

Restoration Blueprint

Sanctuary Advisory Council Priorities and Input
Virtual Working Session: March 24, 2020

Meeting Goals

- Clarify Restoration Blueprint proposals.
- Present draft Sanctuary Advisory Council proposals/motions.
- Sanctuary Advisory Council questions and discussion as time allows.

Next Steps

- Public comments submitted today will be shared with the Advisory Council.
- A follow-up survey will be sent to Advisory Council members and alternates to provide additional perspective, information, concerns, etc. for each of the draft proposals/motions. The survey responses will become part of the Advisory Council record.
- Information received today and through the follow-up survey will be used to inform future meeting agendas and Advisory Council discussion.

Priorities identified at February 18 meeting

- Spatial Priorities
 - Boundary – incorporate Pulley Ridge
 - Marine Zones
 - Western Dry Rocks
 - Key Largo Management Area
 - Marquesas Turtle zone
 - Alligator Reef and Carysfort Reef SPAs
 - Large Contiguous Areas
 - Lower Keys Wildlife Management Areas
- Regulatory Priorities
 - Shoreline Slow Speed
 - Historical Resource Permitting
- Management Plan Priorities
 - Water Quality
 - Artificial Reefs
 - Channel Marking
 - Funding
 - Carrying Capacity/User Fees

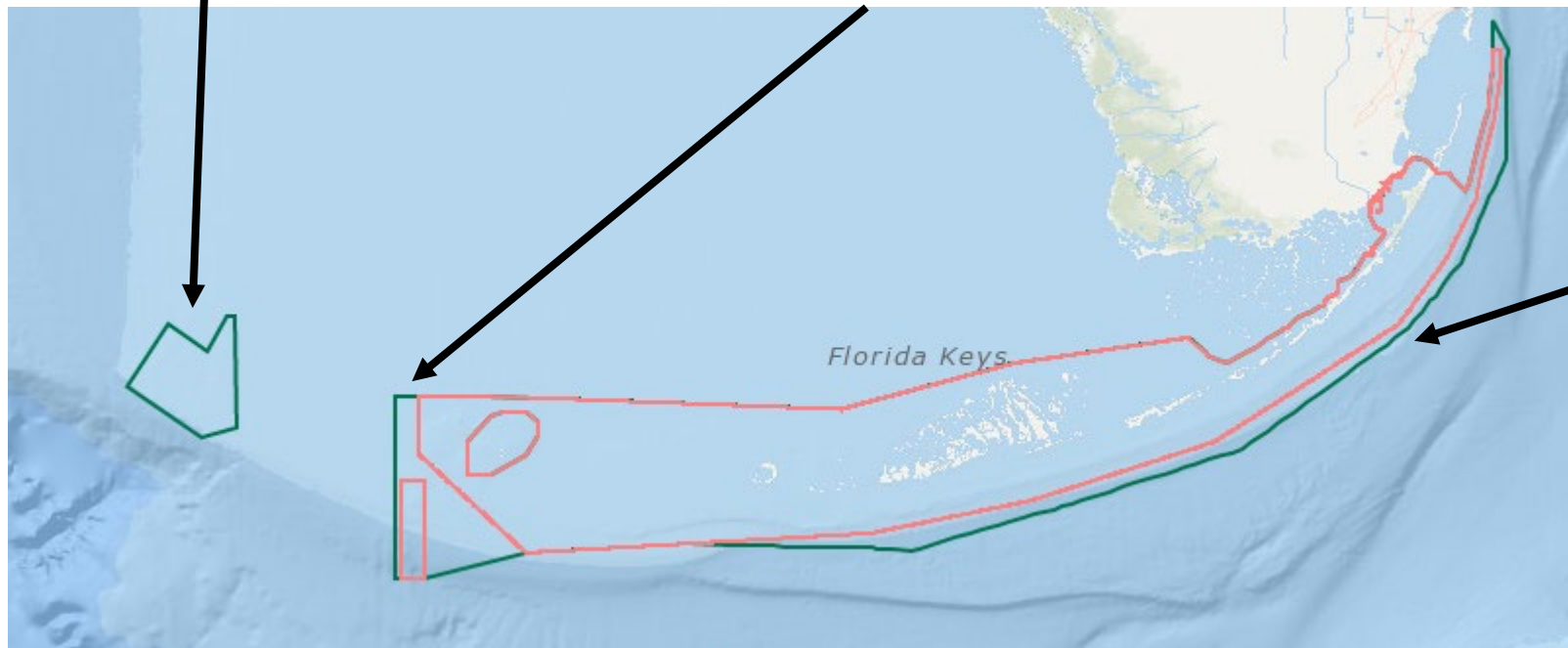
Sanctuary Boundary



Sanctuary Boundary Expansion Draft Alternatives

Pulley Ridge – protect significant ecosystems
(Alternative 4)

Tortugas Region – connectivity and habitat
protections (Alternatives 2, 3, and 4)



Area to be Avoided -
Consistent regulation
(Alternatives 2, 3, and 4)

Sanctuary Boundary Expansion

Draft proposal/motion for Advisory Council consideration

The SAC supports Alternative 4, expanding the boundary to the maximum extent described in the DEIS. Sanctuary-wide regulations would apply in this expanded area.

Pulley Ridge should have an additional prohibition on vessels longer than 50 meters anchoring therein.

Note: Consideration of change to Tortugas Ecological Reserve South (TERS) and the addition of the Tortugas Corridor zone are addressed in other draft motions.

We repeat: This motion is not an endorsement of expansion of TERS or the Tortugas Corridor.

Sanctuary-wide Regulations



Sanctuary-wide Regulations: 3.2.1 – Live rock prohibition

- **Status Quo:** Prohibits harvesting or possessing any live rock except as authorized by a permit for aquaculture issued by the National Marine Fisheries Service or as authorized by the applicable state authority
- **Preferred Alternative:** Develop a memorandum of agreement with the state of Florida and National Marine Fisheries Service
- **Alternative 4:** Require sanctuary authorization for existing and any future live rock aquaculture activities

Draft proposal/motion for Advisory Council consideration:

The SAC supports Status Quo, no change. There seems to be no stated existing issues with this use and it is not in conflict with FKNMS goals and objectives. This use has diminished over the last decade and there is no reason to believe that this will change in the future. It would be the SAC's desire that the FKNMS and state of Florida continue to work together on items that fall within both entities boundaries.

Sanctuary-wide Regulations: 3.2.2 – Discharge regulation

- **Status Quo:** Prohibits discharge of any material except “water generated by routine vessel operations” (e.g., deck wash down and graywater)
- **Preferred Alternative:** Prohibits discharge of any material from a cruise ship except **clean** cooling waters, **clean** bilge water, or **clean** anchor wash water

Draft proposal/motion for Advisory Council consideration

The Advisory Council supports the Preferred Alternative.

Sanctuary-wide Regulations: 3.2.3 – Shoreline slow speed

- **Status Quo:** Prohibits operating a vessel at a speed greater than 4 knots or creating a wake within 100 yards of residential shorelines
- **Alternative 4:** Extend this prohibition to apply to all shorelines within the sanctuary and modify the restriction to slow speed

Draft proposal/motion for Advisory Council consideration

The SAC supports Alternative 4, expanding the sanctuary-wide slow speed regulation within 100 yards of residential shorelines to include slow speed within 100 yards of all shorelines with exceptions. Exception 1 is for waterways marked by US Coast Guard aids to navigation unless those waterways already have vessel speed regulations in place in which case existing regulations take precedence. Exception 2 is for boating routes that are not USCG-marked waterways but that are more safely or practically transited at normal operating speed so long as other factors (e.g. shoreline erosion and wildlife impacts) are not negatively affected by normal operating speed. Furthermore, the SAC supports this sanctuary-wide regulation as a possible alternative to many, not all, of the site specific, more restrictive shoreline or nearshore waters protection proposals in the DEIS unless well documented impacts to wildlife, habitat, or public safety require more restrictive measures such as no motor or no entry zoning. In other motions the SAC should make specific recommendations about shoreline zones that need more protection than slow speed zoning provides. Other individual zones not specifically addressed by the SAC, and particularly many of those in the Lower Keys National Wildlife Refuges, may require more examination by the relevant agencies before being reconsidered by the SAC.

Sanctuary-wide Regulations: 3.2.4 – Emergency regulations

- **Status Quo:** Emergency regulations may be enacted for 60 days with option for additional 60 day extension
- **Preferred Alternative:** Emergency regulations may be enacted for 180 days with option for additional 186 day extension

Draft proposal/motion for Advisory Council consideration

The SAC supports the need for additional time to assess conditions and develop new regulations that would ameliorate or avoid recurrence of the emergency. The SAC requests that staff consider a new alternative that provides an initial 3-month period (one month longer than the existing first time period) for assessment of the emergency situation followed, if necessary, by a second, 9-month period (seven months longer than the existing second period) to provide ample time to develop new regulations which would go through the normal, time consuming, public process which could result in no action or new regulation.

Sanctuary-wide Regulations: 3.2.5 – Historical resources permits

- **Status Quo:** Inconsistent with state regulations. Permitted categories include: survey/inventory, research/recovery, deaccession/transfer
- **Preferred Alternative:** Aligns sanctuary regulations with state regulations. Create one historical resource permit category for: archaeological research

Draft proposal/motion for Advisory Council consideration

No draft proposal/motion was submitted in advance for this topic.

Sanctuary-wide Regulations: 3.2.6 – Fish feeding

- **Status Quo:** Inconsistent with state regulations. Not explicitly regulated unless: a discharge, or destruction, loss, or injury to a sanctuary resource occurs
- **Preferred Alternative:** Prohibit the feeding of fish, sharks, or other marine species from any vessel and/or while diving

Draft proposal/motion for Advisory Council consideration

The SAC supports the Preferred Alternative with the caveat that existing businesses that can demonstrate that fish feeding is central to their business model and that fish feeding has historically, for at least 5 years, been central to their business model, may be grandfathered in with a special permit.

Sanctuary-wide Regulations: 3.2.7 – Vessel groundings and derelict and deserted vessels

- **Status Quo:** Not explicitly regulated unless: a discharge, alteration to the seabed, or destruction, loss, or injury to a sanctuary resource occurs
- **Preferred Alternative:** Prohibit anchoring, mooring, or occupying a vessel at risk of becoming derelict, or deserting a vessel aground, at anchor, or adrift. Prohibit leaving harmful matter aboard a grounded or deserted vessel

Draft proposal/motion for Advisory Council consideration

The SAC supports the Preferred Alternative.

Sanctuary-wide Regulations:

3.2.8 – Large vessel mooring buoys

3.2.9 – Overnight use of mooring buoys

- **Status Quo:** Use of FKNMS mooring buoys is required in Tortugas North Ecological Reserve, in all other SPAs and Western Sambo Ecological Reserve, if a buoy is available.
- **Preferred Alternative, 3.2.8:** Require vessels over 65' length overall to use large vessel designated mooring buoys
- **Preferred Alternative, 3.2.9:** Prohibit overnight use of FKNMS mooring buoys, except for safe harbor

Draft proposal/motion for Advisory Council consideration

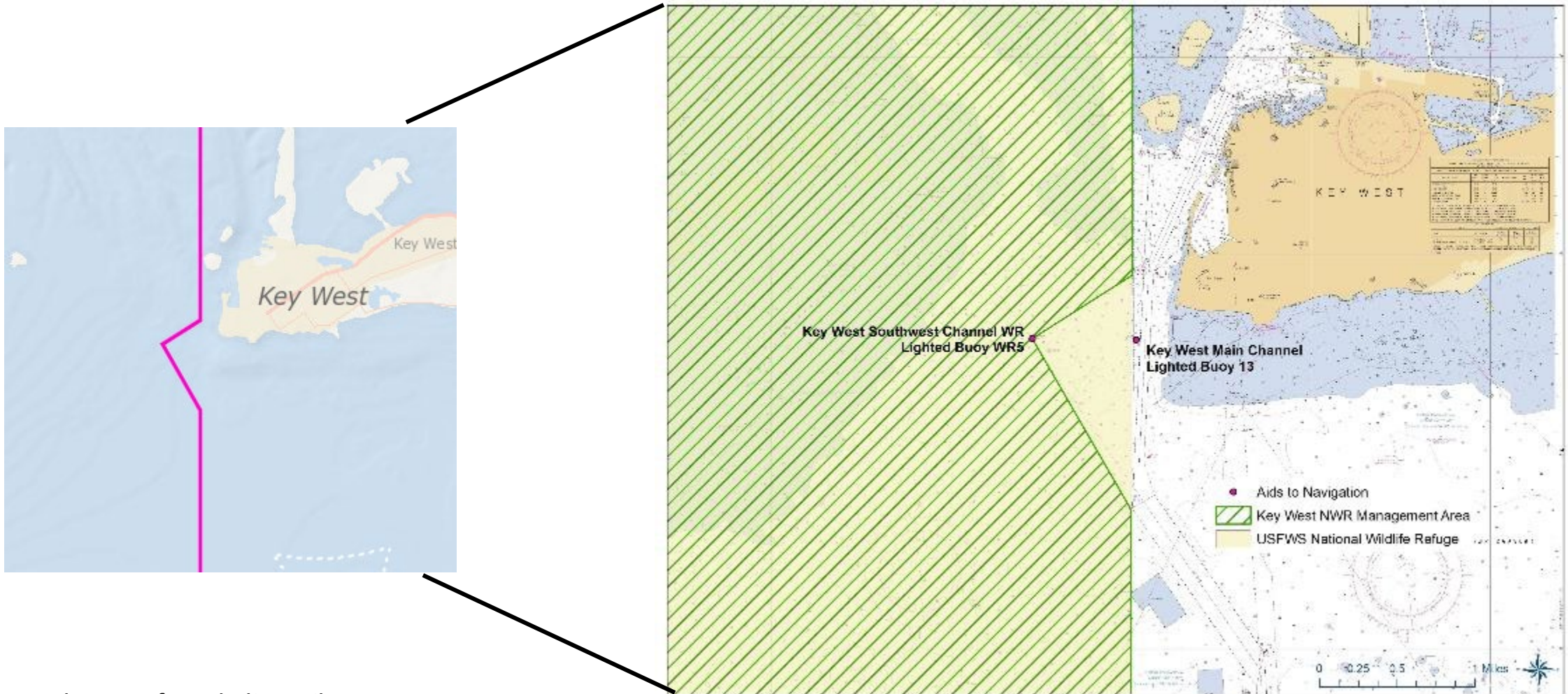
The SAC supports the Preferred Alternative.

Marine Zone Regulations



Marine Zone Regulations: 3.4.1, Motorized personal watercraft.

- proposed relief of personal watercraft operation in small portion of Key West National Wildlife Refuge



Images show preferred alternative

Marine Zone Regulations: 3.4.1, Motorized personal watercraft.



Draft proposal/motion for Advisory Council consideration

The SAC supports the Preferred Alternative.

Marine Zone Regulations: 3.4.2, Tortugas North Ecological Reserve access permits

- **Status Quo:** For access to Tortugas Ecological Reserve North, access permits must be requested at least 72 hours but no longer than one month before the date the permit is desired to be effective and FKNMS or NPS staff must be notified before entering or leaving the Reserve.
- **Preferred Alternative:** Remove the current time requirement for requesting access permits and for notifying FKNMS or NPS staff before entering and leaving the Tortugas Ecological Reserve North. Access permits will still be required.

Draft proposal/motion for Advisory Council consideration

The SAC supports the Preferred Alternative.

Marine Zone Regulations: 3.4.3, Catch and release fishing by trolling in four sanctuary preservation areas.

- **Status Quo:** Allow exception for catch and release fishing by trolling in the **Conch Reef, Alligator Reef, Sombrero Reef, and Sand Key** Sanctuary preservation areas.
- **Preferred Alternative:** Remove the exception for catch and release fishing by trolling in the Conch Reef, Alligator Reef, Sombrero Reef, and Sand Key sanctuary preservation areas.

Draft proposal/motion for Advisory Council consideration

The SAC supports Status Quo because it is premature to make a determination about these issues until the zone boundaries are crystal clear. Limiting bait fishing and catch-and-release trolling in existing SPAs where these activities are currently allowed has one set of impacts on people and the environment, but if those SPAs expand it is a completely different and larger set of impacts. Once zone boundaries are clear the SAC should revisit these regulations. Staff must also clearly define “trolling” so the SAC and the public can understand exactly what is being proposed.

Marine Zone Regulations: 3.4.4, Baitfish permits

- **Status Quo:** Castnet permits are issued for and valid in all sanctuary preservation areas where fishing is prohibited. Hair hook permits are valid in only Davis, Conch, and Alligator sanctuary preservation areas and are issued for October 15 through April 15, and only allow fishing from 5:00 a.m. until 10:00 a.m. daily.
- **Preferred Alternative:** Eliminate, over a three-year period, the practice of issuing permits that allow capture of baitfish from within the sanctuary preservation areas.

Draft proposal/motion for Advisory Council consideration

The SAC supports Status Quo because it is premature to make a determination about these issues until the zone boundaries are crystal clear. Limiting bait fishing and catch-and-release trolling in existing SPAs where these activities are currently allowed has one set of impacts on people and the environment, but if those SPAs expand it is a completely different and larger set of impacts. Once zone boundaries are clear the SAC should revisit these regulations. Staff must also clearly define “trolling” so the SAC and the public can understand exactly what is being proposed.

Marine Zones: Sanctuary Preservation Area (images show preferred alternative)

Test application of limited use zones in the sanctuary



Marine Zone Regulations: 3.4.5, Limited use access restrictions for specific sanctuary preservation areas.



Draft proposal/motion for Advisory Council consideration

The SAC supports further examination of limited use access restrictions on heavily used sanctuary preservation areas such as Sombrero and Sand Key and other areas, SPAs or otherwise, but the SAC does not support the idea of Blue Star Dive/Snorkel Operators being the only commercial operators granted access to these or any other area. The Blue Star Program has benefits for sanctuary resources and its participants, but it is voluntary, should remain strictly voluntary, and should not be used as described. The SAC strongly recommends that access restrictions focus on commercial users, not the general public. Other regulatory tools, such as Wildlife Management Areas, Special Use Research Only Areas, and Special Use Restoration Areas should be used to address excessive impacts by the general public if warranted.

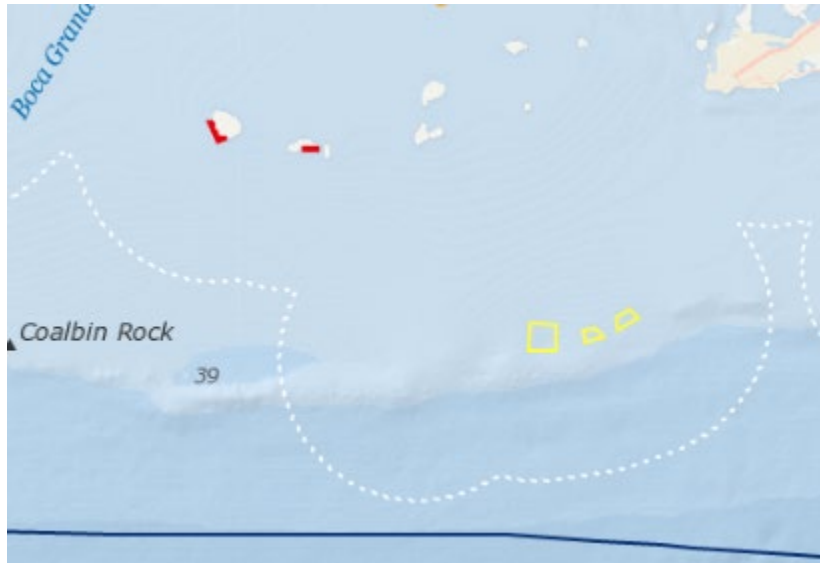
Marine Zone Boundaries



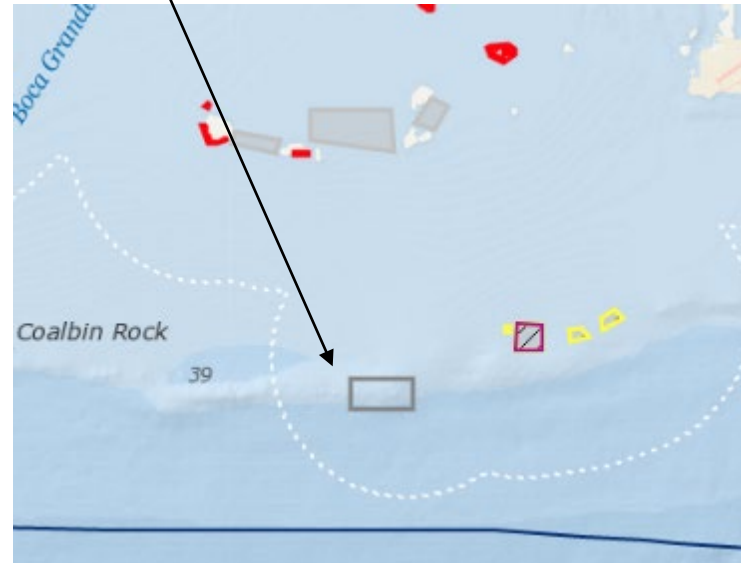
Marine Zones: Western Dry Rocks

Western Dry Rocks: protects a multi-fish spawning aggregation site

Alternative 1: Status Quo - No Zone

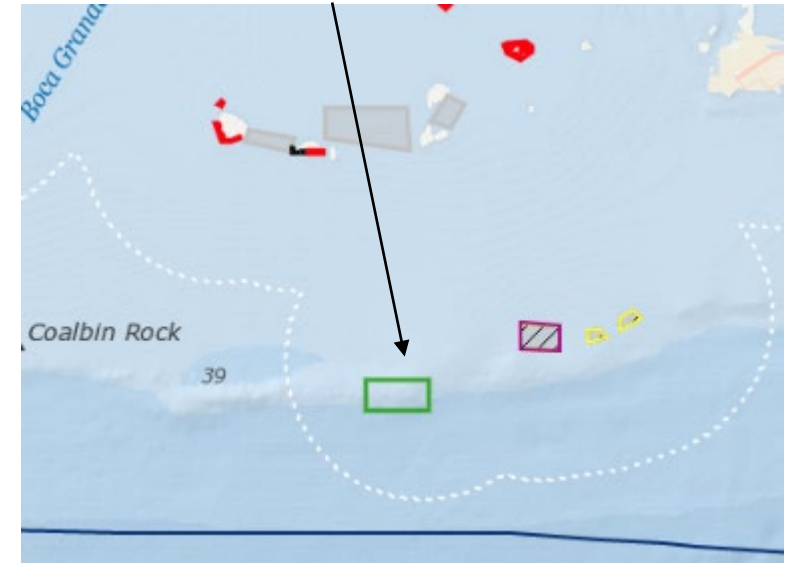


Alternatives 2 & 3: Wildlife Management Area



 Trolling Only

Alternative 4: Conservation Area



 Transit Only

Marine Zones: Western Dry Rocks

Draft proposal/motion for Advisory Council consideration:

Amend the proposal at Western Dry Rocks to be a seasonal closure during the spring and early summer to protect springtime fish spawning aggregations.

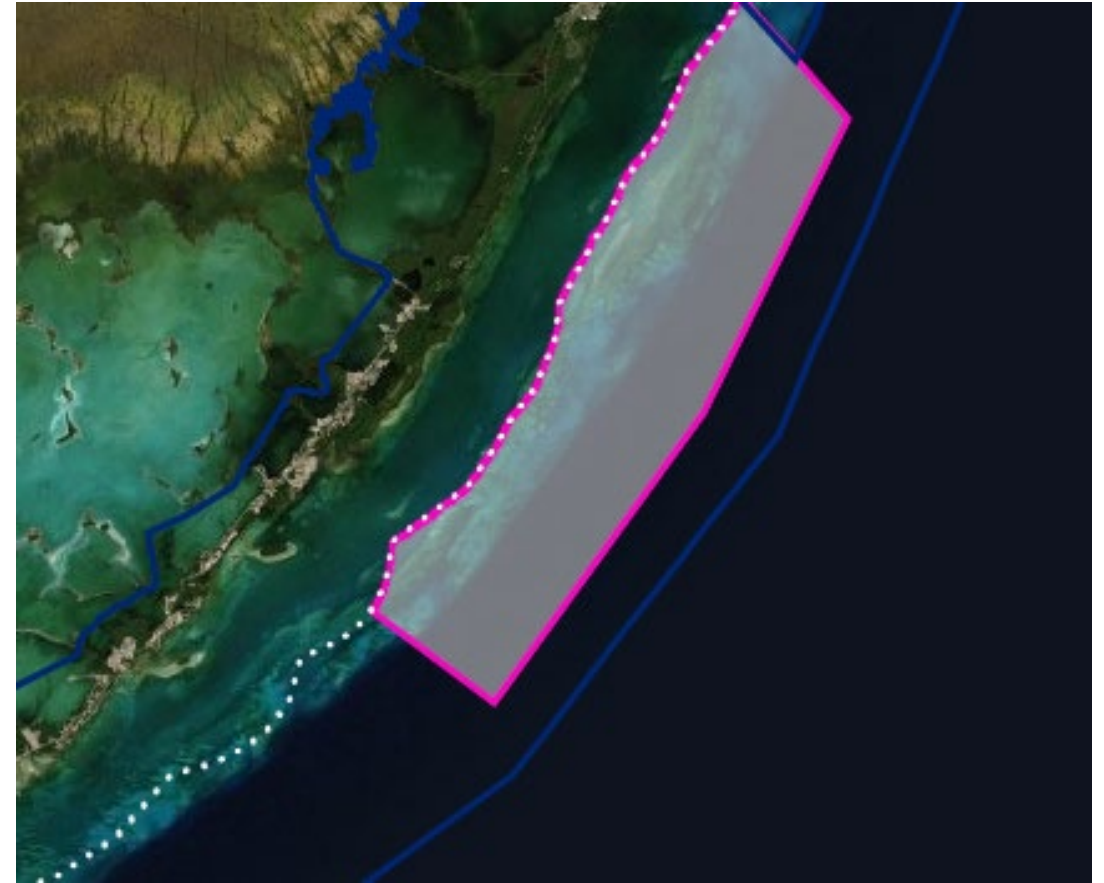
Marine Zones: Key Largo Management Area

Preferred Alternative: proposed anchoring prohibition



Alternative 1

Existing Management Area regulations



Preferred Alternative

Existing Management Area regulations
No Anchor

Marine Zones: Key Largo Management Area

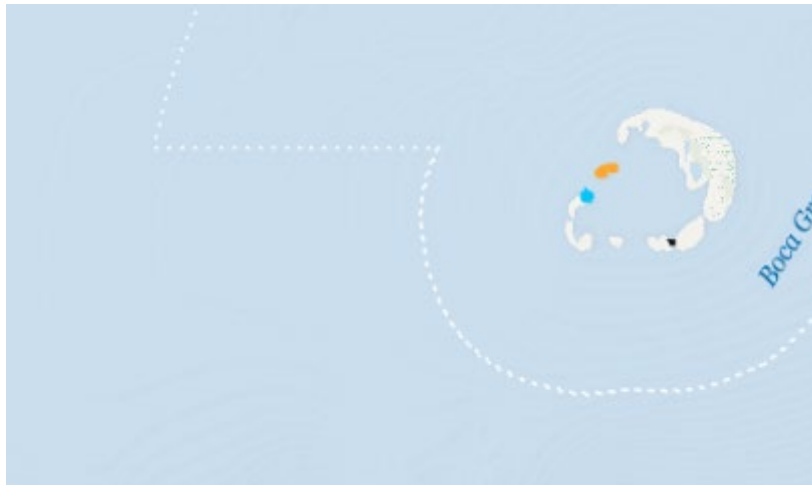
Draft proposal/motion for Advisory Council consideration

The SAC supports Status Quo.

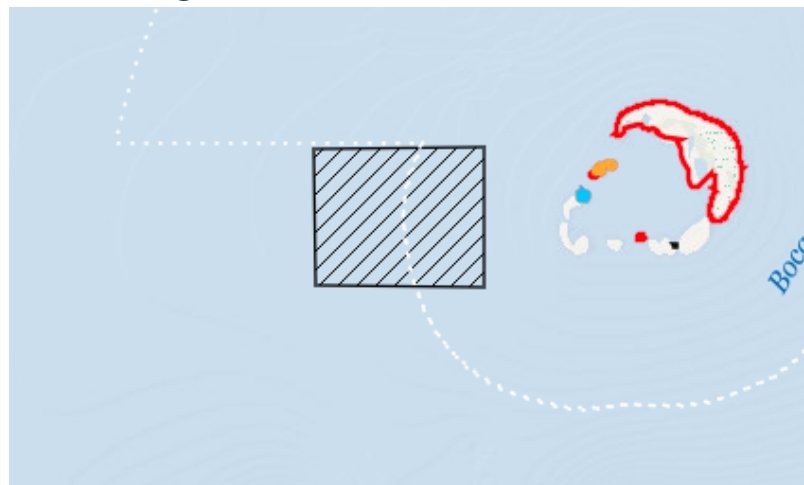
Marine Zones: Marquesas Turtle Zone

- Marquesas Turtle Zone: protects internationally important sea turtle seagrass foraging habitat

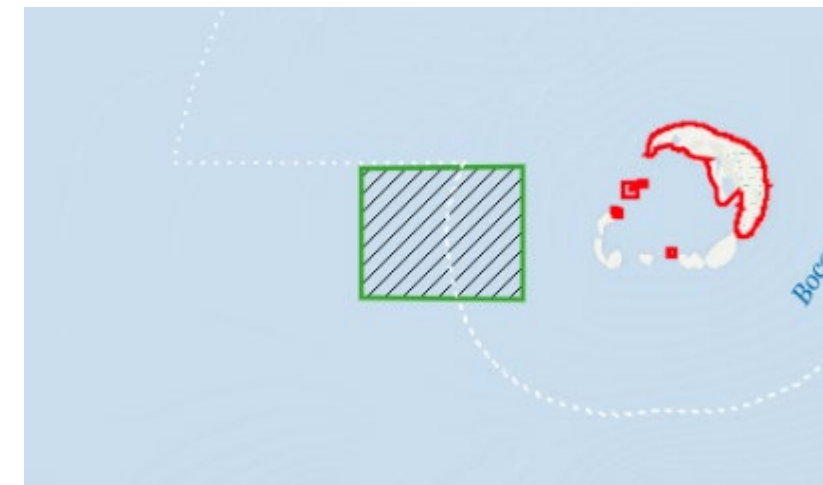
Alternative 1: Status Quo - No Zone



Alternative 2 & 3: Wildlife Management Area



Alternative 4: Conservation Area



Marine Zones: Marquesas Turtle Zone

Draft proposal/motion for Advisory Council consideration

The SAC supports additional protections for sea turtle foraging habitat. Any specific spatial protections need clear scientific data.

Marine Zones: Expansion to include deep reef habitats

(images show preferred alternative overlapping status quo)



Carysfort Reef



Alligator Reef



Western Sambo

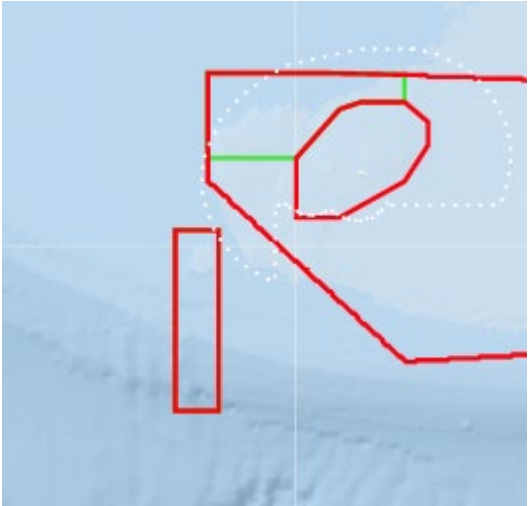
Marine Zones: Expansion to include deep reef habitats

Draft proposal/motion for Advisory Council consideration

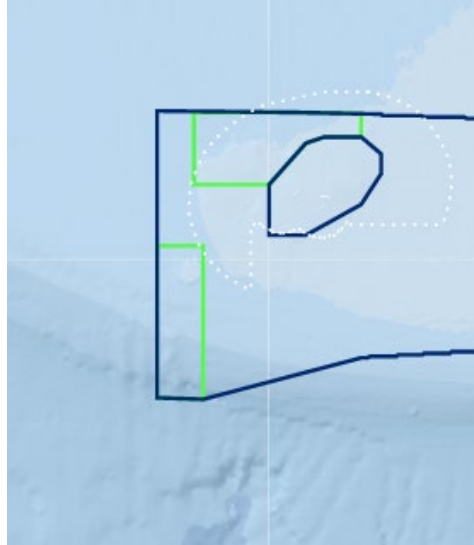
The SAC supports the extension of existing SPAs to encompass deep reefs, no anchoring in the entire zone including the new expansion area, and no trap fishing in the entire zone including the new expansion area, however, vessels should be allowed to operate at normal speed except among the mooring buoys of the highly-dived shallow reefs where idle or slow speed is prudent, and hook and line fishing should be allowed in the expansion area.

Marine Zones: Tortugas South

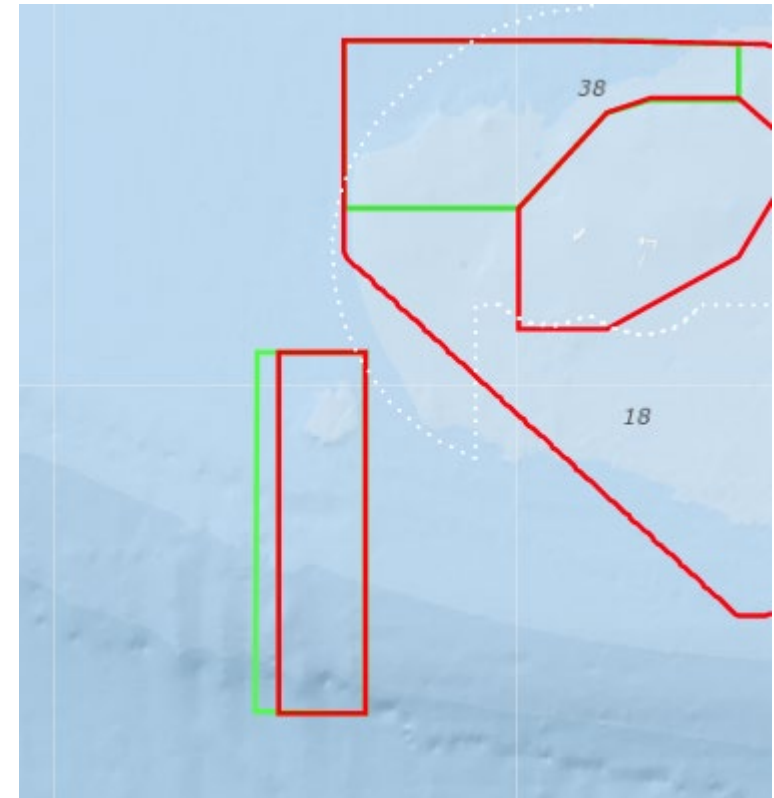
Tortugas South Alternative 1:
(with existing sanctuary boundary in red)



Tortugas South Alternative 3:
(with proposed sanctuary boundary in blue)



Tortugas South Alternative 1 & 3:
(with existing sanctuary boundary in red)



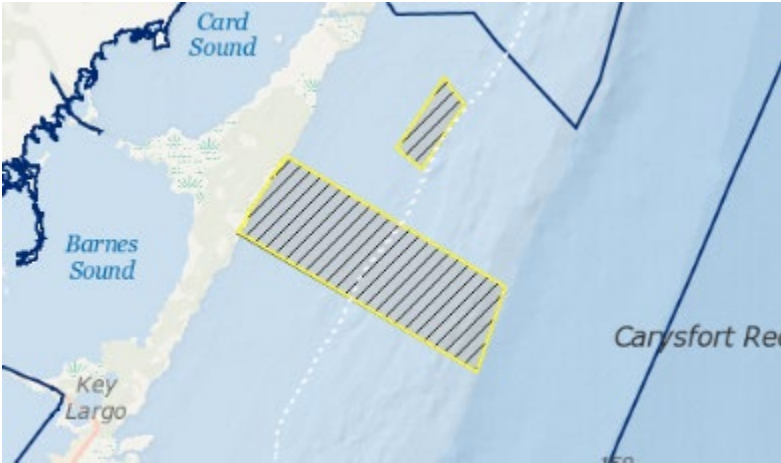
Marine Zones: Large Contiguous Areas – Tortugas South

Draft proposal/motion for Advisory Council consideration

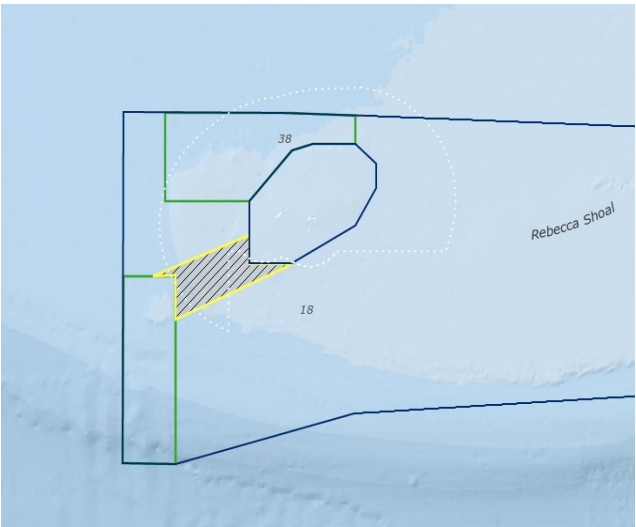
The SAC supports the westward expansion of the Tortugas South Ecological Reserve and recommends that the southern boundary be moved north to allow fishing in the deeper waters, remote from Riley's Hump and the documented spawning aggregations. It is essential that the Sanctuary demonstrate that it is capable of removing, as well as creating, regulatory restrictions on fishing.

Marine Zones: Large Contiguous Areas

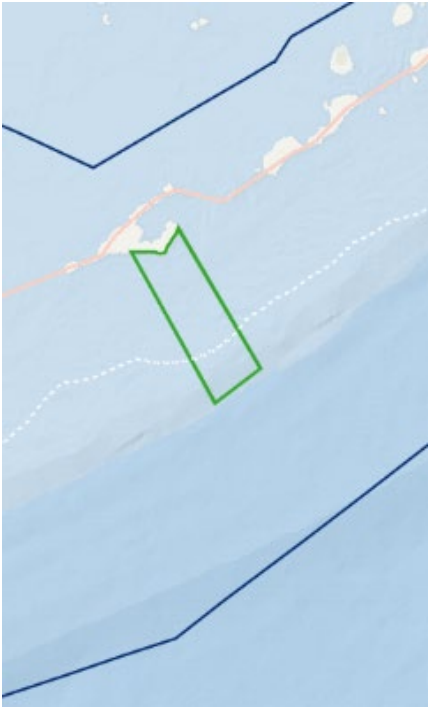
Upper Keys Alternative 4:
Carysfort SPA



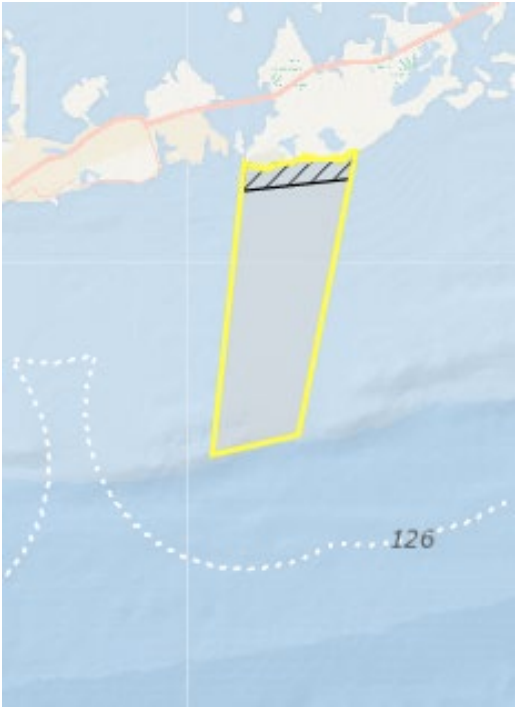
Tortugas Alternative 3:
Tortugas Corridor SPA



Middle Keys : Long Key-Tennessee Reef
Alternative 3: SPA Alternative 4: CA



Lower Keys: Western Sambo
Alternative 3: SPA



- No Anchor
- Idle Speed
- Sanctuary Preservation Area
- Transit Only

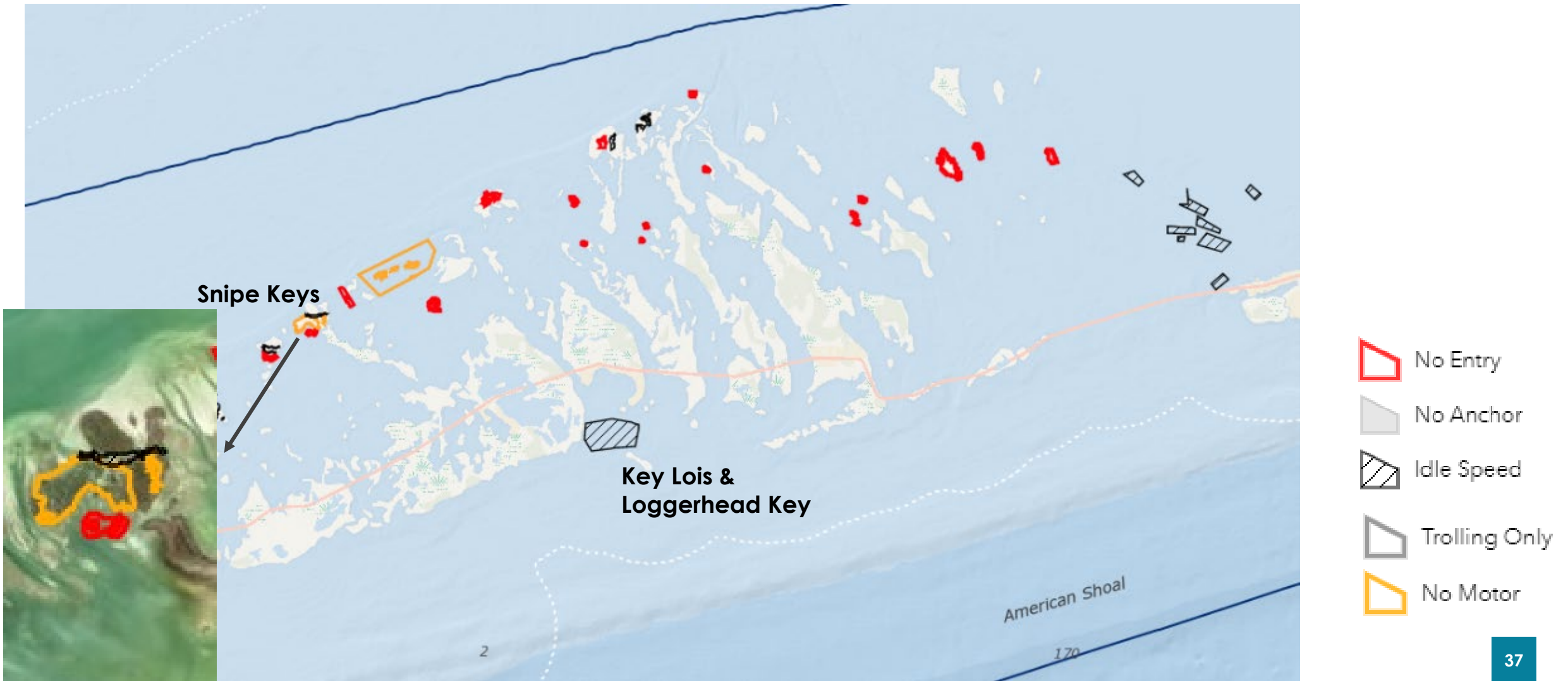
Marine Zones: Large Contiguous Areas

Draft proposal/motion for Advisory Council consideration

No draft proposal/motion was submitted in advance for this topic.




Marine Zones: Wildlife Management Area

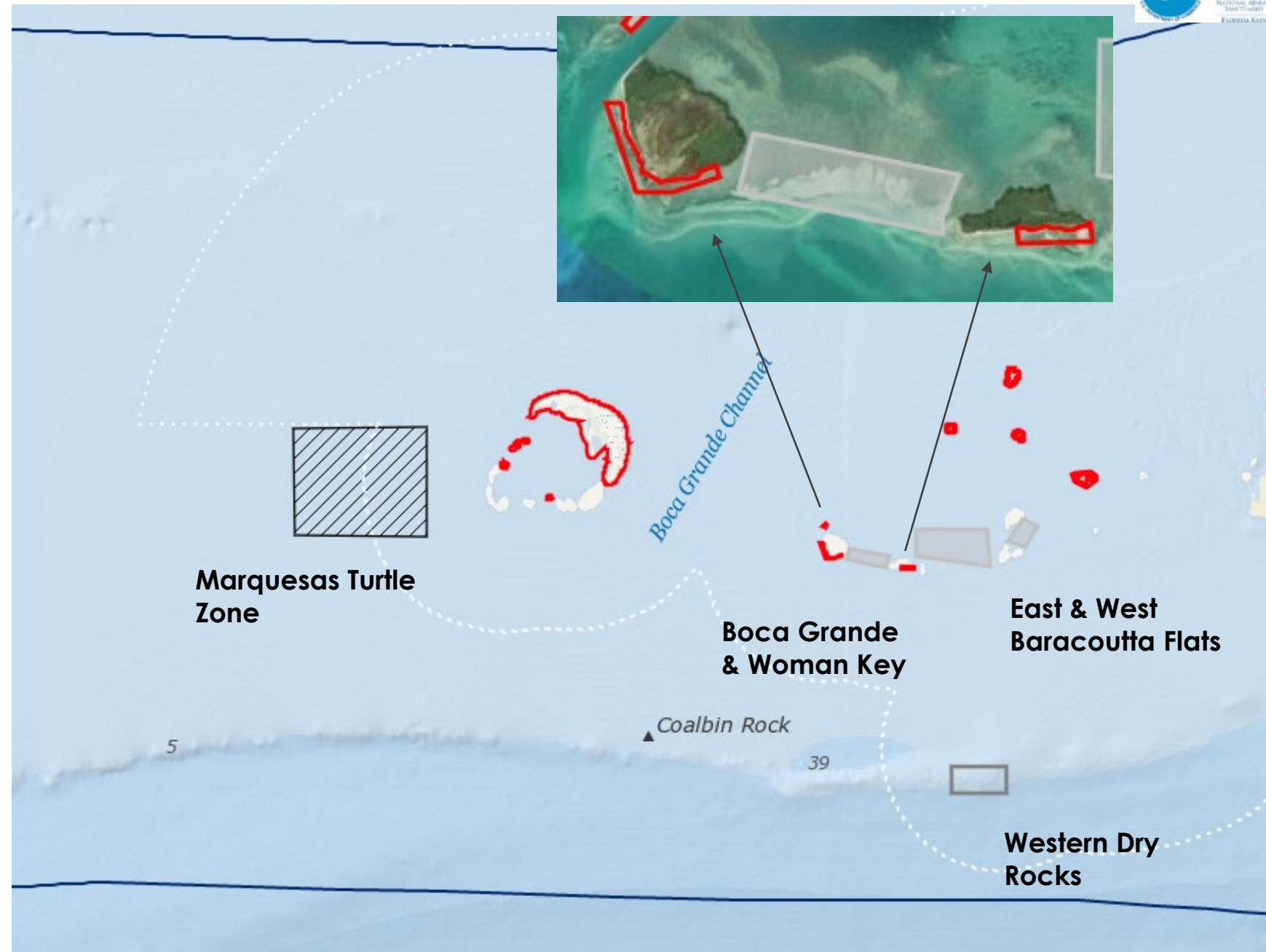
Preferred alternative: Lower Keys



Marine Zones: Wildlife Management Area

Preferred alternative:
Marquesas

-  No Entry
-  No Anchor
-  Idle Speed
-  Trolling Only
-  No Motor



Marine Zones: Lower Keys Wildlife Management Areas

Draft proposal/motion for Advisory Council consideration

No draft proposal/motion was submitted in advance for this topic.

Management Plan

Management Plan SAC Priorities: Water Quality, Law Enforcement, Education and Outreach

Restoration Blueprint Proposal see:

- Water Quality – pg. 67, Management Plan Goal 2, Objective 1, Activities 1-6.
- Law Enforcement – pg. 70, Management Plan Goal 3, Objective 3, Activity 1; pg. 75, Management Plan Goal 5, Objective 4, Activity 1
- Education – pg. 71-73, Management Plan Goal 4, Objectives 1-3, and all associated Activities (8+)

Draft proposal/motion for Advisory Council consideration

The SAC has said it before many times: We heard the public commenters loud and clear, and we agree that FKNMS and its constituent agency implementers and partners need to work even harder on water quality improvements within and beyond sanctuary boundaries, law enforcement capacity and staff retention, and outreach/education efforts.

However, the SAC does not believe these are the only issues that need to be addressed in the sanctuary for the FKNMS to achieve its purpose. Other challenges and opportunities are addressed in other discussions and potential motions.

Management Plan SAC Priorities: Channel Marking

(including marked running lanes and back country routes)

Restoration Blueprint Proposal see:

Channel Marking - pg. 70, Management Plan Goal 3, Objective 3, Activity 4

Draft proposal for Advisory Council consideration

No draft proposal was submitted in advance for this topic.

Management Plan SAC Priorities: Artificial Reefs/Habitats

Restoration Blueprint Proposal see:

Artificial Habitat - pg. 70, Management Plan Goal 3, Objective 3, Activity 8

Draft proposal for Advisory Council consideration

I would like the subject of artificial reefs to be discussed by the Core group and/or SAC. I would like certain types of artificial reefs and habitat restoration activities be identified as priorities.

Other Management Priorities

Other Management Priorities: Carrying Capacity/User Fees

Restoration Blueprint Proposal see:

- 3.4.5, Limited use access restrictions for specific sanctuary preservation areas.
- Carrying Capacity - pg. 69, Management Plan Goal 3, Objective 1, Activities 1 and 2
- User Fees - pg. 175-176 Considered and Eliminated

Draft proposal for Advisory Council consideration

No draft proposal was submitted in advance for this topic.

Other Management Priorities: Adaptive Management

Restoration Blueprint Proposal see:

3.2.4 – Emergency regulations

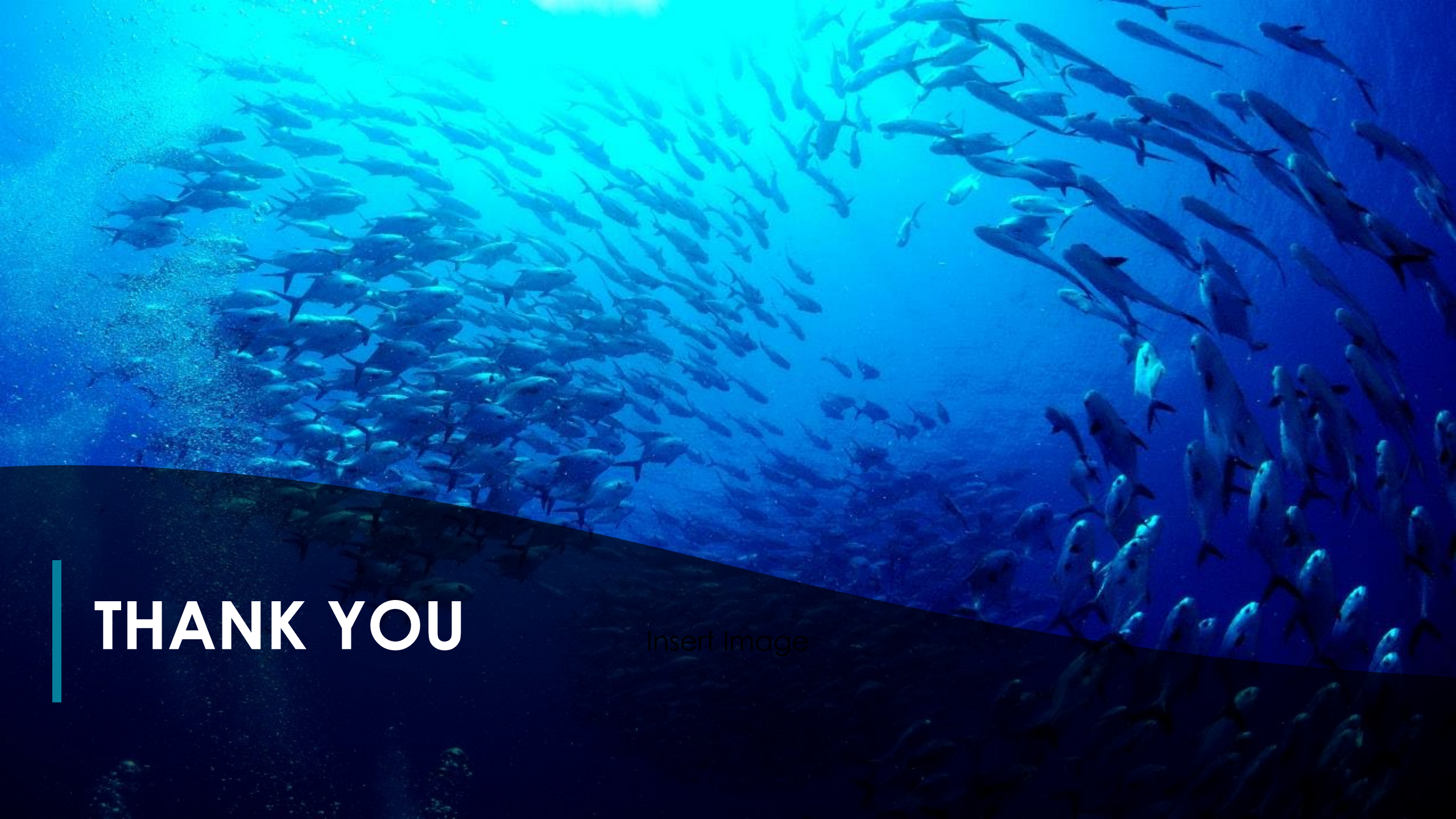
Draft proposal for Advisory Council consideration

I propose a fully articulated description of what adaptive management is and how, step-by-step, a constituent or stakeholder group can engage with FKNMS process to challenge, increase or decrease or otherwise alter any of the rules we are making. Our citizens should understand that they can effect change.

I propose the Core Group and/or SAC discuss Adaptive Management vis a vis how it is worded in this document and how it is used in our Sanctuary in more detail and, if agreeable, provide feedback on appropriate language which addresses application.

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- Information received today and through the follow-up survey will be used to inform future meeting agendas and Advisory Council discussion.



THANK YOU

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