

**EXCERPT FROM THE MINUTES OF THE OCTOBER 25, 2011 MEETING OF
FLORIDA KEYS NATIONAL MARINE SANCTUARY ADVISORY COUNCIL**

FLORIDA KEYS NATIONAL MARINE SANCTUARY ADVISORY COUNCIL

RESOLUTION

**A RESOLUTION OF THE FLORIDA KEYS NATIONAL MARINE SANCTUARY ADVISORY
COUNCIL ACKNOWLEDGING THE ENVIRONMENTAL IMPACTS
OF BOTH LIVE ABOARD AND TRANSIENT CRUISING VESSELS WHO IMPROPERLY
AND ILLEGALLY ANCHOR AND PROLIFERATION OF DERELICT VESSELS
WHICH ARE HAVING TO BE REMOVED AT GREAT EXPENSE AND
ARE HAVING NEGATIVE IMPACTS ON RESOURCES AND NAVIGATION
DO OFFER STRONG SUPPORT FOR FS 327.4105 WHICH ESTABLISHES
THE STATE PILOT PROGRAM FOR THE REGULATION OF MOORING VESSELS
OUTSIDE OF PUBLIC MOORING FIELDS AND THE ESTABLISHMENT OF
ADDITIONAL MANAGED MOORING FIELDS WITHIN
THE FLORIDA KEYS NATIONAL MARINE SANCTUARY.**

October 25, 2011

WHEREAS, Monroe County is home to North America's only coral barrier reef, among the most endangered coral reefs in the world due to multiple stressors including pollution from sewage that has caused a decline in water quality; and

WHEREAS, the reduction of water quality in Monroe County is caused in part by the discharge of untreated or poorly treated sewage from vessels within Monroe County; and

WHEREAS, these waters are of such value that the State of Florida has designated them as Outstanding Florida Waters and Congress has designated them as part of the Florida Keys National Marine Sanctuary; and

WHEREAS, through the efforts of the Governor and the U.S. Environmental Protection Agency, state waters within the boundaries of the Florida Keys National Marine Sanctuary were established as a No Discharge Zone for boater sewage effective June 19, 2002, as published in the *Federal Register* at 67 FR 35735 on May 21, 2002; and NOAA regulations promulgated in November 2010, which made discharge of sewage from marine sanitation devices throughout the entire Florida Keys National Marine Sanctuary, both state and federal waters, a prohibited activity, with certain limitations. The NOAA regulation became effective December 27, 2010, as published in the *Federal Register* at 75 FR 72655 on November 26, 2010.

WHEREAS, the Monroe County 2010 Comprehensive Plan requires the County to develop provisions to reduce pollutant discharges from anchored liveaboard vessels, including the establishment of mooring areas; and

WHEREAS, surveys conducted for *Boat Live-Aboards in The Florida Keys: A New Factor in Waterfront Development* prepared by Gus Antonini in 1990 concluded that anchor-outs are one of the most serious concerns in regard to live-aboard issues in the keys; and

WHEREAS, *The Boating Impacts Management Plan* prepared by the Monroe County Department of Marine Resources in 1992 recognized that liveaboard vessels require specialized infrastructural services including sewage disposal and shore-side facilities; and

WHEREAS, *The Channel Marking Master Plan for the Florida Keys* prepared by the Monroe County Department of Marine Resources in 1998 identified mooring fields as a key management tool in addressing the variety of impacts generated by the proliferation of liveaboard boaters anchored throughout the keys; and

WHEREAS, in 2001 the Monroe County Board of County Commissioners gave approval for the Department of Marine Resources to apply for grants to fund the implementation of mooring fields and pumpout facilities; and

WHEREAS, in 2001 the Monroe County Department of Marine Resources prepared a *Project Proposal for a Keys-Wide Mooring Field System* for the Florida Department of Community Affairs which recognized a variety of impacts associated with live-aboard anchorages in the keys; and

WHEREAS, in 2002 the Monroe County Department of Marine Resources prepared a *Keys-Wide Mooring Field System Preliminary Planning Document* which included an evaluation of numerous anchorages throughout the keys including Boca Chica harbor and recognized the need to address numerous boating impacts associated with the crowded anchorage; and

WHEREAS, the anchorage at Boca Chica Harbor would benefit from implementation of infrastructural services for the disposal of vessel sewage waste, provision of vessel mooring systems and designated access to the shoreline; and

WHEREAS, the Florida Department of Environmental Protection has recognized the need for establishing mooring fields designed to accommodate the management goals of local government programs;

NOW THEREFORE, BE IT RESOLVED, I move that the Florida Keys National Marine Sanctuary Advisory Council request that the Superintendent of the Florida Keys National Marine Sanctuary, Sean Morton, construct a letter of strong support of the Monroe County Resolutions of 08 09 and FS 327.4105 Pilot Program, which gives the County authority to write ordinances which expound on further protection from the negative and costly impact(s) of derelict vessels and other on-water structures (which cost in excess of \$273,000 of Monroe County Boater Improvement Funds alone in 2011), illegal dumping, inappropriate and improper anchoring within the Florida Keys National Marine Sanctuary.

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.

[Passed on this date: October 25, 2011]