

FLORIDA KEYS NATIONAL MARINE SANCTUARY ADVISORY COUNCIL

**Hyatt Place  
Marathon, FL 33050**

**June 16, 2015**

**FINAL MINUTES**

The Florida Keys National Marine Sanctuary Advisory Council met on Tuesday, June 16, 2015 in Marathon, Florida. Public Categories and government agencies were present as indicated:

**Council Members**

Conservation and Environment: Ken Nedimyer (Chair)  
Conservation and Environment: Chris Bergh (Vice Chair)  
Boating Industry: Bruce Popham  
Citizen at Large – Lower Keys: Mimi Stafford  
Citizen at Large – Middle Keys: David Vanden Bosch  
Citizen at Large – Upper Keys: David Makepeace  
Diving – Lower Keys: Don Kincaid  
Diving – Upper Keys: Rob Mitchell  
Education and Outreach: Martin Moe  
Elected County Official: George R. Neugent (absent)  
Fishing – Charter Fishing Flats Guide: Tad Burke (absent)  
Fishing – Charter Sports Fishing: Steven Leopold  
Fishing – Commercial – Marine/Tropical: Ben Daughtry  
Fishing – Commercial – Shell/Scale: Jeff Cramer (absent)  
Fishing – Recreational: Jack Curlett  
Research and Monitoring: David Vaughan  
South Florida Ecosystem Restoration: Pete Frezza  
Submerged Cultural Resources: Corey Malcom  
Tourism – Lower Keys: Clinton Barras  
Tourism – Upper Keys: Andy Newman

**Council alternates (present)**

Boating Industry – Kenneth Reda  
Conservation and Environment: Jessica Dockery  
Conservation and Environment: Caroline McLaughlin  
Citizen at Large – Middle Keys: George Garrett  
Citizen at Large – Upper Keys: Suzy Roebing  
Diving – Lower Keys: Bob Smith  
Fishing – Charter Sports Fishing: Rob Harris  
Fishing – Recreational: Bruce Frerer  
Research and Monitoring: Shelly Krueger  
Tourism – Lower Keys: Joe Weatherby  
Tourism – Upper Keys: Eric Handte

### **Agency Representatives**

Florida Department of Environmental Protection: Joanna Walczak  
FWC Division of Law Enforcement: Capt. David Dipre  
FWC Fish and Wildlife Research Institute: John Hunt  
NOAA National Marine Fisheries Service: Heather Blough  
NOAA Office of General Counsel: Karen Raine (absent)  
NOAA Office of Law Enforcement: Kenneth Blackburn/ John O'Malley  
Dry Tortugas and Everglades National Park: Christopher Kavanagh (absent)  
U.S. Coast Guard: Phil Goodman (Auxiliary)  
U.S. EPA: Pat Bradley (absent)  
U.S. Fish and Wildlife Service, National Wildlife Refuges Florida Keys: Nancy Finley  
U.S. Navy: Ed Barham (absent)

### **I. CALL TO ORDER, ROLL CALL, AND MEETING MINUTES APPROVAL OF 4/21/15 DRAFT MEETING NOTES**

Chairperson Nedimyer called the meeting to order after the Pledge of Allegiance.

#### **MOTIONS (Passed)**

A motion was made by Bruce Popham to approve the minutes from April 21, 2015. It was seconded by Dave Makepeace. The minutes were approved with no changes or objections.

A motion was made by Dave Makepeace to adopt the meeting agenda. The motion was seconded by David Vaughan. There were no additions, changes or deletions; motion passed.

Chairperson Nedimyer welcomed everyone and announced that the meeting would be filmed and the video would be available online (YouTube). He recognized Clinton Barras, *Floridakeys.com* for making it possible to view the meeting online.

The alternate for the Charter Flats Fishing Guide seat has been filled by Will Benson.

Public comment will be held at 11:30 and 3:15 pm today. Public comment forms are available. Written comments to the SAC are also accepted. Chairperson Nedimyer is going to provide time for the council to briefly discuss the public comments made during the meeting.

#### **Mayor Cates, City of Key West**

Chairperson Nedimyer recognized the Honorable Mayor Cates, City of Key West, who requested time to briefly address the council regarding Key West's role on the council. Mayor Cates thanked the council for providing time on the agenda. He reiterated his request that the advisory council consider having a seat for the City of Key West. He noted that Key West represents 60% of the tourist industry in the county with 3 million visitors per year. The city can serve a valuable role in getting the message of the sanctuary out to people, including tourists and can promote greater engagement involvement from the Key West citizens.

#### **Discussion (council members)**

Chairperson Nedimyer noted that this topic had been discussed at the last council meeting and could be discussed later today as well. Superintendent Morton explained that if the City of Key West is added as a voting member, a change to the advisory council charter is required, however if the city is added as a non-voting member no change to the charter is needed.

### **MOTION (Passed)**

Andy Newman presented a motion to open the discussion regarding adding the City of Key West to the advisory council at the August advisory council meeting. This discussion should include the option for either voting or non-voting. The motion was seconded by Clinton Barras.

Chris Bergh added that the other municipalities should be queried to see if they have an interest for the same consideration. Mayor Forster, Islamorada Village of Islands, indicated that he would be okay with Islamorada having either a voting or non-voting seat. (Vice Mayor Deb Gillis was also present at the council meeting.)

The motion passed with no opposition.

## **II. MARINE EVENTS AND CONCENTRATED USES: CHALLENGES AND ISSUES**

### **U.S. Fish and Wildlife Service (USFWS)**

Florida Keys Refuge Complex Manager Nancy Finley gave a presentation on resource management within the National Wildlife Refuges of the Florida Keys. To view this presentation, visit <http://floridakeys.noaa.gov/sac/othermaterials/20150616marineeventsusfws.pdf>. The main points of the presentation are summarized below.

- The Florida Keys National Wildlife Refuge Complex is part of the National Wildlife Refuge (NWR) system, which is within the US Fish and Wildlife Service in the Department of Interior. The refuges are physically nested within the Florida Keys National Marine Sanctuary, which is housed in the Department of Commerce. This means that the two agencies do some things differently.
- The Florida Keys National Wildlife Refuge Complex includes Key Deer Refuge, Great White Heron NWR, Key West NWR and Crocodile Lake NWR. Crocodile Lake NWR is mainly land-based and doesn't have much in the way of water holdings, but the other three refuges combined have offshore islands and open water that total about 406, 000 acres.
- The refuges are managed based on the National Wildlife Refuge System Improvement Act of 1997. This act defines and identifies six wildlife-dependent recreation use of a refuge involving (1) hunting, (2) fishing, (3) wildlife observation, (4) photography, (5) environmental education and (6) interpretation. Hunting is not allowed in the Keys refuges.
- The refuge is required to consider each proposed use to determine if it is appropriate or compatible at the individual refuge (compatibility determination). The refuge can create zones or limitations to protect wildlife.
- The Wilderness Act applies to Key West and Great White Heron refuges because they are designated wilderness and that creates another layer of protection that applies to these areas.
- If people have need for an event or use in the refuges, they should come to the refuge to get a permit. The refuge will work with you on this permit. Some activities are incompatible.
- The Backcountry Management Plan is an agreement with the State of Florida that provides the USFWS the authority to apply Refuge regulations to certain State submerged lands and waters.
- The Backcountry Management Plan is being revised as part of the sanctuary's marine zoning and regulatory review.
- The refuge is considering adding a commercial use permit for commercial activities conducted in the refuge. (The only exception is commercial fishing, which already requires federal permitting.)

## **Florida Fish and Wildlife Conservation Commission, Monroe County's Sheriff's Office**

Captain Dipre made the presentation on behalf of FWC and the MCSO. The main points are summarized below.

- Due to the number of tourists visiting the Florida Keys, the entire area could be considered a “high use” area.
- While high use areas and associated impacts exist throughout the island chain, there are differences between regions and communities.
  - In the Tortugas region, the remoteness tempts people to break the rules. The *P/V Peter Gladding*, a very visible vessel, makes cases every time they visit the Tortugas region.
  - The Marquesas region has a derelict vessel issue due to the high number of migrant landings. Agencies are working together to have them removed.
  - In the Middle Keys region, trap robbing is a big issue.
  - The offshore islands of the backcountry are in need of protection, but they are more heavily used than ever in the past. The boats are causing scars and holes in seagrass beds and on corals.
  - In all areas of the Florida Keys the following are issues of concern:
    - Documented but unregistered commercial boats.
    - Vessel discharge and vessels not using the pump-out services.
    - High day-use on the causeways by people camping out and launching PWCs from open areas in the mangroves leads to traffic and parking issues along the highway. It also results in huge amounts of trash left behind.
- Captain Dipre emphasized that not all violations are made by out of towners. Locals are not exempt and some even feel entitled to break the rules.
- More funding is needed for enforcement in the marine sanctuary. FWC has more officers in the Florida Keys than they do in any other county in the state; yet, more are needed.

## **U.S. Coast Guard**

Lieutenant Commander Andrew Bender, Prevention Department, gave a presentation that can be viewed by visiting <http://floridakeys.noaa.gov/sac/othermaterials/20150616marineeventsuscg.pdf>. The following main points are summarized below.

- US Coast Guard Prevention Department has three divisions: marine inspections, marine casualty investigations and waterways management.
- Permitted Marine Event is a marine event, that by its nature, will introduce “extra or unusual hazards to the safety of life” in the navigable waters of the United States (See 33 C.F.R. §100.15). A marine event that is permitted is given that permit because it introduces hazards and raises the risk of injury. Examples include speed boat races. The event organizer submits an application for a permit (135 days in advance) and is required to submit a plan to mitigate risks associated with the event. The USCG works with their legal department and NOAA to make sure all details are covered.
- A marine event permit authorizes the USCG to suspend or stop a race if the event organizer does not comply with required permit conditions, or if any safety condition warrants.
- An event that is spontaneous or planned in a few days is not going to be permitted.
- Any permitted event will have a designated safety zone or buffer area. This buffer is enforced by USCG station boats or the Coast Guard Auxiliary. Auxiliary members have put in 700

hours total this year alone helping the USCG patrol safety areas. The USCG consults and works with other enforcement agencies on putting together the marine event package.

- Hazards to navigation or other issues that cause concern can always be reported through VHF or the land line.
- Contact the USCG to find out more about marine events. Marine event submissions can also be made online by visiting [https://homeport.uscg.mil/mycg/portal/ep/marine\\_event/marine\\_event\\_form.jsp](https://homeport.uscg.mil/mycg/portal/ep/marine_event/marine_event_form.jsp)

## **Break**

### **III. PANEL DISCUSSION: MARINE EVENTS AND CONCENTRATED USES: CHALLENGES AND ISSUES**

Panelists

Refuge Complex Manager Nancy Finley

Captain David Dipre

Monroe County Sheriff Deputy Nelson Sanchez

USCG Lieutenant Commander Andrew Bender

#### **Definition of Marine Event**

In response to a question requesting clarification of the definition of a marine event, Captain Dipre explained that a gathering of people is not necessarily a marine event. An official marine event is planned in advanced, sanctioned, profits likely made; boat races for example. These marine events require a permit.

Lieutenant Commander Bender explained that the USCG evaluates marine events primarily for their safety. The permit application is reviewed by other agencies, including NOAA. The USCG signs off on it only after it has been reviewed by other agencies. A marine event has a person who is a responsible, point of contact for the event. The USCG will respond to calls from people who witness any behavior that is not safe on the water.

Refuge Manager Finley added that the refuge is concerned about safety, but the refuge has the added responsibility of being concerned about protecting natural resources. The threshold may be lower than what the USCG has to consider. Generally, the USCG events are offshore and don't affect the wildlife species. There are other events that might meet the threshold in the refuges, such as weddings.

#### **Events in the Refuges**

Refuge Manager Nancy Finley explained that the Refuge has to undergo a compatibility determination for whether the proposed activity/event is compatible with the 6 primary uses allowed in the refuge. The refuge is concerned about any activity within its boundary, including those that take place on land. The idea of developing a program modelled after Blue Star and Team OCEAN to educate users on best management practices within refuge waters was suggested. Refuge Manager Finley added that the refuge has found that educating people on how to protect the resources is the first approach and usually works well, but at times, enforcement is too.

#### **Littering and Enforcement**

Captain Dipre explained that littering is a state infraction and can be criminal depending on the scale of littering. A criminal case has to have proof beyond a reasonable doubt and intent has to be shown.

Any state, county or city officer is responsible for enforcing littering violations. Manager Finley mentioned that the refuge system also has regulations that address littering/trash.

### **Enforcement Resources**

A discussion about the need for more enforcement dollars to bring about more enforcement took place. Even though cases are being made, more needs to be done. Monroe County is actually the fifth highest tax base in the state so there is a fiscal basis for this request for more funding.

### **SPAs as Areas of High Use**

Ben Daughtry suggested not focusing solely on the high concentrated use “party” zones. Other areas such as Sanctuary Preservation Areas (SPAs) have high impacts and should also be addressed. He also pointed out that Captain Dipre mentioned harbors as high use areas with high impacts, too. Steven Leopold has concerns about SPAs, too, because they attract people and can create high intensity of use, which may not be desired.

### **Marine Events/High Concentrations of Users**

The advisory council discussed and made the following points:

- The Florida Keys experience a lot of use in near shore and sand bar areas. These events do not necessarily require a marine event permit, however are having impact on natural resources. A few examples were provided:
  - Marlin Beach is a half mile stretch of beach that hosts 200 boats and 1,000 people on holiday weekends and at least 50 to 70 boats with 300-400 people on a normal weekend.
  - Tavernier and Rodriguez Keys are both no motor zones, but they are heavily used by boaters. People have trampled the seagrass inside these zones and caused damage by setting up barbecue grills and volleyball nets. Concerns were voiced that if people are displaced from this site, they will go somewhere else and create similar impacts.
  - Whale Harbor is a safety issue. On Saturday of Memorial Day weekend alone, FWC made 13 cases of Boating Under the Influence (BUI). An observation was made that law enforcement presence may be helping to address the issues at Whale Harbor.
- It was noted that it is important to allow use and access to areas while still protecting the natural resources. This situation needs to be addressed at this time and in anticipation of future increased uses. Use of these areas and impact from that use is also a social issue, which is not easy to manage or change.
- In an area zoned for shallow habitat protection, buoys are incredibly important to mark and enforce the regulations.
- Captain Dipre explained that the issue is complex and there is no easy solution. If no law or rule is in place to prevent people from being in a particular place or from doing a particular activity, then law enforcement can't do anything about it. Law enforcement can only enforce laws. Congress takes guidance from people like you. It is up to you and law-makers to make the rules.
- Manager Finley noted that environmental groups have challenged refuges that have not implemented enough protections to meet the Wilderness Act. Even non-commercial events are required to obtain a permit in the refuges. Examples include family reunions and weddings. In addition, if someone asks everyone to meet inside a refuge on a specific date and time (even if there is no money being exchanged), the person announcing the gathering is the event organizer and should contact the refuge for a permit.

- To address heavy use at Boca Grande, the suggestion was made to create a buffer zone around the island in accordance with the Wilderness Act, which is one of the highest protections afforded to resources.
- The issue of carrying capacity with regards to non-permitted gatherings and the challenge of managing capacity were raised. To best address all of these issues, the county and state will have to be involved.
- Captain Dipre noted that one of the biggest challenges faced by enforcement is that crimes against natural resource are not viewed by some as serious as other crimes. In addition, people are reluctant to report violations. If violations are not reported they cannot be acted on and addressed.
- MyFWC.com has a fish rules app that can be downloaded for free and gives pictures of fish and size/bag limits and other information.
- Because of the complexity of this issue, it was recommended that more time be devoted to it outside of the meeting.

Superintendent Morton noted that a common theme is more resources are needed for enforcement. It takes people who are in the community to write and/or contact their elected representative in Tallahassee or Washington D.C. to let them know more resources are needed for enforcement. The importance of this approach can't be emphasized enough. In recent times, the sanctuary has heard that people are saying if a buoy is cut off, the rules can't be enforced. This is a significant problem because people may be removing buoys on purpose. If a buoy is missing, please let the sanctuary know.

#### **IV. Public Comment Items Not on the Agenda**

Dottie Moses, Island of Key Largo Federation of Homeowners Associations

- Ms. Moses stated that there are some concerns that come up over and over again in the Upper Keys, which is the area with which she is most familiar. For instance, Everglades National Park is also part of the Wilderness Act and is immediately adjacent to the sanctuary in the Upper Keys. There are bird nesting islands, seagrass flats, manatees, crocodiles and other resources on both sides of the boundary. Some of the resources need to be protected. A marina was planned for the Buttonwood Bay area some years ago and there was a state study done in that area and they designated it as a critical manatee area and an island was given to the state as a nesting island. Last year they heard that the TDC (Tourist Development Council) had planned a powerboat event in the area, which she has spoken to the council about previously. The powerboat's website is full of activities planned up and down the Keys, including one in the refuge. Now, she is hearing that they should be pulling a permit for these events. Anyone can go on their website and see the events, plans and charges, which are up to \$700. They do a variety of events—poker runs, races. They advertise that the Florida Keys is a wonderful place to visit because there are no rules here. Everybody else restricts the speed that they can drive. Here, we have no speed limits and their boats go 180 miles per hour and are loud. She can hear them in her back yard and she is a good mile away from the Intracoastal Waterway. These events do bring tourists and money, but there are appropriate and inappropriate activities. The water on the bay side is very shallow with seagrass flats and is near a wilderness area. For this event, there was some concern that there was not a requirement to pull a permit. One of their regular raft-up locations is Gilbert's Restaurant. There, they are rafting 10 deep into the Intracoastal Waterway.

- Some months ago, she heard music playing extremely loud. She thought it was a neighbor, but it was really right at the Intracoastal, adjacent to Everglades National Park. The party went on all day and all night. She asked a Monroe County Sheriff what could be done about that and was told that it was on the water, was not his problem and to call FWC. She called FWC. Dispatch told her that there were no rules against making that noise and they wouldn't send an officer out. This kind of thing has happened twice in her area. She doesn't know if a noise ordinance based on land carries over to the water and, if it did, who would enforce it. She thinks there is a very big need for better resource management. Whale Harbor is not her backyard, but she has seen in businesses advertise in Miami to bring people down to that party by boat, so they are charging for that privilege, making this a commercial operation at a marine event. If someone is commercially advertising a party or birthday or event, they are making money on it and there should be some oversight on this activity. At the sandbar, boats that advertise such services are present. If someone does pull a permit, is there a requirement that they pay for law enforcement on the site during these events?

#### Deb Curlee, Last Stand

- Ms. Curlee introduced herself as Vice President of Last Stand. She thanked the sanctuary advisory council for the awesome job that they are doing. The commissioners of Miami-Dade adopted new rules targeting floating parties off of Biscayne Bay known as raft-ups. Often, DJs and liquor sponsors are included. The new rules limit tie-ups to five boats with 30 foot distance between them. For every action, there is a reaction. If they are going to start limiting these kinds of things up there, then it's going to trickle down to the Key Largo area as Dottie just mentioned. Ms. Curlee thinks that everyone needs to be ready for that and hopes that people are ready. Safety issues for these raft-ups are important. If there are a large number of boats tied up together and there is a medical issue in between them, then how does medical aid get to them walking across all of the boats?
- Noise and wildlife disturbance are concerning. In the Keynoter publication in November 2015, "Many boats are large racing boats capable of going over 100 miles per hour. Many events are not even planned not races, but excuses to go fast from place to another to socialize with boaters at a destination." She thinks this is what is happening in the Upper Key and all along the Keys. Last Stand supports Nancy Finley's and the sanctuary's plan for rules and permitting for large group gatherings in backcountry and refuge areas. Boca Grande is the poster child for incredible abuse. Snipe Key has been used for large concerts. Marvin Key, Tarpon Belly Key and Picnic Island are heavily used by boaters. Picnic Island is an example of a resource lost, a sacrificial area, if you will. With protection, other areas may be saved. A balance must be maintained for recreational enjoyment and resource protection. This is a huge area to oversee and Last Stand realizes that funding, more enforcement and personnel is an ongoing issue. Education, verification of restrictions and enforcement of existing rules all are needed to protect bird roosting and nesting sites, seagrass meadows and the natural beauty of all of the Florida Keys. She thanked everyone.

#### Rich Gomez, Key West Charter Boat Association

- Mr. Gomez thanked everyone for hearing him today. He is here representing Key West Charter Boat Association and is also speaking for fishermen in Lower Keys. He knows that, you, the council is tired of him standing before it throwing stones and accusations. He knows the council is tired of him reaching out to local community leaders and Key West citizens in the hope of slowing down the quest for power to not only protect our fragile environment, but also the inhabitants of that environment. He wants everyone to know that he doesn't have any

personal vendetta against anyone on the committee. He believes that this is a very noble and difficult task that council members are faced with. And as the council deals with these very real protection problems, members are not generally thanked for their efforts. Instead, they are ridiculed and accused of conspiring against certain user groups. He wants everyone to know that, although he doesn't agree with some of the tactics used, he personally thanks the council for their efforts.

- As one of the main adversaries, he wants to help the council to understand what drives him. He believes he can sum it up into two main driving forces. The first is fear. After witnessing first-hand this play for power to make the decisions that will affect the future of Key West permanently in the years to come, he is scared of what this environmentally-motivated committee will do to the historically and economically significant fishing community. His second driving force is the need for local fishermen's voices to be heard before it is too late. There are a thousand other places he would be rather than here. Unfortunately, some fishermen on the water are too unconcerned to get involved and others have given up on the pursuit to protect their rights. Just to be clear, it was never his intention to cause internal problems when they approached the chamber and city for help. It was only his and others intentions to make the chamber and city aware that a large group of its constituents were in need of help in their struggle to be heard and also to make everyone who has a stake in Key West's future pay attention to any and all organizations looking to change the course of that future, whether it be for better or for worse.
- In closing, he is not sure who has dropped the ball with respect to certain emails sent back and forth between the association and Sean. That is neither here or there at this point. The Charter Boat Association would like to formally request an informal meeting with hopefully Sean, Chris and Ken and anyone else. The president of the Charter Boat Association, himself and Bill Wickers would like to sit down with you with no specified agenda in mind in order to iron out differences and to give their views without time restraints and to listen to your views in the hopes of becoming a powerful ally in efforts to protect the environment. They believe, as a user group that will be directly affected by new proposed closed areas, they should be allowed to meet with some of you in a less formal setting. He thanked everyone.

Julie Dick, Everglades Law Center

- Ms. Dick is speaking on behalf of Last Stand with respect to the marine event issues that were discussed this morning. Last Stand is concerned about the impacts from these events, of raft ups of large congregations of boaters concentrated in these areas and the impacts of these events on benthic resources on the offshore islands in the national wildlife refuge. She thanked everyone who presented this morning for the information and for giving a little better understanding of what can be required. She is still unclear as to why some of these events did not have permits or what happens when an event takes place without a permit when one should have been required. It is very clear from the conversations today that more rules and regulations are needed. There needs to be a better way of directing these events to areas where they won't cause significant damage. Following up on Pete's recommendation, she thinks it would be very productive to have more detailed recommendations, perhaps from a working group or from individuals, to work out details to see what better regulations and rules could look like to create coordination to address these issues to protect the resources. Buoys and markers will be important as will permit requirements. Requirements should be clarified and made better to direct these events away from pristine areas where they don't want damage. It's not even clear how these events are happening in areas that seem to be no motor areas. Why is the enforcement not addressing this when boats are clearly motoring

into the area, even though they may not be motoring while they are there? Why aren't the boats being ticketed for motoring into these areas and if not, what can be done to address that? The bottom line is that Last Stand would like to see better rules, regulations and enforcement in place to address and minimize these impacts and more importantly prohibit the events in places where they are not appropriate. Incompatible uses with the refuge should not be allowed in the refuge and it is clear that these things are happening now. This is Last Stand's position with regards to the events.

- Ms. Dick also spoke on behalf of the Florida Keys Environmental Fund. They are very happy to see that the Biscayne National Park General Management Plan came through with a marine reserve. They believe it will be a huge benefit for Biscayne. It is actually only 6% of the total park, so she doesn't expect everyone to come to the Keys now because of this reserve. It will have huge benefits for Biscayne Bay, including spill-over effects down into the Keys. They have a model—an example of something happening in Biscayne to look to from the sanctuary. She thanked everyone.

Paul Nunez

- Mr. Nunez wanted to echo a lot of the concerns that have been raised here today about raft-ups and congregations in the refuge areas, in sensitive wilderness areas. He thinks it is clear from the commentary that stronger rules are needed in place to protect the wildlife in keeping with the point of having a refuge or wilderness area. He was especially concerned about the noise issues that were raised because noise has a tremendous impact on wildlife in a lot of circumstances. It seems clear that some areas just have to be more closed off entirely. He's not sure exactly how to do this, but more buoys and clear markings plus more clear and restrictive rules are needed in these circumstances.

David Sakowski

- Mr. Sakowski is here today to talk about "Flagler's Folly". They said it was about economics, but now it is about economy and the quality of the water. "Flagler's Folly" has created causeways all the way down the Keys. He's from the Lower Keys and is concerned about them in particular. Now, the bridges from Flagler are falling down and they need to be replaced or done away with. The causeways that Flagler put in stemmed the flow of the tides. The tides were the major cleaning of this whole area and now the tides are restricted and completely done away with in several areas. These have to be studied to show that Flagler's causeways are stunting the growth in the backcountry. To prove this, just take tide tables from one side to the other. For instance, take Big Pine Channel. The tides on one side of the causeway in Big Pine Channel are three hours different from the tides on the other. This proves beyond a reasonable doubt that the tides aren't coming into the backcountry the way they are supposed to. These causeways need to be bridged so that the tides can come in underneath them. This also causes a lot of scarring, which can be seen on Google maps in the areas near Boca Chica Channel, up to Big Pine and Spanish Harbor. These are worse than prop scars; they are continual washing out of the bottom. The problem is that nobody knows about this and nobody seems to ever even mention it. This is a major problem. To keep the tides flowing, the causeways have to be removed. The causeways not only keeping the tides out, they are replenish all the time because of the underground disintegration, pounded into the ground. The marl is flattened. The dust flows out. If anyone has been in the air and looks down after a rain, they can see all of this white dust escaping into the environment, which is a nutrient base problem. These mortars are used in fertilizing. Get rid of the causeways and old bridges, especially in the area of Spanish Harbor, Boca Chica. All of these areas are flushed

harder for a limited amount of time. They need to be opened up to help Mother Nature out a little bit and it will be beneficial to all of us. Restore tidal flows on Big Pine Channel. The causeway is three quarter of a mile long and the opening is one quarter of a mile, which creates this environmentally disaster. We cannot improve the backcountry, the Gulf side without removing the causeways.

Deb Gillis

- Ms. Gillis explained that she sits on the Village Council as Vice-Mayor of Islamorada, but she came here today as a citizen. She believes that she understands her/our constituents. She wants to suggest something a little more “outside the box”. All day long people have said that more enforcement and regulations are needed, but in order to have more enforcement and regulation, more people and money are needed. Even though people have tried for years, it has never been done for different reasons over the years. It’s called a toll road to collect money and that money helps support what needs to be done down here. This money would need to be split. It is needed in different ways for different things. It’s a federal highway and they have to be on board in order to get this done. But, if the Keys can be made to look like a closed sanctuary, a national park with an entrance to the Keys, this may make the behavior improve just by doing that. Somebody needs to investigate that and try that because money is always an issue. She thanked everyone.

Mike Forster, Mayor Islamorada Village of Islands

- Mayor Forster wants everyone to know about the FWC online survey that is an opportunity to give input. The survey ends June 25. Go to My FWC saltwater fishing and click online survey. FWC workshops start in Key West on July 6.
- Mayor Forster and other representatives from the Florida Keys went to Tallahassee for Florida Keys Day. They contacted the FWC secretary to say that Monroe County is having banner years for tourism and the county is in need of more enforcement and funds on the water. Mayor Forster is not in favor of more regulations, but does think more enforcement and education are needed. It’s easy to close something, it’s easy to manage. If you look at the eighteen mile stretch, there are no boat ramps. Card Sound Bridge south end has no ramps. Rowell’s Marina has no ramps. So now there is a problem at Indian Key fill because it is the only place you can go to put your boat in. It’s not about excluding. He agrees with George Garrett. It’s about carrying capacity. If there are a thousand people there today and it only supports 150 people, then it should only have 150 people. We should manage. The Village is looking forward to working together with all of the partners in the room to manage the area. It’s the land of the free, not the land of the free to degrade. The area has to be managed and not closed off to people because that is what they are here for. This is a water-based economy. He is a boater first and a ceremonial mayor of Islamorada and business owner. He does have a fast boat and a loud boat as far as music goes, but he respectful and doesn’t break the law. There is a small group of people that do break the law and that needs to be channeled in with enforcement, not new regulations because there are regulations on the books. He thanked Martin for inviting him. That’s a quality of life issue where Martin lives unlike Rodriguez Key. At Rodriguez Key maybe they should follow ENP’s lead and put a poll and troll zone there. There would be a lot less partying going on because people aren’t going to poll their 36 foot scarabs in there.
- Mayor Forster asks this body of people to please lobby the state, especially FWC. The county is number one in the state for per capita taxes paid to the state and number five for producing tax dollars for the state of Florida. We need them to reinvest in us to help us to

solve the problems. We need everyone to lobby to get more money. He is sure that FWC down here wouldn't mind more help. Even during special holidays, Islamorada asked FWC for more help but were told that their resources are extended and they can't give any more. We even offered to pay for them, but they don't have any more bodies. He thanked everyone for having him and for this great forum.

## **Lunch**

### **V. REEF FISH VISUAL SURVEY MONITORING** (Presentation and Discussion)

*Jeremiah Blondeau, NOAA Southeast Fishery Science Center*

Mr. Blondeau gave a presentation on a long-term fishery monitoring program, which can be viewed by visiting <http://floridakeys.noaa.gov/sac/othermaterials/20150616rvc.pdf>. The survey design, which involves collecting data on fish size and abundance, has become more sophisticated over time. Multiple partners are involved in conducting the two types of surveys—fish and benthic. The study framework allows detection of changes inside and outside of marine protected areas. This reef fish monitoring sampling takes place at coral reefs at sites located from Southeast Florida to the Dry Tortugas. These data allow scientists to determine percent occurrence, mean densities and length frequencies for different reef fish species by habitat type.

Chairperson Nedimyer made the point that the importance of marine reserves is really emphasized by the results that show how larger fish such as black grouper become more common in protected marine reserves and it is these large fish that are desirable because they produce more eggs than smaller ones. Mr. Blondeau agreed that the reserves are protecting and holding these larger fish.

### **VI. CORAL REEF ECOSYSTEM MONITORING** (Presentation and Discussion)

*Rob Ruzicka, Florida Fish and Wildlife Conservation Commission, Fish and Wildlife Research Institute*

Mr. Ruzicka gave a presentation on the results from the Coral Reef Evaluation and Monitoring Program (CREMP), which has been funded by the US EPA through the sanctuary's Water Quality Protection Program. The presentation can be viewed by visiting <http://floridakeys.noaa.gov/sac/othermaterials/20150616cremp.pdf>.

The CREMP team currently samples 40 sites in the Florida Keys National Marine Sanctuary and an additional suite of sites in the Dry Tortugas. A partner program, based in Southeast Florida, surveys an additional 23 sites. Mr. Ruzicka presented results from the photographic data on trends in macro-algae, octocorals, sponges, stony corals and zoanthids in the Florida Keys. The data show the following trends over time. Stony coral declines have been observed in the Keys as well as throughout the Caribbean. The winter of 2010 cold-water event resulted in the loss of larger reef-building corals. Macro-algae have been variable, spikes in growth have occurred following coral bleaching events. Octocorals have also tended to increase in general, although these corals are not tolerant of high temperatures. The loss of stony coral cover over the years created barren substrate for the fast-growing octocorals. Herbivorous fish populations, which keep macro-algal growth in check, are thought to have helped promote higher coral cover in the Keys compared to elsewhere in the Caribbean (where herbivorous fish are depleted). Mr. Ruzicka attributes the higher populations of parrotfish and other herbivores to the marine life rule implemented in Florida waters. In summary, Florida Keys reefs are changing and face extreme fluctuations in environmental conditions.

**Discussion** (council members)

Mr. Ruzicka responded to a question as to whether the data point to a correlation between disease and releases of freshwater from the Everglades. He explained that it would be difficult to establish a direct link between the two. Even establishing the exact role that water quality plays in coral decline is proving to be difficult to determine. He noted however that the harmful algal bloom that originated in the Gulf of Mexico in 2001 caused mortality of some Gulf side reefs, which did show up in results of their monitoring data.

**VII. FLORIDA REEF RESILIENCE PROGRAM'S CORAL BLEACHING MONITORING**  
(Presentation and Discussion) *Chris Bergh, The Nature Conservancy*

Vice Chair Bergh explained that normally his colleague Meaghan Johnson would be giving this presentation about the Florida Reef Resilience Program (FRRP), but she is in the Dry Tortugas working on coral restoration this week. The FRRP is focused on a resilience-based approach to managing reefs and disturbance response monitoring of coral reefs along the entire Florida Reef Tract. The program started in 2004. To view this presentation, visit <http://floridakeys.noaa.gov/sac/othermaterials/20150616frfp.pdf>.

An essential component of FRRP is the Disturbance Response Monitoring (DRM), which collects data that can be translated into maps showing areas that have bleached and the degree of bleaching. He provided specific data from a few events: Cold water event of 2010 showed the shallow reefs experienced the most mortality, especially compared to the reefs farthest from shore. Bleaching event in 2014 had severe widespread bleaching in the Keys and was less prevalent in the Miami area. While corals can recover from the stress response of bleaching, FRRP post-event surveys showed that some mortality took place primarily on nearshore reefs. Another important output of FRRP is the development and implementation of a Bleaching Response Plan, which includes alerts to managers about bleaching conditions when appropriate. Divers and others are encouraged to report bleaching to [www.mote.org/bleachwatch](http://www.mote.org/bleachwatch). Regular reports are issued as part of the BleachWatch, Coral Bleaching Early Warning Network supported by Mote Marine Laboratory and FKNMS. Cory Walter manages the program and advisory council members are on the list to receive bleaching announcements. Superintendent Morton encouraged people to become volunteers for BleachWatch.

**Discussion** (council members)

Suzy Roebing shared some information based on results from recent scientific studies on reefs and diver/fishing impacts. One study compared coral disease on a high use dive site to a low use dive site and found a linkage between coral disease prevalence and dive site use intensity. The second study involved comparing corals in protected versus non-protected areas. This study found less coral disease in protected areas, which also had less recreational fishing debris, mostly fishing line. (Protected areas mitigate disease of reef-building corals by reducing damage from fishing, *Ecology*, April 2015, by J.B. Lamb, *et al.* and Scuba diving damage and intensity of tourist activities increases coral disease prevalence, *Biological Conservation*, August 2014, by J.B. Lamb *et al.*)

Vice Chair Bergh commented that one thing managers can do to help coral reefs in the face of climate change stressors is to reduce local stressors to the reefs and these papers seem to point to the importance of this approach.

## **VIII. CORAL REEF GENETICS AND STRESS** (Presentation and Discussion)

*Bill Fitt, University of Georgia*

Dr. Fitt gave a presentation entitled, Physiology of Corals and their Zooxanthellae (What we do and don't know). The presentation covered an introduction to the 1987 bleaching event, the cold kill in 2010 and a discussion of the role of zooxanthellae. To view this presentation, visit <http://floridakeys.noaa.gov/sac/othermaterials/20150616fitt.pdf>.

Dr. Fitt began working on corals in the Keys Largo National Marine Sanctuary in 1987. At that time, he and his colleagues documented expulsion of zooxanthellae from corals when water temperatures were above 86 degrees. In the seasonal analysis conducted during the subsequent years, zooxanthellae densities and types and the biomass of the coral host tissue were measured. Biomass and zooxanthellae density are related. The zooxanthellae provide nutrition to the corals. When zooxanthellae increase, biomass increases. Corals with low tissue biomass or levels close to the minimum are most likely to disappear from the reef. Admiral Reef, where temperatures dropped to about 50 ° F was sampled just after the cold event in 2010 and several coral species experienced mortality. *Siderastrea siderea* wasn't killed by the cold-water; this species can tolerate both cold and hot temperatures. The result from the 2010 cold event was an overall reduction in coral coverage on Admiral Reef from 24% to less than 1% cover after 2010. Long-term studies on the kinds of zooxanthellae found in corals reveals that the acroporids and many other corals have had the same kind (clade) of zooxanthellae since the bleaching event in 1998 through 2013. Both *Montastrea annularis* and *Montastrea franksii* experienced changes in the type of zooxanthellae after the 1998 bleaching event, but the original kinds of zooxanthellae returned after four years or so. His research is now looking into whether there was a switch to the heat resistant zooxanthellae (D1a) after the 2014 El Niño event. The results from this analysis are expected later this year. He also noted that bleaching is predicted for this summer by NOAA.

### **Discussion** (council members)

In response to a question, Dr. Fitt explained that Clade D is not native to the Caribbean Basin. It is widespread in the Pacific and has diversified there. In the Caribbean, it was introduced relatively recently according to work recently published and is basically one clone that is found in many species.

## **IX. Public Comment**

Steven Leopold, Sport Fisherman and Diver

- Captain Leopold makes his living as a charter boat captain. He wants to bring attention to a matter that he is not sure everyone is aware of. Recently, there was a grouper closure that closed on January 1<sup>st</sup> and reopened on May 1<sup>st</sup>. It was a huge success; there were lots of groupers out there. The re-opening, in his opinion and observation, was a huge flop. The day that the season opened, a charter recreational boat was allowed to catch and kill 8 groupers, including one for the captain and one for the mate. He was affected by that. There are a lot of resources here and he hopes that it should be important to everyone to not have to see that next year. He is not asking for the grouper season to be closed year-round, but when it re-opens, they need to revisit a more restrictive bag limit. He hopes that this information goes beyond here and he thinks it will. A lot of the fish were egg-bearing and there were loads of fish. He isn't a scientist, but in his observation there were a lot of fish that shouldn't be killed that were killed. There was a lot of hype about it, very similar to mini-season, and there were a lot of people coming down here for that from Miami and everywhere. He was hoping this

topic would have been brought up by someone else, but he couldn't just stand by quietly. He hopes he didn't step out of his bounds as the representative for the charter boat fishing industry. He knows a lot of people are on his side, but quite a few people are not.

Julie Dick, Everglades Law Center

- Ms. Dick invited everyone to a restoration forum being held at the Murray Nelson Center in Key Largo tonight at 7 pm. This should be a great event. Speakers include Ken Nedimyer on process of the sanctuary management plan and coral restoration; Jerry Ault, Rosenstiel School of Marine and Atmospheric Science, on marine reserves and fisheries and Steve Davis, Everglades Foundation, about Everglades and Florida Bay issues. It should be a very interesting evening and she hopes to see many people there.
- Ms. Dick's comments are made on behalf of the Florida Keys Environmental Fund and Last Stand. The presentations this afternoon were quite interesting, but also tend to show a continuing trend of resources in decline, not in great shape. But, also with some light areas such as what Suzy brought up, the studies that show that things can actually be done to protect the corals and to protect the ecosystem by creating marine reserves. It was interesting to hear about Bonaire where they have strict limits on fishing and have diving with education and the benefits that they have seen as a result of that. She was going to use the figure of 40% coral cover, but actually learned today from one of the presentations that it is actually 50% in Bonaire. The average weight of trophy fish has fallen by over 90%, so we know that the ecosystem is in bad shape, but again, that reiterates the value of the marine reserves and all they can do. They are urging the sanctuary management plan to restore and enhance these natural habitats throughout the sub-regions and to protect large contiguous diverse interconnected habitats covering nurseries and spawning to ensure the viability of all aspects of the life cycle.
- Ms. Dick brought up Biscayne National Park (BNP) and suggested that it would be very valuable for this group to hear more about the BNP management plan. They were very excited to hear about seeing a marine reserve being created in BNP. It is six percent of the total park area and about 30% of the reef tract overall. They expect some pretty significant results through the creation of that marine reserve. She wonders if that SAC would invite Brian Calstrom (Superintendent) to talk to this group about the management plan and how they came to the conclusions they did in the final plan. It was a very long process for BNP. She hopes it is not quite so long for NOAA. But, there are probably some insights that could be learned from Biscayne and the process they have gone through.
- Ms. Dick hopes that there will be some follow-up on the discussion on the marine events and that regarding these concentrated areas of activities. She hopes that something will be further done to further to address the regulations and to address those problems. She thanked everyone.

Paul Nunez

- Mr. Nunez stated that in light of the discussion earlier decreases in coral populations and coral cover, he would like to reiterate a comment made by Mr. Bergh that climate change is not something that can be controlled by actions in this room. As Julie discussed and the two studies and the Bonaire marine park show that increasing the size and connectedness of protected areas is something that can have a significant impact and counter-balance against the impacts of climate change. He would like to reiterate he thinks this is very important in light of the discussion.

### **Concentrated Uses (council members)**

The advisory council revisited the issue of marine events and concentrated uses and raised the following;

- Concerns were expressed about resource damage done to seagrass and other shallow water habitats by high concentrations of boaters. There is nothing wrong with people gathering together to have a good time; however this is an issue of concern because impacts to the resources. Providing protections for the resource and maintaining access are both important.
- It was noted that Miami-Dade County instituted a rule that limits the number of boats rafted together to a maximum of 5 with 30 feet clearance between the rafts. Support was expressed for this idea.
- This kind of activity seems to be spreading to new areas and behavior modification is needed to address the issues related to concentrated uses. Concerns were expressed for areas that now just beginning to get heavily used and may become possible areas of high use in the future. Whatever can be done should be done to protect existing areas with healthy resources from becoming high use areas.
- If the existing rules don't protect the resource, then better protections/rules need to be created.
- The suggestion was made to develop a list of areas where concentrated uses take place and then zone those areas for such a purpose. A limited number of boats could be allowed in those areas. Enforcement could then be targeted for these known areas.
- It was noted that the Shallow Water and Habitat Protection Working Group made recommendations to address heavy use/resource damage in shallow waters. The draft EIS will contain an evaluation of the group's recommendations, which were brought before the council. Most recommendations were spatial in nature. The working group's report can be found by visiting (<http://floridakeys.noaa.gov/review/shallowwater.html>).

Vice Chair Bergh proposed a motion "to examine zoning approaches that direct high intensive uses to specific limited areas and reduces such uses elsewhere." Dave Makepeace seconded the motion. Superintendent Morton requested clarification.

Chairperson Nedimyer noted that further discussion is needed and requested that advisory council members send suggestions for action and a potential motion to Chairperson Nedimyer, Chris and Beth.

Vice Chair Bergh noted that when the agenda identifies an action item, people should come prepared with ideas and suggestions in order to accomplish something. He withdrew the motion made earlier.

**X. SUPERINTENDENT'S REPORT, REGIONAL DIRECTOR'S REPORT AND AGENCY REPORT HIGHLIGHTS:** DEP, FWC, NOAA NMFS Southeast Region, NOAA OGCES, NOAA OLE, NPS, USCG, USEPA, USFWS, and U.S. Navy

### **NOAA Florida Keys National Marine Sanctuary Report, Sean Morton**

- Sanctuary staff continues to work with other agencies and partners to obtain input for the economic and ecological analyses that are part of the draft EIS.
- More science presentations will be made at the August council meeting. Such information is part of the analysis of the different options in the EIS. This is one of the most studied ecosystems in the world, including in terms of socioeconomic studies.
- Superintendent Morton will reach out to Brian Calstrom, Superintendent of Biscayne

National Park, to invite him to present to the council.

- Superintendent Morton was at Capitol Hill Oceans Week with Mayor Cates, City of Key West. Mayor Cates presented on a panel along with a mayor from a town in Wisconsin that wants to create a sanctuary to attract more tourists. Mayor Cates did a good job explaining that it is not about the quantity of tourism a community receives, but the quality and how that affects the quality of life for the people who live there. Careful thought should be given to how things are done because it is almost impossible to reverse trends once they are established. Superintendent Morton encourages people to watch the video online. Superintendent Morton also met with Congressman Curbelo while in D.C.
- Superintendent Morton was in Tallahassee updating and advising Deputy Secretary Drew Bartlett and other pertinent officials about the regulatory review process.
- Superintendent Morton will be going to Merida, Mexico next week to sign a document recognizing a sister sanctuary with the marine protected areas in the Yucatan area. They have similar issues to the sanctuary, including impacts from the visitors to Cancun.
- The sanctuary is continuing to work on the 25<sup>th</sup> anniversary programs. The anniversary celebration will take place in November 2015.

#### **Florida Department of Environmental Protection (FDEP) Report, Joanna Walczak**

- Ms. Walczak thanked Sean for meeting with the leadership with her agency in Tallahassee. Her job is to make sure two-way communication takes place between the sanctuary and her agency. Because many people at the state level do not have complete knowledge about the sanctuary and its history with Florida, it has been important to provide them with information on how and why the sanctuary was formed and why it is so important. Eventually, changes proposed by the sanctuary will go before the Governor and Board of Trustees for approval. Ms. Walczak is the conduit for this long process and hopes she does a good job representing everyone.
- John Pennekamp Coral Reef State Park and Bahia Honda State Park just signed a new concessionaire's agreement and the agency is excited about some new changes there.
- In the northern part of the reef tract, a separate management process is taking place. Recently, local leaders released a list of recommendations created to address management on this part of the reef tract. They recommended the creation of some sort of managed area in the north. They didn't specify what that would mean, but indicated that the reef is not currently protected and needs some sort of special designation. They will be submitting a request to the state agency and legislature to ask for something to be recognized in that area.
- At the national level, there has been a push to get the U.S. Coral Reef Act reauthorized. The act was established in 2000 and the funding levels have not changed. If anyone is speaking with community representatives, they are asked to please remember that funding and programs need to be increased to meet the needs of increasing challenges.

#### **FWC Fish and Wildlife Research Institute**

- Mr. Hunt announced that the commission meeting is next week and there are two agenda items that pertinent to the Keys. The FWC staff is recommending recreational and commercial bag limits and size slot for barracuda. This action is based on fisheries data on barracuda worked up by FWC staff and on observations made by people in the Keys. The

regulations would apply from Martin to Collier Counties. Comments can be made through MyFWC.com, in written form or at the meeting.

- Concerning lionfish and the sport lobster season, FWC staff is recommending to the FWC Commission that a person who demonstrates that they have killed 10 lionfish can take one extra lobster as part of their limit. This recommendation is intended to help deal with lionfish and would be done as an executive order that would apply to the 2015 season only.
- Mr. Hunt announced that the Fish and Wildlife Conservation Commission, in partnership with Bonefish Tarpon Trust, Florida Keys Environmental Fund, The Nature Conservancy, Old Dominion University and Monroe County Extension Service, will be submitting a proposal to EPA for Water Quality Protection Program funding for an extensive sponge restoration project. Funding will also come from the three NGOs, including \$100,000 from Bonefish Tarpon Trust. This project will build on the fact that they have already learned how to grow several species of sponges, which can be used to restore shallow water sites in the bay affected by algae blooms and to restore critical hard-bottom lobster habitat. This project is an exciting new opportunity and wide-spread partnership. FWC is taking the lead on the coordinating the effort. If funded by EPA, this will be a \$500,000 three-year project.

#### **FWC Division of Law Enforcement, Captain Dipre**

- Captain Dipre thanked Officers Brian Fugate and Josh Peters for their efforts working a trap robbing case in 2011 that recently results in four felony convictions.
- The *P/V Peter Gladding* has been making resource cases out in the Tortugas area.
- FWC assisted Monroe County Sheriff's Department with recovering three bodies from the water during the past few weeks.
- FWC issued 14 Boating Under the Influence (BUI) tickets over the Memorial Day weekend.
- Captain Dipre hopes to have some more information by the end of the year regarding three ongoing undercover investigations.
- Since the last council meeting, 21 derelict vessels were addressed. Five derelict vessels were removed by owners, 11 were removed by Monroe County and five arrests were made. Monroe County pays for the majority of the removals.
- Operation *Dry Water* gets underway in late June. FWC will be working hard from Key West to Key Largo to monitor operations in areas where they know there is a high number of people boating and drinking. While drinking and boating is not illegal, becoming intoxicated while operating a boat is illegal.
- FWC is preparing for lobster season and is committed to monitoring lobster traps. People are buying traps, but not paying for the licenses for those traps. This results in illegal harvesting of lobster.

#### **NOAA Fisheries Service Report, Heather Blough**

- Ms. Blough reported that last week in Key West, the Gulf and South Atlantic Councils continued work on several amendments that affect South Florida fisheries. The South Atlantic Council approved for Secretarial review an amendment that would remove black snapper, dog snapper, mahogany snapper, and schoolmaster snapper from their Snapper-Grouper Fishery Management Plan; essentially turning management of those species over to the state of Florida. NMFS will notice the availability of that amendment and will be taking public comment in the coming months.
- NOAA Fisheries also began working on a draft amendment that would require charter boats to move to electronic reporting; and that would establish a fixed boundary between the two

Councils' jurisdictional areas for king mackerel management, adjust king mackerel fishing zones and catch limits, and allow the sale of Atlantic king mackerel caught in shark gillnets.

- The South Atlantic Council also initiated work on a rebuilding plan for the newly defined Florida Keys hogfish stock, which also will consider delegating some aspects of hogfish management to the state of Florida.
- In early July, the South Atlantic Council will review through a series of webinars the draft strategic goals they developed through their visioning initiative for the snapper-grouper fishery; there is a comment station on that subject scheduled in Marathon on July 16.
- In August, the South Atlantic Council will hold public hearings on many of the amendments addressing or impacting South Florida fisheries (dates/locations TBD). When more details on are known on those, the information can be sent out.
- NOAA Fisheries also has several open public comment periods:
  - Through July 6, public comments are being accepted on a proposed rule that would set commercial and recreational catch limits for gag through 2019.
  - Through July 11, comments are requested on a draft strategic plan prepared to guide fisheries operations over the next 5 years beginning in Fiscal Year 2016.
  - Through July 20, nominations are being sought for open positions on our federal marine fisheries advisory committee, which advises the Commerce Secretary on living marine resource issues.
    - Through July 27, public comments on a proposed rule published in conjunction with Fish and Wildlife Service earlier this spring to divide the green sea turtle population into 11 distinct segments. If the rule is finalized as proposed, the status of the Florida (N. Atlantic) breeding population will be down-listed from endangered to threatened status.

#### **NOAA OLE (Office of Law Enforcement) Report, Kenny Blackburn and John O'Malley**

- Officer O'Malley reported that this month involved working on the Joint Enforcement Agreement and civil matters.
- Officers issued a summary settlement for an illegal fishing case in Carysfort SPA. He was a repeat offender.
- Two cases were made based on contacts made by the *R/V Gladding* in the Tortugas. Vessels that were required to have a Vessel Information System (VIS) did not have one and were issued fines of \$3,000 per violation.
- Sentencing will take place tomorrow on the Veach brothers. As part of this case, a contractor removed over 100 casitas and related debris.
- Officer O'Malley is transferring to Corpus Cristi after 22 years in the Keys. A law enforcement officer will probably be assigned to the Keys, but he is not sure when this will happen. Chairperson Nedimyer thanked him for his service and wished him well.

#### **XI. UPCOMING MEETING AND CLOSING REMARKS**

Chairperson Nedimyer announced that he will be gone for the next SAC meeting (August 18) and Chris Bergh will be filling in for him. An artificial habitat working group meeting will be held on July 7 and 8 in Key West, Florida. People who have expressed an interest in this meeting have been noticed by email.

Meeting Adjourned.