

FLORIDA KEYS NATIONAL MARINE SANCTUARY ADVISORY COUNCIL
Hyatt Place
Marathon, FL 33050
August 16, 2016
FINAL MINUTES

The Florida Keys National Marine Sanctuary Advisory Council met on Tuesday, August 16, 2016 in Marathon, Florida. Public Categories and government agencies were present as indicated:

Council Members

Conservation and Environment: Ken Nedimyer (Chair) (absent)
Conservation and Environment: Chris Bergh (Vice Chair) (absent)
Boating Industry: Bruce Popham
Citizen at Large – Lower Keys: Mimi Stafford
Citizen at Large – Middle Keys: David Vanden Bosch (absent)
Citizen at Large – Upper Keys: David Makepeace
Diving – Lower Keys: Don Kincaid
Diving – Upper Keys: Rob Mitchell (absent)
Education and Outreach: Martin Moe
Elected County Official: George R. Neugent
Fishing – Charter Fishing Flats Guide: Tad Burke (absent)
Fishing – Charter Sports Fishing: Steven Leopold (absent)
Fishing – Commercial – Marine/Tropical: Ben Daughtry
Fishing – Commercial – Shell/Scale: Justin Bruland
Fishing – Recreational: Jack Curlett
Research and Monitoring: David Vaughan (absent)
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
Diving – Upper Keys: Elena Rodriguez
Citizen at Large – Upper Keys: Suzy Roebeling
Citizen at Large – Middle Keys: George Garrett
Conservation and Environment: Caroline McLaughlin
Diving – Lower Keys: Bob Smith
Fishing – Recreational: Bruce Frerer
Submerged Cultural Resources: Diane Silvia
Tourism – Lower Keys: Joe Weatherby
Tourism – Upper Keys: Lisa Mongelia

Local Elected Officials

City of Key Colony Beach – Mayor Jerry Ellis (absent)
City of Key West – Mayor Craig Cates
City of Layton – Mayor Norman Anderson (absent)
City of Marathon – Mayor Mark Senmartin
Village of Islamorada – Mayor Deb Gillis

Agency Representatives

Florida Department of Environmental Protection: Joanna Walczak

FWC Division of Law Enforcement: Captain Mitts Mravik

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

Dry Tortugas and Everglades National Park: Christopher Kavanagh

U.S. Coast Guard (USCG): LT. Quentin Long, Phil Goodman (Auxiliary)

U.S. EPA: (absent)

U.S. Fish and Wildlife Service (USFWS), National Wildlife Refuges Florida Keys: Daniel Clark

U.S. Navy: Ed Barnham

I. CALL TO ORDER, ROLL CALL, AND MEETING MINUTES APPROVAL OF 4/19/16 DRAFT MEETING NOTES

Pledge of Allegiance

Roll Call

Marine Industry Representative Bruce Popham chaired the meeting in the absence of Chairperson Nedimyer and Vice Chairperson Chris Bergh.

MOTIONS (Passed)

A motion was made by Cory Malcom to approve the minutes from the last advisory council meeting on April 19, 2016. The motion was seconded by Don Kincaid. Minutes were approved unanimously with no changes. A motion was made by Martin Moe and seconded by Mimi Stafford to approve the agenda. The agenda was accepted without changes.

Chairperson's Comments

The chairperson recognized three visitors from Malaysian Marine Parks by a representative from the U.S. State Department. They are visiting to learn about marine resource management from the Florida Keys National Marine Sanctuary and have visited other marine protected areas during their trip.

Chairperson Popham thanked Clinton Barras and fla-keys.com for making it possible to record the meeting so that it can be available for viewing after the meeting. The video will be posted on the FKNMS website.

The advisory council has fourteen positions available—seven members and seven alternate seats. Applications will be taken for those seats through August 31. The following seats are available: Boating Industry; Citizen at Large - Upper Keys; Diving - Upper Keys; Fishing – Charter Sports Fishing; Fishing – Recreational; Research and Monitoring; and Tourism - Lower Keys.

II. Office of National Marine Sanctuaries (ONMS) ACTING DIRECTOR REMARKS

ONMS Acting Director John Armor stated that he is very happy to be visiting the Florida Keys NMS. This is the first time he has been here since he was appointed acting director about 15 months ago. He is very passionate about conservation and protecting the marine environment while still providing access and opportunities for use and enjoyment and an increased understanding of the environment. It is fantastic to see all of the entities and agencies at the council table. Effective marine conservation involves multiple partners and agencies. This is an incredibly exciting time when the marine sanctuary

program is growing around the country. Expansions are also taking place within the existing system at the Flower Garden Banks, Monitor and Papahānaumokuākea National Marine Monument. The monument may be expanded greatly through executive order, if issued by President Obama. Two new marine sanctuaries are undergoing the process to become designated—an area in Lake Michigan and an area in the Potomac River called Mallows Bay.

Acting Director Armor addressed the management issues that were brought to everyone's attention via an email sent to the council about a month ago. The Department of Commerce Inspector General is currently conducting an internal investigation into complaints made here in the Keys with the management. Complaints were centered on waste, fraud and abuse and a hostile work environment. The investigation is ongoing. During this time, Sean Morton and Mary Tagliareni have been detailed to important headquarters' functions. Ed Lindelof and Lisa Symon have stepped in to work in their capacities. Acting Director Armor very much appreciates the work that Ed and Lisa have done during this tough time. He takes this investigation very seriously. The health, safety and well-being of ONMS employees are of paramount importance to him. He asks that everyone respect the process that is underway.

Throughout this situation, Acting Director Armor has been incredibly impressed by the ability of the FKNMS staff to continue forward with their long term important projects and programs. They are extremely resilient and passionate and are working hard every day to develop innovative solutions to protect the ecosystems of the Florida Keys and they will continue doing so.

People who work for NOAA aren't able to accomplish what they do without the help of others. He often tells people that sanctuaries are probably the best bargain in federal government today. The sanctuary program manages 170,000 square miles of special ocean places with 300 staff and a 50 million dollar budget. The many partnerships that have been developed over the years and volunteers make it possible for the program to accomplish so much. Across the sanctuary system last year, volunteers contributed 150,000 hours toward protecting and managing national marine sanctuaries. The backgrounds of the volunteers are extraordinarily diverse and their contributions are equally diverse. Volunteers represent 74 full time employees and account for 3.5 million dollars of contributions.

Discussion/Comments (advisory council)

- A question about the timeframe for resolving the management issue was asked. Acting Director Armor is not able to give a definite time frame at this time. His best projection is that it will be resolved in the next couple of months.
- In response to a question about what would happen if the managers were not able to return to their previous positions, Acting Director Armor explained that the plan is to have the acting superintendent and the deputy superintendent stay on as long as they are able to do so. If they have to return to D.C., temporary replacements would be sought until the positions can be filled through the normal advertising and recruitment process. He added that over the years Ed and Lisa have had a great deal of experience working in the Florida Keys.

III. FKNMS VOLUNTEER OF THE YEAR

ONMS Acting Director Armor presented the Volunteer of the Year award for the FKNMS to Al Pasquale for his hard work, dedication and contributions made as volunteer guide at the Florida Keys Eco-Discovery Center since 2014. Mr. Pasquale greets visitors to the EDC and gives tours. He also helps maintain the exhibits. Each year, this award is presented on behalf of the National Marine Sanctuary Foundation to recognize a volunteer in each sanctuary.

IV. ENFORCEMENT PRIORITIES IN THE FLORIDA KEYS NATIONAL MARINE SANCTUARY

NOAA Special Agent Tracy Dunn gave a presentation to the advisory council about enforcement priorities in the FKNMS. Special Agent Dunn serves as the Assistance Director for the Southeast Division of NOAA Office of Law Enforcement (OLE) within NOAA's National Marine Fisheries Service. To view this presentation, visit:

<http://floridakeys.noaa.gov/sac/othermaterials/20160816olejeaupdate.pdf>.

Special Agent Dunn explained that until 2010, the FKNMS worked directly with the State of Florida to get enforcement services on a contract basis. This agreement provided funding for salaries, dedicated personnel and enforcement platforms (patrol vehicles, vessels, etc.). NOAA OLE had a parallel agreement with FWC since 2002 to provide supplemental enforcement services focusing on federal priorities identified by NOAA OLE. This Florida Joint Enforcement Agreement (JEA) includes the Florida Keys and is a component of the Cooperative Enforcement Program that involves cross deputization that allows officers to enforce federal laws. Fisheries laws and other federal laws are enforced through these JEAs. In the Southeast Division, JEAs are in place in seven states and two territories. Georgia's JEA includes Gray's Reef NMS and the Texas JEA includes Flower Garden Banks NMS.

In 2010 funding from FKNMS was transferred to OLE to merge the existing contract between FKNMS and FWC into the Cooperative Enforcement Program as an amendment to the main Florida JEA. FKNMS managers provided enforcement priorities that were met through the program and FKNMS also provided the enforcement platforms. This is the only state in which a separate JEA exists; changes are intended to include the specific Florida Keys priorities in the Florida JEA. To address this issue in the future, the FKNMS JEA will be merged into the existing Florida JEA. FKNMS will work with NOAA OLE to have the JEA address sanctuary priorities based on the available funding.

The new existing JEA program pays for enforcement hours of service, not individual positions as the FKNMS JEA had done. In the new agreement, which is similar to those with other state's JEAs, FWC will use their own assets and will be reimbursed for use of those assets. These changes will be monitored very carefully by NOAA and FKNMS. In addition, OLE is providing an enforcement officer for the Florida Keys who will serve as the liaison between the State of Florida, FKNMS, and NOAA OLE. This officer will be responsible for making sure the program with FWC works well. JEAs are somewhat flexible and can be changed to meet enforcement needs.

Discussion/Comments (advisory council)

- People participating in the marine zone and regulatory review are aware that marine zones are not effective without effective law enforcement. A question was asked as to how this connection between enforcement and zone effectiveness can be leveraged to obtain the funding needed for FKNMS enforcement. Special Agent Dunn stated that they are working with Office of National Marine Sanctuaries on obtaining more funding. His role will be to make sure NOAA's priorities are enforced.
- ONMS Acting Director Armor added that Jim Landon, who is his counterpart in NOAA OLE, is relatively new in his position and has been a fantastic partner who recognizes the need to enforce sanctuary regulations. He has been working with OLE to develop proposals to increase the budget for sanctuary enforcement on a nation-wide basis.
- Concerns were expressed about boats not being on the water and the perception that the rules are not being enforced. Law abiding people could be the only ones who are following the rules.

There is a need for more enforcement and hence more funding at the state and federal level in order for the FKNMS to be effective.

- A question was asked about the funding level and number of officers for this year compared to last year. Special Agent Dunn explained that this year FKNMS funding for enforcement has been reduced in this new agreement. It's hard to say that officers are being lost since they will be paying FWC officers on an hourly basis through the new agreement. NOAA will have an officer working with the state to help coordinate the FKNMS enforcement program.
- FKNMS Enforcement and Emergency Response Coordinator Steve Werndli addressed a question about the specifics of funding the new program versus that previous one. In the past, FKNMS provided about \$700,000 for enforcement plus provided in-kind vessels and maintenance. This year, FKNMS will be providing about about \$325,000, which will all go toward hours of enforcement and use of FWC assets. The FKNMS will no longer have to use its own resources to fund maintenance and operation of vessels/vehicles.
- Acting Superintendent Lindelof recognized the support of NOAA OLE, which has the sanctuary's best interest at heart. This new agreement with FWC is a change in the way things have operated. FWC has committed to maintaining the FKNMS priorities for law enforcement using their assets. It's difficult to compare funding levels between the before and now because the agreements are so different and the assets are not being maintained by FKNMS. This allows for focus on FKNMS priorities. The fact that everything will be included in one basic JEA means that FKNMS has access to FWC officers and time that it would not have had before. Vessels that are no longer being used for enforcement can be used for other FKNMS programs.
- ONMS Southeast, Gulf of Mexico and Caribbean Regional Director Billy Causey provided some historical context for the way enforcement has been approached with state partners over the years. Budget issues have caused setbacks in the past, too. The JEA across the state is concerned with all federal laws.
- In response to a question about enforcement in the Tortugas without the Gladding vessel, FWC Captain Mitts Mravik indicated that FWC has been in communication with the national park to look at lodging, fuel at the park. Captain Mravik oversees the *C. P. Randall* vessel, which is based in Naples and operates in the Tortugas area. FWC is establishing some patrols in the region with their routine interceptor vessel based in Key West.
- In response to a question about fund-raising for enforcement, if more money is raised beyond what is made available through the budget process, these funds can be put toward funding enforcement.
- ONMS Acting Direct John Armor explained that the council is not a body that is permitted to lobby and that federal and state employees are not asking for funding or seeking to influence funding decisions, nor are they allowed to do so. He thinks there is a two-pronged strategy that can be used. Money for enforcement can be raised in creative ways and people can bind together with like-minded people in other sanctuaries and advisory councils in the system. Making connections with other councils can make this body have a greater voice. The buoys are visible and valuable to the community and may provide an opportunity for creative fund-raising.

Break

V. PROMOTING BEST MANAGEMENT PRACTICES FOR RECREATIONAL FISHING IN THE FLORIDA KEYS NATIONAL MARINE SANCTUARY

Florida Keys National Marine Sanctuary Foundation Program Coordinator Nicole Uibel gave a presentation, *Promoting Best Angling Practices within FKNMS*. To view this presentation, visit <http://floridakeys.noaa.gov/sac/othermaterials/20160816boatereducationfknms.pdf>.

Ms. Uibel explained that the FKNMS has two voluntary recognition programs currently in place. Blue Star rewards divers and snorkel operations that give a pre-dive presentation promoting responsible diving and snorkeling practices. Dolphin SMART rewards dolphin viewing operators who promote responsible practices when encountering wild bottlenose dolphins. Both programs are targeted toward educating the sanctuary visitor. Currently, no recognition program exists for recreational and charter fishing, which accounts for about 20% of all person-days on the water. About half (44%) of all charter flats trip participants are visitors and almost all (93%) of charter sports trip participants are visitors. About 400,000 people per year are recreational charter fishing and are not being reached by a sanctuary education program. The charter fishing industry asked for a program that recognizes responsible angling practices just as divers have Blue Star.

Ms. Uibel projected a draft mission and draft goal for the “Blue Angler” program. The draft mission “is to promote responsible angling in South Florida through education, communication and partnership.” The draft goal of the program “is to develop a voluntary education and recognition program for charter fishing operators to expand on their awareness and knowledge, and ultimately that of their customers, about responsible angling practices, the South Florida ecosystem, and the FKNMS.”

Program participants would include charter fishing guides and captains. Participating guides would become more involved in education/outreach resource protection and benefit from promotional opportunities and professional development.

At this time, Ms. Uibel is seeking input from the charter recreation fishing community to develop the best practices and identify partners. The council could create a working group for this purpose.

Discussion/Comments (advisory council)

- Support was expressed for the “blue angler” program in general. The value, benefit and need of such a program were recognized.
- The need to reach others who do not hire a guide, but instead use his/her own boat to fish was also deemed important since these people fish regularly in the FKNMS.
- The idea of expanding this program to places that rent jet skis and/or boats was mentioned because there is a need to manage those activities, too.
- When guides educate their customers, they are educating recreational anglers; this program has the potential to reach people with valuable information.
- Programs like Blue Star and this one (blue angler) are successful only with continued support, which depends on funding and staff.
- Refuge Manager Daniel Clark would like to have the refuge included on the working group. He sees real value for such a program. The refuge may be developing responsible viewing of key deer guidelines using a Blue Star approach.
- Regional Director Causey pointed out that that Dolphin Smart and then Blue Star were developed as compliance programs that were implemented in lieu of more regulations.
- Council Member Jack Curlett commented on the resolution, which was projected on the screen. Mr. Curlett noted that he and Steve Leopold developed the resolution for the program. The program will focus on education, which is extremely important. No matter how much enforcement is on the water, it will never be enough. It’s a good thing that most people follow the rules voluntarily, reducing the need for enforcement.
- The “blue angler” program should be user-friendly. There have been some challenges with Blue Star that could be resolved and addressed in both programs. The Blue Star process should be streamlined to encourage and sustain participation. The program could have more dive operator participants and be more successful. Many of the existing operators in the Keys already do

outreach with their customers, but because they don't participate in Blue Star they are not recognized. Blue Star offers the participant some promotion of their operation, but the real promotion is coming from the chambers and other sources-- whether the shop is Blue Star or not. It is the smaller operator who could really benefit from the sanctuary promotion of Blue Star. More could be done to promote Blue Star shops.

Resolution

A resolution to create an advisory council working group to develop a voluntary education and recognition program for charter fishing operators was proposed and projected on the screen for discussion. Deputy Superintendent of Science and Policy Beth Dieveney read the resolution aloud.

To view the entire resolution, visit

<http://floridakeys.noaa.gov/sac/othermaterials/20160816recfishwgmotion.pdf>.

Motion (passed)

Andy Newman made a motion to accept the resolution. This motion was seconded by David Makepeace. The vote was called and the resolution passed unanimously.

Discussion

The following points were made during the council discussion:

- A suggestion was made to have an at-large council member representative serve on the working group.
- Clinton Barras stated that he would make sure that the Blue Star participants are recognized on the websites that his company manages, including the Tourist Development Council website and Fla-keys.com and Key-west.com. There is a tangible benefit to businesses that are participating since visitors to these websites are seeking eco-tourism experiences.
- Blue Star has been in place for several years and is growing. It is not meant to be easy to get into. The dive operators were involved in developing Blue Star.
- The key to success for the angling program is that the fishing guides are involved in the development of the program.
- The wealth of the Florida Keys is based on the environment and whatever needs to be done to protect it is worth doing.

Public comment (on the motion)

Captain Bill Wickers, Key West Charter Boat Association (KWCBA)

Bill Wickers understands that the president of the KWCBA thought this idea (blue angler) was a good one after meeting with Mr. Morton on this topic. Things got off to a rough start with the KWCBA after the sanctuary's zoning maps were released (in the marine zoning process). The association has wanted to find a way to have a better association with the Sanctuary Advisory Council. Steve Leopold discussed the angler education idea with their president who thought it was a good idea as does Captain Wickers and other members of the KWCBA. They would like to work with the sanctuary; they have the same goals. KWCBA members do think the sanctuary oversteps its bounds in fisheries management. Captain Wickers supports education and supports teaching people what they can and can not do. Overall, the charter boat captains know the environment, including when the water is bad and what size restrictions fish should have. They make their living off of the ocean and good stewards of the resource. He would like to be personally involved in the program.

Note: Acting Chairperson Bruce added that Captain Wickers was welcome to join the working group.

Motion (passed)

The vote was called. The motion to accept the resolution passed unanimously.

Discussion (vessels and assets)

Acting Chair Bruce Popham initiated a discussion with ONMS Acting Director Armor.

- Concerns were expressed about what is planned for the vessels and other assets that are no longer being used for law enforcement. Acting Director John Armor explained that FKNMS is in the process of developing a plan for use of the vessels. Assets that help get people in the water to engage in outreach, science, etc. are absolutely very important. Acting Superintendent Lindelof added he has just started to discuss this with staff. Small vessels will be put to use very soon on existing programs. The vessels are part of the enforcement issue because Team OCEAN volunteers can be very effective in guiding people into doing the right thing, which then allows the enforcement officers to address the more serious violators. He is committed to reaching out through Team OCEAN to increase compliance.
- FDOT recently installed a Florida Keys National Marine Sanctuary welcome sign on the southbound lane of the Overseas Highway 18-mile stretch. Support was expressed for reaching out to visitors with this new sign.
- In response to an inquiry made regarding the timetable for the DEIS for the marine zoning and regulatory review, Deputy Superintendent of Science and Policy Dieveney explained that the DEIS and the management review process remain one of the highest priorities for the sanctuary. The advisory council and community members have provided a lot of great ideas and recommendations as part of this process. The FKNMS is taking time to adequately analyze and evaluate these ideas. FKNMS is working closely with its staff and with FWS and other agencies to complete this environmental and economic analysis and is striving for a release time in 2017. ONMS Acting Director Armor noted that a great deal of work and time go into the analysis. Because of this, he is concerned that this doesn't become a "black box" situation for the public. Acting Superintendent Lindelof explained that it is incumbent on sanctuary leadership that people feel informed during this period of DEIS development. He added that because this is an election year, there could be new leadership in NOAA in January and this could affect the timeline of the release of the DEIS. New leadership is likely to need time to be briefed on and review the document before its release, which makes the more realistic date closer to spring 2017.

Break

VI. OIL SPILL SCIENCE OUTREACH TEAM—INFORMING AND ENGAGING THE PUBLIC

Florida Sea Grant Agent Monica Wilson gave a presentation, *Sharing Oil Spill Science*. To view this presentation, visit <http://floridakeys.noaa.gov/sac/othermaterials/20160816oilspillscience.pdf>.

In 2015, Sea Grant joined with the Gulf of Mexico Research Initiative to create an outreach team dedicated to communicating about the science of oil spills. About 750 publications were produced describing the scientific studies related to the spill. The purpose of the outreach team is to effectively communicate the science learned from these publications to the decision-makers who need this information. Ms. Wilson is the Florida representative on the Outreach team.

After conducting an assessment of what people want to know about oil spill science, the outreach team began to develop publications on the selected topics, which are posted on gulfseagrant.org/oilspilloutreach. The team also hosts seminars with expert speakers and continues to reach out to coastal communities through graphic illustrations of the concepts. Ms. Wilson reviewed some of the main impacts to sea turtles, birds and mesophotic coral reefs and the science of lingering oil.

Information on oil spill impacts and planning for such event is being incorporated into management plans for marine sanctuaries such as Flower Gardens Bank NMS. People are encouraged to communicate their information needs to make the program more effective.

Discussion

- Concerns were expressed about applying dispersants during the Deep Water Horizon oil spill against government regulations. FKNMS Acting Deputy Superintendent Lisa Symons explained that BP was not acting alone when it used dispersants and that all applications were done under government approval. A national response team met daily to address the issues.
- Clean-up on the ocean floor is not being done at this time. Cleaning up is not always the best approach. For example, in a marsh it can cause more harm than good.
- No resource impacts from the BP oil spill were observed in the Florida Keys.
- An interest was expressed in discussing how information could be more effectively conveyed if something similar to a Gulf spill occurs in the future. A lot of misinformation was being conveyed that contributed to confusion surrounding the Deep Water Horizon oil spill.
- At the Gulf States Marine Fisheries Commission meeting a few weeks ago, the die-off of coral in the Flower Gardens Banks was mentioned. FKNMS Acting Deputy Superintendent Lisa Symons explained that teams of NOAA divers have been tracking the die-off in the Flower Gardens. They do not think it is related to oil in any way, but could be the result of some type of natural event. NOAA staff members are very engaged and updates are provided on the Flower Gardens website.

VII. PILLAR CORAL POPULATION DYNAMICS AND IMPLICATIONS FOR MANAGEMENT

Pennsylvania State University Graduate Student Andrea Chan gave a presentation, *Coral Population Dynamics and Implications for Management*. To view this presentation, visit <http://floridakeys.noaa.gov/sac/othermaterials/20160816coralpopulation.pdf>.

Ms. Chan presented the results of 10 years of collaborative work conducted in the Baums Lab (<http://baumslab.org>). She recognized her lab members and other experts in the coral research community. In her presentation, Ms. Chan reviewed coral reproduction and the importance of genetic diversity. Her lab developed a marker used to tell which corals are genetically distinct and which are identical. Management recommendations for pillar and elkhorn corals include preserving diversity within species because genetic diversity increases the chances that corals will survive under a variety of environmental conditions.

Another recommendation regarding coral management is to increase the number of distinct individuals at the reef to improve the opportunity for sexual reproduction to occur. Both pillar and elkhorn coral are very clonal and many reefs are comprised of only one clone. To increase diversity, a genetically distinct colony could be relocated to a reef where colonies with a different genetic make-up are found. This would increase the chance for sexual reproduction. Studies have been done to see how moving corals affects them. At this time, Ms. Chan does not recommend moving coral over large geographic distances from different populations. A population is a group of interbreeding individuals of the same species that are isolated from other groups of that species. Coral fragments should not be transferred between populations. The reasons are that differences in habitat are not always obvious and pathogens could be transported by relocated corals. At this time, the elkhorn coral population is still diverse, but the situation is more critical for pillar coral. Coral Restoration Foundation is out-planting coral fragments and SECORE (www.SECORE.org) is making strides using sexual reproduction to restore reefs.

Discussion

- Concerns were expressed about an extensive die-off of pillar coral in the Upper Keys and about bleaching this year verses last year. FDEP Regional Administrator Joanna Walczak stated that there have been significant declines in pillar coral at this time due to widespread disease. Approximately 95% of all known colonies have been affected in the Upper Keys. Agency partners have been obtaining tissue from these colonies to sustain the genetic diversity. She added that this year coral bleaching is not as severe as 2014 or 2015. The Florida Reef Resilience Program has been collecting data that are available at frfp.org. Bleaching hotspots are evident in the data.
- Ms. Walczak reminded everyone to report events that they observe on the water. In the Florida Keys, report to C-OCEAN (formerly MEERA) with Mote Marine Laboratory. At this time, they are seeing disease in 13 to 14 different coral species in South Florida and the Keys.

Lunch

VIII. EVERGLADES NATIONAL PARK GENERAL MANAGEMENT PLAN – BOATER USE AND EDUCATION

Everglades National Park Planner Fred Herling gave a presentation about boater use and education in the park's new General Management Plan (GMP). To view this presentation, visit <http://floridakeys.noaa.gov/sac/othermaterials/20160816evergladesgmp.pdf>.

ENP Park Planner Herling addressed the priorities for park plan implementation. The GMP was released last August and the Record of Decision approving the plan took place in October 2015. At this time, the park and its partners are working on an integrated strategy for marine areas and priorities for implementation. Multiple projects are scheduled to be rolled out at the end of 2016. The Boater Education Program web-based course was developed with the Eppley Institute (Indiana University) and is available in English and Spanish and is ADA compliant. Passing the free course is required for a motor boat operator to get an annual boater permit.

The Boater Permit Program issues annual or 7-day permits through the Eppley Institute. Permits are seamless with the education course. Fees will be used for additional rangers, maintaining navigation aides, science and monitoring and other resource projects.

The park is partnering with GPS companies that make navigational tools and with FWC to develop a park specific Boating and Angling Guide. Joe Bay, which is in the Crocodile Sanctuary, will be opening in a few months for the first time in over 35 years. A communication and outreach strategy is being launched to inform people about uses and access to the newly opened area. Joe Bay will be a no motor area with catch and release fishing only. The park will be conducting fishery and visitor experience monitoring in the Bay.

ENP has identified and marked access corridors in Florida Bay in order to better protect natural resources such as the banks of Florida Bay. Over 30 new channels/corridors have been marked. A new marker design is being used for new channels and will be used in older channels as money becomes available to replace them.

The park will give 60 day advance notice to the public in advance of changes being implemented such as the opening of Joe Bay. At this time, they are finalizing their communication/outreach strategies and working with partners such as the SAC to communicate messages.

Discussion

- It was noted that the park has been working on this for a long time and has done a great job. The fact that they listened to people when developing the plan was acknowledged. This is an example of a great partnership between government and the public and is one of the greatest success stories in the Everglades because it will have so much benefit wildlife and habitat. Both the current park superintendent, Pedro Ramos, and the former superintendent, Dan Kimball, were acknowledged for their support of and contribution to this plan/program.
- At this time, the free boater education course is required annually, but that could change in the future.
- Mr. Herling noted that the course content applies to other managed areas in the Florida Keys and could be shared easily with refuges, parks, etc. The idea of having one course that applies to more than one area was mentioned.
- In response to a question about visitation to the park, Mr. Herling is uncertain as to whether boater visitation will increase with the implementation of the permit; it may decrease due to the fee. The park estimates that there are about 125,000 boat trips per year in Florida Bay, but will know more when the permit system is implemented.
- In response to a question about funds raised from the boat permit program, Mr. Herling estimated that the park will receive \$500,000 in revenue from boat permit users. In terms of enforcement, rangers will be in education mode for the first year. The park has four rangers in Key Largo for the first time in many years and will be hiring three additional rangers. It is hoped that these protected areas will allow the wildlife and marine life to flourish without being disturbed.

IX. FLORIDA KEYS SHALLOW WATER BOATING IMPACT ANALYSIS AND TRENDS ASSESSMENT

Mr. Charlie Causey, Florida Keys Environmental Fund, introduced Pete Frezza, who gave the presentation on behalf of Curtis Kruer. Mr. Causey thanked the council for the positive reception they gave to Curtis Kruer when he presented on this topic at a previous council meeting. Monroe County is now a partner in the project with the Florida Keys Environmental Fund and has provided financial backing that will allow the project to be completed and a report to be issued in November. Mr. Causey thanked Commissioner Neugent for his support.

Mr. Frezza gave a presentation, *Florida Keys Shallow Water Boating Impact Analysis and Trends Assessment—Preliminary results*. To view this presentation, visit

<http://floridakeys.noaa.gov/sac/othermaterials/20160816boaterimpacts.pdf>.

Mr. Frezza explained that the project involves prop scar mapping throughout the Keys and a literature review on prop scarring studies. Mapping results obtained from current aerial photography of grassbeds showing prop scar damage will be compared with survey results from 1995. Grassbeds will be classified as having light, moderate or severe scarring for comparison with the 1995 study, which used this same classification scheme and methodology. The size of the scarred area and the percentage of scarring are two measures that allow for comparison. This comparison will allow for an assessment of the changes and trends over the past 20 years. The 1995 study concluded that there were 30,000 acres of scarred grassbeds in Monroe County, the highest in the state. Boats are the second greatest impact to seagrasses next to water quality degradation. The 1995 report incorporated a 4 point plan developed by an independent Boater Impact Working Group to address prop scar issue. The plan included more enforcement, better boater education, improved channel marking and improved marine zoning.

The analysis also includes review of new proposed management areas such as the new zone in Barnes Sound that has a diverse fish population and has significant scarring. With this baseline information how well the zone works to reduce prop scarring can be tracked over time.

One overall goal of the project is to inform sanctuary staff and management as part of the DEIS process and to integrate the information into meaningful marine zones. ENP underwent a similar prop scar study, which helped give the park the ability to develop the detailed marine zoning scheme they will be implementing for protecting wildlife.

Mr. Causey added that the project collected data on prop scarring to give sanctuary staff an idea of the status today. As a member of the Water Quality Protection Program Steering Committee, he is encouraged by how information from studies can influence decisions. This council has come a fairly long way in terms of seriously considering implementing boater education and better enforcement strategies. He would like such changes to accompany the sanctuary management plan and thinks that the sanctuary can learn from the park's experience. He feels that there are about two years to implement boater education using what the park has learned. The timing is very good because during the next few years boating impacts can be addressed and at some time a fee structure could be implemented to support a meaningful amount of law enforcement.

Discussion

- Southeast, Gulf of Mexico and Caribbean Regional Director Billy Causey explained that in the Florida Keys channel marking is under the jurisdiction of the U.S. Coast Guard and State of Florida. The situation is somewhat different in Florida Bay because it is owned by Everglades National Park. The same is true regarding zoning in the FKNMS, which requires engagement with state agency partners and trustees.
- Channel marking issues and suggestions should be given to Monroe County, specifically Rich Jones. The county has a detailed channel marking plan. The county was involved in installing a lot of channel markers, which has helped protect the grassbeds over the past 20 years.
- One important finding from Kruer's presentation was that grassbeds that were marked for boaters showed great recovery while areas that remained unprotected continued to deteriorate.
- Mr. Herling added that ENP consulted with other agencies such as Army Corps, FWC, and National Marine Fisheries Service throughout the GMP process, which allowed them to finalize the document and advance projects more readily. The investment of time up front allowed for saving time in the future. Even though the park owns the bay bottom and water, they were still required to consult with other agencies in various ways, i.e. with regards to protected species.

X. BOATER EDUCATION IN THE FLORIDA KEYS NATIONAL MARINE SANCTUARY

Mr. Pete Frezza, Advisory Council South Florida Ecosystem Restoration and Audubon of Florida, gave a presentation on boater education in the sanctuary. To view this presentation, which was given on behalf Vice Chair Chris Bergh, visit

<http://floridakeys.noaa.gov/sac/othermaterials/20160816boatereducationfknms.pdf>.

Mr. Frezza explained that boater education has been a topic of discussion over the years, but no decisions or recommendation have been made that could be considered in the DEIS process. The sanctuary website has a page dedicated to boater education and this was an item for discussion and potential action at two council meetings (February 2013 and August 2013). FWC has a Boating Advisory Council (BAC) that met in Key West in May 2014. At the August 2014 meeting, it was decided that the SAC will form a subcommittee to engage with the FWC boating council to present FKNMS boating and boating education issues to them. This subcommittee was not formed. Because no

actions have been taken that can be considered in the DEIS, Chris Bergh wanted to revisit this topic and was going to lead the discussion but had a work conflict.

Note: Mr. Frezza explained that he reviewed a recent agenda of the FWC BAC and noted that mandatory boater education was slated for discussion in April 2016. The topic was proposed by the U.S. Coast Guard.

Mr. Frezza presented three courses of action that the council could take: none; administrative decision or a formal motion. The administrative action would mean that the SAC supports the concept of mandatory boater education and that this option be analyzed in the DEIS. The formal approach would entail creating a resolution that is brought to the October meeting for consideration.

Discussion (council members)

- Clarification was sought with regards to the difference between administrative versus formal. Support for a formal resolution was expressed unless an administrative option ensures that the concept of mandatory boater education in the FKNMS is examined as part of the DEIS.
- Acting Superintendent Lindelof noted that there is a great deal of information on boating impacts. Over the past few years, the emphasis has been to fold different topics that arise into the management review process and DEIS. He is not sure if having a parallel process for certain items such as this one might be warranted to expedite things, although that means taking time and money to work on that separate item.
- Acting Superintendent Lindelof would like to get a sense of how urgent boating education component is with the council, whether it could be done over a longer period time or should be addressed in a separate process. At this time, there will be a component in the DEIS, but these documents tend to take longer than expected. If this product/program is desired sooner, then he would like to hear from the council what is needed.
- FKNMS Enforcement and Emergency Response Coordinator Steve Werndli commented that some of the recommendations that came from the Shallow Water Wildlife and Habitat Protection working group were to consider programs on boater education similar to the national park eco-mariner program. Analysis is already being done as part of the shallow water recommendations. This analysis is not considering mandatory boater education.
- In the past, some people wanted to see mandatory boater education, but didn't think it was possible. Now, the park has found a way to make boater education course mandatory. Thus, mandatory boater education could be considered in the DEIS if the council asks for it, instead of putting it off further. Adding this extra analysis may add work to the DEIS.
- Mr. Frezza explained that Chris Bergh wanted to have the mandatory element considered since they now know that the national park has done this in the Everglades. Chris felt that it should be on the record that the council supports review of a mandatory program in the DEIS if that is the case.
- One reason to consider a mandatory program is that user fees are collected.
- This mandatory education is something that should be done, but realistically can the sanctuary do it alone? Where does the FWC, coast guard, boating industry, park service, etc. come into the process to contribute to make it work? It will require coordination with others to make it work.
- Mandatory boater education essentially amounts to a boat operator's license. What may really be needed is a boater license (which will involve a great deal of interagency cooperation).
- Support for a mandatory boater education program was expressed to be analyzed in the DEIS. This boater education program could make a difference in resource condition now.

- Consideration of the mandatory boater education idea should not be “kicked down the road” again because there are other options. Support for a phased in approach was expressed, but not in lieu of mandatory consideration.
- ONMS Acting Director John Armor asked whether the approach desired is educational or regulatory. It doesn’t have to be an either/or situation. If mandatory regulations are to be considered, that will involve review in the DEIS.
- As the representative for the Boating Industry representative, Bruce Popham thinks it will be very difficult to move forward without beginning with a non-mandatory program. He suggests, with the council’s concurrence, to take the third option and to come back with a resolution in October. It was a piece of the shallow water working group and a role model exists with the park, now.
- Boater education could be done through a multi-step approach. One step involves determining what is needed for mandatory education and another step involves developing better information on voluntary boater education in a more immediate way.
- The voluntary path makes sense. Boater education could start with signs about anchoring, pump-outs, etc. Lighted highway signs and/or an am radio channel could be used to communicate boater education information.
- A voluntary beta program could be developed first using information from other programs and then eventually it could become mandatory.
- Start with a non-regulatory approach instead of regulations. If this voluntary program/approach is successful, then no regulations are needed. If not, regulations can be implemented. This approach has been successful with the dive industry. If the program existed, it could be made into law, if needed.
- The park started out with a voluntary program and it didn’t really work because people didn’t take the time to take the course. Mandatory education is needed to make it work and it needs to be part of the sanctuary management plan along with law enforcement, fee structure, etc. It will not be popular, but it is needed because it is a mess out there on the water. No one wants more restrictions, but a program is needed because there are so many boaters today.
- Boater education could be included in the Blue Star and/or “blue angler” programs.

Acting Chairperson Bruce Popham noted that this is complex issue that won’t be resolved today. Staff should have a pretty good idea of the council’s ideas. This topic can be revisited in October.

XI. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

Gary Jennings, ASA

Mr. Jennings thanked the advisory council for the opportunity to give public comment. He represents the American Sportfishing Association (ASA), which is the trade association for the U.S. tackle industry. He is a Floridian and works on the Keep Florida Fishing Initiative, which promotes clean water and abundant fisheries and access to both. He will be commenting on best practices for fishing and on boater education in the FKNMS. ASA is pleased that the council voted in favor of forming a working group related to best practices. ASA is in favor of a volunteer recreational fishing best practices program that would compliment the Blue Star diver initiatives, which would train captains, guides and crewmen on best practices and how to relay that information to their guests. The information should also be made available online so that people bringing their boats to the Florida Keys can have access to it. ASA has been involved for a number of years in FishSmart, which is designed to reduce fish mortality by anglers practicing catch and release. The program was developed based on four workshops held around the country and was designed using the best available science to give anglers specific guidelines on how to release fish while giving them the best chance for survival. FishSmart is not area

specific, but the framework is there for the FKNMS to work from to tailor the messaging. The release guidelines are in sync with those of FWC and Florida Sea Grant, which helps present a consistent message. FishSmart is designed to increase awareness of best practices and includes the use of descending devices in the Gulf of Mexico and South Atlantic. FishSmart has formed partnerships with each of these following organizations: IGFA (International Game Fish Association), Sea Grant, National Association of Charter Boat Operators, Texas A & M University, Georgia Department of Natural Resources, South Carolina Department of Natural Resources, Alabama Marine Resource Division, Florida Fish and Wildlife Commission and Texas Parks and Wildlife. Each of these partners has customized the outreach materials to create a product, the most common product being a brochure or flier with the partner's logo on it. Some have created their own messages. The ASA would like to suggest that the FKNMS look into FishSmart instead of reinventing the wheel. They are happy to work with Nicole and put her in touch Andrew Loftus, who helped to spearhead FishSmart.

The second thing that Mr. Jennings would like to address is boater education in the FKNMS. ASA is a proponent of boater education. They are, however, concerned with the potential for the different states and local municipalities to come up with their own requirements. Right now, a boater and angler can easily move through several different jurisdictions of state and federal agencies and we don't want to burden boaters and anglers with different requirements for each jurisdiction. They ask that the council look into that issue if they move further with this. If the FKNMS were to come up with a mandatory program, it needs to be in conjunction with other state and federal agencies in the area and needs to be uniform and applied across jurisdictions. He thanked Pedro Ramos and the ENP staff for listening to and including the recreational fishing community in their general management plan process. Their approach allows the park to be protected while allowing access.

William Revenbark, FL Keys Reef Lights

Mr. Bill Revenbark works with a group called Florida Keys Reef Lights Foundation. Exactly 15 years ago in 2001, their small organization was founded by a gentleman named Tom Taylor right here in Marathon. He was a resident of Marathon and has unfortunately passed away many years ago. The group still exists and has the stated goal of saving all six reef lights from Fowey in Miami to Key West. It is a pretty lofty goal for a group of this size and means, but it remains the goal. They have had luck over the years working with the sanctuary's marine historic preservation folks. People can appreciate that the handful of volunteers from this 501 C-3 organization trying to engage both the Coast Guard and GSA in a topic of this matter. It has not been easy. It is now clear that the Coast Guard owns the lights. The organization has raised nearly \$75,000 for Fowey Lighthouse off Miami. This was done through donations and matching grants. They learned a lot from the work done so far. In the midst of this effort, the park service allowed Biscayne National Park to take over the light. While they had been seeking to take control of the light, the park is in better position to take care of it. During this process they learned a lot about the condition of the lights and what sort of work would be needed in trying to fix them. Step number one for all six of the lights is to stabilize them. Rehabilitation and remodeling is way down the road. The lights are in bad condition right now. They have been subjected to the effects of salt water on cast iron, especially below the tidal mark. One of the tension rods on Fowey Lighthouse was broken. The marine contractor had to cut the tension rod off. Lisa and the History of Diving Museum put the rod on display. The tension rod is 18 inches in length and weighs about 80 pounds. It's not something that can be carried around and is hence on display at the diving museum. They have tried to engage our elected representatives in this effort with mixed results thus far. This has been done in the past two to three years. Senator Nelson's office made some calls to the Coast Guard on their behalf. While they appreciate the effort, the information his staff came back with was already known. Congressman's Curbelo's office has shown interest, but they have not been able to reach the Congressman yet. Holly Rachein in Key Largo gave them excellent advice, which they are trying to follow. It is still pretty much an uphill battle. Two months ago, they got the best news in their existence when the Coast Guard gave

them verbal approval to replace the anodes on four of the five remaining lights. This was a huge concession on the part of the Coast Guard. Previously, they were basically telling them to stay away from the lights. The foundation people understood that was the law and respected it. Now, they are working with two marine contractors to determine the best way to go about this, which will involve clearing the marine growth on the legs. Each light has eight legs. The growth on the legs is dramatic and they are trying to figure out how to clean the growth in order to place an anode on each leg. They are obviously looking for marine contractor volunteers or people who can help with this project. Donations in general are helpful. They are still seeking people who are more knowledgeable than themselves and they are handful of volunteers. The ownership of the lights was in dispute only until a few months ago and they have not come up for sale, although other lights in the country have. Sand Key is the only light that was recently declared to be in state waters. The other lights are in federal waters. They were told to keep their hands off Sand Key. They do believe this is a worthwhile effort. The lights are historic in the Keys and deserved to be saved. Alligator Lighthouse survived 200 mile per hour winds during in the 1935 storm and 160 mph during Donna. Fowey survived 160 mph during Andrew. They obviously don't want to see a storm of this magnitude anywhere. He doesn't think Alligator would survive a storm of this size today because of degradation in the legs. If anyone wants to make a donation to a 501 c-3 rather than the IRS, please send them their way.

Bill Wickers, KW Charter Boat Association

Captain Bill Wickers came to listen to the presentations, but is extremely disappointed with the problems that are going on now in Florida, not just with Florida Bay, but off Key West and other places such as the East Coast of Florida with the crises of algae and west coast of Florida with algae in the Caloosahatchee River. The Monroe County government had to actually send an emergency resolution to the governor asking him to do something. Islamorada and Marathon have passed similar resolutions asking the governor to please do something. Key West will be passing a resolution very shortly. The Charter Boat Association has sent one, and other groups such as Everglades Forever. Yet, at this meeting of the national marine sanctuary of the Florida Keys not one word today has been spoken about this crisis, no discussion, no resolution. It is as if it didn't exist. He is absolutely dumbfounded when he worked on the sanctuary board water quality was a major, if not the major, thrust of the board. He doesn't understand why the board doesn't want to take the bull by the horns and do something. He repeatedly has said that all of the other actions are "band-aids" if they don't get the water fixed. The water quality of this state is the key to fixing Florida Bay, to fixing what is going on in the St. Lucie and the Caloosahatchee Rivers.

In the first time in his 47 years of charter fishing, there was an algae bloom off of Key West that had to be coming from the Caloosahatchee River after being caught in the Loop Current. This lasted from late April to early June. The water was green and there were thousands of algae balls ranging from golf ball size to small coconut size. Some charter boat captains collected the balls because not many fish are caught in that type of water. They took the algae balls to National Marine Fisheries Service, Mr. Morton. He didn't know what to do with them, so he sent them over to Mote Marine Lab. The lab said they would send them off for analysis. So far, they have been told that it was an anomaly.

Captain Wickers doesn't know what it will take to get this board focused on the problem that is creating most of the damage in the Keys, which is the quality of the water. He has watched over his 69 years decline year after year. He watched Florida Bay die some almost 20 years ago. Instead of learning from what happened twenty years ago, there is going to be a repeat. The powers in charge say that it is going to take another 30 years to fix things. He is here to tell everyone that we don't have another 30 years. If people in this county don't get these people to do what needs to be done, there will be no paradise down here. Instead, we will have a polluted paradise and the beautiful fishing and diving that makes this place so great and gives us a good livelihood will be lost. He is almost astounded that with all that has been on

the national news that this algae bloom topic was not on the agenda for discussion and/or resolution. A report was given by the Everglades National Park, but there was no mention of the seagrass die-off and problems there. South Florida Water Management District is supposedly trying to finally get more water there because they know that what is happening now is going to get worse and turn into another bad bloom. He just wanted to let everyone know how important this subject is to him. He would love for his grand kids to have nice clean clear water later in their lives. The county needs to take action. This board is supposed to be looking out for the water resources of this county and he doesn't know what to say if the board doesn't see the crisis. He compliments Commissioner Neugent for the county's resolution. The other municipalities have done resolutions, too. He wants to know where this board's resolution is and where is the leadership of the board to get this done.

Richie Gomez, KW Charter Boat Association

Captain Richie Gomez shared a story. Three years ago almost to the day, he and Bill Wickers found an actual coral garden off of man key completely alive in 8.5 feet of water. It was about a half acre to an acre, all the things that a great reef has. They dove that same reef each summer for three years. Three weeks ago, they visited the reef and it was completely dead. It is white rock, silty with carcasses of brain coral. They have been dealing with pea green water for most of the summer and ranged out as far out as beyond the wall. On a calm day, the pea green water smelled. The algae blooms were thousands, not millions, from Miami to the Dry Tortugas. It was not Sargasso weed lines, but algae bloom lines for miles long. Summer fishing was non-existent. Not many dolphin that want to swim around in pea green water. Yet, the sanctuary/council continues to persevere to close down areas like western dry rocks. The FKNMS continues to work under the premise that to divide us is to conquer us. They feel very strongly that the Florida Keys National Marine Sanctuary, fishermen, divers and all boaters should be presenting a unified front in order to fight the real culprits of the quickly increasing demise of the ocean environment. He understands the difficulty of the council's task, but the fisherman's task is also very difficult. They are trying to unify with a very noble group of individuals who continue to hold them at arm's length and continue to make them pay twice, two slaps, for a situation well beyond their control or responsibility. He feels "punk'd" and thinks it is absurd that people like Chris Bergh are still reaching out to them to support closures. They will never support closures. What they will get on board with is the real crisis that is increasing ten-fold daily. To see a reef that was so alive three years ago completely dead now breaks his heart. Seeing what they dealt with this whole summer long is.....Fishermen's hearts are broken, yet they continue to be slapped twice by the environmental issues, but by the people who are supposed to be looking out for them.

Comments

Ms. Caroline McLaughlin stated that she believes the council did pass a resolution about the issues in Florida Bay several months ago. It is absolutely true that the problems with algal blooms in the St. Lucie and Caloosahatchee estuary are linked to the seagrass die-offs seen in Florida Bay. The solution is Everglades restoration, which is not fully implemented at this time. The SFWMD has come out with a plan to increase freshwater flows to Florida Bay. There are some very good parts to the plan that involve expediting projects at the southern end of the system that have been on the books for years. There are also concerning portions of new elements that would essentially put point source discharges directly into Taylor's Slough with negligible increases to the water inflows into Florida Bay. There are concerns on water quality, point source discharges into the park. Ms. McLaughlin has more information on this plan and will be happy to talk about it. They do have a number of concerns about these new elements.

Commissioner George Neugent thanked Mr. Wickers and Mr. Gomez for making their comments. This is a very serious situation that they have been paying attention back to March of last year when the drought was in effect and raised the salinity that caused the seagrass die-off the park is experiencing now. This problem isn't going away and there will likely be a bigger algae bloom later this summer.

This group is paying close attention to this situation and it is frustrating. People need to look at who they elect. With regards to federal and state elected officials, they should get on board with protecting the environment. He doesn't know how long they have to go before elected officials wake up to recognize that the environment is our economy. There is a large group of people affected by this from Port St. Lucie across the state to Caloosahatchee on the west side. The canals being used for flood control and prevention are discharging the toxic water into the estuaries and that destroys any and all sea life, including marine mammals, fishes, oysters, etc. It's devastating. The silver lining is that people now have had enough time to see who in Tallahassee and Congress is paying attention to this issue. There have been some passes by elected officials because it's an election year. The community should let the officials know that they should pay better attention to South Florida's economy and that ignoring this will not be tolerated any more. Talking about this issue is one thing, but politicians should know that there is a voting block of people who are concerned about this issue, which has been allowed to go on so long. It's hard to point a finger at any one individual because everyone is somewhat guilty. The Keys community is guilty to some degree because we should have been pressing elected officials harder. They could have done more to fund CERP (Comprehensive Everglades Restoration Plan). This is the most important issue and should be brought up with elected officials each time there is an opportunity. Congressman Curbelo gets a break because he is new and is paying attention, but others have not been paying attention.

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

Florida Department of Environmental Protection (FDEP), Joanna Walczack

- Ms. Walczack introduced Kevin Claridge, the director of the Florida Coastal Office. Mr. Claridge oversees the coastal management programs with the FDEP, including the Coral Reef Conservation Program, co-management of the FKNMS, Aquatic Preserves, National Estuarine Research Reserves and the Coastal Management Program. Mr. Claridge stated that he attends the council meetings every so often to learn and is willing to talk with people after the meeting.
- The Florida Coastal Office is hosting a series of coordination calls to bring together coral reef scientists, managers, and interested stakeholders from across southeast Florida and the Florida Keys to discuss an ongoing outbreak of coral disease along the Florida Reef Tract. Nearly 150 participants have been invited to join these calls to receive updates on the locations of reported disease observations, severity and affected species, as well as current response efforts. These calls allow for coral reef managers and scientists to better understand and respond to the current disease outbreak by improving communication and response coordination among the many partners that work with coral reefs in southeast Florida and the Keys. Difficulties associated with conducting a timely response to this ongoing disease event have highlighted the need for an effective emergency mechanism to quickly provide funding for natural resource management issues. The currently proposed congressional reauthorization of the Coral Reef Conservation Act could provide such a mechanism.
- FDEP is working with FWC FWRI staff on a free smart phone application that allows people to see the location of seagrass, coral, hardbottom, and artificial reefs, mooring buoys, etc. The purpose of this app is to educate the community on the location of the various resources, and it will also help with self-compliance and enforcement of marine zones. The northern portion of the Florida Reef Tract is currently covered by the app, and it will soon be expanded to FKNMS as well.
- Florida will host the United States Coral Reef Task Force (USCRTF) meeting in fall 2017. As a result, the Florida Reef Tract will have high level attention from the 12 federal agencies and

7 U.S. jurisdictions that work at the national level on coral reef policy issues. These meetings rotate between Washington, D.C. in the spring and each of the 7 jurisdictions in the fall.

FWC Fish and Wildlife Research Institute, John Hunt

- The mutton snapper workshops are currently underway. A workshop will be held tonight in Key West and one on Thursday in Key Largo.
- The commission meeting will be held in St. Augustine on September 8. Two issues are of interest to the Keys-- the final public hearing and probably a decision on mutton snapper. At the present time, the proposals include increasing the minimum size from 16 to 18 inches, reducing the recreational bag limit from 10 to 3, applying similar reductions for commercial size during the spawning season and a trip limit for the commercial fishers. These proposals were discussed last night and there were a variety of views and thoughts presented.
- The other topic that will be addressed at the commission meeting is the potential for having a licensing structure for the commercial lobster bully-netting fishery. Information can be found on the MyFWC.com website and comments can be made in a variety of ways.

FWC Division of Law Enforcement Captain Mitts Mravik

- The number of participants was lower for this year's lobster "mini" season. There were fewer boats out, fewer participants and fewer citations/warnings compared to past years. Twenty-four officers were brought in from outside of the area to work during the two-day event. Ten officers were put on Coast Guard vessels where they had authority to enforce resource regulations. Members of the Coast Guard were focused on safety and the FWC officers were focused on the resources. Ten additional officers were on duty the first week of open season. During that time, citations were down as well.
- FWC has implemented a dive team. Members have been selected; it will be a dive team consisting of eight people. They started a pilot program in the Panhandle and it has been successful. During this past "mini" season, the team assisted local officers in the Keys. Historically, FWC officers have not been allowed to use SCUBA. The team lead and other dive members are based in the Keys. They will be involved in dive and recovery of evidence, boating accidents, search and rescue, casita cases. The program has been funded by Florida State University.

NOAA Office of Law Enforcement, Kenny Blackburn

- Dan Q. Lin, Homestead, FL, was sentenced to three years of probation for conspiring to violate the federal Lacey Act by transporting, selling, receiving, acquiring, and purchasing Florida spiny lobster without trip tickets. Eric Burman was previously sentenced for his role in repackaging the lobster and exporting them to China from his place of business in Palm Beach County. His restitution was \$250,000. A restitution hearing will be held for Ms. Lin in October.
- For *Operation Rock Bottom*, phase 7, a change of plea was entered by Phil and Leah Gould. They both pled guilty to Lacey violations related to the selling and transporting of live sharks and other marine life collected from the marine sanctuary. The sentencing will be in October.
- NOAA OLE had a joint mail/wire fraud case with the FBI related to the Deepwater Horizon oil spill in the Gulf of Mexico. Caridad Rioseco Alejandrez pled guilty to filing false claims in association with the oil spill incident and was sentenced to 48 months in prison followed by three years of supervised probation. This involved creating fake false identities for fishermen and filing claims for hundreds of thousands of dollars.
- NOAA OLE issued a \$500 civil summary settlement to a resort in Marathon for alteration and construction on the seabed of the FKNMS. The case stemmed damage to the seagrass created by an improperly placed weed gate at a resort. Sanctuary staff assessed the damage and the

grass is expected to recover without the impact of the weed gate, which was placed in its originally permitted location.

- A \$500 summary settlement was issued for a fisheries violation taking swordfish by a commercial fisherman who did not have the right permits. This was a joint case with FWC Investigator Bingham. Pictures of the violation were posted on social media by the violator.

National Marine Fisheries Service, Heather Blough

- Since the Sanctuary Advisory Council last met, the Gulf and South Atlantic Councils approved a number of regulatory changes that are queued up for review and implementation:
 - Fisheries is currently requesting comments on proposed action to increase red grouper quotas in the Gulf
 - Fisheries will soon be taking comments on proposed actions:
 - Change start date of yellowtail snapper fishing seasons in Gulf to August 1 to match those in South Atlantic;
 - Eliminate commercial yellowtail circle hook requirement south of Cape Sable;
 - Increase minimum size limit for hogfish in the Gulf;
 - Establish fixed boundary between Atlantic and Gulf group king mackerel at Dade-Monroe and increase recreational bag limit.
- Gulf Council is considering catch share programs for headboat and charter vessels; reviewing options this week in New Orleans;
- South Atlantic Council intends to approve rebuilding plan for Florida Keys hogfish stock when it meets next month in Myrtle Beach. They are still proposing very draconian measures to reduce commercial and recreational catches by 75% or more;
- The South Atlantic Council has also identified preferred regulatory changes for mutton snapper, which are consistent with those FWC is considering for state waters. They are holding joint public hearings with FWC tonight in Duck Key and tomorrow in Key West to gather input on those;
- Both Councils are considering increasing the spiny lobster catch limit in response to the recent overages and based on the recommendation of their joint AP;
- Through mid-September, Fisheries is requesting comments on an application from the Florida Keys Commercial Fishermen's Association for an exempted fishing permit to test the effectiveness of fish traps to harvest lionfish in Gulf and South Atlantic;
- Earlier this month, Fisheries introduced a new text message option that fishermen and others can use to receive time sensitive fishery-related alerts;
- Fisheries has a webinar scheduled at 3 pm tomorrow to describe priorities and application process for 2017 Saltonstall-Kennedy Grant competition; about \$10 million available; pre-proposals due September 20.

USFWS National Wildlife Refuges Florida Keys, Dan Clark

- Compliance is done for the refuge's new nature center/bookstore/visitor contact center, which will be built on Big Pine Key. They will be taking public comment and conducting a Level 2, Chapter 7 assessment and will begin work this winter.
- Prescribed burns are being planned for on Big Pine Key. They have an interagency team of specialists to work on these burns.
- The USFWS is a formal cooperating agency on the DEIS and is working with the sanctuary on the Refuge Backcountry Management Plan. They will also be working with state partners in on revising the backcountry management plan as part of the DEIS.
- Former Deputy Refuge Manager Chris Eggleston is now managing a refuge complex in Louisiana. A new deputy manager will probably be hired this winter, but that has not been formalized yet.

U.S. Navy (Naval Air Station Key West), Ed Barnham

- As of August the Navy has confirmed three loggerhead sea turtle nests on Truman Annex.
- The University of Florida continues to conduct surveys for the American Crocodile and Smalltooth Sawfish on the Naval Air Station. Since April they have observed 3 crocodiles on Boca Chica, tagging 2 and have observed sawfish in the nearshore waters around the base.
- Least and Roseate tern nesting season is coming to an end, both species successfully nested on Navy rooftops in Truman Annex with Roseate terns using artificial nesting boxes placed on the roofs at the beginning of the season.
- The Navy awarded a contract with the Institute for Regional Conservation to construct demonstration shorebird nesting habitat on Big Coppitt Key.

U.S. Coast Guard, LT. Quentin Long

- Since the last FKNMS meeting in April, Sector Key West has received 39 NRC (National Response Center) reports that resulted in 10 federalized cases (7 migrant vessels and 3 Fuel Container Cases). The responses resulted in the opening of the OSLTF (Oil Spill Liability Trust Fund) fund for \$22,000 total.
- For the fiscal year from October 2015 to October 2016, the USCG has received 115 NRC reports compared to 107 reports last fiscal year and federalized 23 cases this fiscal year in comparison to 11 last year. They continue to stress the importance of the NRC report and educate the local community on continued reporting of pollution threats.
- The U.S. Coast Guard is in the final stages of the environmental assessment for the Marquesas Abandoned Chug Initiative and should see the final revision in the next week or so. From there, they will work to obtain the FOOSC (Federal on the Scene Coordinator) signature and disseminate the information to the consultation partners. Once those signatures are received, it will only be a matter of setting a date and executing the plan for removal of the pollution threats.
- Item of note: The U.S. Coast Guard is coordinating with the Lower Keys Medical Center and the three Coast Guard small boat stations for a collaborative training in 1st responders providing first aid to dive victims. This training opportunity will be a great way to establish some "best practices" for the 1st responders and medical personnel. Any additional local agencies that would like to be involved can reach out to me and he will put them in contact with the doctor at Lower Keys Medical Center who is coordinating the event. The USCG is looking to be a part of the training towards the end of September/early October.

ONMS Southeast Atlantic, Gulf of Mexico and Caribbean Region, Billy Causey

- John Armor was the lead of the Cuban delegation, which visited the FKNMS July 3 through 10th. Biscayne and Everglades national parks were involved in the meetings. The delegation visited Looe Key on July 4th and to the Tortugas where they learned about access and resource management. During the trip, they developed a two-year work plan, which is nearly complete. The Cuban delegation may visit Flower Gardens Banks in September to learn how about permitting and working in proximity to the oil and gas industry.
- The public comment period for the Flower Garden Banks expansion closes this week. He encouraged people to provide comments.

FKNMS

- Beth Dieveney gave an update on the Nancy Foster research cruise, which is currently underway in the Tortugas region. The research is being conducted in partnership with federal, state and academic scientists. One of the main goals of the mission is to tag fish with acoustic

tags to better understand their movements and use of the habitat. Acoustic receivers are used to pick up on fish movements. Imagery is being obtained in deep areas using a stereo camera that is put in place for a period of time. Videos and other information about the mission are available on the FKNMS Facebook page.

VII. CLOSING REMARKS/ADJOURN

ONMS Acting Director John Armor expressed his thanks to everyone for the amount of time and effort they put into the day. It's not often that he has the opportunity to participate in council meetings. He appreciates everyone taking time from their busy schedules to provide advice and support during the meeting. He also thanked the interagency partners and sanctuary staff for their contributions to the meeting.

Acting Chair Popham acknowledged that it was good to have Acting Director Armor participate in the meeting.

ADJOURN