

FLORIDA KEYS NATIONAL MARINE SANCTUARY ADVISORY COUNCIL

Marriott Beachside Hotel
3841 N Roosevelt Blvd
Key West, FL 33040
Tuesday, October 15, 2019

FINAL MINUTES

***SANCTUARY ADVISORY COUNCIL MISSION STATEMENT
(adopted unanimously, December 6, 2005)***

Council Members

Boating Industry: Bruce Popham (Chair)
Tourism – Lower Keys: Clint Barras (Vice-Chair)
Citizen at Large – Lower Keys: Mimi Stafford
Citizen at Large – Middle Keys: George Garrett (absent)
Citizen at Large – Upper Keys: David Makepeace
Conservation and Environment: Ken Nedimyer
Conservation and Environment: Chris Bergh
Diving – Lower Keys: Joe Weatherby
Diving – Upper Keys: Elena Rodriguez
Education and Outreach: Jessica Dockery (absent)
Elected County Official: Michelle Coldiron
Fishing – Charter Fishing Flats Guide: Will Benson
Fishing – Charter Sports Fishing: Steven Leopold (absent)
Fishing – Commercial – Marine/Tropical: Ben Daughtry
Fishing – Commercial – Shell/Scale: Justin Bruland (absent)
Fishing – Recreational: Ken Reda (absent)
Research and Monitoring: David Vaughan (absent)
South Florida Ecosystem Restoration: Jerry Lorenz
Submerged Cultural Resources: Corey Malcom (absent)
Tourism – Upper Keys: Andy Newman (absent)

Council alternates (present)

Boating Industry: Karen Thurman
Citizen at Large – Lower Keys: Stephen Patten
Citizen at Large – Upper Keys: Suzy Roebling
Conservation and Environment: Tracy Allen
Conservation and Environment: Caroline McLaughlin
Diving – Upper Keys: Dale Bishop
Fishing – Charter Fishing Flats Guide: Dale Bishop
Fishing – Charter Sports Fishing: Richard Gomez
Research and Monitoring: Shelly Krueger
South Florida Ecosystem Restoration: Elizabeth Jolin
Submerged Cultural Resources: Diane Silva
Tourism – Upper Keys: Lisa Mongelia

Agency Representatives (present)

Florida Department of Environmental Protection: Joanna Walczak
FWC Fish and Wildlife Research Institute: John Hunt
NOAA’s National Marine Fisheries Service: Heather Blough
NOAA’s Office of Law Enforcement: Kenny Blackburn, Mitchell Robb
National Park Service, Dry Tortugas: Glenn Simpson
National Park Service, Everglades: Christopher Kavanagh
U.S. Coast Guard (USCG): Victor Sanchez, Phil Goodman (Auxiliary)
U.S. Navy: Ed Barham

Municipalities

City of Key Colony Beach: John DeNeale

I. CALL TO ORDER, ROLL CALL, AND MEETING MINUTES APPROVAL OF JUNE DRAFT MEETING NOTES

MOTION (passed)

A motion to approve the August 20th, 2019 minutes was made by Ken Nedimyer and seconded by Chris Bergh. The minutes were approved. A motion to adopt the agenda was made by Ken Nedimyer and seconded by Mimi Stafford. The agenda was adopted without change.

Chairperson’s Comments

Chairperson Popham acknowledged the start of stone crab season falls on October 15 and is an unfortunate coincidence, as Advisory Council meetings are held on the third Tuesday of every other month. There are additional opportunities to comment on the Restoration Blueprint on future dates, as well as online and via written comment.

Chairperson Popham discussed how this council is the main connection between constituencies and management of the sanctuary, and has always been an extremely open and public council. He encourages people who are interested in participating on the council to apply during the current recruitment period. Advisory Council recruitment is open for the following seats through December 31st: citizen-at-large/Upper Keys (member and alternate), boating industry (member and alternate), diving/Upper Keys (member only), charter sports fishing (member and alternate), recreational fishing (member and alternate), research and monitoring (member and alternate), and tourism/Lower Keys (member only).

Today’s session is mainly dedicated to public comment, there will be two sessions 3:30pm-5:00pm and 6:00pm-9:00pm. Before those comments are heard, the council will spend a few hours focusing on the Restoration Blueprint.

II. RESTORATION BLUEPRINT: ADVISORY COUNCIL ADVICE AND RECOMMENDATION ROLE

Sarah Fangman, Florida Keys National Marine Sanctuary

Superintendent Fangman expressed gratitude for council members’ flexibility in time and location of this meeting, and their involvement in the Restoration Blueprint public process since the August release. The next two advisory council meetings will be focused on hearing from the general public. In February, the advisory council will reconvene to discuss the comments

received and provide their recommendation. Input from the advisory council, state and federal partners, and the public will inform the single alternative which will be released for another round of public comment.

III. RESTORATION BLUEPRINT: ADVISORY COUNCIL COMMENT AND DISCUSSION

Focus on: Lower Keys, Marquesas and Tortugas Regions

Chairperson Popham invited each council member to share the feedback they are hearing from their consistencies regarding the Restoration Blueprint.

Clint Barras: Lower Keys – Tourism

- The Florida Keys leads the state in tourism-based jobs. Most of the tourism industry agrees we need to increase boating education and clear up the language surrounding limited entry.
- Throughout this process, overwhelmingly this council has heard that more protections are the best way to protect our livelihoods, and this plan is only a start.
- Increasing funding streams through avenues such as user fees will help with additional buoys, enforcement, and education.
- While the sanctuary does not regulate lobster mini season, perhaps an increase in collaboration with FWC will help to minimize the impact of that event.
- There is a need for improving water quality, especially in clean water coming through Everglades National Park.

Mimi Stafford, Lower Keys Citizen at Large

- Most citizens are overwhelmed by the management plan and are asking how it impacts them individually.
- There is a general consensus that we should not be rolling back regulations, however we need more funding.

David Makepeace, Upper Keys Citizen at Large

- Facilitated an exercise with a 6th grade ecology class and allowed them to become ‘council members’ analyzing the Restoration Blueprint. The class recommended a blend of alternatives 3 and 4.
- Fish spawning in the lower keys may end up being fished in the upper keys, these connections are very important.
- While some citizens encourage closures and others do not, we need to come up with a solution for everyone.

Ken Nedimyer, Conservation and Environment

- Many fear this plan is too little too late.
- Any protections afforded to the reef and specifically the nurseries will only benefit the reef. Many of these protections are laid out in alternative four.
- The idle speed large areas should be looked at individually for efficacy.
- The site at Western Dry Rocks should be designated a conservation area to protect spawn.
- Each regulation protects against different outcomes: no anchor vs no motor depending on the stress of the site.

Chris Bergh, Conservation and Environment

- Marine Zoning Works for Me group has lots of information on the website: <https://www.marinezoningworksforme.org/>
- Water quality, education and outreach, law enforcement, marine zoning, and active restoration are all critical, aspects of the plan.
- Shoreline to reef zones, such as Western Sambo are working: evidence of larger fish within the zone and better spillover compared to smaller zones. Expanding those zones, including Tortugas corridor, and making them transit only will increase these benefits. However, user groups should not be singled out: if you can't fish you shouldn't dive.
- Limited entry zones are a good idea, but entry should be limited to all, not to certain operators.
- Many people seem confused about closures of certain sandbars and beaches, even though there is no proposed closure in the plan.
- Boca Chica sandbar in Western Sambo would benefit from being transit only.
- The idle speed only buffer along developed shoreline as described in Alternative four should be extended along the whole keys except in channels.

Joe Weatherby, Diving Lower Keys

- Need to find a way to keep tourism without disrupting the environment.
- This plan is confusing for people, the more we discuss the plan the more people will understand.
- Nothing in the plan directly addresses water quality which is disappointing to many.

Elena Rodriguez, Diving Upper Keys

- The dive community experiences the conditions of the reef every day, recognizes that doing nothing is not an option.
- Increasing the offerings for boater education, diving etiquette, fishing etiquette will benefit the reef. Also need to address water quality.
- Most dive shops in the upper keys are Blue Star certified, so they are not proposed to the limited entry idea.
- We need to come up with a valid solution as a community

Will Benson, Flats Fishing Charter Flats

- Over time, fishermen have witnessed decline of habitats, but there is still hope for this ecosystem. Water quality should be a focus, including real time water quality monitoring.
- Some closures in this plan, for example the Marquesas' point, will close those as fishing grounds and negatively impact fishermen.
- Making boater education mandatory, adequately marking waterways, and increasing law enforcement will go a long way to restoring this area.
- Restoration here depends on restoration elsewhere. Sister sanctuaries can help do more.

Richie Gomez, Charter Fishing Sports Alternate (speaking for Steve Leopold)

- Anything other than status quo (alternative 1) without increasing enforcement and education will not be supported by the fishing community.
- Collaboration with fisheries management councils should be the focus of the sanctuary. Let those councils manage for fish stocks and areas like Western Dry Rocks.
- If an area prohibits fishermen, it should prohibit divers as well.

Ben Daughtry, Commercial Fishing Marine Life Tropical

- Additional small scale SPAs are not the most effective way to protect an area.
- Many wonder if the Marquesas' idle speed area will actually impact the turtle population. Their numbers have been increasing without this zone, is it really necessary?
- Western Dry Rocks should be closed year round to protect spawning fish.
- Coral restoration work paired with transit only areas will help protect those zones.
- Large idle speed zones do not make sense if areas are deep and don't see many divers.
- No anchor zones will benefit bottom habitat.
- SPAs should not exclude certain groups, make them transit only and closed for everyone.

Shelly Krueger, Research and Monitoring alternate (speaking for Dave Vaughn)

- The research community encourages their constituents to reach out and share their thoughts.

Jerry Lorenz, South Florida Ecosystem Restoration

- The Tortugas corridor zones is backed by good research to show fish are migrating. That area should be protected, and may be one of the most important areas in the blueprint.
- Idle speed along all shorelines is good idea to protect against degradation.
- Ensure that once rules go into place, they can change. Open areas that have rebounded.
- Clarifying the role of FWC in this process would help many.

Diane Silvia, Submerged Cultural Resources alternate (speaking for Corey Malcom)

- Proposed changes to the salvage groups were not well advertised and there are many questions. These questions will be addresses at a meeting with industry this week.

Lisa Mongelia, Tourism Upper Keys alternate (Speaking for Andy Newman)

- Biggest priorities should be making sure reefs are there for future generations to enjoy, ensuring locals and visitors are happy, and to keep this area a gem.
- Everybody may get one thing they like, and one thing they don't but we need to come up with one solution.

Michelle Coldiron, Elected County Official

- Limited entry access language needs to be cleaned up.
- The Board of County Commissioners will take additional time to listen to constituents before making their official comment.
- Appreciate that this is a transparent process, and that NOAA listens to community input.

Bruce Popham, Boating Industry

- These waters belong to all Americans, and everyone should be engaged.
- Increasing boater education will benefit the resources.
- Derelict vessel language needs better definitions.
- There are financial concerns about enforcement costs, and buoy program costs.
- Areas ruined by scarring have been able to bounce back after closure.
- Large vessels such as cruise ships and container ships don't need to be close to the reef line. Enforcing the area to be avoided will keep them far enough out.

IV. OTHER ISSUES OF NOTE FOR FUTURE DISCUSSION – ADVISORY COUNCIL ROUND ROBIN

Advisory Council members were invited to share issues of note that they would like to discuss at future meetings. The following topics were suggested:

- How would idle zones in large areas be managed?
- Limiting access to all user groups rather than only excluding fishing stakeholders, and limiting based on occupancy rather than based on recognition.
- Mandatory boater education rather than voluntary.
- Implementing user fees or license fees to increase revenue for increased enforcement, education, and coordination.
- Other communities across the Caribbean are implementing user fees and closed areas, those are the areas we are competing with and we need to match their efforts.
- Regional collaboration among other countries to ensure conservation measures are effective.
- If we continue to have dive and snorkel only zones (SPAs), should we consider fishing only areas to match.
- Increasing active restoration of coral and seagrass.
- Continuous habitat conservation areas are well supported in the upper keys, the lower keys area may need to be examined.

Break

V. AFTERNOON PUBLIC COMMENT

For a transcript of oral public comments given see: *October 15 Sanctuary Advisory Council Meeting Oral Public Comment*. This document can be found at floridakeys.noaa.gov with the October Advisory Council meeting materials and is posted at regulations.gov.

Break

VI. EVENING PUBLIC COMMENT

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VII. UPCOMING MEETING AND CLOSING REMARKS

Chairperson Popham acknowledged the staff and council for their efforts to host this meeting. The next advisory council meeting will be held December 10th, 2019 at the Islander Resort in Islamorada, FL.

Adjourn.