

FLORIDA KEYS NATIONAL MARINE SANCTUARY ADVISORY COUNCIL

**Marathon Garden Club, Marathon
Tuesday, April 19, 2011**

MINUTES

Members Present

Jason Bennis
Chris Bergh
Dolly Garlo
Richard Grathwohl
Debra Illes
Don Kincaid
Steven Leopold

Jerry Lorenz
David Makepeace
Corey Malcom
Rob Mitchell
Martin Moe
Bruce Popham
David Vaughan

Alternates Present

Bill Chalfant
Ben Daughtry
Walt Drabinski
Bruce Frerer
Susan Ford Hammaker

Art Itkin
Jessica Pulfer
Suzy Roebling
Bob Smith

**Call to Order/Pledge of Allegiance/Roll Call/Approve Minutes from February 15, 2011 Meeting/
Adopt Agenda for this Meeting/Chairperson's Comments/Introductions**

-Chairman Bruce Popham called the meeting to order at 9:03 A.M. He welcomed the group and thanked Lilli Ferguson and the staff for the work they did to prepare for the meeting. He also thanked the Sanctuary Friends Foundation of the Florida Keys (SFFFK) for the refreshments, and encouraged people to join as members.

- He noted that Ken Nedimyer and Jack Curlett were out of town and could not attend the meeting.

- Bruce Frerer then led the group in the Pledge of Allegiance.

- The Sanctuary Advisory Council (SAC) reviewed the draft minutes of the February 15, 2011 meeting. Several changes were suggested. Kent Edwards of the Department of Environmental Protection (DEP) said on page 3, Jennifer Fitzwater was a Deputy Secretary; on p. 22 in the first paragraph, 3rd sentence, he asked that the following language changes be made: "He also suggested to Mr. Curlett that the permittee could ask them to modify the permit. He said he expected there was a formula guiding how many stakes would go in the mitigation area, and if that was not the best way to go in practice, the DEP office that issued the permit in Miami-Dade County could potentially change that." He said it was a minor change, but important. John Hunt requested that, on p. 4, regarding the bill to abolish fresh and saltwater fishing licenses, his perspective be removed from the minutes. Ms. Ferguson noted Major Alfredo Escanio gave the Florida Fish and Wildlife Conservation Commission (FWC) report, not Captain Christian Rodriguez. Chair Popham read a change Chris Bergh wanted. "Regarding the sea level rise workshop that Anne Morkill mentioned, it says, „Mr. Bergh and TNC Service Center and the USFWS are hosting a sea level rise workshop at the Gulf special areas meeting May 10-12...’ but should read „Mr. Bergh of TNC and the NOAA Coastal Service Center and USFWS are hosting a sea level rise workshop at Hawks Cay on May 10-12...”

- Susie Hammaker moved that the minutes be approved with these changes, and this was seconded. With these changes, Chair Popham deemed the minutes approved. **ACTION ITEM:** Ms. Ferguson to make the approved changes to the minutes and disseminate the final version.

- Chair Popham asked if there were any additions or changes to the agenda. He said he sent out an email late last week requesting some input on the SAC Summit which he and Ms. Ferguson will be attending; that dovetail into the discussion on economic benefits and sustainable financing and he said he would block out time within that discussion for it. He noted he had received some email from Mr. Nedimyer, Ben Daughtry, and Martin Moe on it already. He also asked people to come back from lunch at 12:30. Mr. Moe moved the agenda be approved, seconded by David Makepeace. Chair Popham then deemed the agenda approved.
- Sanctuary Superintendent Sean Morton introduced Suzy Roebing, the new Citizen at Large - Upper Keys alternate. He also announced that George Garrett had been appointed as the Citizen at Large – Middle Keys alternate. Mr. Garrett was not present, and Ms. Ferguson noted he had said he might be called for jury duty, but would attend the meeting if he could.
- Ms. Roebing briefly introduced herself, saying she was a long time resident of the Keys, mentioning some details about her background, and noting she had a baseline perspective. She said she was pleased to work with council and staff.
- Mr. Morton added that the Boating Industry alternate position was still vacant, and that it would be advertised for filling this summer, along with the seats with terms that expire in October.

Sanctuary Superintendent's Report – Mr. Morton, Florida Keys National Marine Sanctuary [FKNMS]

- Mr. Morton said he was happy to be here, since Congress had passed a budget, and said there was a risk of not having this meeting if the federal government had shut down. He said the budget passed for FY11 was a \$119 million cut for National Oceanic and Atmospheric Administration (NOAA) operational funds, and \$23 million more for physical acquisition and construction funds. Most of the NOAA cuts were for earmarks, so Mr. Morton said the effect on the sanctuary program is not yet known, as it takes a while for funds to trickle down from the Department of Commerce, to NOAA, to the National Ocean Service, and on down to FKNMS. There was language in the budget about no money being appropriated to fund what would have been a new Climate Service within NOAA, to have been formed out of existing parts of the various offices into an integrated new office. He noted there was also language that said there would be no money appropriated/used by NOAA for implementation of catch share in fisheries. He believed this was for the East coast, in the Northeast. He added the SAC would talk more about economics later in the meeting. He said the FKNMS staff had been limited in how it could implement things before the budget was passed, with the continuing resolution, and that money would continue to be received month by month.
- Regarding things coming up, he said a press release would be going out on the second annual lionfish derby series, to be held by FKNMS in partnership with the Reef Environmental Education Foundation (REEF). He said a lot of national and international publicity and good. One derby is scheduled for May 1 at the Fiesta Key Resort on Long Key; one is scheduled for August 20 at Coconuts Resort in Key Largo, and one is scheduled for November 5 at Hurricane Hole in Key West. He noted the derbies get some lionfish out of the water, but the derbies would not eliminate the problem.
- Billy Causey was not able to be present, Mr. Morton said. Dr. Causey has been in Tallahassee, talking to state legislators on problems here. He also met on the Hill with Congresswoman Ileana Ros-Lehtinen, about FKNMS and a lionfish bill, and they may have talked about drilling off of Cuba. Mr. Morton said Congress was a little distracted during that time as the deadline for a federal shutdown was nearing. Dr. Causey is currently on his way to Cuba for a coral reef exposition, Mr. Morton said, noting that this may be the first time sanctuary folks have gone to Cuba, a promising step with moving forward with sharing science on what is a connected ecosystem. Dr. Causey will return on April 27.

Agency Report Highlights

FWC Report – Major Escanio, FWC

- Major Escanio reported they continued to monitor the budget situation, and that FWC is looking at 38 position cuts statewide. He said his region had no vacancies, and the state is looking at vacant positions.
- February and March tend to be slower months, and in that time, FWC put in 4,250 compounded hours patrolling in FKNMS.
- There were fourteen federal citations, and eight warnings. Five of these were for fishing in Sanctuary Preservation Areas (SPAs).
- There were 57 reported groundings, and six citations.
- He also reported FWC got a lot of good press for the recent eagle ray incident, which made national news.

DEP Report – Mr. Edwards, DEP

- Mr. Edwards discussed the budget and things going on in Tallahassee. He said there were three weeks left in the legislative session, and he had few details, but he did receive an email stating the unemployment rate had gone down, and job creation had gone up. He said the budget was being looked at by the House and Senate offices, and there was quite a bit of difference between the Governor's budget and the House and Senate. He said he would answer any questions people might have about specific rumors or articles, but he said there would be significant cuts. For the Office of Coastal and Aquatic Managed Areas, he had heard anywhere from eight to sixteen positions would be cut, likely mostly vacant positions. He said the budget should come out as the session wrapped up.
- Mr. Edwards reported that DEPA got the final paperwork on a Coastal Zone Management grant for the FKNMS buoy program, for over \$80,000 to support salaries and materials.
- Ms. Hammaker mentioned her sewer district monitored water quality and sewer issues, and asked if he had any details about bills on septic systems not being monitored, and ocean outfalls being extended to 2025, etc.
- Mr. Edwards said he knew bills had been filed. He said there was a rumor that septic systems would be deregulated, but he did not think that would happen. He said there was data showing there were water quality problems and retrofitting was being done in the Keys and around the state. As far as funding for other types of water quality improvement projects, he did not think the money would be there. As far as outfalls, he thought 2025 was the year that was passed in the legislation.
- Ms. Hammaker said it was, from 2018, as well as allowing sewage products to be spread on soils.
- Mr. Edwards said sludge was allowed to be spread on fields. He also said if she forwarded the bill to him, he would take a look at it. **ACTION ITEM:** Ms. Hammaker to send relevant water quality bill to Mr. Edwards for him to take a look at.

U.S. Environmental Protection Agency (USEPA) Report – Pat Bradley, USEPA

- April 22 is Earth Day, Mrs. Bradley reminded people. On behalf of Dolly Garlo, she said the movie "Bag It", about plastics, would be shown at the Eco-Discovery Center the evening of Earth Day.
- Mrs. Bradley reported that the USEPA's budget was cut \$1.6 billion, or 16% of the budget, in the last budget approval round. With all the cuts throughout the year, basically 20% of the budget was lost. Most was cut from state revolving funds, like for sewers and stormwater, she said. The research program was also cut, part anything with sustainability, which is where her program resides.
- Mrs. Bradley said the Gulf Coast Ecosystem Restoration Task Force was having listening sessions in Sarasota April 18 and in Gulfport April 28, and the Task Force was meeting in Mobile May 6.
- EPA just announced national greenhouse gas emissions have declined by 6.1% in 2009 largely due to the economy and reduced use of automobiles and other sources of emissions. This is the lowest annual greenhouse gas emissions level since 1995. However, from 1990-2009, greenhouse gases grew 7.3%, so they are still going up. She added that Miami was on the list of top 25 cities with Energy Star buildings.

- Mrs. Bradley concluded by stating the research vessel BOLD was being mobilized in Miami, and that they would do a coral survey up and down the Keys.

FWC Report Cont. – Mr. Hunt, FWC

- From the Fish and Wildlife Research Institute budget perspective, Mr. Hunt said they were only losing two positions statewide. The biggest cutback looks like it will be in red tide research, he said.

- He mentioned, as he had at previous meetings, that Commission Chairman Rodney Barreto was ending his term, after ten years of being Chairman.

- Chair Popham asked if there was more on the fishing license bill.

- It did not have a House sponsor, so it is just kind of sitting there, Mr. Hunt replied.

- Mr. Hunt then reported they had an exciting research cruise to Riley's Hump in March. He said their focus changed to black grouper. They had contracted with colleagues from the University of Puerto Rico, who use rebreathers, and they found a new, previously not known, location inside the reserve with a fairly large number of black groupers – about fifty. While they did not physically observe spawning activity, they did see things like color changing and chasing behavior. They also saw cubera snappers. This area is different from where the mutton snapper spawn.

- On a different cruise there, he said they contracted with a commercial fisherman, and they were successful in tagging a fair number of black groupers. This will help them learn about the connectivity of black groupers.

- Mrs. Bradley ask if they were looking at different habitats and life cycles.

- Mr. Hunt replied they were working in the Tortugas on sonic tagging. He said the habitats and life cycles in the Keys cover multiple thousands of square miles. He said they can't do the type of work they do in the Caribbean in the Florida Keys. This is looking at movements, utilizing the areas in the Tortugas.

- Mr. Moe asked if any lionfish were seen.

- Mr. Hunt said there were lionfish on Riley's Hump and that they see them all the time there. He thought some folks were working on lionfish there.

- Mr. Morton confirmed James [last name not specified] was working there, and elaborated on what he was studying.

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

- Dr. Ziegler told the SAC that they caught 157 pythons in Everglades National Park.

- She said the General Management Plan was unfortunately being delayed due to the budget crisis in DC, and the staff was asked to look at some of the options in the plan. She said it should come out within two months.

- Mr. Bergh inquired who asked them to do that.

- It was the southeast regional director, she replied.

U.S. Coast Guard (USCG) – Phil Goodman, U.S. Coast Guard Auxiliary

Mr. Goodman said LCDR Herring had retired from the USCG last month and moved to Virginia. His replacement had not been officially named yet, but would start in June, and would attend a SAC meeting sometime later this year. Mr. Goodman said he would provide Ms. Ferguson with some contacts for people handling various duties. *ACTION ITEM*: Mr. Goodman to provide Ms. Ferguson with some contacts of people handling various duties, following LCDR Herring's retirement.

- Mr. Morton said during the oil spill or any major response, that position was the center of the storm, and LCDR Herring did a great job. He said that position was a critical one to FKNMS as it is the main contact for groundings, pollution, etc. for Sector Key West.

South Florida Water Management District (SFWMD) Report -- Thomas Genovese, SFWMD

- Mr. Genovese said the C-111 spreader canal project was still on track to be completed July 5.
- Carol Wehle, the Executive Director, is retiring at the end of the month, he stated. She had 27 years in the system and was the longest serving Executive Director in recent years. The Governing Board would be meeting in a special session on April 25 to select an interim Executive Director, and the Governor would select a permanent Executive Director, he said.
- He reviewed the vacancies on their governing board, and reported the Governor's office said to expect 4-5 new board members (one person applied for reappointment) before the May meeting.
- At the May meeting, the budget will be discussed, Mr. Genovese concluded.

NOAA Office of Law Enforcement (OLE) Report: John O'Malley, OLE

Special Agent O'Malley reported that Kenny Blackburn was not able to be at the meeting. He reported that they just wrapped up a two and a half year investigation on Rusty Anchor Fisheries. They were charged with conspiracy to violate the Lacey Act, and it was a plea agreement. The violations were buying lobster and fish from unlicensed fishermen, buying lobster overages from commercial divers who were taking more than their daily allowance, buying fish from unlicensed fishermen, buying fish from fishermen who had state licenses but not the proper federal permits, mislabeling species on state trip tickets as a different type than what was caught, not verifying the licenses of fishermen, and submitting false trip tickets to FWC. The business pleaded guilty in federal court and was fined \$500,000 and is on probation. He said they had to come up with a management plan to keep these problems from happening again.

- Mrs. Bradley asked if anything happened to the fishermen themselves.
- Special Agent O'Malley said it was the fish house that was charged, which is separate from the restaurant. He also said the investigation was still open, and that other people were involved.

Special Agent O'Malley then reported they also got some information on guys doing illegal commercial fishing in the upper Keys. He said he found the boat, then he contacted FWC and they found the fishermen; three guys were catching black grouper and lobster out of season. Three people went to jail. One was on felony probation and ran from the police. The fish were taken out of the Tennessee Reef area, which put it in the OLE scope. Grouper and lobster are still closed. He said they were going to sell their illegal catch in the Miami area.

- Major Escanio said FWC prides themselves on the partnerships they foster, especially the OLE partnership.
- Mr. Frerer asked about the rumored big bust of a collector on Grassy Key.
- Major Escanio said inspection revealed some angel fish.
- And tons of *Ricordia*?, Mr. Frerer asked. Major Escanio shook his head.
- Mr. Bergh said these things were front and center in the local pages, but he was not sure about Miami. He suggested having the sanctuary look into having Emily [Crum] pitch a story to the Miami paper about people coming into the Keys and the impacts.
- Major Escanio said a lot of the big stories make the Miami papers, and Chair Popham agreed.
- Mr. Bergh clarified that his idea was to call attention to the trend, not just a story here and there, about a lot of the stuff trickling in from the outside.
- Special Agent O'Malley said get they a lot more tips when stuff got in the paper, particularly when the offender was not from here.
- Richard Grathwohl commented people get their hands slapped by mainland judges, but that people get jail time in Monroe County.
- Regarding working with the media, Mr. Morton said that Ms. Crum was on detail, but would be returning to DC later in the week. Karrie Carnes was back, he said, and they were working on the handoff of duties.

- Rob Mitchell asked about any increase in tarballs, mentioning some people diving on Snapper Ledge came up covered in oil. He also asked if it was known from where the oil was coming.
- Chair Popham said he heard the oil off Islamorada came from a tanker.
- Dave Vaughan said Mote's Marine Ecosystem Event Response and Assessment had gotten reports, which they turned over to the Coast Guard, so it seemed like there was an increase.
- Mr. Morton encouraged people to report oil, as the Coast Guard sends samples to their laboratory in Connecticut, and they also do cleanups. He said the source is typically something like bilge dumpage from cargo vessels. He also said there was a significant increase in reporting after last year. Over 150 samples were sent to the laboratory from this area after the Deepwater Horizon spill last year, which found they came from 18 different sources.
- Chair Popham said there was an 800 number for making reports.
- Mr. Goodman said he would get it, and that it was the National Response Center.

Public Comment

There was none. SAC members made some remarks.

Mr. Moe said the *Diadema* project torch was passed to Dr. Vaughan of Mote. Mr. Moe said his last run was not very successful, but they collaborated on the last run. Dr. Vaughan is using larger tanks and they produced thousands of juveniles. He thought there would be a significant development this year for coral reef restoration.

- Dr. Vaughan said he appreciated how much time Mr. Moe put in singlehandedly over a number of years on this. He said it usually takes ten years and \$2-10 million to crack the life cycle of a species.

- Mr. Makepeace said he was going to have a fourth grade team in the lionfish derby. On a separate topic, he said there was an article regarding a hacked up bull shark, with babies released, along a local beach. It seemed to him to be a recurring event around the same time of year, and also that there seemed to be a breeding pattern of these sharks birthing inshore at this time of year. He said he knew there were no laws preventing this, but he wondered if an informational effort might be launched.

- Dr. Vaughan said it was a pattern for them and other sharks in the area, and over past five years they did shark surveys, which surprisingly had never been done before.

- Mr. Makepeace said he knew Neil Hammerschlag of the University of Miami had done shark tagging, and some of his students had gone on his trips. He understood the beaching sharks rarely survive.

- Major Escanio said the key to some of this was reporting to FWC. It may not be a violation, but they could have a unit respond and provide education.

- Pat Langley said they did respond, and there was another one there a few years ago.

- Mr. Grathwohl confirmed bullsharks migrate in this time of year. He said they love tarpon and are in by the bridges.

- Several others commented about their knowledge of other shark research in the area.

Goal Setting for the SAC for 2011 Continued – Chair Popham and SAC

- Chair Popham said since the February meeting, he and Mr. Morton had met (and he reminded the SAC that Mr. Morton holds the trump card) and came up with top three goals, along with others. He also said Mr. Morton had sent out some information from Bob Leeworthy to the SAC; they wanted him to present at the meeting today, but he could not, due to funding restrictions and other things.

- The top goals were:

Top Three Goals

SAC Advice to FKNMS Management

1. SAC define economic impact of FKNMS in supporting the local economy and identify sustainable financing for the future, for FKNMS and partners.
 - a. Tourism
 - b. Commercial fishing
 - c. Recreational/charter fishing
 - d. Diving
 - e. Marine Industry
2. SAC provide advice to FKNMS regarding components of Management Plan update process.
 - a. Marine Zoning
 - b. Condition Report
 - c. "Linking Science to Management" conference information
3. SAC identify and qualify Enforcement Priorities and provide advice for FKNMS and partners.
 - a. State partnership – FWC, DEP
 - b. OLE
 - c. Coast Guard

Additional Goals

SAC Outreach

Improve SAC role as liaison to/from FKNMS constituencies

- a. SAC incorporate SAC member outreach into all SAC 2011 goals
- b. Define SAC public presence
- c. SAC work to gain more public attendance/participation at SAC meetings
- d. SAC establish public conservation concept
- e. SAC education on the RNA
- f. SAC outreach to youth regarding the SAC

SAC Advice to FKNMS Management

SAC identify opportunities with Water Quality Protection Program to provide advice to FKNMS

- a. Joint Meetings
- b. Remaining action items
- c. Future priorities

SAC advice related to identifying and supporting restoration projects

- a. Sea grass
- b. Coral

More SAC involvement in advice on fisheries management

- a. Focused workshops during ½ day SAC meetings
- b. Roy Crabtree
- c. Permit issues
- d. Commercial fishing

- On the first objective under the top three, regarding having the SAC define the economic impact of FKNMS in supporting the local economy and identify sustainable financing for the future, the vote was split on two items [at the February meeting], which they then combined together. The second one was on marine zoning, but they want to have the Condition Report and other good sources of data to use in the process. On the third one, Chair Popham said that the SAC had been going to identify and qualify enforcement priorities at this meeting, but he and Mr. Morton but thought it best to work on the number one priority at this meeting instead. He said the SAC would look at the enforcement goal in June, and would look at the broader picture of what is being done.

- The two roles the SAC has, Chair Popham reminded the group, are to provide advice to FKNMS management, and to serve as liaisons to the community. He also said while the SAC would not have as much time to work on education and outreach, much of it will be included in what needs to be done on the SAC advice to management items, and everyone still needed to play the role of liaison regularly.

- Chair Popham then briefly reviewed the additional goals listed under “SAC Advice to FKNMS Management.”

- As an aside, he then mentioned there was a South Atlantic Fishery Management Council (FMC) meeting being held the evening of the SAC meeting on Hawk’s Cay, and that the next night there would be a joint meeting of the South Atlantic and Gulf of Mexico Fishery Management Councils in Key West to deal primarily with lobster. An extended discussion ensued.

- Mr. Hunt pointed out it that they would also deal with kingfish and cobia, and he said it was not a council meeting, it was a public workshop. Both co-manage spiny lobster and are putting on the workshop. They would be talking about catch limits, *Acropora*, the interaction between the lobster fishery and *Acropora*, entanglement, etc.

- Mr. Bergh said everyone knew two *Acropora* species (elkhorn and staghorn coral) were put on the endangered species list in 2006, and this meant the critical habitat had to be identified for these organisms. He had that had been done, and it was basically all the hard bottom and coral reefs on the ocean side of FKNMS. The FMCs want to minimize the interactions between the lobster fishery and these coral, and they have looked at alternate views. He said they seemed to be leaning towards 25 no lobstering zones in FKNMS, some of which already overlap with SPAs, Ecological Reserves, Existing Management Areas, etc. He said he would be going to the meeting in the evening. He wondering about the interaction of this process with the FKNMS zoning process, and that it would be unfortunate if the two processes took place separately. He said he would like to have the efficiency of working together on it.

- Mr. Hunt said the FMCs would be hearing from FWC managers and others, and when ready, would report on a broader scale. He also said FWC would take up lobster at its November meeting to get FWC’s own perspective on the Magnuson Stevens Act catch limits and other issues coming through the federal process. He said this would just be a review and discussion type meeting.

- Chair Popham asked if the feds and the FMCs were aware of the work FWC was doing.

- Mr. Hunt thought so. He said Bill Sharp was the representative on an IPT that had background information, and he mentioned some FMC members who were aware.

- Mr. Bergh asked if these were information sharing and gathering meetings, and if a decision would be made at the June FMC meeting in Key West.

- Mr. Morton confirmed public comment was being taken now on all the alternatives and that the FMCs would make a final decision at their June meeting. He said there was a draft National Environmental Policy Act (NEPA) document out now, and he could send it out to folks. ***ACTION ITEM:*** Mr. Morton to send NEPA document to the SAC. He described that it contained maps with potential closures, and listed other alternatives, including for line entanglement. He said there would typically be a discussion on all the alternatives, then they would pick items and combine them into a final alternative for changing their plan.

- Mr. Bergh asked if Mr. Morton had asked questions about marking the new zones, including whose job it is to mark them.
- Mr. Morton said it was not for us to be doing that kind of zoning, and all fisheries out there do not include buoy markers. He said fishermen need to know where the regulations apply and where their gear is going.
- Chair Popham asked if Mr. Bergh would report back to the SAC on the meeting he was going to, and he agreed he would. *ACTION ITEM*: Mr. Bergh to report to the SAC about the status of the FMC meeting.
- Mr. Morton thought the public comment period closed the first week of June, and added that it was usually thirty days to the final rule.
- Mr. Hunt said federal waters were a small part of where people fish for spiny lobster, that this was step one, and that the Commission had to essentially agree to a lot of these federal rules. Sometimes it is simple, and sometimes not.
- Chair Popham asked if there was discussion about moving the lobster fishery over entirely to state hands.
- Mr. Hunt said there was. He said there was an import rule as well, which the state could not enforce. He said he understood from leadership the state was not going to manage under the Magnuson-Stevens Act. There is a marine fisheries management staff of five in Tallahassee, he added, so the capacity is not there.
- Jason Bennis asked if NOAA and the sanctuary staff were actively in communication with the staff at the FMCs, and if FKNMS had a position on this matter.
- Mr. Morton said they had been coordinating with the NOAA Fisheries Service on the Protected Resources side of staghorn and elkhorn corals under the Endangered Species Act, and that every Fishery Management Plan with potential impact to these corals would need to have an amendment or regulation put in, and that they have to actively take measures to protect the corals. About a year and a half ago, when they started working on the draft Environmental Impact Statement (EIS), FKNMS started providing data to them on corals, potential habitat, GIS files, and FKMS regulations. They had to work through how much protection was already in place and how much more might be needed to protect corals under the ESA. In terms of how the regulations get implemented, he said they have not had a discussion about marking the areas [or not] and the fact that SPAs are marked with yellow buoys as no take areas.
- Mr. Bergh said again he would like to see this process folded into the FKNMS zoning process, although he also expressed some reluctance, as he did not know when the FKNMS process would take place.
- Mr. Morton said that was discussed. NOAA Fisheries was wondering when the process was going to start and how long it was going to take. Mr. Morton said he had never seen it take less than 3-4 years. He said NOAA Fisheries was under the gun with lawsuits, and every Fishery Management Plan had to have actions in there to protect staghorn and elkhorn corals. If NOAA Fisheries delayed its process, Mr. Morton felt NOAA would get sued.
- Mr. Bergh suggested whatever NOAA Fisheries puts in be revisited when FKNMS goes through its process.
- Mr. Hunt and Mr. Morton then described a bit more about the meeting and logistics.
- Ms. Hammaker had to leave the meeting early, but before leaving, made some parting comments. Some of her remarks included that she was a big cheerleader of this group, that people are part of the problem and could reap the benefits of what results, that her group has gone to Washington and has been very successful in getting money for water quality, what she hears in the community about the image of the SAC, and that she was determined to see groups like this be successful and get funding. She wanted the population using Keys resources to be educated, and mentioned the need for enforcement due to the many problems.
- Special Agent O'Malley provided a comment about the federal and state laws being different. He said the gag grouper fishery was now closed to recreational fishing in the Gulf yet in Florida it will be open. The Atlantic is still closed and Monroe County will follow the Atlantic rules. He said these differences make it complicated to figure it out. He and Mr. Grathwohl both provided some additional details related to this.

- Mr. Bergh asked if Chair Popham got what he wanted out of the SAC 2011 goals discussion.
 - Chair Popham said he wanted to ask the SAC if there was any feedback.
 - Mr. Bergh said they looked good to him.
 - Regarding the first topic, Mr. Hunt encouraged people to think about it and report it out more broadly for the Florida marine ecosystem, which he felt would be a way to increase the success of this at other levels. Regarding SAC advice related to identifying and supporting restoration projects, he was not sure if that meant the Damage Assessment Remediation and Restoration Program or if it was broader, but if it was broader he encouraged “coral” to be restated “coral reef”, as restoration is not about just the corals themselves.
 - Steven Leopold, on “More SAC involvement in advice on fisheries management”, commented he would like recreational fishermen be included.
 - Mr. Bergh asked about what was split out in the first issue, such as recreational from charter fishing.
 - Chair Popham said it was a good question, and the SAC would be talking about it more. He referred to the Leeworthy work, which he said did not mention commercial fishing, and he felt there was not good data on the marine industry.
 - Mrs. Bradley said commercial fishing was in his multiplier effects, and it would be good to call it out.
 - Chair Popham said that was a good point and mentioned he also had some information he would share with the SAC. He felt if the SAC could come up with good information that could be used for talking with the public, on the economic impacts and value of having FKNMS here, it could have a great impact and might be a way to get more funding for projects in the sanctuary.
 - Mr. Moe said ecotourism was an important part of tourism, and should be a part of all aspects of tourism, in terms of providing messages of the value of the environment and the need to protect it.
 - Mr. Morton asked, since a couple of things came up about fisheries management and enforcement, if there was interest in having those be two topics to talk about at the June SAC meeting, and if he should reach out to folks about coming to that meeting.
 - Chair Popham felt it would be beneficial.
 - Mr. Bergh thought a half day on each of those topics would be too much.
 - Chair Popham noted Mr. Morton had said enforcement would take about an hour, and Mr. Morton added there were a lot of enforcement actions going on.
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- The discussion then swung back again to the FMC meetings and the coral protection/lobstering issue.
 - Mr. Bergh said he would like to have the SAC decide if they wanted to have a statement on that issue at the June SAC meeting
 - Mr. Morton said he thought the SAC meeting would be after the FMC meeting in June. He said he would send out the document he had referred to, and encouraged people to comment on it. He did not think the SAC would be able to affect any FMC decisions, and mentioned again that, thirty days after the public comment period closed, the final rule will come out.
 - Mr. Bergh said he did not know if people would be comfortable taking some time during this SAC meeting to go over this, if they were going to have a resolution. He thought it would be hard for people to come to consensus if they did not take time to go over it.
 - Mr. Morton and Chair Popham thought that might be a heavy lift, and Mr. Morton said he would like to know how future SAC interactions on fisheries management would occur, pursuant to the SAC recommendation to provide more advice on fisheries management. He said that discussion needed to take place first, and he mentioned some options, including having notices on all FMC actions happening in the Keys go out to the SAC and be prepared to talk about them and make recommendations at every SAC meeting, or having a SAC Working Group on the topic. He noted it gets complicated quickly.
 - This issue fell down off the top priorities list, Chair Popham reminded the group, and it was not one of the top three. He also noted there was a need to be respectful of Mr. Morton’s opinion of how the SAC might address this.
 - Mr. Morton said he was not trying to dissuade anyone; he referred to past SAC meetings with actions on fishing and acknowledged the importance to the Florida Keys ecosystem. He cautioned, however, that

some of these things happen fast, and that he did not want the SAC to come sideways at its sister councils and at the state.

- Mr. Bergh suggested getting SAC members on the same page about who has what jurisdiction, the overlaps, and the relationship with the marine zoning issue; Chair Popham agreed.

- Mr. Kincaid said when SAC worked on Tortugas 2000, they did not pay attention to anyone's jurisdiction; they paid attention to what areas needed to be drawn up. He added the result needed to be the SAC's own opinion, based on its members' own experiences.

- After a few more remarks on this topic, Chair Popham thanked everyone for their input and asked Mr. Morton to lead off the next topic.

Communicating Economic Benefits of Marine Conservation and Sustainable Financing – Mr. Morton, FKNMS and SAC

- Mr. Morton said he wanted to provide an introduction on this, so people could think about it over lunch. He said everyone around the table was involved in marine conservation, and knew that the budget had declined, and things were tight. He said there had been dialogue about what we all could collectively do on resource conservation vs. creating jobs. In the Keys and FKNMS, jobs and resource conservation are all connected, he observed, and that is why he shared the Leeworthy data. He said, though he was not sure of the final product, he wanted to get information from SAC members on how the environment contributes to different sectors of the Florida Keys economy. He SAC members were all connected in some way to the marine economy and rely on it. He felt if the information from the discussion could be coalesced, the agencies and SAC members could take it out to talk to elected officials and others about the [positive] impacts and why they need to be sustained.

- Mr. Morton said these discussions were happening at local, state and federal levels, and in a couple of weeks, Chair Popham would be talking with other participants at the SAC Summit, including about what programs are not being sustained, and what programs need to be. For example, in the Florida Keys, there was a need to sustain things like enforcement, restoration, and the buoy program. He wanted to know, in people's own words, how it impacted them. He reminded the SAC that Chair Popham had sent some questions out to the SAC, and that he needed answers prior to attending the SAC Summit. He said thoughts could be recorded at the basic level at this meeting, but that maybe work could be done on an outreach piece for the SAC to bring to the community, on the connection between the economy and the environment.

- Chair Popham asked people to think about these topics over lunch. He acknowledged this was ambiguous, which was why he wanted to talk about it as a group.

- Mr. Morton said he sent out all the links to the Leeworthy studies, and said he hoped people had a chance to go through some of the summaries and key points in the visitor and local use evaluations. A common theme which was never really stated was how visitors and residents usually used the rating, "high importance" and "high satisfaction." He said he was worried about that declining. He provided the example of the threat of oil coming to the Keys, and the impacts from that to the economy, tourism, charter fishing, etc.

- Mr. Bergh felt the link to the Deepwater Horizon incident could be a useful one, just to use as an entrée to show multiple linkages between the environment and the economy.

- Mr. Edwards said citing numbers of visitors and economic values were important in the current climate in Tallahassee, and that quotes from SAC members could be put to good use.

- Mr. Morton said the statements from each seat will be useful to him.

- Mr. Hunt added this type of thing needed to be personalized.

After the lunch break, the discussion continued.

- Bob Smith said he looked at the Leeworthy data, and said it gave a figure for revenue from recreation. He asked if that included hotels and revenue from Duval Street.

- Mrs. Bradley said it partially covered that. She said the survey asked people to rate how much time they spent fishing, etc., but not in bars – that was covered in the multiplier effects. The hotel industry was never directly captured, she said.
- Chair Popham said, rather than trying to figure out the numbers, he should state how important FKNMS is to the dive industry.
- Mr. Smith agreed he was not particularly interested in those dollars either, but it is the revenue that is produced, and that the environment should be important to the visitors in the hotel because that is why they are here.
- Mrs. Bradley said she would like to know about the 35% of the income in the Leeworthy study [which was not broken out more specifically].
- Mr. Mitchell said it might not be possible to get hard facts from BP related to claims, but people making claims are the people that directly make their living off the environment here.
- Chair Popham agreed, and said the hard facts were what we were looking for.
- Mr. Morton read a quote from Chair Popham’s SAC application, from a document about why the reauthorization of the National Marine Sanctuaries Act was needed. "As a recreational boater and marine industry business owner, our marine resources in the Florida Keys are of particular concern. I strive to continue a tradition of providing world class service to the marine industry at Marathon Boat Yard as well as a commitment to a healthy environment. A healthy vibrant marine ecosystem is the reason most of us choose to work and live in the Keys and it is vital we manage our ocean resources not only for our current use but also for generations to come. I strongly believe there is a balance that can be achieved serving all the different philosophies, occupations and competing priorities and the national marine sanctuary system is a unique government program that allows us all to work toward our common goal of a healthy ocean for the future."
- Chair Popham said if we could put a quote for each person in a document, perhaps with picture, we would have a message that would not get stale, and would stay vibrant. This could be used to get the message out to constituent groups, the state, the feds, etc.
- Mr. Smith asked if there were any data supporting the healthy and vibrant environment sentence, and if could be added or if the word visit could be added.
- Mr. Bergh commented Leeworthy’s report was full of data about that.
- Mr. Morton said this was not about crafting one statement, he wanted a statement from each person. For example, for Corey Malcom, the statement could be about people coming to the Keys to learn about historic preservation. He said anecdotes, statements, and even beliefs would make the paragraphs human and powerful.
- Mr. Mitchell said he had files from people all over the world talking about what an incredible experience it was here. He mentioned a person from Sweden who had visited and liked it so much he cancelled another trip somewhere else, returned and bringing his whole family to learn how to dive.
- Chair Popham mentioned a study from 10-11 years ago, that said the Monroe County marine industry was generating \$200 million annually and employing 2600 people.
- Art Itkin said people come here not just to fish and dive, but people for a lifestyle that is unique. He said people could fish and dive off Broward and other places but the Keys have an appeal different from that city environment.
- Ms. Roebing said she did not have numbers, but read an overall statement. She felt it was important to formulate sound economic and ecological protection strategies. She stated that the economy directly depended upon protection of the coral reef and other resources. She felt there should be a willingness to pay to protect resources and to concentrate on sustainable use for the future. She also wanted the environmental costs associated with economic activities, which depend on the resource base, to be accounted for, and said there needed to be wider stakeholder participation. She wanted education and research acknowledged too, and made a number of other points as well.
- Bob Holston commented about how much someone spends to dive on the Vandenberg, which he credited to the environment and the ambience, not to someone building a better hotel or bar. He believed the environment cultivated that ambience.

- Mrs. Bradley said it would be worthwhile to get testimonials/other perspectives from other people, as people are eating seafood in restaurants caught by the fishermen, and many other shop owners and hotels in the Keys have brochures and are FKNMS partners.
- Mr. Kincaid said the Tourist Development Council (TDC) did exit polls in the past, which listed number of people participating in different activities and how long they stayed in the Keys. He also said the bulk of the people coming to the Florida Keys were Floridians, as they could drive here and get something different from what could get at home. TDC is just now getting around to putting that in some of their advertisements, he said. He also said he had talked to the dive shops, and even when people go out with shops that have the FKNMS literature, most of them don't make the association that their trips were to the sanctuary, even if the boat tied up to an FKNMS mooring ball.
- Mr. Edwards encouraged people to think bigger, and referred to protections that DEP, the South Florida Water Management District, the U.S. Fish and Wildlife Service and others put in place on the mainland, which are tied to the sanctuary.
- Mr. Moe mentioned the process that led to doing something, and said we often fell down on the taking action part. He then read a paragraph from a letter he worked on, related to a series of articles for the paper, tying together economics and the environment. It related to determining the total value of the coral reefs, and if a number could be put on it. It is not an exact economic science, he said, but he provided some instances with dollar figures. He said there was a need to make specific plans regarding what the SAC wanted to do and how accomplish it.
- Mr. Hunt said while all the economic information was good, it needed to be personalized, especially from people who are users of the environment. He provided a suggestion about how someone might do that.
- Chair Popham referred to a color brochure at the back of the room, and asked what the deliverable for this project might be.
- Dr. Lorenz mentioned work connected with the NOAA-funded Marine and Estuarine Goal Setting for South Florida (MARES) Project, which pulled in science and dollar figures regarding South Florida, but he said it was dry, and not something the SAC needed to do here. He also his organization was working on having video clips of people talking about what Florida Bay means to them on its web site. He felt the SAC should stay away from the dollar figure, as it was dry.
- Mr. Bergh encouraged the sanctuary and SAC to make the product, whatever it was, not fifty pages long, but something that would get the point across quickly. Interested people could then go on to the Leeworthy studies, MARES and other things, he felt. He also agreed it should not just be SAC members. He said some dollar figures could be put in, for example [hypothetically], a person spent \$1,000 diving, but \$5,000 overall on the trip to the Keys.
- Ms. Garlo said answers are dependent on the questions asked, how people feel, and what they value. She thought the SAC might want to look into how to ask questions, what questions to ask, who to survey and how to put it all together so it was more than just the numbers. She also wanted to know how to make sure people know about this, the economic information that exists and that there is a move from conservation to restoration.
- Mr. Leopold said it was important to say the SAC trusted the sanctuary in doing its job, and to mention the benefit of the SAC and having all the groups together. It saves a lot of steps, and a clear plan is a money saving plan, he remarked.
- Debra Illes agreed, and said it was the job of SAC members to do that, to get that input, and she said it fed back into the outreach goals. She then asked who the audience would be for the product.
- Anyone at this table, Chair Popham replied.
- Mr. Malcom said it was important to clarify what the end product would be. He thought the point was trying to sell the message that FKNMS was good for business. He mentioned the upheaval when FKNMS wanted to come in, and the draconian view that people would go out of business, which he said we now know was not true. He said FKNMS has been an enhancement. He also mentioned the ripple effect that could occur from getting the product out.

- Chair Popham said it would be an advisory council product, reflective of the seat and constituency each person on the council represents. He said it could be a printed document and could be on the web page. He said he was looking for a quote and photograph from each person.
- Mr. Smith there were individual stories as well as a constituent group's experience. He also felt there should be a connection of the humanistic emotion with the numbers.
- Ms. Ferguson asked if there should be a statement from all the SAC members, including the nonvoting representatives to the SAC.
- Chair Popham replied yes.
- Several SAC members stated their opinions about this, then Mrs. Bradley suggested that it be optional for the non-voting agency representatives to send statements and photos.
- Mr. Bergh said it would be necessary to edit down from all the statements submitted. He wondered who was going to put the product together.
- Mr. Edwards said he would like to use the product for the Governor and Cabinet.
- Mr. Morton said FKNMS was about two months away from launching a new web site, done by Floridakeys.com, and currently, the new SAC page had similar information as what is on FKNMS's current SAC page. The quotes, with pictures, could be on the new site, he said. He also said there was a team at ONMS that puts out printed products. He said he would get a reminder out to the SAC, compile the feedback, and have it on the agenda for a half hour discussion at the next meeting. *ACTION ITEM:* Mr. Morton to send a reminder about their paragraphs and photos to the SAC and to schedule this topic for a half hour in June. He added the people did not necessarily have to focus on NOAA or FKNMS, as there is a greater body of agencies [that work on managing the FKNMS ecosystem]. Ms. Ferguson will be working on the product as well, he confirmed.
- Chair Popham asked people to submit their homework to Ms. Ferguson in the next 30 days. *ACTION ITEM:* SAC members to submit a paragraph and photo to Ms. Ferguson on their connections with the marine environment within 30 days.
- Mr. Bergh clarified that quotes about sustainable financing were not desired now, and that was going to be part two.
- Chair Popham said he thought that was an underlying message and was part of it. He added he wanted to get Mr. Bergh's perspective on where to go on sustainable financing in the future, as it was a key issue.
- Chair Popham then said he wanted to shift gears, and get information from the SAC on the questions that needed answering for the SAC Summit. He also said if people preferred to get things to him via email that would be great as well. The questions were:

1. In general, what role does your national marine sanctuary play in sustaining the local economy and what sectors of your economy have benefited?
2. What have been the challenges and shortcomings of getting community enhancement programs off the ground?
3. What could your sanctuary do to better support sustainable local economies while still protecting sanctuary resources?
4. Considering current (and projected) ONMS budget constraints and changing priorities of Americans, how can the sanctuary best implement some of these actions?

-For the first question, Chair Popham said, virtually every sector benefits. He also mentioned all of the other protected areas in the region. He said the second question was ambiguous and that he was not sure what community enhancement programs were.

- Mr. Morton said they were programs Blue Star, mooring buoys, education and other things FKNMS does to enhance protection of natural resources and the user experience.

- Ms. Illes commented there were a lot of overlapping efforts in what Mr. Morton defined as community enhancement, with similar groups trying to do similar things. She thought it would be good to have the groups come together for a common good, but was not sure how to do that.

- Mr. Makepeace said one of roles of SAC was to draw constituencies together, so everyone could pull together.
- Dr. Lorenz said the various parks and entities like FKNMS don't do much community outreach together, and that most waters of the Keys were in a protected area of some type, which most people did not know. He felt there should be billboards up to say that.
- Mr. Morton said, at the Eco-Discovery Center, they were trying to get that point across via their exhibits, as the center is a coordinated effort of various partners. In long term thinking, he would like to see that in the northern Keys as well.
- Dr. Lorenz, Jessica Pulfer, Don Kincaid, Mr. Mitchell and Ms. Roebing made further suggestions about getting the word out, involving some of the difficulties, and what was already being done, including the Blue Star program.
- After Chair Popham read the third question, Mr. Smith suggested teaching an appropriate appreciation of use and access, such as the NPS does with its interpretive approach.
- Mr. Grathwohl mentioned Chair Popham had his answer already.
- Chair Popham said he would like to have less coming out of DC, and instead devote the money to the bricks and mortar of programs. Others agreed with this statement.
- Mr. Moe said it would be good to incorporate environmental messages into the lionfish derbies, beyond "kill and grill."
- Mr. Bergh said he did not think the system of ecological reserves was optimal, and that FKNMS could work on that, to improve replenishment.
- Mr. Daughtry said the approach needed to be balanced. Any kind of interaction had the potential for negative effects, but if it was all closed off, he said it [FKNMS] would be forgotten about.
- Regarding question four, Mr. Smith mentioned volunteerism.
- Mrs. Bradley said Chesapeake Bay has something called "businesses for the Bay", and suggested that the sanctuary could have businesses for the sanctuary, with banners saying "I am a business for the sanctuary." She wanted to see more than the ad hoc stuff that happens now, to encompass more shops than just the marine industry.
- Mr. Mitchell mentioned Mr. Nedimyer spoke to the Key Largo Chamber recently, trying to get businesses to take ownership over parts of the reef, and that he also wanted to work with partners to train Key Largo divers to go out and take care of that reef.
- Ms. Ferguson suggested people could consider working on marketing the sanctuary while also marketing their own organizations or businesses, as appropriate. For example, she said she thought of the slogan, "See the sanctuary in your own boat," which could work for a boat retail business.

Proposed Oceana Hotel and Recreational Facility – Doug Pope, Elevated Water Resorts, LLC and Dan Mestayer, Consolidated Environmental Engineering

- Mr. Morton stated he determined that the Army Corps of Engineers (ACOE) was willing to take comments after its comment period deadline for this project.
- Mr. Pope of Elevated Water Resorts, LLC thanked the SAC, and agreed there was a need to save this resource. He said his project should bring \$15.4 million in income into the Keys. He also said the goal was not just to make money, but to lower the impacts and stresses on the reef, via the way they will operate the facility. He said they would be using an all U.S. and local crew on their passenger vessel to shuttle people to and from the resort. They also want to contract with local dive shops who will take resort guests diving, he said. There will be 45 crew members. All the supplies of the 50-room resort will come from local companies. There will be 26 ancillary vessels which will exhaust into the air. The vegetation will be grown in the Keys, before construction starts, then put in place.
- Mr. Pope said his company was a member of the International Ecotourism Association, and he showed a slide of the principles of ecotourism he said they had to follow. He added that everyone coming aboard the boat would be trained as much as possible about the environment of the Keys.

- He related that he met Dave Score and John Halas of FKNMS in the past. He said he originally planned to put the resort west of Key West, outside state waters, but he was not quite sure how the permitting process worked when he applied. He wanted to possibly use the Lakes passage and go past Boca Grande. He did not understand that he had to prove the project could only be done inside the sanctuary, and nowhere else in the world. Since it can be, his company then chose a spot to the northwest of Key West. He said he got a response back from Mr. Morton last fall (and he showed a slide of the response letter).
 - Mr. Pope showed sketches of the planned resort, which he said appeared to be floating, but was not. He said it would be jacked up, with five feet of it in the water. He described its components, including the recreational features, observation deck, tiki bar, restaurant, and wind turbines and solar panels to generate electricity. Diesel power would also be used. He said the structure would be supported with 8' legs, on substantial pads. He said the square dimensions were over 200 feet by 200 feet. The plan is to construct it in Green Cove Springs, Florida, then take it to the location with tug boats. He then showed a letter that he said gave assurances the structure could withstand 200 mph winds and associated currents, and showed some USCG regulations regarding such a structure.
 - Mr. Pope said 8,000 gallons of fuel would be kept in sealed tanks inside watertight compartments, so the fumes would not get out into the environment. He said if the worst happened and the boat [facility] sank, the tank valves would seal them off. He said he had eleven years of experience operating these types of structures offshore.
 - Mr. Pope said the construction materials was being certified they would not create contaminated runoff, and, in addition, there would be no parking lots, as a hotel of this size on land would normally have.
 - For sanitation, there would be several septic systems, which would just drain off a clear liquid. He said that would be combined with the grey water and pumped through two generators. The generators would turn the water into steam, and would exhaust into the air about 80 feet, Mr. Pope said.
 - Guests would typically stay for three, four or seven days, and many would go out one to six miles to fish, Mr. Pope estimated. He said this was one of the best fishing spots.
 - He stated all food scraps would be frozen and taken off, and the garbage would be compacted and taken off.
 - In addition, guests and crew would be given incentives to clean up the ocean and sea floor, in places such as the Marquesas, Mr. Pope said.
 - On education, Mr. Pope said they would include existing FKNMS education materials. He added the company would be willing to donate money to the sanctuary.
 - He said there would be a comprehensive environmental response plan, and the company would make all equipment available to others in the area in an emergency. In addition, he said they would develop action plans for submerged cultural resources and water quality, and lights would be minimized to protect sea turtles.
 - Mr. Pope said they had talked to the National Weather Service about putting a monitoring station on the facility, and had also talked to cell phone companies about putting a cell tower on it.
 - If any researchers wanted to come out, Mr. Pope said they would provide accommodations for the researchers.
 - Mr. Pope concluded by saying people could contact him at 904-838-6619.
- Dan Mestayer of Consolidated Environmental Engineering spoke next. He noted Tim Scott was also present. Mr. Mestayer said the company had been around since 1996, and he talked about his and Mr. Scott's professional backgrounds.
- The proposed facility location is sixteen miles north northwest of Key West, outside the state boundary but inside the territorial limit, he explained. He said they were interested in getting the SAC's feedback, although the proposed location was not within the sanctuary.
 - He said they identified this part of the Gulf as very low in resources, and he provided a marine habitat survey handout to the group.
 - Mr. Mestayer said the bottom was muddy when they went to take photos and do work at the site. They found no hard bottom or coral resources, but did find annelids, tube worms, evidence of sea cucumbers,

conchs, a grouper, evidence of a starfish, etc. He thought the facility, once installed, would create a resource there, with a hard surface to grow habitat.

- He talked about putting together programs for researchers and school groups.
- They are currently working through the environmental impact part of the analysis, Mr. Mestayer said, and will be working with the ACOE as the primary permitting agency. He said they wanted it to be a cutting-edge facility. He then asked if there were questions.

- Mr. Frerer asked who would hold the bag if the design failed, or the occupancy was less than break even.
- Mr. Pope said the boat would be fully insured.
- Mr. Frere asked about the failure of the corporation.
- Mr. Pope indicated he did not think it would fail, and mentioned the investment needed to bring the structure to the proposed location.
- Mr. Mestayer said it was not a permanent structure; he said it was a vessel which would have value, and it could be removed.
- Mr. Smith asked about plans to relocate the structure in the far distant future.
- Mr. Pope said they planned to leave it there if it was working well and making money. At five years, they would need to do a major inspection, and would have to have regular USCG inspections.
- Mr. Smith said if it was moved, the facility would have created a resource, as an artificial reef does. He asked what they would do with the resource.
- Good question, Mr. Pope replied. It would need to be addressed.
- Mr. Moe said asked about something depicted in one of the graphics, and Mr. Pope said the artists had drawn it, but there would be no artificial reefs or jet skis.
- Mr. Bergh asked if the pad would be attached to the legs or to the bottom.
- To the legs, Mr. Pope said.
- Someone in the audience asked how deep into the sediment it would go.
- Five to six feet, Mr. Mestayer replied.
- Mr. Malcom said the pads would work their way into the silty bottom, and he asked how they would be removed after that.
- Mr. Pope said they would take the legs up.
- Mr. Bennis asked if there was any data on use for the hotel.
- The USCG said this was a novel concept, and the only one in world. He mentioned how the oil industry housed people.
- Mr. Bennis said there was a chance this could fail, and he wondered if Mr. Pope's company would have to pay to take it away.
- Mr. Pope said it would be sold, and someone would take it away.
- Mrs. Bradley talked about the view people staying at the resort would have. She asked about how the facility would affect the viewscape looking out from the Keys and when people were out on the water.
- That is why it is [planned for] sixteen miles out, Mr. Pope said.
- Ms. Pulfer asked about mangrove trees on the structure.
- From the audience, Mr. Pope's wife commented they were trying to plant xeriscape.
- Mr. Frerer asked if \$600 a night was an accurate figure.
- Mr. Pope said they were pretty confident people would do it, and that seventeen rooms would allow them to break even. That would be all inclusive, except alcohol, he added.
- Dr. Vaughan asked if it would be permitted as a vessel.
- Yes, Mr. Pope said.
- Dr. Vaughan asked if it was the same permitting as for a platform.
- Mr. Pope said if they moved it every week, they would not need a permit at all, he said. Because it is planned to stay in one place, it has to be on nautical charts and needs a permit, per the USCG. Also, the ACOE is looking at it as a structure for the permitting process.
- Mr. Moe wondered about having a research-type program on the vessel.

- Mr. Pope stated there were rooms set aside for that.
- Mr. Halas said the impacts and location by Boca Grande and the Marquesas would have concerns, as he and Mr. Score expressed previously [to Mr. Pope], and Mr. Halas said they did not say yes or no to the project going in. He said he understood Mr. Pope had talked to Joanne Delaney, regarding if it could go outside the sanctuary, and Mr. Pope said yes. Mr. Halas encouraged him to think about bringing it back into the sanctuary.
- Mr. Pope said he would like to consider that, due to fewer transit hours, less pollution, less stress on the area and other factors.
- There were no other questions from the SAC.

Public Comment

- Gail Kenson from the Naval Air Station Key West had concerns about the proposed location being 12.5 miles from the Navy's training areas, and close to the entry and exit points to the training areas. She also expressed concerned about noise levels from the aircraft being unpleasant for guests, and wondered if the plans could be modified. In addition, she asked if there would be helicopters.
- Mr. Pope said there would be just a small one. He added he would be proud to have the Navy there, mentioning his own past military service. He also said he would give an affidavit indicating the noise would not bother them.

- Albert Sullivan, from Last Stand, briefly described his organization, saying its mission was to protect the special quality of life in the Keys, with special emphasis on the environment. He said the ACOE's comment period closed recently, and Last Stand submitted a letter. He read some of the points they made. He said there was little information in the application about environmental impacts. They want to better understand the full impacts of the proposal as well as impacts on services of the City of Key West, he explained. He also wanted to know about provisional fresh water, waste, fuel, hurricanes, and anchorages, among other items, saying the devil was in the details, and the details were needed in writing. He recommended deferral of any action until NEPA was complied with, including production of an EIS.
- Mr. Pope affirmed they were working on the EIS now.
- Mr. Bergh asked if the company would be willing to go through a contact (not with his own organization or the SAC), regarding the "sweeteners to the pot" promises made, which were outside the permit requirements.
- Mr. Pope said he was happy to do that.
- Someone in audience asked about promoting catch and release fishing off the facility's vessels, since overfishing is a big ecological problem.
- Mr. Pope said they would work with the National Marine Fisheries Service, and would comply with whatever they said on a conservation program.
- The person in the audience then wondered if the divers who did the bottom survey were familiar with a specific genus of deep water seagrass, *Thalassia*.
- Mr. Mestayer replied they were familiar, and that they felt like they did a good preliminary survey.

- Mr. Bennis said Earth Day was coming up. He invited people to come to an Earth Day Event from 10-3 at Green Turtle Hammock. He said lots of organizations would be there.

Upcoming Meeting and Closing Remarks – Chair Popham

- Mr. Grathwohl said he had a permit statement [Status of F.W.C. Commission on Permit Fishery], but Ms. Ferguson had a copy and could email it to everyone.
- Chair Popham apologized for not having gotten to this and agreed it could be sent out.
- ACTION ITEM:** Ms. Ferguson to send out a report on Mr. Grathwohl's behalf to the SAC regarding the permit fishery.

- Mr. Frerer made comment about the proposed hotel and recreational facility, saying that the ideas stating during the presentation needed to be gotten down on paper, before it could be blessed.
- Chair Popham agreed, and commented it [project approval] was a long way down the road.

- Mr. Moe asked if Ms. Ferguson could send a reminder note to the SAC, to include those not present, about the assignment from earlier in the meeting for each person to do a paragraph and send a photo.
- Chair Popham asked Ms. Ferguson if she would do this.
- Mr. Morton said he would put out Chair Popham's paragraph as a model. He also asked that primary and alternate members talk to each other on this. *ACTION ITEM*: Mr. Morton and Ms. Ferguson to work together to send a note to the SAC regarding having them submit their photographs of themselves and paragraphs on their connections with the marine environment.

Adjourned, 3:46 PM.

Submitted by Lilli Ferguson