuary and the National Oceanic and Atmospheric Administration.

Mr. Lorenz showed the SAC an article from 1992 about an algal bloom at that time, with a graphic that showed the extent of the damage. He and Pete Frezza went recently to look at the current bloom, and he showed a graphic estimating the current extent of it. Jon Fajans and the Coast Guard also took some pictures which show the bloom. People discussed how this could be a serious problem. For a month, the bloom has been very dense off Lower Maticumbe, and has moved down off of Marathon. This kind of bloom affects water quality, and birds' ability to see fish, as well as the ability of predator fish to see prey fish. It has potential to devastate that area if it doesn't lift soon. Sponges are already dying. Mr. Boyer stated that it is not known what triggers this kind of bloom, but it doesn't take much. The algae can pick up low levels of nutrients.

Public Comment

There was none.

Ecosystem Restoration Working Group Report, cont.

Ms. Harrison commented that she is very frustrated with the Everglades restoration situation, and that the Tamiami Trail work is "done" and we are not going to see the C-111 spreader go in at all. Water flow is not being restored. Mr. Lorenz added that the ACOE is out of money, and needs to finish up. They need to come up with a plan for the Tamiami Trail. All the modifications to bring water to the Everglades are derelict. The increase would be from 600 cubic feet/second (cfs) to 1000 cfs on a good day, and the original proposal was for 4000 cfs. Debra added that the state has been a strong partner on Everglades restoration, but it has focused on increasing water supply for users under President Bush. Under Governor Christ, and with Mr. Sole of the DEP, there are commitments to improvements, but Congress is focused on other issues. There aren't many voters paying attention to the Everglades, since it is the same old story. Ms. Harrison urged people around the table/the constituents affected by this, to use the power they have to do something. The Ecosystem Restoration Committee could use help from the Education and Outreach committee in getting the word out. Past efforts that have gotten a number of groups involved have had success. The South Florida Water Management Board is showing some good commitments to change now.

CDR Score added that this huge, complex project started in the early 1990s turned into a huge planning process, and the federal money has gone largely to planning. Members of Congress do not like to hear about contention in a project because it makes them fear that the project is not working. This is a fallacy as dialogue is needed, but he suggested people should pick out some

key projects, and get people back to the table on what they agree on, perhaps letting some other ones go, phasing performance on projects and activities over a longer period of time.

Mr. Grathwohl suggested that individually, we need to write our members of Congress and the relevant organizations.

Chair Popham said he agreed with the frustration expressed during this discussion. He reminded the SAC that the SAC can not Congress lobby as a body or as SAC members, but can do so as an individual. A person may note he/she is a SAC member, but should say he/she is speaking as an individual. SAC members must be careful in their emails, too. The SAC listserv and website are maintained by NOAA, and cannot be used for those efforts. It is also open to public access.

Working Group Reports - Bruce Popham, Water Quality Working Group

Chair Popham provided an update on the Water Quality Steering Committee meeting held on July 24. Mr. Keller and Mr. Boyer were there, and the same frustration was there at that meeting. They did approve a budget (as talked about earlier). There are holes in it, such as with monitoring programs. The group got Bill Kruczynski's assessment of a special study on human fecal bacteria in the Florida Keys. Coral is like flypaper, catching the pathogens in the water, which are coming from discharges and upwelling from the groundwater. Mr. Keller added that the presence/absence of pathogens is found--but this doesn't say anything about nutrient transport. Since that meeting, Mr. Kruczynski had gotten one peer review of the report, which found it solid and convincing. Mr. Boyer showed the results of the Little Venice testing at that meeting. It has been going on for four year. Evidence shows water quality seems to be clearing up at the end of some canals, but not clearing up in the canals themselves, so improvement is not significant yet. Why is unclear. Members of the SAC then discussed how the physical layout of a canal and aeration could affect water quality.

Chair Popham passed out the action sheets the SAC put together for water quality, which was updated in 2006. He said the Water Quality Working Group has accomplished a lot of the items already; one of the items was to get the Water Quality Steering Committee meeting again, which it is. But, he cannot continue to lead the group and also chair the SAC. He reviewed the current membership of the Working Group (which Ms. Ferguson put together at his request) was reviewed, and Mr. Lorenz stated he was no longer a part of the group. Could somebody take over work with Chair Popham, and take over the leadership of this Working Group from him? Ms. Harrison noted working groups can be made up of community members, and suggested George Garrett join the group. She recommended he co-chair the group. CDR Score noted that Working Group chairs must be SAC members. Scott Donohue is the staff co-chair, but that responsibility could be shared. It was suggested that Commissioner George Neugent be asked to chair the group. Chair Popham noted that as new nominees for the SAC are approved, others may be enlisted to join the Working Groups. Mr. Grathwohl and Ms. Harrison would like to be a part of this Working Group. Chair Popham suggested that the new Working Group chair should be picked by the Working Group, and it was also suggested that Jim Trice and Mr. Edwards be part of the group. Ms. Harrison proposed that Commissioner Neugent be the new chair, subject to his approval, and this was seconded by Mr. Moe. Chair Popham stated that if there were no objection, this was so ordered, subject to Commissioner Neugent's approval.

Update on Staghorn Coral Transplanting and Nursery Project - Ken Nedimyer, SAC member

Mr. Nedimyer gave a presentation updating the SAC on the 2007 Molasses Reef Staghorn Restoration Project, which was funded by Sea Life Inc. (his company) and SFFFK, with dive support by the Florida Keys Dive Center, and housing provided by Amory. In addition, 12 college students, two high school science teachers, a coral biologist, the Nedimyer family, photographers, staff, and friends assisted. The project is intended reestablish genetically diverse thickets of staghorn corals at a selected site at Molasses Reef, to develop simple restoration techniques that can be replicated throughout the Keys, and to challenge local businesses and residents to get involved in preserving their future. They transplanted 1 and 1/2 to 2 year old corals that Mr. Nedimyer has raised in his nursery, marking and preparing and corals in advance. He also showed the Wellwood restoration site. He also describe how he monitoring disease, working with partners. CDR Score mentioned an upcoming workshop where Mr. Nedimyer is making a presentation, and described the other coral nursery projects in South Florida, including the sanctuary nursery in Key West. He stated there is a need to integrate results from each of these efforts, to help contribute to future restoration projects. SFFFK has a DVD with a history of Mr. Nedimyer's nursery and restoration projects, and would like to include a chapter on Mr. Moe's *Diadema* work.

SAC Charter Review - CDR Dave Score, Superintendent, FKNMS; FKNMS staff; SAC

Prior to discussing the SAC charter, CDR Score provided a brief review of the sanctuary Management Plan process; the sanctuary staff have received the last round of comments from the State of Florida and NOAA. It is hoped concurrence from the State will occur on October 2. Once approved, the sanctuary will go through a regulatory process, and will need to work with NMSP headquarters the National Environmental Protection Act processes. Some regulatory amendments will be straightforward, with just a 45 day comment period. There are other areas, 19 of them, where the SAC asked during scoping meeting that the sanctuary take a closer look. The SAC will be pretty busy working with the sanctuary staff probably starting in winter; the process could take 18 months. A framework or plan will be put together after final approval of the management plan update, and the sanctuary condition report will be released at the same time. CDR Score said the sanctuary hope to kick off the process with public hearings before the first of the year, and want the SAC and its working groups integrated into the process. The overall management plan update process takes a long time and needs improving.

CDR Score then talked about the SAC charter; the SAC operates within the confines of the charter, NMSP guidance, and the national SAC handbook. The charter is in effect for five years from being signed by the Director of the NMSP. The NMSP and the SAC are required to look at the charter six months prior to its expiration; it is now six months away from expiring. The SAC can also review it at other times, if it wishes. CDR Score reviewed the changes proposed by staff, which would add in the Ecosystem Restoration seat, allow more flexibility for partial terms to get back into a phased seat expiration/selection process, add a statement about charter expiration if amended, and add page numbers and make other minor corrections.

Chair Popham commented that the document contains good information, and only minor changes are proposed by staff. But, when he reviewed the changes he felt there are some areas the SAC may want to look at a little more. For example, does the SAC need a Secretary, as called for by

the charter? Does the SAC member selection/appointment process need clarifying? Many of the NMSP SAC processes are described in the national SAC handbook, which is used in conjunction with the charter. He asked if the SAC was read to accept the suggested changes now, or would like to defer to the next meeting, and it was decided to defer to the next meeting. Chair Popham asked that people look at the charter with the suggested changes, and make recommendations for changes to him so he can incorporate them and bring them to the next meeting. CDR Score clarified that the staff recommendation on p. 4 to allow changes in the length of an initial term would allow for the selection/reappointment process to get back on track, and would not have the intention of slighting anyone's term or discourage anyone from reapplying. CDR Score commented that it is currently a glacial process requiring various approvals. Chair Popham will send a reminder email asking everyone on the SAC to get input to him.

Unfinished/New Business

Mr. Curlett brought up the issue of the Monroe County Marine Resources Department being dissolved. Chair Popham and CDR Score attended a July 18 County Commission meeting on the topic; Chair Popham spoke about the need to keep the department and CDR Score wrote a letter to the County Administrator about it. Now, it turns out the department is not to be dissolved, it is to be restructured. Chair Popham wondered, how can a county surrounded by water not have a marine resources department? There are many marine resource issues, including derelict vessels, boat ramps, and use of boater registration fees. This action was done under guise of there being a reduced budget, but the department is and can be pretty much self-funded. This is not a dead issue yet--there may be opportunities to raise the department back to a value-added service. The County has to spend the money as mandated, but we have to hold them accountable. Mr. Grathwohl sent an email on behalf of the Florida Keys guides community to Commissioner Neugent about how disappointed they were, and how it was a grab for money. The County seal is marine oriented and they should abide by that.

Mr. Curlett made a motion, which was seconded by Don Kincaid, with the wording subsequently amended/clarified by the group, that he would like the Chair to write a letter on behalf of the Sanctuary Advisory Council asking Monroe County to revisit the decision to dismantle the Marine Resources Department, as this could have grave consequences for a county surrounded by water.

CDR Score said he got a response to his letter, as did Mr. Edwards and Chair Popham to their letters. CDR Score reviewed the response, which talks about a plan being completed in 2002, and that we are now in a maintenance phase. Score stated maintenance also has a cost, and that the water quality protection project needs consideration.

CDR Score would like to continue working with the County on removing derelict vessels like the LADY LUCK. The County can often let contracts more quickly than the Sanctuary can. The County Administrator says that that commitment is still there.

Ms. Garlo wondered if the SAC could raise some of the questions in the letter that were raised during this meeting about future processes. Chair Popham said that Commissioner Neugent had made a motion to reinstate the department, but it lost 3 to 2, so he cannot bring it back up again. Another commissioner would have to do it. Perhaps the letter could point out the diminished

role, and missed opportunities the County will face. Mr. Curlett wondered if a Commissioner could be invited to the next SAC meeting to discuss the issue, but it will be too late as the next Commission meeting is in September.

Capt. Luher commented that in this year's legislative report, one of the three major priorities was derelict vessels statewide. Tracking, reporting, monitoring and removal of derelict vessels a strength of our area, and is a statewide model.

Mr. Cramer added that trap cleanup money is needed; last year, the state's set aside for it ran out, and the Marine Resources Department helped get it done. Mr. Garrett commented that roughly \$900,000 came back to commercial fisherman from that effort.

After discussion and clarification of wording, the motion was unanimously approved.

Adjourned, 4:00 PM.

Submitted respectfully by Lilli Ferguson