

FLORIDA KEYS NATIONAL MARINE SANCTUARY ADVISORY COUNCIL
Isla Bella Beach Resort; 1 Knights Key Boulevard, Marathon, FL 33050
Tuesday, February 18, 2020
MEETING SUMMARY

The following serves as a summary of the February 18, 2020 FKNMS Advisory Council Meeting. This summary does not constitute official minutes of the meeting. Draft meeting minutes will be distributed in advance of the March 24-25 Advisory Council Meeting for approval by the council.

NOAA Office of Law Enforcement recognizes four Florida Fish and Wildlife Conservation Commission Officers for excellence in service.

The officers recognized are Jeremy Foell, Jason Richards, Jessica Sutter, and Ryan Trueblood.

The United States Department of Commerce, National Oceanic and Atmospheric Administration, Office of Law Enforcement, and the Florida Keys National Marine Sanctuary, in partnership with the Florida Fish and Wildlife Conservation Commission, implemented the Joint Enforcement Agreement to address a variety of threats to the Florida Keys ecosystem. The Offshore Patrol Vessel program has significantly contributed to the success of the Joint Enforcement Agreement which is critical to the overall conservation and protection of the living resources within the Florida Keys National Marine Sanctuary.

Each individual was recognized for their exemplary efforts and commitment to the Offshore Patrol Vessel program which has contributed significantly to the protection and preservation of the Florida Keys National Marine Sanctuary. Noting that their dedication, teamwork and professionalism are essential to ensuring the continuation of the resource for future generations and are a credit to their agency.

Advisory Council Announcements

The current Sanctuary Advisory Council recruitment is still underway, any new members are expected to be in place for the April meeting. The April meeting will also include nomination and selection of a new Chair and Vice Chair.

Bruce Popham, current Chair, stepped down from his seat and provided brief remarks including challenging the remaining advisory council members to continue to work to protect and preserve the Florida Keys environment.

Caroline McLaughlin, Conservation and Environment alternate, provided information about an upcoming public meeting and public comment opportunity related to an important upcoming decision about Florida Bay restoration. The U.S. Army Corps of Engineers and South Florida Water Management District are in the process of finalizing a plan that will guide where, when, and how much water will flow south to Everglades National Park and Florida Bay, called the Combined Operations Plan (COP). The draft operations plan was released for public comment on January 31st with public comment open through March 16th. She noted that this is the public's final opportunity to comment on the operations plan, which will ultimately influence the future health and sustainability of Florida Bay and water quality in the Florida Keys National Marine Sanctuary more broadly.

Remembering Advisory Council Member Don Kincaid

A moment of silence was held before members share stories and memories about Don Kincaid, former Diving Lower Keys member and alternate. Notably his wisdom, his stories, and his love of the Florida Keys environment, history, and community. Corey Malcom, Submerged Cultural Resources member, left the scientists in the room with Don's advice and challenge to tell their research outcomes through images rather than graphs.

Protecting Paradise: Tourist Development Council Sustainability Campaign

Andy Newman, Upper Keys Tourism member, shared recent efforts by the Tourism Development Council to celebrate the Florida Keys environment through messages of conservation and sustainability. He shared portions of promotional videos from the Protecting Paradise television show. The program is to broadcast on Destination America, WGNA, Fox Sun Sports and several streaming services. Viewers should check local listings.

Restoration Blueprint: comment and consultation to date

Beth Dieveney, Florida Keys National Marine Sanctuary staff provided a very high level and preliminary summary of public comment received and agency comment and consultation to date. The presentation can be accessed [here](#).

Restoration Blueprint Advisory Council Priority Issues and Perspectives

The advisory council was then led through a facilitated process to identify the priority issues from their individual constituent perspective. Each member was given ten sheets of paper to identify their issues and categorize them in one of the following categories: Boundary, Sanctuary-Wide Regulations, Marine Zone Regulations, Marine Zones (Upper Keys, Middle Keys, Lower Keys, Marquesas, Tortugas), Management Plan, and Other. Their exact issues are included below in no particular order.

Boundary

- Boundary exp. In general, great! ATBA additional fantastic, affects no one any more than present, makes purpose as part of FKNMS. Tortugas also great - Pulleys Ridge, Rileys
- Incorporate Pulleys Ridge
- Pulley Ridge
- Boundary expansion plus Pulley Ridge, widening overall boundary, except Dry Tortugas extension
- Expand boundary lines for zoning alignment
- Boundary: keep bigger ships further offshore Not enough room now to recover if a large ship loses power.

Sanctuary Wide Regulations

- Water quality cruise ships: limit all discharge in sanctuary
- Marine zone: cruise ships need stiffer regulations 3 miles out is not far enough out.
- All channels approaching shore - no wake
- Idle speed/no wake along shorelines
- Extend the shoreline slow speed zone to all areas
- Idle speed only along all shorelines
- 100-yard idle speed off all shores
- private salvage of shipwrecks should be eliminated
- private salvage of shipwrecks should be allowed
- Is “in situ” preservation for shipwrecks the best option?
- equal use
- using least restrictive zoning to protect resources
- Marine zone: need clarification on “becoming derelict;” need clarification on what constitutes an “emergency”
- consistency
- The Florida Keys economy is driven by tourism. People come here from all over the world to experience our environment. We must protect our natural resources to maintain our livelihoods. Some water-based tour operators are hoping to balance use in some areas marked for no anchor, while also supporting the broader goal.

- Sanctuary wide: 1) Can Spencer Slate get a permit to “fish feed” on his dives? Will permits be limited? If so, how? 2) Need to clarify how we’d enforce anchoring rules, depths, etc.
- Live rock permits

Marine Zone Regulations

- Explore ecosystem-based management approaches
- Reconvene ecosystem working groups
- Blue Star operation expansion to use in restricted areas
- All regions: Extend SPAs to include deeper reef habitat
- Extend SPAs to deep reef (90’)
- No baitfishing in the SPAs, consistency throughout sanctuary
- Use of SPAs that don’t protect resources
- Idle/no wake zones versus slow speed/minimum wake in open waters
- Backcountry wildlife management areas that protect seagrass from boat damage
- Protect sensitive bird nesting and roosting areas throughout Keys
- Protect large contiguous habitat shore to reef, need 1 in each region (upper, middle); connectivity between life stages
- Protect 30% of sanctuary by 2030
- sanctuary wide regs: large contiguous zones
- Contiguous preservation zones, need more defined & designated transit/through zones
- Sanctuary wide: Increase # of research/no access areas to help measure effectiveness and impact of management
- The general definition of protect in regards to this Blueprint means one more place to not fish
- Fishermen feel that divers and snorkelers are mostly unregulated and fishermen are quite regulated. The Sanctuary should think about being the divers regulated which would be a greater benefit to reef protection.
- Fishermen feel that in order to get a better understanding of diving impact versus fishing impact there should be fishing only reefs as well as diver only reefs.
- Closing areas to fishermen because of spawning fish is unfair. We are already governed by three agencies, and our fisheries are very well protected already.
- Marine zoning: Limited access for restoration zones.
- Sanctuary wide: Coral nursery protections.
- Zones for habitat restoration which may prohibit access are a good idea & allow assessment of coral success while factoring out human impacts.

Marine zones – Upper

- Carysfort shoreline to reef protection
- Carysfort Ecological Reserve [2 sticky notes say this]
- Carysfort SPA
- Upper Keys: 1. Lots & lots of comments about fireworks upsetting wildlife - not sure that’s true but -
- Indian Key Fills
- Whitmore Bight
- Shell Key/Lignumvitae zoning or lack of
- Cheeca Rocks SPA - increase to protect more patch reefs in area
- Key Largo Management Area no anchor
- Key Largo no anchoring zone general disapproval
- Key Largo motor zone
- Marine zones Upper Keys → Key Largo Mgt area size
- Alligator lighthouse area restrictions
- Upper Keys WMAs Dove, Pigeon, Rodriguez & Pelican Key

- Upper Keys: No anchor zone - A difficult on historic use of area; limits impacts to defined areas which may now take bigger impacts
- Upper Keys Zones: Tavernier & Dove Creek WMAs - good addition for protection of near shore & island

Marine Zones – Middle

- Middle Keys zones: Zones on the bayside of Marathon - Red Bay to the east are protective; Concerns registered by lobster folks that the zones may affect trap placement
- Middle Keys: 1) Take another look at close shoreline regulations as to not affect lobster fishermen
- Tenn Reef ROA: Support extending Tenn ROA south boundary to deep reef
- Middle: Tenn Reef Conservation Area - make it [cannot read]? but still shore to reef. Idle speed only near shore
- Long Key Tenn Reef Conservation Area - initial big opposition as no take but after further information of benefits to sanctuary we're willing to compromise
- Middle Keys shoreline to reef transit only area (maybe not in the exact location currently proposed at Long Key)
- Middle Keys zones: Turtle Shoal CA Good!
- Middle Keys zone: New zone on the oceanside (used to be known as Jack Tar Flats) is a great thing to protect that shallow water area. When proposed years ago - it protected flats guides & those fish that they sought. Now concern is to put the zone in place while considering the needs of bully netters.
- Long Key → Tennessee Reef catch & release zone
- Marine zones Middle: Long Key ER
- Long Key to Tennessee deep reef ecological preserve
- Middle Keys: Long Key ER

Marine Zones – Lower

- Backcountry protection is getting out of hand
- Lower Keys: WMAs in Lower Keys protect lands generally owned by USFWS
- Lower Keys (Western Sambo) shoreline to reef protected area
- Lower Keys zones: Western Sambo - SPA/or Ecological Reserve; Loggerhead/Key Lois
- Lower Keys: Western Sambo; Fish spawning aggregation protection
- Western Sambo extension to deep reef
- Lower Keys: 1) Constituents would like more consideration at Snipes, Marvin

Marine Zones – Marquesas

- Marquesas zone: Western Dry Rocks, Marquesas Island closure
- Marquesas Region: 1) Constituents would like a deeper dive or alternatives for Boca Grande & Woman Key for boater access
- Lower Keys zones: All expansions/additions in Marquesas are needed; Augments USFWS protection
- S.E. Lakes zoning or lack of
- Western Dry Rocks [2 stickies saying this]

Marine Zones Tortugas

- Tortugas: T-CH S & N are necessary to round out & square off protection, easier to manage. Corridor SPA defines an area that truly is now understood to be a migration corridor
- Tortugas boundary exp., Corridor, Tort. South westward expansion
- Incorporate protection for Tortugas corridor (alt 3)
- Tortugas: additional corridor - supporting science?

Management Plan (non-regulatory action)

- Be more engaged in Everglades restoration & WQ issues
- To address sanctuary water quality the sanctuary needs to take a more active role in Everglades restoration activities
- Declining water quality
- Water quality [3 separate stickies all saying just this]
- Management plan: Water quality
- Water quality monitoring program
- Enforcement [2 separate stickies that say just this]
- Enforcement of existing laws
- Law enforcement [3 separate stickies that say just this]
- Insufficient enforcement of current regs; how to increase enforcement with increased regs
- Management: law enforcement
- More enforcement
- Sanctuary wide: Boater and resource user education mandatory
- Boater education
- Mandatory boater ed/education [2 stickies saying this]
- Education [3 stickies saying this]
- Management: Education/outreach
- Outreach
- Mooring balls
- Increase # of mooring buoys with no anchoring within 100 m of buoys
- Management plan: Mooring buoys - number, placement, size
- Artificial reefs, habitat restoration, hands on restoration in all forms
- More artificial reefs [2 stickies saying this]
- Artificial reefs
- Allow artificial reefs
- Restoration
- Create a restoration permit category
- Implement the existing coral restoration working group plan from 4 years ago
- Management: Carrying capacity
- Carrying capacity in SPAs and other areas; too many people use Molasses Reef or Looe Key as examples of overuse
- Spawning aggregations
- Alternatives that protect spawning aggregations
- Channel marking [3 stickies saying this]
- Better channel marking
- Marked paths / channels in backcountry sanctuary wide
- Improve condition of resources where possible (restore ecosystem structure + function) & evaluate carrying capacity for snorkel/divers
- Assess the state of the science/research of sanctuary resources, habitats and direct future research
- Host a Florida Keys ecosystem symposium/workshop (last one 5 or more years ago)
- Prepare a sanctuary condition report update (last one 2011 D- report card)
- Develop a comprehensive science plan (last plan 2002)
- Was the proposed cultural resources programmatic agreement properly vetted and developed?

Other

- Funding
- Other: 1) How do we pay for additional mooring balls? 2) How do we pay for additional law enforcement? 3) Lots of comments about water quality - but is that really our mission? How can this group liaise or influence other agencies?

- Mini season [3 separate stickies all saying just this]
- No more mini season
- eliminate lobster mini season
- User fees
- We, as a SAC, had several discussions on user fees to help support ongoing restoration, education, and enforcement. This should be added to the final recommendation.
- Iconic Reefs restoration
- Fully support the Seven Iconic Reefs concept (a good start)
- Motherships in Marquesas & sanctuary wide operating as AB&B
- Understanding the Blueprint and explain the questions that were asked in public comment

Restoration Blueprint Advisory Council – Setting Priorities

The advisory council was given the opportunity to clarify and or expand on any of these issues prior to conducting a two-phased priority setting exercise. In Phase1, each member had 10 sticky dots to place on the issues they felt should be discussed in more detail as a full advisory council. Upon review and discussion they were provided a final 5 sticky dots to refine these priority issues for further advisory council discussion. These priority issues will be discussed further at a special session in March; final meeting schedule is pending however advisory council members are holding Tuesday March 24 and Wednesday March 25 for this special session.

Priority Setting Exercise Results

Note these are simplified from the initial compiled list and the number reflects the number of dots for each issue and only those issues with dots are included. The first number reflects Phase 1 priorities and the second number included in parentheses reflects Phase 2 priorities.

- Boundary
 - Incorporate Pulley Ridge – 5 (7)
 - Expand overall boundary – 2
 - Include ATBA expansion – 2
 - Keep bigger ships offshore – 1
- Sanctuary-Wide Regulations
 - Private salvage of shipwrecks – 3 (3)
 - In situ preservation of shipwrecks – 1
 - Fish feeding – 1
 - Shoreline Slow Speed – 6 (5)
 - Cruise ship discharge – 1
 - No anchor – 1
 - No wake in channels – (2)
 - Least restrictive zoning – (1)
- Marine Zone Regulations
 - Ecosystem based management/reconvene ERWG – 3
 - Blue Star operators in restricted areas – 4 (4)
 - Expand SPAs to deep reef (90 ft) – 1
 - No baitfishing in SPAs (consistency) – 2
 - No closures of spawning aggregations – 1
 - Protect coral restoration sites – 2
 - Protect more than fish/SPAs don't protect resources – 2
 - More research/no access – 2
 - Protect large, contiguous habitats (30% by 2030) – 6 (7)
 - Backcountry WMAs for seagrass – 1
 - Need no diving areas – (2)

- Marine Zones General
 - Clear purpose and intent – 2
 - GPS coordinates available – 1 (3)
- Marine Zones – Upper Keys
 - Alligator Reef – 4 (3)
 - Whitmore Bight – 2
 - Upper Keys WMA (fireworks) – 1
 - Dove, Rodriguez, Pigeon, Tavernier and Pelican Keys WMAs – 4 (2)
 - Shell Key/Lignumvitae zoning or lack – 1
 - Indian Key fills – 2 (1)
 - Carysfort ER/SPA – 6 (3)
 - Cheeca Rocks SPA – 1
 - Key Largo MA – size, regulations – 3 (3)
- Marine Zones – Middle Keys
 - Long Key/Tennessee Reef – 9 (2)
 - Turtle Shoal – 4 (2)
 - Red Bay Bank – 3 (1)
 - Jack Tar Flats/Marathon shoreline – 1 (1)
 - Lobster fishing – 3 (2)
- Marine Zones – Lower Keys
 - Western Sambo – 2
 - Fish spawning – 1
 - Deep reef – 1
 - Snipes Key – 1 (1)
 - Marvin Key – 1
 - Loggerhead/Key Lois – 1
 - Coordination with USFWS - 2
- Marine Zones – Marquesas
 - Western Dry Rocks – 5 (3)
 - Woman Key and Boca Grande Key – boater access – 2
 - Marquesas Island closure – 2
 - Expansions across Marquesas – 2
 - Marquesas Turtle Foraging Area – (3)
- Marine Zones – Tortugas
 - Tortugas corridor protection – 2 (2)
 - Tortugas westward expansion – 3 (1)
- Management Plan
 - Water Quality – 8 (3)
 - Enforcement – 4
 - Education/Outreach – 2 (2)
 - Mooring buoys (number and location) – 5 (2)
 - Artificial reefs and/or habitat bldg structure – 5 (6)
 - Restoration (restoration permit) – 4
 - Carrying capacity – 8 (6)
 - Spawning aggregations – 1
 - Mark passages/routes & Channel marking – 8 (4)
- Other
 - Funding – moorings, enforcement, etc. – 6 (5)
 - Mini season – 4
 - User fees – 8 (5)

- Iconic Reefs restoration – 6 (2)
- Motherships/quasi hotel operation (e.g., AirBnB) – 1 (1)

Public Comment

There were five public commenters at this meeting:

- Stacy Aguilar (statement read by Suzy Roebeling), private citizen
- Gerald Ward, private citizen
- Troy Testa, private citizen
- Ross Boucek, Bonefish Tarpon Trust
- Rick Gage, All Keys Boater Alliance