

**FLORIDA KEYS NATIONAL MARINE SANCTUARY ADVISORY COUNCIL**

**Ocean Reef Club Cultural Center, Key Largo  
Tuesday, October 19, 2010**

**MINUTES**

**Members Present**

Chris Bergh  
Jeff Cramer  
Jack Curlett  
Dolly Garlo  
Richard Grathwohl  
David Hawtof  
Debra Illes  
Don Kincaid

Steven Leopold  
David Makepeace  
Corey Malcom  
Rob Mitchell  
Martin Moe  
Ken Nedimyer  
Bruce Popham  
David Vaughan

**Alternates Present**

Clinton Barras  
Joe Boyer  
Ben Daughtry  
Walt Drabinski  
Scott Fowler  
Bruce Frerer

Peter Frezza  
Art Itkin  
Bill Kelly  
Jessica Pulfer  
Bob Smith

**Call to Order/Pledge of Allegiance/Roll Call/ Approve Minutes from August 17, 2010 Meeting/  
Adopt Agenda for this Meeting – Chair Bruce Popham, SAC**

- Chair Popham called the meeting to order at 9:02 A.M. and welcomed everyone. He thanked Jack Curlett for hosting the meeting and also thanked the staff and the Sanctuary Friends Foundation of the Florida Keys (SFFFK).

- Mr. Curlett led the group in the Pledge of Allegiance.

- After review of the draft minutes from the August 17 meeting, Dolly Garlo moved that they be approved, and Don Kincaid seconded the motion; as there were no suggested changes, Chair Popham deemed the minutes approved.

- Chair Popham asked if there were any additions or changes to the agenda. Florida Keys National Marine Sanctuary (FKNMS) Superintendent Sean Morton said that the Aquarius mission item would go on at 3:00 PM, so he wanted to move the Management Plan Implementation item to 2:15 PM, and then he and Mary Tagliareni could talk about the Aquarius mission closer to 3:00 PM. Also, Chair Popham said that he wanted to add the mooring balls issue to the agenda, with Rob Mitchell and Kent Edwards, and that would be at 2:30 PM. Ken Nedimyer moved to adopt agenda and Mr. Curlett seconded the motion. Chair Popham deemed the agenda adopted with those changes.

**Announcement of Sanctuary Advisory Council (SAC) Appointments and Introductions – Mr. Morton, FKNMS**

Mr. Morton announced Jim Trice and Jon Fajans put in a lot of work, and he had plaques for them [as their terms just concluded]. He said they added a lot to the discussion and that we will be missing them.

Mr. Morton then announced the following appointments and reappointments [with the new terms on the SAC beginning with the announcements]:

- Bruce Popham, reappointed as Boating Industry primary member;
- David Makepeace, appointed as Citizen at Large – Upper Keys primary member; he previously was the alternate for that seat;
- Rob Mitchell, reappointed as Diving – Upper Keys primary member;
- Scott Fowler, appointed as Diving – Upper Keys alternate;
- Steven Leopold, appointed as Fishing – Charter Sports Fishing primary member;
- Brad Simonds, appointed as Fishing – Charter Sports Fishing alternate; he previously was the primary member for that seat;
- Ken Nedimyer, reappointed as Fishing – Commercial – Marine/Tropical primary member;
- Ben Daughtry, appointed as Fishing – Commercial – Marine/Tropical alternate;
- Bill Kelly, appointed as Fishing – Commercial – Shell/Scale alternate;
- Jack Curlett, reappointed as Fishing – Recreational primary member;
- Bruce Frerer, reappointed as Fishing – Recreational alternate;
- David Vaughan, appointed as Research and Monitoring primary member; he previously was the alternate for that seat;
- Art Itkin, appointed as Research and Monitoring alternate;
- Jerry Lorenz, reappointed as South Florida Ecosystem Restoration primary member;
- Bob Holston, reappointed as Tourism – Lower Keys primary member;
- Clinton Barras, reappointed as Tourism – Lower Keys alternate; and
- Debra Illes, appointed as Tourism – Upper Keys primary member.

Mr. Morton welcomed the new folks. He noted there were several alternates who just concluded their terms and were going off the SAC. He thanked them very much for their service:

- Marvin Schindler, who served as the Citizen at Large - Middle Keys alternate;
- Rob Bleser, who served as the Diving - Upper Keys alternate;
- Forrest Young, who served as the Fishing - Commercial - Marine/Tropical alternate;
- Mike Martin, who served as the Boating Industry alternate; and
- Jim Sharpe, who served as the Fishing - Charter Sports Fishing alternate.

Mr. Morton highlighted for the group that there were three vacant positions: Boating Industry alternate, Citizen at Large – Middle Keys alternate, and Citizen at Large – Upper Keys alternate. He said there would be another round of appointments for those, and noted he could use SAC members' help in getting the word out.

- Richard Grathwohl said he ran into George Garrett recently, who said he would apply for Citizen at Large – Middle Keys position.

Mr. Curlett asked Mr. Morton to make another announcement, for those who did not know that he was now Superintendent Morton.

- Mr. Morton apologized, saying he was sorry for sending out an announcement to the SAC; he wanted to make the transition as seamless as possible, he said. He confirmed he was selected as the Superintendent during the recruitment period. The group gave him a round of applause.

#### **Chairperson's Comments – Chair Popham, SAC**

Chair Popham welcomed the new appointees and said he liked to have alternates at the table. He said that if the primary member was present, he/she would get the vote, but he said he valued the alternate's opinion, and he wanted to see alternates at as many meetings as possible. There was a round of applause for the appointees.

He commented that there were great articles in *National Geographic* on the oil spill and fishing, and another one in *Iamtheocean.org*, which took a position on marine protected areas around the world.  
- Chris Bergh said this was a brand new organization.

### **Superintendent's Report – Mr. Morton, FKNMS**

Mr. Morton made some personnel announcements.

- He said Karrie Carnes was on a six month detail, starting the day prior to the SAC meeting, to the National Marine Fisheries Service in St. Petersburg, for professional development as well as to work on several marine management issues.
- Emily Crum from the Office of National Marine Sanctuaries (ONMS) headquarters was now at FKNMS backfilling for Ms. Carnes, Mr. Morton said, and that this was her first week serving as a public information officer. He described her background, and said he thought she would be helping with the FKNMS website and a Facebook page.
- Steve Baumgartner, a long-time FKNMS employee, was injured on the job in June and has been basically out of service since then, Mr. Morton said. While he has been getting better, his long term status is still up in the air due to ongoing issues with his back. Some of his duties have been distributed to former LT Ben Sniffen, who retired from the National Oceanic and Atmospheric Administration (NOAA) Corps and is now a contractor.
- Karla Mendez has been promoted to office manager and she has been helping Mrs. Tagliareni with some of the bookkeeping, etc.
- Dave Score, after his tour on the NOAA ship GORDON GUNTER, will be taking over as the new head of the Atlantic fleet marine operations center, and is being promoted to Captain. He will be overseeing more people, a large budget, and NOAA ships in the Atlantic. It was a tremendous promotion for him. Mr. Morton noted it would be great to have him talk to the SAC at some point about what he saw while he was in the Gulf.

Mr. Morton mentioned the “Linking Science to Management” conference was beginning the evening of the SAC meeting, and said there would be a memorial to Brian Keller.

### **Agency Report Highlights:**

#### **Florida Department of Environmental Protection (DEP) Report – Mr. Edwards, DEP**

Lee Edmiston intended to come for meetings in November, but may now come December 6, 7, and 8, Mr. Edwards said. He said he would like Mr. Edmiston to meet with some SAC members.

The Deepwater Horizon issue has kept him very busy, Mr. Edwards said.

The new Secretary of DEP is Mimi Drew, an environmental engineer with a wastewater background. Mr. Edwards said he has known her about 15 years and he felt she was a great choice. She had first been made Acting Secretary for a couple of days, he noted.

There has been ongoing work on buoy maintenance, damage assessment, and education and outreach; Joy Tatgenhorst, Robert Keeley and Todd Hitchins have done a great job with coastal cleanups, Mr. Edwards commented.

#### **Florida Fish and Wildlife Conservation Commission (FWC) Report – Major Alfredo Escanio (FWC)**

Major Escanio introduced Capt. Christian Rodriguez to the SAC, then provided a quarterly report of activities.

- He said there were fifteen citations for grounded vessels, and there were 44 FKNMS-specific violations and five warnings. Officers continued to document numerous derelict vessels and arrested a local man for felony dumping and leaving a vessel in a derelict condition. There also were several citations for littering and alteration and destruction of the seabed. FWC inspected 759 vessels over Labor Day weekend and 2,476 users, and issued several dozen boarding and resource citations. Finally, there was a grounded vessel over Labor Day weekend at Grecian Rocks; it was a great example of working together, and was an ongoing investigation.

Discussion ensued.

- Mr. Morton said the vessel at Grecian Rocks was owned by a foreign national living in Colombia. The operators disappeared when they hit land. He said the Coast Guard did a great job of getting the fuel off right away, and then figuring out how to get the vessel off the rocks took 10-11 days. He said damage assessment was still being worked out and the investigation was ongoing.
- Mr. Grathwohl thanked FWC for “operation yellowtail”. He said it had been the wild west out there, and he applauded them.
- Mr. Mitchell asked about damage to the reefs from the Grecian Rocks incident.
- Mr. Morton said the boat was high and dry so initial assessment was not as bad as they thought it was.
- John Halas said it grounded on the main crest, and the corals on the highest part were mostly not living so it was mostly structural damage. The vessel was heeled over on the port side, so it was not just a matter of pumping it out and getting it off; that, in combination with contacting the owner and the responsible parties was why it stayed up on the rocks as long as it did.
- Chair Popham mentioned enforcement at Hens and Chickens and a letter from the editor expressing thanks.
- David Makepeace asked about the 700-some inspections and only a few citations, and asked if anything could be read into that.
- Major Escanio said that was over Labor Day weekend, when they often work with other agencies, and boaters are more alert and safety conscious.
- Chair Popham felt the majority of boaters by far were in compliance, and based on citations, most of the bad players are from outside the county.

#### **NOAA Office of Law Enforcement (OLE) Report – Kenneth Blackburn, OLE**

Special Agent Blackburn said he had some criminal cases but could not give information about them right now. He could talk about a SouthEast Data, Assessment, and Review (SEDAR) and lobster stock assessment, he noted.

Special Agency John O’Malley mentioned the cases involving the sanctuary have some international implications, and in a month or two they will have more information.

Mr. Morton said there was a significant enforcement discussion last December, and he was thinking of having one this December, reviewing 2010 and having Karen Raine and others talk about civil cases, damage assessment, the Tortugas and groundings.

Chair Popham agreed this would be a good opportunity, and mentioned the December SAC meeting would be in Key West.

**ACTION ITEM:** Mr. Morton will work to arrange a law enforcement discussion for the December SAC meeting.

#### **U.S. Environmental Protection Agency (USEPA) Report -- Pat Bradley, USEPA**

Mrs. Bradley reported that the USEPA just released a biocriteria report. She said it was available on the web, and a limited amount would be printed for managers.

### **National Park Service (NPS) Report – Tracy Ziegler, NPS**

Ms. Ziegler said Everglades National Park was on track for the Snake Bight pole and troll zone and that everything was going as planned. She said that Dry Tortugas National Park hired a new fisheries biologist, and that person was her, which leaves a position open at Everglades National Park. She said she would continue to be representing the NPS on the SAC.

### **U.S. Fish and Wildlife Service (USFWS) Report – Anne Morkill, USFWS**

Anne Morkill provided a report of USFWS activities.

- The Florida Keys National Wildlife Refuges and some partners will work on some interesting studies. One is a project to try outfit magnificent frigatebirds with satellite telemetry to look at their distribution and movement patterns, uses of marine resources, etc.
- Florida Atlantic University will study blue herons and other wading birds' use of the back country tidal flats and start to model how sea level rise may impact the availability of foraging habitat.
- The University of Louisiana Lafayette is working with the USFWS looking at fish community assemblages and transitional habitats and the potential for sea level rise to impact some of those species, such as the Keys silverside.
- On Wilma Key, the sand spit off Boca Grande, the USFWS coordinated with the state and FKNMS to put "closed" markers up. Up to 28 species are using that sand spit, which is getting smaller every day, but this shows that even small pieces of land are important for conservation.
- Reef Relief got a sizeable grant to do cleanups on islands in the lower keys, in the Great White Heron National Wildlife Refuge, complementing what Team O.C.E.A.N. already does.
- Mr. Grathwohl commented that, over the summer, he participated with the commercial fishermen, and they cleaned up the eastern end of their area.
- Ms. Morkill thanked him, saying she had written some letters of support, but had not known if those grants came through.

### **SAC Ballyhoo Working Group Report – Mr. Nedimyer, SAC**

Mr. Nedimyer said at last year's meeting, a decision was made that the Working Group would forego meeting each year unless any there was a compelling reason. There was not anything this year, he said. One of the [FKNMS] permits someone can get is an exemption to allow hair-hooking for ballyhoo in the Sanctuary Preservation Areas (SPAs); this was put in place a few years ago. He said it [fishing for ballyhoo in SPAs] doesn't happen all that often, but it is important for charter fishermen in the upper Keys. He said that basically since there had been nothing exciting happening and nothing to meet about, he proposed retiring the Working Group unless a compelling issue arose. He asked if there were any opposition to this, and to allowing the FKNMS permitting on this to continue as it is, barring any unusual violation or issue.

- Mr. Curlett asked about just keeping the Working Group in place.
- Mr. Nedimyer said they could do that, but said they didn't think it was necessary to get together and meet ever year to talk about the same thing. He asked Mr. Leopold if he wanted to address this.
- Mr. Leopold said there were provisions that were not put in writing, and they made an agreement way back to eliminate catch and release, mostly for sailfishing, in two of the SPAS. He said it was still a gray area, and was still not in writing to eliminate catch and release in the SPAs, and he would like to see that.
- Mr. Nedimyer said he thought that was part of the Management Plan, and would be a change that would need to be vetted through the public.
- Mr. Morton agreed that would need to go through the public process, and that FKNMS cannot just change the regulations.
- Mr. Leopold said a lot of people abided by that [agreement], but some do not.

- Morton said he did not think it was in the updated Management Plan, and Ms. Ferguson agreed, saying she did not think it was. Mr. Morton said it was unfortunate that did not come up [during the Management Plan review] process. He said they had just done a round of what they called technical changes to the regulations, and he thought maybe this would fall under that. He said he would talk to Billy Causey and would see about making that happen as it could be a “low hanging fruit.” Regardless, he said, it would have to be a public process.

***ACTION ITEM:*** Mr. Morton to talk with Dr. Causey about working on a regulatory update regarding catch and release fishing in upper Keys SPAs.

- Mr. Nedimyer said it had been a gentlemen’s agreement for a tradeoff in uses, and he agreed it sounded like the National Environmental Policy Act process would apply to make it a written rule.

- Ms. Ferguson asked about the connection to hair-hooking for ballyhoo.

- Chair Popham said that was what was agreed to be given up, to do hair-hooking in the SPAs.

- Mr. Makepeace felt that until the possibility of a change in the Management Plan goes through to fruition, the Working Group should stay in its current “meet as needed” status.

- Mr. Leopold said it [the catch and release agreement] was in the Alligator Lighthouse SPA and Conch Reef SPA, and was in the original *Management Plan* as a compromise. It evolved, he said.

- Chair Popham asked if the group were agreeable to the suggestion, and they were.

### **Public Comment**

There were no comments from the public, so several SAC members used this time to make comments.

Mr. Kelly said it was a pleasure to be an alternate on the SAC. He said he was the Executive Director of the Florida Keys Commercial Fishermen’s Association, and that he wanted to comment about coastal cleanups. There was a Federal Emergency Management Agency (FEMA)-funded cleanup (phase two), with the grant originally made in 2005 after Hurricane Wilma. July through part of September, they had 170 people on 39 boats assisted by other industry professional in skiffs, and they took out 67,000 lobster buoys, 24 miles of trap line, and over 1200 traps, funnels, etc. in three feet or less of water and on flats and in the mangroves, per the grant, from Key Largo to Key West. Members also picked up other items, mostly plastics, embedded in the mangroves, and disposed of it at their own expense. He said they were working with Doug Gregory to get NOAA funding, and would try to continue this as a coastal cleanup program conducted by the fishermen, going from Key Largo to the Dry Tortugas. He said they have a high knowledge of the area, can ingress and egress well, have insurance, and can transport the debris. He said he hoped to work with Mr. Morton to make it an annual thing.

Discussion ensued.

- David Hawtof said he had taken part in some cleanups, and that there were lots of bottles. He said they were unnecessary and he was opposed to them; he thought people should bring their own bottles filled with tap water. He noted some states have bottle return laws, and wondered if the SAC could advocate that.

- Chair Popham said they could advise the [FKNMS] staff on that. He thought Dr. Hawtof would probably need to approach the legislature.

- Mr. Morton said that the SAC could pass a resolution, which he could run up the chain. He said there were a number of programs within the sanctuary program trying to educate people about [disposable] water bottles and not using them.

- Don Kincaid said he also did cleanups, mostly with the Ocean Conservancy, and they were collecting statistics on things like miles of polypropylene line, and something like 50 % of debris on Florida beaches, came from the offshore industry, while roughly 40% came from South and Central America, and 10% was locally generated.

- Ms. Garlo said she had done the Team O.C.E.A.N. program a lot, and SFFFK supports it. She commended Mr. Kelly for taking responsibility in that way, saying some of the hardest work was to get the embedded line out of the sand. She said a few weeks ago, as part of the international coastal cleanup

event, she went to Woman Key, and said there was less to cleanup. She was especially concerned about the little broken-down pieces of plastic. She mentioned that Team O.C.E.A.N. had started taking out five gallon jugs of water and encouraging people to bring their own containers, and suggested Mr. Kelly's group might want to promote that too. Finally, she mentioned Eco Week and films being shown at the Eco-Discovery Center. She said Bill MacDonald would be talking about plastics and five short films would be shown.

- Chair Popham suggested Dr. Hawtof could work with the SAC Education and Outreach Working Group to come up with a motion.

- This year Mr. Kelly's group came up onto the shore, Chair Popham said, and asked if they wanted to continue that in the future.

- Mr. Kelly confirmed they did, adding they do two cleanups, with their biggest concern being to get lines out of the water, as loggerhead turtles and wading birds can get entangled. He also said plastics can hold water and he connected that to mosquito breeding and mosquito-borne diseases.

- Jeff Cramer talked about how the fishermen asked FWC to add \$25 to their stone crab and lobster licenses, and this was used to fund the cleanup, so it is a self-funding program. He said if any traps were found during a cleanup, the fisherman was fined \$10. He participated in the FEMA cleanup, and he said a lot of the stuff had been there for a long time, and much of it was way back in the undeveloped shoreline.

### **SAC Education and Outreach Working Group Report – Martin Moe, SAC**

Mr. Moe reviewed the progress the SAC Education and Outreach Working Group had been making to informally engage youth (14-17 years old) with the SAC. The group formulated a letter to be sent to schools, youth groups, etc. informing the leaders of these groups of the existence of the SAC and its role with FKNMS in managing the aquatic environment, and how youth can interact with the SAC. He said the letter would be signed by Chair Popham, and that Mrs. Tagliareni and the staff would distribute it. He said the leaders/youth could respond to himself or Alex Brylske.

The meeting also covered a discussion of potential education/outreach organizations who might present at future SAC meetings; Aquarius would be the topic at this meeting. He listed the newest organizations that were suggested and noted there were others as well. He reviewed that one organization [with programs in the sanctuary region] is selected to present per meeting, to talk about their environmental education and outreach work and how FKNMS can work with them.

Mrs. Tagliareni provided an update at that meeting on the work Nancy Diersing is doing with the Florida Keys Scenic Corridor Alliance and the podcasts the alliance is producing which will feature the sanctuary, including the Eco-Discovery Center, Mr. Moe reviewed. She also informed the Working Group about the Aquarius mission and how live uplinks would be part of the presentation later in the SAC meeting.

The quarterly meetings of the SAC Education and Outreach Working Group in 2011 will be January 11, March 29, July 19 and September 27 and they will be held in the FKNMS offices in Key Largo and Key West, linked by videoconference.

The last topic was the possibility of presenting the topic of coral restoration for update at a future SAC meeting. Mr. Moe said there had been a great deal of activity on coral reefs and it might be a good topic for both the SAC Education and Outreach Working Group and the SAC Ecosystem Restoration Working Group to work on, and somehow make a presentation to the SAC. He mentioned some of the work that had been done in the last 3-4 years to enhance the ecology, growth and stabilization of coral reefs, and he said his work with *Diadema* would have a part in it too. He said he would talk to Dr. Lorenz when he gets back about the possibility.

The SAC then talked about this suggestion.

- Mr. Makepeace asked that the Working Groups consider adding seagrass restoration, if there were enough time.
- Mr. Moe said he would add that to the mix of the discussion.
- Chair Popham said he liked the idea.
- Joe Boyer said it would be good to task the Technical Advisory Committee (TAC) with that.
- Chair Popham said the TAC was always through the Water Quality Protection Program.
- From the audience, Bill Kruczynski said a few years ago, the TAC was combined with all science in the FKNMS, though it started as part of the Water Quality Protection Program. He said one of the TAC's roles was to evaluate ideas for requests for proposals, and there has not been any money to give out.
- Chair Popham said it seemed like this had been talked about at the Water Quality Protection Program meeting, and it seemed like a funding issue. He asked Mr. Morton how to go about reconstituting the group.
- Mr. Kruczynski said it had been reconstituted, it just had not met.
- Chair Popham said it could get a kick start after the conference taking place the week of the SAC meeting; Mr. Morton agreed.
- Chair Popham suggested this be put on the agenda for December, saying it could be appropriate to bring all the research and monitoring work together through the TAC.
- Dr. Boyer said he was on the TAC for the Southeast Florida Coral Reef Initiative (SEFCRI), and that it met twice a year and had a very specific agenda about the projects out there, tracked old projects, and recommended new projects, feeding information to the management committee.
- Dr. Kruczynski talked about how in early years of the sanctuary, the TAC met and even had some money. He said the science for FKNMS was just getting off the ground. Unfortunately, he said that SEFCRI was funded by the same pot of money that funded our program in the Keys. He said that was some of what was going on.
- Mr. Bergh wondered about identifying a role for the TAC.
- Mr. Morton reviewed that FKNMS had not had a science coordinator since Dr. Keller went to the region. He noted Mr. Donahue had done a great job, but was buried in review of research permits, etc. He said an overall science coordinator was needed for a review of the marine zones. He noted that the recruitment for the position was planned for this fall. He also said that FWC had been taking up a lot of the work to put the science together, but it was not necessary being done for making decisions in the Keys. He agreed that it [a discussion of the TAC] could go on SAC agenda for December. *ACTION ITEM*: Mr. Morton and Chair Popham to put a TAC discussion on the December SAC meeting agenda.
- Mrs. Bradley brought the discussion back to the SAC Education and Outreach Working Group. She said she had a nephew in high school, not old enough to volunteer for the sanctuary, and she wondered if there could be a way for the Working Group to help those youth find opportunities.
- Mr. Moe said the SAC is an advisory body and cannot really formulate activities with the youth, and there were impediments. He said they could discuss at a future date what might be possible.
- Mrs. Tagliareni said there were different organizations, such as scout groups and nonprofits that offer those volunteer opportunities. For example, FKNMS lent the Boy Scouts clippers for a cleanup, but the scouts were not under the FKNMS volunteer program.
- Chair Popham noted he did provide his signature to the letter Mr. Moe mentioned earlier.
- Mr. Makepeace asked if it was possible for the Education and Outreach Working group could serve as a clearinghouse, providing suggestions and contact information for organizations youth could contact.
- Mr. Moe reviewed again the ways the Working Group planned to work on the issue of informal SAC involvement, including making presentations to the SAC as individuals or groups, commenting during public comment periods, etc.
- Mrs. Tagliareni said if anyone had volunteer opportunities for youth, they could let her or Mr. Moe know, and she noted Ms. Ferguson already had volunteer opportunities with other organizations posted on the FKNMS web site.
- Ms. Ferguson mentioned that she has a long list of organizations where people might volunteer, too many to post on the FKNMS web site, and she explained how she gets hundreds of inquiries about



volunteering each year [wearing her hat as FKNMS volunteer coordinator]. She said she tries to provide tailored suggestions to people regarding their inquiries and volunteer opportunities. She mentioned that there was a difference working with minors and about the need to safeguard them, and she asked if anyone provided a suggestion for an organization to Mrs. Tagliareni or Mr. Moe, to please also let her know.

### **Tropical Treasures: South Florida's Marine Habitats – Dr. Kruczynski, USEPA**

Dr. Kruczynski provided an overview of the book he has been working on with Pamela Fletcher, *Tropical Connections: Facts about south Florida's marine environment*. He said they held workshops in from late 2006 - 2008 to get input from experts, and now they are in the final peer review stage with multiple authors. Once that is done, it will be printed by IAN press, and it will be distributed at cost, and he said he hoped it would be available in January. He noted it is for a more general audience than for a scientific audience, and that it was dedicated to Dr. Keller, Rachel Carson, and Marjory Stoneman Douglas.

Besides the print book, it will also be available in full and in chapters in PDF format, there will be a CD of diagrams in the book, and there will be related fact pages, Dr. Kruczynski noted.

Dr. Kruczynski reviewed the funding already provided, from the USEPA, Florida Sea Grant, NOAA, SFFFK and Mote, and pledges and efforts to get more funding, with the goal of lowering the cost of the book. An additional \$30,000 would lower the cost of the book to \$20. He passed around a signup sheet, for people to be notified about when the book is available for purchase. Funding organizations have their logos in the book.

Dr. Kruczynski noted the take home messages were in the "About this book" section, and he went over the table of contents. Each chapter describes what is known about the topic, and has sections on what citizens can do as well as suggestions for further reading. He said research gaps and monitoring needs were also discussed.

- Chair Popham said that it was wonderful to see this and that he knew Dr. Kruczynski had worked long and hard on it. Several people commented the book would be wonderful for teachers.

- Dr. Boyer committed \$5000 from the endowment of the Southeast Environmental Research Center towards the book.

- Chair Popham said he thought Dr. Kruczynski would see some money from the SFFFK. He also said he would follow up with Mr. Frerer on Mote funding, and he asked if Mr. Curlett had an interest in contributing. ***ACTION ITEM:*** Chair Popham to follow up with contacts on additional funding sources he mentioned for the South Florida marine habitats book.

### **Miami-Dade County FKNMS Marine Debris Removal Project in the Card Sound Road Area -- John Ricisak, Miami-Dade Department of Environmental Resources Management (DERM)**

Mr. Ricisak said he was going to update the SAC about the cleanup along a mile of Card Sound Road, which is within the sanctuary. He noted that he had been to SAC meetings to provide updates at the beginning and in the middle of the project. He said he worked for the Coastal Resources Section of Miami-Dade DERM.

Mr. Ricisak said the road was constructed in the 1920s and at least since the 1950s people have squatted on the land there. There is no way to dispose of sewage there except into the water, and he showed photographs taken before the cleanup began. There were structures, docks, vessels (many derelict or abandoned). Damage to the environment was done from prop scarring, fuel discharge, and illegal dumping.

There were several previous attempts by Miami-Dade county, dating back to the 1950s, to clean up the area, which were not successful. This was partly due to money needed to do the cleanup and partly due to politics, he noted. It was a lawless area, he said. He said that Florida Power and Light had 8-9 electrical meter services, but due to various reasons, shut down just one where the bill had not been paid in years.

Mr. Ricisak said the first year of the project was spent documenting violations, getting a handle on the scope of the problem, and obtaining money. In 2006, they got a large grant of \$200,000 from the NOAA Marine Debris and Prevention Program, and they also got a grant from Florida's FWC Boating Improvement Program. They received assistance from FWC with derelict vessels, documenting 100, and FWC was able to recover costs for removal from some owners. One person was arrested for sinking his boat. Contractors from Miami-Dade County did much of the work, but Mr. Ricisak and two colleagues also worked on this. There were difficulties regarding the legality of structures on land. They sent notices of removal, but got little compliance and removed a number of structures themselves. Some structures were on public land and no one claimed ownership. On private land, many people claimed they did not build the structures, but Mr. Ricisak noted the landowners were responsible anyway, and they pursued fines and civil lawsuits.

In addition, Mr. Ricisak said they found derelict fishing gear and nets, and blue crab traps. Many were illegal, and many were ghost fishing and had bycatch, he said. There were two major efforts with volunteers to do cleanups, and he noted Audubon of Florida was a major participant in both. There was also a Broward County airboat club that helped, he said. All of these traps were destroyed.

Regarding debris on land, people in the Miami-Dade County service program put in community service hours to remove it. Over two years, twelve and a half tons of debris were removed from the side of the road. Mr. Ricisak then showed some before and after photos of the project area.

- Someone asked where the people [who were squatting] went.
- Mr. Ricisak said he heard some went to the Jewfish Creek area, some were found in a Manatee Bay cove, some moved across the county line, and some were found in other locations. .
- Mr. Curlett mentioned one on the north side.
- Mr. Ricisak said he was very familiar with it. He reviewed that about 3,000 feet of guard rail was installed along the road, with more planned. The rail was necessary for safety and also works for access control. They also planted some red mangroves where boats were removed, and killed some Australian pines.
- He noted he checked the area prior to arriving at the SAC meeting, and a lot of the litter and some boats were back.

Mr. Ricisak then provided some statistics on this project, including that Miami Dade County filed 8 civil lawsuits, 31,000 square feet of illegal structures were removed, 100 derelict vessels were removed, and over 2,000 cubic yards of debris were removed. Not including staff time, etc., the cost of the project was more than \$300,000, he said. Many people made this project happen, he acknowledged.

Mr. Ricisak said Miami-Dade County tried to coordinate with Monroe County, said he had been told they are working on a smaller scale on their side with a similar program.

### **Final 2010-2015 Florida Reef Tract Climate Change Action Plan -- Alex Score, Eco-Adapt**

Mr. Bergh introduced the topic and Mrs. Score, and mentioned that her organization, Eco-Adapt, received funding to finish the plan. He also said the reef restoration program had a steering committee, and he mentioned some folks who were on it. The group has looked at improving reef monitoring, including looking at bleaching and engaging the scientific community looking at human dimensions and climate

impacts. There was a conference in 2008 attended by scientists from Florida and around the region, and many ideas that arose there were incorporated into the climate action plan, he said.

Mrs. Score said that the *Climate Change Action Plan for the Florida Reef System 2010-2015*, which was released in June 2010, took about two years of work, and that Mr. Bergh had initiated it. Copies were provided to the SAC and may also be downloaded at [www.frrp.org](http://www.frrp.org). She said it was a framework for how actions can be locally implemented to increase resilience of the Florida reef system. Currently, they are looking at the region from the Keys portion of Monroe County to Martin County, though they may expand the regional scope in the future. Two sources of information for organization and content of the plan were the *Great Barrier Reef Climate Change Action Plan 2007-2012* and the *Coral Reef Conservation Program Goals & Objectives 2010-2015*.

She said there were six overarching enabling conditions and a number of detailed actions, which she reviewed along with the goals. Though a lot of information is still needed, she said they want to implement the plan now, and that the plan is meant to be adaptable. She then presented a summary of the top ten actions, noting that recommendations came from a number of programs and reaching out to user groups. The actions included improving regulations and management to facilitate adaptation and resilience to climate change; developing and implementing a marine zoning plan that incorporates resilience and connectivity; integrating information and uncertainties about climate change and sea level rise into Florida, county and municipal laws, plans and procedures; continue/expand disturbance response monitoring and Bleach Watch activities; increasing law enforcement presence and regulatory compliance to reduce impacts to habitats; developing and distributing climate change fact sheets; researching effects of climate change adaptation measures on communities and industries and support industry-specific adaptation plans; increasing awareness and support for sound management and protection of the Florida reef system; ensuring long term, integrated monitoring throughout the coral reef system; developing scientific models of the Florida reef system in order to make predictions associated with future climate change and ocean acidification; and mapping areas by resilience to climate change to facilitate prioritizing management efforts.

Mrs. Score also reviewed six regional, national and international enabling conditions that would help with successful implementation of the plan. She credited the Florida Reef Resilience Program (FRRP) and Mr. Bergh with much of the work throughout the process and said all of the six agencies involved had signed off on the plan. A next step is to have an implementation plan. She concluded by mentioning Eco-Adapt was also working on a project called Climate Adaptation Knowledge Exchange.

Discussion ensued.

- Mr. Barras asked Dr. Vaughan what he could say about BleachWatch, the state of the bleaching and conditions for bleaching.

- Dr. Vaughan said they use existing data and forecasts, etc. to give people insight on what to prepare for, and BleachWatch volunteers are trained and observe what is out there [in the field]. The data may give managers the tools to close areas or ideas about what to protect in the future, he said. He mentioned it would be nice to expand, but funding was an issue. A number of groups have researched bleaching and temperatures, and he said that both light and temperature are involved. Bleaching has increased as sea surface temperature increased, he noted.

- Mr. Grathwohl mentioned action, create a boating license similar to a driver's license, and said as a licensed captain, he had supported it for many years, but the legislature kept shooting it down.

- Dr. Boyer asked if it was the idea for the agencies to pick some of the actions out for funding, and if so, how it would get to the levels to make that happen.

- Mrs. Score said it was an FRRP-driven process, and a table had been developed with actions and agencies to complete those actions; some are already being done, she said. She hoped the information would get into budgets and after that they could determine who was doing what.

- Mr. Bergh reiterated that much of the plan came from other processes, which already had buy in, and he said he would refer to the plan when writing grant proposals.
- Mr. Nedimyer asked about including restoration.
- Mrs. Score said of the 400 or so actions, many of them included restoration. She also said the plan was meant to be adaptable, and she agreed the mitigation needed to be a next part of the plan.
- Mr. Bergh said restoration was included in the research part of the report. Most restoration work was still at the pilot scale and figuring out it could be scaled up, he noted.
- David Makepeace said when teaching his students, he needed to include insight into a solution, or they would move on to another topic.
- Mrs. Score said there were actions in the plan that would increase local resilience, and encouraged him to share it with his students.

Mr. Bergh said Mrs. Score had understated her efforts, and that the SAC would not be looking at a finished product without her work on it.

### **FWC Permit Update -- Mr. Grathwohl, SAC**

Mr. Grathwohl read his report on the permit fishery. He said there were some developments in permit fishery regulations due to the fact that the FWC Commissioners sent its staff back to the drawing board on rules for managing permit, one of the region's most revered game fish. Commission staffers had recommended that permit be managed with African and Florida pompano, which would continue commercial harvest of permit. Another provision would have opened up permit to spearfishing, he said. The Bonefish and Tarpon Trust argued strongly against these proposals, he noted. Its director of operations, Aaron Adams, urged Commissioners to manage permit separately, set a minimum size of twenty six inches for harvest, keep the set bag limit (of one per person per day with a maximum of two per vessel per day) and manage permit separately, establish a spawning season closure, teach anglers how to tell the difference between permit and pompano, and put in place a commercial bycatch limit on permit. Calling permit a "rock star game fish", Commission Chairman Rodney Barreto, of Miami, said the Commission should step back and figure out how to protect it. The staff was directed to continue reviewing management issues and report back later, Mr. Grathwohl said.

He then read a draft SAC resolution supporting the Bonefish and Tarpon Trust's proposals to the FWC Commission on changes to the permit fishery regulations. He moved passage of the resolution, which was seconded by Mr. Nedimyer. Discussion ensued.

- Mrs. Bradley suggested changing "acting superintendent" to "Superintendent".
- Mr. Grathwohl said he changed some wording for the final resolution from the version previously provided to the SAC, to match the Bonefish and Tarpon Trust's regulation recommendations and some input from the public and wording corrections. He said he changed "thirty inch" to "twenty six inches" and added wording to establish a spawning season closure for permit with a catch and release provision (requested by Mr. Leopold of the Islamorada Charter Boat Association). He also added "Keep set bag limit of one fish per angler and two per vessel per day." This was put into effect a few years back due to pressure from Mr. Leopold and himself. He added "commercial" to the statement, "Establish a by-catch limit on Permit", so that it reads, "Establish a commercial by-catch limit on Permit." He also corrected an email address to [mark.robson@myfwc.com](mailto:mark.robson@myfwc.com) and took out "acting" from "acting superintendent".
- Chair Popham asked if Mr. Grathwohl had an updated copy of the resolution and if he would provide it to SAC coordinator Lilli Ferguson; he said he would. ***ACTION ITEM:*** Mr. Grathwohl to provide an updated copy of the resolution supporting changes to the FWC permit regulations to Ms. Ferguson
- Mr. Barras said establishing the commercial bycatch limit on permit was kind of vague, and wondered why not just use the per person and per vessel limits mentioned.
- Mr. Grathwohl said the bycatch limit was for the commercial fishermen; fishermen may be fishing for something else and find the permit in their nets, which would be a bycatch. They would be facing a fine if the exclusion were not there.

- Mr. Barras asked if the permit could be put back in the water in that situation.
- Mr. Grathwohl replied that they were dead. He also said if this were not addressed now, it could be something in the future.
- Ms. Garlo suggested capitalizing "Permit" throughout so it would not be confused with the permitting process.
- Chair Popham said the friendly amendment was accepted.
- Mr. Daughtry asked why spearfishing was in the resolution, and why it did not just stick to "recreational fishing".
- Mr. Grathwohl said as far as the Bonefish and Tarpon Trust was concerned, they did not want to see bonefish, tarpon or permit speared.
- Mr. Daughtry said he did not think that occurred.
- Mr. Grathwohl said it was not allowed to spear permit in state waters, and they did not want to have any difference between federal and state rules on spearing, as that would be difficult for enforcement.
- Mr. Kelly talked about limited commercial harvest of permit on west coast, which had taken place for decades. He said no stock assessment had been done on permit to indicate there was a problem there. He also said he fished for permit and pompano on the west coast of Florida, and they were delicious. He said Mr. Grathwohl was proposing a protective measure, and not necessarily because they were in need of any protection. He said they were not being overfished, and that this was for economic protection, asking if Mr. Grathwohl agreed.
- Mr. Grathwohl said he agreed to some extent. He said it was also a preventative measure for down the line.
- Mr. Kelly commented the SAC needed to be mindful it has been harvested off the west coast of Florida for decades.
- Mr. Leopold said he did think it was being overfished in Monroe County and that it needed to be protected. He said he felt it was important for the spawning schools to be protected, and that this was a great time for regional fisheries management.
- Mr. Curlett said we may see regionalized protection of species and will see strong protection in Monroe County.

The motion passed unanimously upon roll call vote. The wording of the resolution follows.

***FLORIDA KEYS NATIONAL MARINE SANCTUARY ADVISORY COUNCIL***

**RESOLUTION SUPPORTING THE BONEFISH AND TARPON TRUST'S  
PROPOSALS TO FWC COMMISSION ON CHANGES TO PERMIT  
FISHERY REGULATIONS**

OCTOBER 19, 2010

**WHEREAS** Permit are an economic and ecologically significant fish species in the waters of the Florida Keys National Marine Sanctuary (FKNMS), and

**WHEREAS** there are no regulations for Permit in federal waters and the Magnuson-Stevens Act allows state regulations to extend into federal waters in the absence of federal rules, and

**WHEREAS** the benefits of proposed regulations would aid enforcement of state fishery rules and protect Permit spawning fishery stocks within federal waters, and

**WHEREAS** there is a need to have a by-catch limit in place for Permit due to the fact of possible indirect by-catch by commercial fishery in pursuit of Pompano, and

**WHEREAS** even though commercial harvest is small there is the potential for this fishery to grow and to manage Permit separately in this action would keep a harvest growth incentive low, and

**WHEREAS** there is a lack of data on spawning aggregations and no current stock assessment on Permit

**NOW THEREFORE** the FKNMS Sanctuary Advisory Council (SAC) resolves to support the below recommendations which were drafted by Bonefish & Tarpon Trust.

- \* Extend state Permit regulations into federal waters
- \* Set a minimum length of twenty six inches for harvest
- \* Establish a spawning season closure for Permit (with a catch and release provision)
- \* Establish Gamefish designation for Permit
- \* Do not allow spearfishing of Permit in State or Federal Waters
- \* Teach anglers how to tell the difference between Permit and Pompano
- \* Manage Permit as a separate fishery
- \* Establish a commercial by-catch limit on Permit
- \* Keep set Bag Limit of One fish per angler and two per vessel per day

The SAC further resolves to request that the superintendent forward this resolution to the FWC Commissioners: [commissioners@myfwc.com](mailto:commissioners@myfwc.com) and CC to Jessica McCawley: [jessica.mccawley@myfwc.com](mailto:jessica.mccawley@myfwc.com) and Mark Robson: [mark.robson@myfwc.com](mailto:mark.robson@myfwc.com).

Passed on this date: October 19, 2010

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The Council is an advisory body to the sanctuary superintendent. The opinions and findings of this publication do not necessarily reflect the position of the Florida Keys National Marine Sanctuary, the National Oceanic and Atmospheric Administration, the Florida Department of Environmental Protection, or the Florida Fish and Wildlife Conservation Commission.

**ACTION ITEM:** Mr. Morton to consider/follow up on the recommendation of the SAC regarding FWC permit fishery regulations.

**Lionfish Update -- Bill Kelly, SAC; Mr. Morton, FKNMS; and Chair Popham, SAC**

Chair Popham mentioned that the event in Marathon was postponed, and that Marathon Boatyard would have a team. He mentioned a conversation he had with some fishermen about saving lionfish in a bucket then transporting them to drop them off, and the complexities of doing that. Have a dozen said they had no problem catching and killing them, but saving them was more problematic. He asked Mr. Kelly to address the SAC about commercial fishermen, catching the lionfish in their traps, and not making it burdensome.

Mr. Morton said the Marathon lionfish derby would be the weekend after the SAC meeting, and that the Key West one was on November 13. He said there would be a press release on the results.

Mr. Morton also reviewed some information about a NOAA-wide task force on lionfish. He said he was recently part of a briefing on the status of lionfish and how they have spread through the Atlantic and Caribbean to some high level folks in NOAA, including Steve Murowski, Kacky Andrews and their staffs. He mentioned a lack of knowledge, even at the highest levels, but that some NOAA folks have proposed studies, using the Florida Keys as an example, which would put the Keys in the spotlight of the first finfish invasion. They are waiting to hear about funding for this from the CRCP. The studies led by

REEF have been small scale. He said a NOAA-wide task force was being put together, that he will be on it, and it may drive what will happen with lionfish.

- Chair Popham asked if John Hunt met with USFWS folks the previous Friday; Mr. Morton replied that he was not sure.

- Mr. Kelly said he put together a sheet of facts on lionfish, which he provided to the SAC. He mentioned the many places these fish were found, and he felt the lionfish derbies were timely and appropriate. The average lionfish around here was four to six inches, but they can get up to ten inches, he said. Mr. Kelly reviewed what was known about the spread of lionfish in this area, and talked about the impacts of lionfish on commercially fished species. He said there were no natural predators in this area, and he felt they would never be eradicated, but it might be possible to get them to a controllable level.

- He said he talked to Ms. Carnes and would talk to Mr. Morton, but he said they had many traps out there, and could use a reporting form to report information about geographic distribution and density to start to get an idea of where lionfish might be more heavily found. He also said there was interest from others in a pilot program for trapping them; two ideas were to do live baiting using other lionfish and using pheromones for scent attraction. He noted some restaurants were offering \$10 a pound for filets but most of the fish were currently pretty small. He planned to talk the Gulf of Mexico Fishery Management Council about this the week following the SAC meeting, and he felt the fishermen were uniquely positioned to do this work.

SAC members then asked questions about the status and control of lionfish.

- Dr. Hawtof asked about what has happened to other fish in the Bahamas and if any were left.

- Mr. Kelly said he did not know, but said he knew lionfish were voracious feeders, and he described other aspects of their behavior.

- Dr. Hawtof asked if it were legal to take lionfish anywhere, including SPAs.

- Mr. Morton said it was legal to take them, but in SPAs, people need to have a permit to do so. The main thing is for people to have had the training with the Reef Environmental Education Foundation (REEF), and then, if people are associated with an agency or a Blue Star operator [with a permit], they can take lionfish out of a SPA with a spear gun or net.

- Mr. Malcom said he met with someone who was under the impression a commercial permit was needed to land lionfish.

- Jessica Pulfer said a person like a dive operator having people fish off his boat would probably need a commercial license to cover the boat.

- Mr. Moe wondered if the lobster traps would not catch the lionfish as they are too small. He then asked about the incidence of catching them.

- Mr. Kelly said the incidence was something they wanted to quantify.

- Mr. Cramer said he had several thousand lobster traps, which he pulls six or seven times, and he had caught perhaps twelve lionfish. He thought there were a lot more out in the deep water. In the shallow water, he said he catches four-inch lionfish.

- Chair Popham said Gary Nichols in the middle Keys was getting several per day. He said he was interested in getting a sense of the problem. He asked if the best thing was for people to call [lionfish sightings/captures] in to REEF.

- Yes, Morton confirmed.

- Mr. Moe expressed concern about ghost traps, mentioning problems in the past.

- Mr. Cramer said in deep waters, they fish stringers of traps with buoy on the ends. He described how they were recovered, saying that is where they lose the least amount of traps.

- Mr. Kincaid mentioned seeing lionfish while diving, and that they saw small lionfish in shallow waters and bigger ones in deeper water.

- Bill Chalfant asked if the State of Florida required a license to take lionfish.

- Major Escanio said a fishing license was required.

- Unless over 65, Mr. Moe said.

- Chair Popham said it sounded like they could move forward on some sort of a reporting system.

- Mr. Kelly said he would work with Mr. Morton on that. *ACTION ITEM*: Mr. Kelly to follow up with Mr. Morton to discuss commercial fishermen reporting lionfish.

### **Public Comment**

There was no comment from the public.

SAC member Mr. Barras used the time to raise an issue – he said had seen written information about inches of oil on the seafloor after the Deepwater Horizon spill, and he thought there needed to be continual education on what was happening down there. He felt this was a serious concern for our resources and that the oil would eventually get here. If so, he felt there was a need to be proactive.

Several people responded.

- Mr. Morton said they continued to run science missions there, and Dave Score was one of them. He said researchers were looking in deeper water and in the water column.

- Several SAC members mentioned specific work that was being conducted.

- Dr. Vaughan said Mote had an autonomous underwater vehicle taking samples every two seconds, and that the Keys were free of oil or any residuals. He said they would do another month of monitoring. He said there were reports of some residual oil in the water column near the spill site, etc. and noted scientists were still looking at this. He also said that they found the oil itself was not that harmful to coral larvae, but that the dispersant was 100% lethal to them, as was an oil and dispersant mix. He thought a plan should be in place to look at dispersants that are not harmful to corals.

- Mr. Malcom talked about a plan to put 390 rigs out there and felt the group should be concerned. He felt the area immediately west of the sanctuary needed to have higher level of protection in place to be able to get a permit to do that [put oil rigs there].

### ***Management Plan Implementation – Mr. Morton, FKNMS***

Mr. Morton said the discharge regulation had cleared NOAA, and we were waiting for them to clear the Environmental Assessment, which should happen within a few days. The rule would then be published in the *Federal Register*. He said the rule may be in place by the close of this calendar year.

- Chair Popham said, for the benefit of new SAC members, that all of the waters of FKNMS would be no-discharge.

- Mr. Morton added that there was an exemption in the regulations saying it was OK to discharge through a marine sanitation device in federal waters [which, with promulgation of the rule, would be removed]. He said there would still be an exemption for law enforcement, as they cannot move when in the middle of an action like federal trafficking.

Mr. Morton said he had hoped to hear last Friday on the CRCP funding for different projects, and that he would let folks know once he heard. *ACTION ITEM*: Mr. Morton to let the SAC know, once he has heard, on the status of CRCP funding for projects. He noted they had applied for funding that relates to the *Management Plan* on the science side, including looking at the marine zoning. He said that there was probably a million and a half dollars directly related to FKNMS or work being done in the Florida Keys in the queue.

Mr. Morton said at the last SAC meeting, he talked a little bit about the [SAC] term limits policy. He asked if everyone was contacted or just Chair Popham.

- Chair Popham remembered it had been talked about at last meeting, and he remembered wanting to possibly put it on the agenda for December.

The policy is not that bad, Mr. Morton said. There were discussions about putting limits and needing fresh voices and faces. What had been about to happen was, as people were going forward with the reauthorization of the National Marine Sanctuaries Act, there were different draft bills in a couple of



different people's hands in Congress, and some of those bills proposed putting into law term limits for SAC members. The ONMS staff did not want to go there, so has put forward a policy on term limits. He said the policy would not apply to any advisory council until it redoes its charter, so they will not start a conversation until the FKNMS SAC redoes its charter. He noted the charter expires at the end of 2012. The policy applies only to appointed, voting members and alternates (nongovernmental), he stated. Once in place in the charter, the limit will be three consecutive terms in a given seat, for member or alternate. A normal term is three years. Mr. Morton said he would applaud anyone who triggers this. Anyone reaching the three-term limit would be notified prior to the next recruitment, he added. Also, he said ONMS built in a waiver. The ONMS Director may waive the term limit if the Sanctuary Superintendent puts in a request stating the need for continuity of membership two months ahead of the expiration of the term.

SAC members had a few questions and comments.

- Ms. Garlo asked if a SAC member could switch seats.
- Yes, Mr. Morton replied.
- Mrs. Bradley stated a member could take a break and come back.
- Yes, Mr. Morton affirmed.
- Mr. Morton said there were two other waivers, one for if it were culturally inappropriate to impose the policy [such as for Village Chiefs in American Samoa], or if a seat was historically hard to fill – a member could reapply after the first round of recruitment [if it had not been filled and the waiver were granted].

Mr. Morton concluded that those were his updates on the Management Plan and regulatory issues. He said he said he would talk to Dr. Causey and Joanne Delaney and put the agreement on catch and release fishing in the SPAs on the front on the list for addressing. ACTION ITEM: Mr. Morton to talk with Dr. Causey and Ms. Delaney about putting the ballyhoo fishing in SPAs agreement as a priority for addressing on the list of Management Plan regulatory updates.

- Mr. Bergh asked about the timeline for zoning review, if the CRCP money were received for the biogeography work.
- Mr. Morton said wanted to have a science coordinator in place, and also wanted to figure out the role of a Working Group or the Technical Advisory Committee. He said the Biogeography team did not think the assessment work they would do would be too hard or take too long, given the work the state has already done on GIS databases. When the zones were set up at first, FKNMS was not looking at things like addressing climate change or bleaching, and so we need to look at what those threats are, he said. He felt there was no reason this could not be next year. However, if the SAC wanted to talk about things like this in terms of an Action Plan, and who might be on a Working Group, it could. He said a look could also be taken at the original purpose of SPAs and Wildlife Management Areas (WMAs). However, he said when they hit the trigger of rulemaking, there has to be a staffing structure in place that does not exist now to fulfill NEPA, etc.
- Mr. Grathwohl asked if it meant another year for WMAs.
- Mr. Bergh asked why not put the SPA issue Mr. Leopold raised in with the larger process, instead of a one-off issue.
- Mr. Grathwohl said there had already been a workshop with the charter boat captains and the skiff guides and they came up with an idle speed area, and they already ground truthed the area with GPS.
- Mr. Morton agreed there was a lot of data out there already.
- Other scenarios have come up regarding zoning and education, Chair Popham said.
- Mr. Morton said it was important for the marine zoning issue to have a project manager, a functional website, a dedicated webmaster, education and a dedicated staff to work on a public process.
- Mr. Grathwohl mentioned in the past, Dr. Causey took people out on charter boats, and they marked off areas. Some areas were scaled down from what had been drafted on paper, Mr. Grathwohl said.

- Mr. Morton said that the comprehensive look had not been done, and it was different to have a discussion on original goals of an area, user separation, versus coral bleaching or other things. He felt it would not be responsible to start down the path of comprehensively looking at zoning without the resources in place.

### **Introduction to Aquarius 2010 -- Mrs. Tagliareni, FKNMS**

Mrs. Tagliareni introduced herself as the FKNMS Education coordinator. She said Aquarius is a facility run by the University of North Carolina Wilmington (UNCW), and that it is an underwater lab, which enables people to live underwater for ten days and do research around the clock. She noted that Mr. Nedimyer did it in the past. She said the mission this year is half education, half science. It was disrupted by [Hurricane] Paula, but the scientists were now back in Aquarius. She said the mission was funded by an AT&T grant and was meant to be multicultural.

Mrs. Tagliareni provided a rundown of mission activities, including having live uplink discussions with three local schools (involving two members of Congress), involving Hispanic and black students with Multicultural Education for Resource Issues Threatening Oceans in California and with the National Association of Black Scuba Divers. She said live discussions were also held with audiences in DC, Mexico, at universities and aquaria, etc. In addition, she said they had been doing daily shows at noon and 1:00, including a show in Spanish. For the SAC meeting discussion today, she said a tactical unit would be used to make the live link; it was really meant for one person to use, but people could gather behind her if they wished.

Mr. Morton also said the mission was a combination of education and science and mentioned the ways used to get the word out about it. He said he thought it would be interesting for the SAC to talk to the scientists down there. He noted they had also been doing topside work, working around different parts of the reef and around Aquarius, doing acoustic monitoring of fish, etc. He said the SAC would hear from Mitchell Tartt and Steve Gittings from ONMS, who would give a quick presentation on all the different things they had been looking at and about what they were trying to do with education. They would also hear from folks topside and folks inside the habitat at Aquarius. Once finished, he said the SAC would be able to interact with them and ask questions.

- Ms. Morkill asked about how they got the word out.

- Mr. Morton said it was a big challenge, and that the grant drove some of it, as well as the multicultural part.

- Mr. Nedimyer said after about a day, nothing smells and everything is funny.

- Bob Smith said in 1973 he was in the Hydrolab. He said he was working on the psychology of confinement. He said if they got upset, they could not go anywhere afterwards, so people got along.

- Mr. Morton reviewed some of the operational issues that arose such as who could go on which boats, the storm, etc. and that FKNMS had stepped in with boats and personnel to help the mission.

- Mr. Smith asked how many Aquarius missions there were in a year.

- Mr. Morton replied he thought the last one for sanctuaries was 2007, and that there were 5-6 missions per year, primarily with the Navy and the National Aeronautics and Space Administration.

- Bill Chalfant talked about some of the constraints of this type of work and needing a chamber on site, Occupational Safety and Health Administration (OSHA) rules, and the use of Nitrox. He said could they place a chamber in a mobile container so could be on site to enable work diving, though it would need to be moved from where it is now.

- This would take about a day, Mr. Smith added.

**Aquarius 2010: If Reefs Could Talk -- Steve Murowski, John Burke, and Mitchell Tarrt, NOAA; Peter Auster, University of Connecticut; James Lindholm, California State University Monterey Bay; and Saul Rosser, UNCW**

This topic started with a short video introduced by Dr. Murowski, “Team Aquarius 2010”, explaining the mission and activities, including basic monitoring, interspecies relationships, and live shows four to five times a day. He also noted this session was not being broadcast over the internet. He then asked who was in the audience.

- Chair Popham briefly introduced himself and those sitting around the SAC table.

Dr. Murowski went over who from the Aquarius mission would be presenting and summarized the work being done. They were looking at changes at Conch Reef in coral and sponge cover, at brittle star and *Diadema* abundance, coral condition and fish counts. They have been looking under rocks to study cryptic fauna. He noted the coral cover was low in the study area, that 10-15 yrs ago, the corals seemed to be much healthier, and that the *Diadema* have not made any comeback there. He was not sure what to say about corals recovering from the cold snap, as that is all based on their resilience. He said they were trying to get out an important message of protecting the parts. He added he hoped this reef would recover. He provided a little more information about the observations so far, and about more work he hoped could be done.

- Mr. Smith asked how many hours a day on average they got out of the habitat.

- Dr. Murowski said the aquanauts can get out six or more hours a day. They had mostly been doing the monitoring work via surface diving, he added.

- Dr. Chalfant asked what the decompression schedule looked like.

- It would take 16 and a half hours to do desaturation, Dr. Murowski replied, and he described the decompression process.

- Mr. Moe said Conch reef was a sink for juvenile *Diadema*. He asked if they were looking for the small ones.

- Dr. Murowski asked, what depth they preferred to recruit at, 20-30 meters?

- Mr. Moe did not know.

- Dr. Murowski said they wanted to do more surveys for brittle stars, etc. and could include *Diadema*.

Dr. Burke introduced himself, noting he worked at a National Ocean Service lab in Beaufort NC. He said he thought this was one of the most important things he could do for the remainder of his career, and said his research interest was fish migration and how that links to different parts of the coral reef ecosystem. He talked a bit about the twilight migration of reef fishes into the surrounding soft bottom. He said most of these fish do not start out on the reef, they start in the seagrass beds and mangroves. He said he wants to more precisely quantify some of these movements. They are using sonar to look at the area the fish utilize around the reef as feeding grounds and a “sonar camera” to get a good handle on patterns of migration and the biomass leaving the reef. He said as adults, the fish reside on the reefs and play critical roles in the imports of energy and biomass. He concluded by saying critical habitats need to be restored.

- Mr. Kelly asked if he saw any lionfish.

- Yes, Dr. Burke replied. He said it looked like the invasion was in the early stage.

Mr. Auster and Dr. Lindholm were next. Dr. Lindholm said he and his graduate student were focusing in animals in groups, looking at interactions and the ecological integrity of reef fish communities. He mentioned some early findings that struck him, links to Dr. Gittings’ work on rugosity, the dominance of algae, and the fact that macroalgae in the shallow reefs were relatively absent. Dr. Lindholm mentioned this was his fifth Aquarius mission, and he described the work done in the past and how the current work built on it. He noted Aquarius had been a good platform for looking at behavior questions and relating those to management.

- Dr. Hawtof asked if everyone was itching in Aquarius, which he said was sometimes unavoidable. He also asked if there was any nitrogen narcosis.
- The consensus was no, but that there was a certain giddiness.
- Dr. Hawtof then asked about their diet.
- Much of it was freeze dried, Dr. Lindholm said. He added they also ate a lot of crackers and some salads, tortillas, cheese, and candy.
- Ms. Pulfer asked about what changes he had seen after all the missions, especially after this year's cold front.
- Dr. Lindholm said the piscivore community on the reef seemed to be different, and that there was some seasonality with this, with black groupers showing up in past Novembers. He also said the algal dominance on the reef was noticeable.
- Mr. Kincaid asked if they were having fun.
- Yes, Dr. Lindholm replied, providing examples of the work that they got to do and how they got to spend a great deal of time on the bottom.

Mr. Rosser, the operations director of UNCW, and Mr. Tartt of NOAA's ONMS wrapped up. Mr. Tartt said Mr. Rosser made it possible for all the science to happen, and that there were already 85 hours of topside operations. Mr. Rosser said Aquarius Reef Base had a shore facility in Key Largo which has labs and supports the offshore operations. They have a number of research vessels for the habitat and day boat operations, a recompression chamber and diving equipment. Their job is to provide the facilities and research vessels to allow the scientists to come and do their research and to get word out about this. He said they do not have an internal science staff, and so depend on outside scientists to come in. Mr. Tartt provided statistics on outreach through broadcasts, Twitter and Facebook, and said they were up to 2.5 million media impressions. Besides using the science to tell the story of the Florida Keys and the FKNMS, he said there were unique multicultural aspects of this mission.

- Mr. Morton congratulated Mr. Tartt on his work on this.
- Mr. Tartt encouraged people to come by the Aquarius Reef Base and visit Mr. Rosser. He said people could send Mr. Rosser an email to get a tour.
- Paul Chetirkin did the video and background images throughout this session, Mr. Morton said. He noted Mr. Chetirkin was almost done with the movies he has been working on for FKNMS.
- Chair Popham asked if there was a big absence of fish.
- Yes, Mr. Morton replied.
- Mrs. Bradley said she thought the scientists had said this was due to the loss of rugosity.
- Mr. Barras asked what more algae meant.
- Smothering, Mr. Frerer replied, referring to a plague in 1983.
- Ms. Pulfer added that when nothing grazes, nutrients increase.

### **Mooring Balls in the Upper Keys – Mr. Edwards, DEP**

Chair Popham introduced the topic about maintaining mooring balls below 100 feet. Mr. Mitchell and Mr. Edwards were at a meeting on this subject in the upper Keys the night before the SAC meeting.

Mr. Mitchell said had heard rumors over the summer of removing balls off the artificial reefs, and said he understood four out of eight would be coming off. He said in the summer, people have to wait for a space on one of the eight, so reducing the number would create a problem. He said the meeting had been to determine what people could do to help out, and that people were willing to work on the moorings on a daily basis below 100 feet and take video of necessary of the conditions. He said maybe DEP could work on things above 100 feet. He acknowledged the good work of DEP. He added he understood the lines could last 18 months to two and a half years. Mr. Mitchell said both Mr. Edwards and John Halas were at the meeting and presented the facts. He asked if the SAC could look at not having the mooring balls

removed until the Secretary of DEP made a decision on allowing DEP staff to do the work. He noted he had the signatures of thirty people who did not want to see them removed, and he wanted to see if NOAA or Mr. Morton could do anything. He added that there may be Tourist Development Council funding to maintain the buoys or arrange for a chamber.

Mr. Edwards said he gave background information on the DEP diving regulations at the meeting the previous night. He said he wanted to talk about plan A for dealing with the situation. Mr. Edwards reviewed that FKNMS is run via a partnership, and money flows to DEP to work on the mooring buoy program. Like with any employee, you have to look at the regulations that apply to that position, he stated. He said Mr. Smith mentioned to him how in 2001, the State Department of Safety was abolished, and subsequently, the state adopted federal OSHA regulations which have limitations, based on the type of diving activity. Going beyond 100 feet, a decompression chamber would be required. Also, the regulations treat all gases as mixed except for air. When DEP divers use a mixed gas, they have to have a decompression chamber. In 2008, after a diving accident, there was a thorough review of the diving program and it was noted certain requirements were not being met. A commercial diving manual was written and accepted by then Secretary Mike Sole, which allowed the FKNMS DEP mooring buoy staff to maintain all the buoys except the 17 that are below 100 feet. Since then, he has been working with the DEP dive program to present several options to the Secretary to maintain the buoys that are below 100 feet.

He said he had been told there would be a ruling by the Tuesday following the SAC meeting. He said he could not give details on what the revisions to the regulations would be, but the options would allow the DEP staff to dive below 100 feet again while maintaining the safety of the divers. That is plan A, he said, and it has taken about a year and a half of work so far. He said the call could be made within DEP because the federal regulations were voluntarily adopted by DEP. He said he thought it was healthy to have the group meet the previous night and it showed they recognized the importance of the buoy program.

- Mr. Mitchell said he could not thank Mr. Edwards enough.
- Ms. Pulfer asked if the DEP divers could not currently go below 100 feet.
- Yes, for commercial diving activities, Mr. Edwards replied.
- She then asked who would take out [the moorings in more than 100 feet of water] and where they would go.
- Mr. Edwards said those were hypothetical questions, as they did not plan to take them out.
- Mr. Morton added that was the worst case scenario, and it was a little bit of a problem that it played out over email. He affirmed that the determination was almost there, and that removal had not been talked about because they do not think they will need to do that. He agreed it was good what Mr. Mitchell did, and that it was important to have a common understanding about what is going on. There were ways to work with other divers, he said. He felt Option A would be successful.
- Mr. Edwards felt there was a rumor about removal of the buoys on November 1. He said they had looked at the maintenance schedule, and asked themselves at what point did maintenance need to be done, but there was no cutoff at November 1.
- Mr. Smith said he also was at the meeting, and he had talked to a lot of people, and he felt more comfortable now after hearing the facts; Mr. Mitchell agreed.
- There was a little additional discussion on the hypothetical questions about what to do to maintain or take out the moorings below 100 feet, including some ideas for proceeding should it come to that.
- Chair Popham asked if it would be helpful to get video prior to the Secretary's decision.
- Mr. Edwards felt it was not necessary.
- Mr. Morton recommended letting the issue work through the process.
- Chair Popham agreed.
- A woman from the audience asked if only the approval of the Secretary was required.

- Mr. Edwards said his understanding that it would only go to the Secretary.
- The woman then asked if there were any concerns about other DEP or FWC divers within the sanctuary, and if there had been any multiagency discussion.
- Mr. Edwards said he did not want to speak for the Secretary, but that from what he had seen, the 100 feet was arbitrary. He felt the Secretary's decision would only apply to DEP.
- Major Escanio said he was not aware [of any effect on FWC].
- Mr. Morton said the FWC officers would stay as NOAA divers.
- Dr. Chalfant said that there were some exemptions and law enforcement already had some.
- It goes to the actual activities, Mr. Edwards said. He said they had been narrowly focusing on the DEP mooring buoy issue at hand.
- Chair Popham asked if Mr. Mitchell was happy.
- Mr. Mitchell replied he felt much better and thanked those who had done work on this.
- Chair Popham thanked him for organizing the meeting, and mentioned it had hit the *Citizen*. He agreed he felt the issue should just take its course.
- Mr. Smith asked if the minutes could show a meeting was held and 30 peoples signed something.
- Mr. Morton said if there was a summary of the meeting that was held, he could get it out to people, including the media.
- Mr. Mitchell said he would do that. ***ACTION ITEM***: Mr. Mitchell to provide information about the mooring buoy meeting held prior to the SAC meeting to Mr. Morton, who will disseminate it.

#### **Upcoming Meeting and Closing Remarks – Chair Popham, SAC**

Chair Popham thanked Mr. Curlett for hosting the SAC meeting at Ocean Reef. He announced that the next SAC meeting would be in Key West on December 14, and there would be a pot luck for lunch. Regarding the SAC meeting schedule for 2011, Chair Popham announced the dates were February 15, 2011; April 19, 2011; June 21, 2011; October 18, 2011; and December 13, 2011. He said the dates would also be provided at the next meeting. ***ACTION ITEM***: Ms. Ferguson to provide the 2011 SAC meeting dates to the SAC again in December.

Chair Popham noted there were a few tentative items suggested for the December SAC meeting, including a Management Plan implementation item, and education/outreach organization presentation (organization to be determined), and an introduction of Lauren Garske, a Dr. Nancy Foster Scholar, and her study.

- Mr. Bergh said he was not sure where the coral restoration work shook out.
- Chair Popham agreed this was an important topic, and said they would maybe do something on it at the December SAC meeting. ***ACTION ITEM***: Chair Popham and Mr. Morton to determine the topics to be scheduled for the December SAC meeting.

Chair Popham thanked all of the attendees for coming to the meeting and for their participation.

Adjourned, 4:35 PM.