

FLORIDA KEYS NATIONAL MARINE SANCTUARY ADVISORY COUNCIL

VIRTUAL WORKING SESSION

Tuesday October 20, 2020

FINAL MINUTES

Council Members

Boating Industry: Ken Reda
Citizen at Large – Lower Keys: Mimi Stafford
Citizen at Large – Middle Keys: George Garrett
Citizen at Large – Upper Keys: Suzy Roebing
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
Elected County Official: Michelle Coldiron
Fishing – Charter Fishing Flats Guide: Will Benson
Fishing – Charter Sports Fishing: Steven Leopold (interim)
Fishing – Commercial – Marine/Tropical: Ben Daughtry
Fishing – Commercial – Shell/Scale: Justin Bruland (absent)
Fishing – Recreational: *vacant*
Research and Monitoring: Erinn Muller
South Florida Ecosystem Restoration: Jerry Lorenz
Submerged Cultural Resources: Corey Malcom (absent)
Tourism – Lower Keys: Karen Thurman
Tourism – Upper Keys: Andy Newman

Council Alternates (present)

Boating Industry: William Litmer
Citizen at Large – Lower Keys: Stephen Patten
Citizen at Large – Upper Keys: Dave Makepeace
Conservation and Environment: Caroline McLaughlin
Research and Monitoring: Patrick Rice
South Florida Ecosystem Restoration: Elizabeth Jolin
Tourism – Upper Keys: Lisa Mongelia

Agency Representatives (present)

Florida Department of Environmental Protection: Jamie Monty, Nicolas Parr
FWC Fish and Wildlife Research Institute: CJ Sweetman
FWC Law Enforcement: Capt. Dave Dipre
National Park Service, Everglades: Christopher Kavanagh
NOAA Office of Law Enforcement: Kenny Blackburn
NOAA Office of General Council: Loren Remsberg
NOAA National Marine Fisheries Service: Heather Blough

U.S. Navy: Ed Barham

U.S. Coast Guard: Lt Robert Copeland, Lt Victor Sanchez, LTJG Erin Woods

Municipalities

City of Layton: Cynthia Lewis

I. CALL TO ORDER, ROLL CALL, CHAIRPERSONS COMMENTS

Chairperson George Garrett called the meeting to order and thanked everyone for participating in this virtual format. He reminded webinar attendees that public comment would be accepted during the meeting via email, and would be shared with council members in advance of the next meeting.

Chairperson Garrett provided an update that the recruitment for the four fishing seats is nearly complete, and that the next recruitment for thirteen seats will be announced in the next few weeks.

II. MEETING GOALS, ASSOCIATED MATERIALS

Superintendent Sarah Fangman reviewed the main goals for the meeting, including reviewing the recent joint meeting with the Water Quality Protection Program Steering Committee, draft rule status and next steps, and visitor use management. She also mentioned that due to privacy concerns, advisory council virtual meetings will no longer be recorded.

To view this meeting's presentations and other related materials, visit <https://floridakeys.noaa.gov/sac/meetings.html>.

III. DIRECTOR'S REPORT

John Armor, Office of National Marine Sanctuaries

John Armor provided an update on virtual operations across the National Marine Sanctuary System, including hosting of 40 virtual advisory council meetings, online trainings, and dozens of new webinars available for the public, teachers and students.

Mr. Armor provided an overview of proposed sanctuary designations and expansions, including: Wisconsin Shipwreck Coast, Monitor- Graveyard of the Atlantic, Flower Garden Banks, Florida Keys, and Lake Ontario. Various sites across the system are also working on condition reports, management plans, and small boat acquisitions, including a replacement buoy maintenance vessel in the Florida Keys.

The National Marine Sanctuary System will celebrate 50 years of conservation in October 2022. Strategic planning for this milestone will focus on looking forward, system visibility, community activities, and increased collaboration with the National Marine Sanctuary Foundation.

Discussion

- A member asked for more information about the National Academy of Public Administration (NAPA) assessment. Mr. Amor explained that NAPA, at the sanctuary's request, will conduct an external review to provide insights to improving management and governance of sanctuaries.

- A question was asked about budgeting for Mission: Iconic Reefs. Mr. Armor responded that funding for this project would come from a combination of direct NOAA funding and external funding, such as grants or fundraising. Superintendent Fangman noted that budget cycles are generally determined years ahead, and Mission: Iconic Reefs is a very new project, so is not yet reflected in the federal budget as a line item. The sanctuary is working diligently on this project and has dedicated significant staff time to ensure its success.

IV. WQPP STEERING COMMITTEE: REVIEW PRIORITIES AND OUTCOMES

Karen Bohnsack, Florida Keys National Marine Sanctuary

Karen Bohnsack provided an overview of the joint meeting between the Water Quality Protection Program (WQPP) Steering Committee and the Sanctuary Advisory Council last month. The September meeting was well attended, and drew significant public participation. One of the major outcomes from this meeting was a resolution from the WQPP Steering Committee to explore creation of a working group focused on South Florida Ecosystem Restoration.

The majority of the September meeting focused on reviewing priority issue areas and actions recommended to address those. These included issues related to external stressors, such as south Florida regional influences and tidal flooding and climate, as well as local issues including: stormwater, wastewater, canal restoration, sargassum and organic debris, marinas and liveboards, and pollutants of emerging concern. Ms. Bohnsack also provided an overview of the core responsibilities of the WQPP which include administration, data collection, analysis, and reporting, and education and outreach. The Steering Committee approved the proposed priorities to help direct the work of the WQPP moving forward.

Discussion

- A member asked about the process to propose a resolution to create a joint working group to compliment the resolution passed by the WQPP. Ms. Bohnsack responded that the Steering Committee would appreciate more details about how that working group will operate and what their objectives and membership would be.
- A motion was made by Jerry Lorenz to draft a resolution before the next meeting to clarify these items for consideration by the WQPP. The motion was seconded by Mimi Stafford. Volunteers will draft that resolution for consideration at the December SAC meeting.
- A member asked about the current science surrounding cruise ships in Key West harbor, specifically their contribution to turbidity and sedimentation on the reef. Ms. Bohnsack responded that she wasn't aware of current data being collected to specifically answer that question, but that it was the type of topic the WQPP could look into and study. A member mentioned that there were perhaps ways that the College of the Florida Keys and The Nature Conservancy could work together to collect useful data on cruise ship impacts, including a robust water sampling program in place now during the absence of the cruise ships. Other data that could inform this study include data collected quarterly by FIU as part of the sanctuary's water quality monitoring program, and remote sensing data.
- Commissioner Coldiron remarked that the county is interested in the Canal Restoration Master Plan and the Sargassum Master Plan. The commissioners recognize the importance of keeping sargassum out of the canals, and how that can improve water quality nearshore. The more data in this realm, the easier the process to approve funding for canal restoration projects.
- A member also noted the impact of shallow wells and use of land-based fertilizers and

other pollutants on nearshore water quality.

Break

V. UPDATE: DRAFT RULE STATUS AND MANAGEMENT PLAN REVIEW

Beth Dieveney, Florida Keys National Marine Sanctuary

Beth Dieveney, policy analyst for Florida Keys National Marine Sanctuary, provided an introduction and overview on the Restoration Blueprint, which combines more than 30 years of scientific knowledge, local community input, and technical experience to propose actions to address threats and stressors in the Florida Keys to ensure a thriving ecosystem. Ingrained in this process is community involvement and partnerships, as good management of these resources will depend on everyone working together to create a healthy future.

The proposed timeline for the release of the Draft Rule is currently set for spring or summer of 2021, depending on internal NOAA review, and various outside influences including the upcoming election cycle. As part of this process, the sanctuary is also reviewing the management plan, which includes non-regulatory actions such as education and outreach, mooring buoys and channel markers, habitat restoration, artificial reefs, and visitor use management.

Discussion

- A member asked about how the Florida Fish and Wildlife Conservation Commission (FWC) has commented, specifically about Western Dry Rocks. CJ Sweetman clarified that the October FWC Commission meeting will be addressing the Western Dry Rocks spawning aggregation, and that public meetings about this issue will be planned.

VI. MANAGEMENT PLAN ITEM: VISITOR USE MANAGEMENT

Katie Darr, Office of National Marine Sanctuaries

Katie Darr, a KNAUSS fellow for the National Marine Sanctuaries Marine Protected Area Center, reviewed the concept of visitor use management and the importance of a consistent approach to enhance recreational visitor experiences in the Florida Keys. While visitor use management is often seen as a form of resource protection, it can also be a tool to enhance the quality of the visitor experience in the sanctuary.

The Florida Keys experience 5.5 million visitors annually, and studies have demonstrated that visitors who encounter more people and see resource impacts are less satisfied with their visit and less likely to return. This overcrowding can reduce the ‘wilderness experience’ that many travel to the Florida Keys to find.

Ms. Darr is a NOAA representative for the Interagency Visitor Use Management Council, which includes U.S. Fish and Wildlife Service and the National Park Service, to discuss visitor use management amongst federal agencies. This panel developed a framework to address visitor use management in a consistent way, and is currently being applied in a few sites in Florida. The framework contains 14 steps nested in four stages: Build the Foundation, Define the Management Direction, Identify the Management Strategies, and Implement and Monitor the Action.

One case study that is possibly relevant to the Florida Keys is Molokini Shoals Marine Life

Conservation District in Hawaii. This zone was designated in 1977 with a commercial operator permit to limit use to 42 boats. In 2009, this permit system was revised to further minimize impact and collect visitor data. The changes included capping vessel passenger capacity, prohibiting introductory diving, required monthly logs and briefings, and mooring buoys for public use. After a social study demonstrated that 12 boats would satisfy acceptable crowding levels, a bill was introduced to limit access to 12 commercial boats at one time. This bill was vetoed. In response, a voluntary schedule was established with commercial operators to reduce crowding and continue to enhance the visitor experience.

This interagency visitor use management framework provides consistent guidance for managing visitor use on federally managed lands and waters, can be adaptable based on the site, and encourages public participation.

Discussion

- A member commented that for a long time, many treated the Florida Keys as an infinite resource, and now management faces challenges of having finite resources. The solution will lie with a collaborative process incorporating knowledge of professional divers and fishermen, along with new technologies.
- A member inquired about how to incorporate this framework into the Restoration Blueprint. Superintendent Fangman described the limited entry proposal, which was not supported. We need to develop other ideas.
- A member mentioned that they want to know more about the evaluation of this framework, are the goals for coral cover (or other metrics) being met? What about for recreational use vs the commercial use? In the Florida Keys, we would need to be specific about our goal, because coral cover may be too broad, or slow to respond to limiting use.

VII. AGENCY REPORTS

Superintendent's Report

- November 16 is the 30th anniversary of the designation of Florida Keys National Marine Sanctuary. While we may normally have done a large in-person celebration, instead we've pivoted to an extensive online celebration! We have put together content for web and social media to celebrate our accomplishments for the last 30 years, which will highlight different themes on each day (Resource Protection, Science, Mooring Buoys, Maritime Heritage, Education, etc.). This virtual celebration will kick-off November 1st. We encourage you to follow along and share messages as appropriate.
- The Florida Keys Eco-Discovery Center redesign continues for the interior exhibits.
- The NOAA ship Nancy Foster collected high resolution seafloor bathymetry and video benthic data in the Marquesas and South Ecological Reserve in the Tortugas Region. More information here: <https://coastalscience.noaa.gov/news/seabed-mapping-of-florida-keys-coral-ecosystem-from-the-noaa-ship-nancy-foster-filled-gaps-and-improved-resolution/>
- We have three new positions coming on board soon: a Mission Iconic Reefs Implementation Manager, an Education and Outreach position, and our Communications Manager.

Florida Department of Environmental Protection

- On behalf of the Department, we hope you all are well in these tough times. The Department is proud to have continued to maintain our mission critical level of service to

the public while also ensuring the safety of our teams.

- Office of Resilience and Coastal Protection:
 - Southeast Region
 - With tremendous funding support from the Governor and Legislature this year, additional focus is needed to manage statewide efforts addressing the multi-faceted response to Stony Coral Tissue Loss Disease. Joanna Walczak will transition into a new Administrator position to lead the Coral Protection and Restoration Program, designed to focus the state's protection of Florida's Coral Reef and the administration of more than \$15M appropriated for these critical efforts. She will also maintain her role representing Florida on the US Coral Reef Task Force and US All Islands Coral Reef Committee. Joanna has been with DEP since 2007 and has been the SE Regional Administrator since 2012. Prior to leading the Southeast Region, she held a variety of roles within the Coral Reef Conservation Program, including program manager. Joanna holds a B.S. from Texas A&M University- Galveston, and an M.S. from Nova Southeastern University's Oceanographic Center, both in marine biology.
 - Jamie Monty will be appointed as the Southeast Regional Administrator. Jamie has been with DEP for more than 11 years, most recently as the Manager of the Coral Reef Conservation Program (CRCP) and the Southeast Florida Coral Reef Ecosystem Conservation Area (Coral ECA), a marine managed area that comprises the northern third of Florida's Coral Reef. She oversees staff that work to reduce the major threats to the reef and balance its management with stakeholder use. Jamie worked in the private sector as a Senior Marine Biologist with Coastal Systems International and with Miami-Dade County as the Chief of the Restoration and Enhancement Section of the Regulatory and Economic Resource Division. She began her career in the Aquatic Preserves program, focusing on Indian River Lagoon, the St. Lucie River, and the Loxahatchee River. Jamie attended Nova Southeastern University, earning dual master's degrees in Marine Biology and Marine Environmental Science.
 - These changes went into effect on October 6th, however there will be a transitional period.
 - Florida Keys Aquatic Preserves
 - Keep Lignumvitae Lovely, the 5-year marine debris removal and prevention grant for Lignumvitae Key Aquatic Preserve mentioned previously, has commenced. The Marine Debris Project Assistant was hired in August and hit the ground running with engaging partners and prepping for the community engagement and marine debris removal phases. Expect to hear a lot more from the team starting late this year as they start partner and stakeholder meetings.
 - Quarterly SCTLTD surveys and marine debris removals have been initiated in Coupon Bight Aquatic Preserve, which includes the Newfound Harbor SPA. The reef does not seem to be experiencing active SCTLTD but there is bleaching and some small areas of recent mortality. Irma-related and other debris continues to be removed by staff and contractors. If you are in Coupon Bight Aquatic Preserve and see large marine debris, please contact Preserve Manager Katy Cummings at

Katy.E.Cummings@FloridaDEP.gov.

Florida Fish and Wildlife Conservation Commission, Fish and Wildlife Research Institute

- At the October, 2020 Commission meeting, staff presented a review and discussion regarding focal points for upcoming management in the Florida Keys (<https://myfwc.com/media/24665/10d-presentation-fknms.pdf>). At that meeting, the Commission provided direction to take up these topics during the next year. In particular, Staff was directed to bring a draft rule regarding spawning aggregation management at the multi-species aggregation sites located to the south of Western Dry Rocks. Planning efforts are underway to hold workshops, in person and virtual if possible, in early 2021 throughout the Florida Keys to gather stakeholder feedback on a potential seasonal closure at that location. Additionally, Staff will bring a review and discussion of spiny lobster management topics, including a discussion of casitas to the December meeting.
- Additional topics of interest likely to be presented at the December meeting are sharks, goliath grouper, permit, pompano, and African pompano. That meeting is being considered for possible in-person participation. It is scheduled for December 16-17, 2020 in St. Augustine, FL.

NOAA National Marine Fisheries Service, Southeast Region

- NOAA Fisheries is still performing our full suite of mission critical activities, largely in a full-time telework environment, and our regional fishery management councils continue to meet in a virtual format; however, some of our science center surveys have been disrupted by the pandemic.
- The South Atlantic Council has requested one emergency rule to address COVID-related impacts on the commercial and charter industries. That rule increased the vermilion snapper commercial trip limit through March 16 of next year.
- Other new rules that may be of interest require fishermen to have a descending device onboard when fishing for or possessing snapper grouper species in federal waters of the South Atlantic; establish new electronic reporting requirements for federally-permitted for-hire vessels in the South Atlantic and Gulf which will take effect early next year; and designate a new habitat area of particular concern adjacent to Pulley Ridge South where all bottom tending gear except longlines is prohibited.
- We also have some aquaculture activities progressing in Gulf federal waters. We recently announced a new initiative that aims to identify aquaculture opportunity areas (AOAs) in the Gulf. Those areas are essentially small geographic areas that we determine may be suitable for commercial aquaculture based on a combination of scientific analysis and public engagement. We're currently in the information gathering stage of that process which we expect to take about three years to complete and we'll soon announce logistical information for webinars on the Gulf initiative and on other potential regions to explore over the next four years, and open a formal public comment period on the topic.
- Some of you may be aware the U.S. Environmental Protection Agency recently issued a discharge permit for the Vellella Epsilon pilot project, which proposes to culture one cohort of about 20,000 almaco jack (*Seriola rivoliana*) in a single floating cage about 45 miles southwest of Sarasota. That would be the first finfish project in Gulf federal waters. The U.S. Army Corps of Engineers is requesting public comments on a section 10 siting permit for that project through November 4.

- The Gulf Council will be meeting next week via webinar; they don't have any final actions scheduled, but do plan to review a king mackerel update assessment and will take public questions and comments on Tuesday and Wednesday afternoons.
- On October 30, the Gulf and South Atlantic Council's scientific advisors will meet via webinar to develop a new fishing level recommendation for yellowtail snapper; the online public comment form for that meeting is open through 5pm October 29 and can be accessed from the South Atlantic Council's website.
- The South Atlantic Council will review the new yellowtail snapper fishing level recommendation at its December meeting and may approve potential changes to dolphin and wahoo regulations at that time for public hearings early next year. There's an opportunity to apply for 10 open seats on the Council's Dolphin Wahoo Advisory Panel through November 13.
- Finally, we've been hearing from some of our fishery constituents about challenges they're facing related to marine mammal and shark interactions and depredation; we're currently requesting public input on proposed marine mammal guidelines, measures, and prohibitions through October 30.

NOAA Office of General Council

- The Office of General Counsel Enforcement Section (GCES) publishes charging information every six months on the following website: <https://www.gc.noaa.gov/enforce-office7.html>. Violations charged by GCES under the National Marine Sanctuaries Act may be found here. The information is current through June 2020. Cases charged between July and December will be posted on the site in January 2021.

U.S. Coast Guard

- LT Sanchez re-introduced self to council for being absent the past few meetings. Briefed role and responsibility as the Sector Key West Chief of the Incident Management Division.
- LT Sanchez introduced LTJG Erin Woods who had to depart the virtual meeting shortly before agency reports. LT Sanchez and LTJG Woods are the agency representatives for pollution and fisheries enforcement, respectively.

U.S. Fish and Wildlife Service

- Florida Keys National Wildlife Refuges Complex staff and partners are planning a prescribed burn on Big Pine Key in National Key Deer Refuge during the first two weeks of November, 2020, weather permitting. Primary point of contact for media will be Brian Pippin: brian_pippin@fws.gov.

U.S. Navy

- Supporting National Public Lands Day by installing a wild flower/pollinator garden on Boca Chica.
- Wrapping up an unimpressive 2020 sea turtle nesting season with no documented nests on the Station's Boca Chica and Truman Annex shorelines. We did have several false crawls.
- Wrapped up a successful Least tern nesting season with over 51 juvenile birds counted on one day at our newest nesting platform constructed this year on Geiger Key. Roseate terns returned after a several year absence to rooftop nesting on Truman Annex with some success.

- Received funding in FY20 to complete a coral survey of our in-water structures (seawalls) and nearshore waters. We're coordinating with the Sanctuary to include a coral disease assessment.
- Working with the USFWS to update our Lower Keys Marsh Rabbit Management Plan.

VIII. MEMBER UPDATES OF NOTE

Andy Newman: Tourism, Upper Keys

Mr. Newman shared a new video, produced by the Tourist Development Council's Connect and Protect initiative, which highlighted responsible recreation in Florida Keys National Marine Sanctuary. To view the video, please visit <https://www.youtube.com/watch?v=l1DxIn7XzHo>.

IX. CLOSING REMARKS

Chairperson Garrett thanked council members and the public for tuning in to this virtual meeting, and for a robust discussion. The next meeting will take place on December 8th, 2020.

X. PUBLIC COMMENT

Note: no public comment was received for this meeting.