

# Florida Keys National Marine Sanctuary Advisory Council

December 14, 2004  
Key Colony Beach City Hall

## FINAL MINUTES

### Members Present

Ralph Boragine	Martin Moe
Jack Curlett	Ken Nedimyer
Todd Firm	Krueger Nicholson
Richard Grathwohl	George Neugent
Debra Harrison	Kathleen Patton
David Hawtof	Bruce Popham
Don Kincaid	Brad Simonds
	Jody Thomas

### Alternates Present

Walt Drabinski  
Scott Fowler  
Stephen Friedman  
Bob Holston  
Tony Iarocci  
Bob Jason  
Marci Rose

### Call to Order/Approval of Minutes/Adoption of Agenda

Chair Neugent called the meeting to order at 9:08 a.m. Todd Firm requested that the Minutes from the October 19, 2004 meeting be amended to reflect the roll call on the Biscayne National Park issue. After agreement that the Minutes be amended, they were approved. The Agenda was adopted as presented. Mr. Neugent welcomed new members and alternates to the Council.

### Red Tide Update – Dr. Brian Keller (FKNMS)

Dr. Keller reported that Superintendent Billy Causey received a Coral Reef Champion award at the U.S. Coral Reef Task Force meeting held in Miami in early December. He gave a PowerPoint presentation using satellite imagery that showed the progress south towards the Keys of a Harmful Algal Bloom that was first observed off the Sanibel/Cape Romano area. Mote Marine Laboratory was taking water samples in the vicinity of the Keys of this unusually large and early event.

### Sanctuary Superintendent's Report – Billy Causey (FKNMS)

Mr. Causey distributed a compilation of Sanctuary Situation Reports for the past two months. He said that the National Marine Sanctuary Program was elevated to office level in the budget passed by Congress. Leigh Espy will be joining the Sanctuary as Chief of Staff. He said that finally ground has been broken on the Nancy Foster

Environmental Center in Key West, and that the Revised Management Plan is at the printer. He gave a summary of the Plan. Mr. Causey welcomed Ralph Boragine, the new Executive Director for Monroe County Commercial Fishermen to the Sanctuary Advisory Council.

### **Public Comment**

Captain Lee Starling a commercial spearfisherman and long-time resident of Key West expressed concern over the possible impact of the first spearfishing tournament to be held in the Keys. He said that he was worried that this might lead to aggregate tournaments in the future. Capt. Starling observed that Sanctuary Preservation Areas and spawning closures in the Gulf are leading to rebounding fish populations and that if tournaments of the size of the St. Petersburg Open were to take place in the Keys, they could have a significant negative impact on reef fish populations.

After discussion amongst Council members, Bob Holston moved that the Sanctuary Advisory Council request Sanctuary managers form a working group to study the effects of spearfishing tournaments on the Florida Keys National Marine Sanctuary. The motion was seconded by Capt. Brad Simonds and passed unanimously upon voice vote.

H.T. Pontin read the attached document into the record.

### **Florida Dept. of Environmental Protection Report – Anne McCarthy (FDEP)**

Ms. McCarthy gave an update on recovery efforts of a fatal small plane crash off Key West. She informed the Council of an upcoming training exercise called Safe Sanctuaries. She said that new Sanctuary signs have been placed at boat ramps up and down the Keys. Ms. McCarthy announced that an agreement has been reached between the federal government and the State of Florida over ownership of submerged lands in the Tortugas.

### **Florida Fish & Wildlife Conservation Commission Report – John Hunt (FWRI)**

Mr. Hunt distributed a written report on the December meeting that the Commission held in the Keys. He highlighted resolutions on dolphin and wahoo, and the new tiered system being adopted for the marine life industry. The Commission has approved a draft rule on Permit with a possession rule of two Permit over 20 inches fork length on recreational vessels fishing in the state. He said that the blue crab fishery is going to undergo an effort management program. Mr. Hunt gave a progress report on the tide water project. He said the first five years of monitoring lobster in Western Sambo Ecological Reserve have shown size and abundance increases, and evidence for spillover. The work has been accepted for publication in the *Marine Ecology Program Series*. Discussion concerned the ability of for-hire vessels to sell wahoo.

### **Sanctuary Law Enforcement Report – Lt. Joe Scarpa and Officer Charlie Mallow (FWC)**

Lt. Scarpa introduced Officer Paul Van Ost and Officer Seth Wingard who have joined the Sanctuary team from the Academy. They will be serving under Lt. Bill Burns.

Officer Bill Green reported that Lt. Dave Roudebush has taken a voluntary demotion to become an Investigator and that Ed Maldonado will take his place in the Upper Keys. Lt. Scarpa reported that the replacement for the Pt. Monroe is under construction in Seattle and will be delivered in October.

Officer Mallow gave a PowerPoint presentation on commercial and recreational cases made on individuals harvesting lobster off illegal habitat. Most of these illegal fishing devices are in 30 feet of water between the Content Keys and Smith Shoal and are manufactured from high grade concrete and hurricane shutters. He outlined some proposed rule changes for the Commission to consider. They are:

- 1) All catch bags on commercial boats should be marked with a “C” and “D” number permanently on the bag.
- 2) All dive bags in the water should be marked with a dive flag.
- 3) The dive flags should be marked with a “C” and “D” number.
- 4) All commercial bins on commercial dive boats should be marked with a “C” and a “D” number.
- 5) Increased penalties to major violations to first degree misdemeanors fishing on illegal habitat.

Ms. Harrison moved that the Sanctuary Advisory Council request Sanctuary managers send a letter of support for the proposed changes to regulations and penalties on taking of lobster from illegal fishing devices, and the placement of illegal fishing devices in the FKNMS. The motion was seconded by Ken Nedimyer and passed unanimously upon voice vote.

**Protecting Corals, Saving Ships: a pilot project in the FKNMS – Katie Ries (NOAA) and Dr. Lee Alexander (University of New Hampshire)**

Ms. Ries gave an overview of a partnership program being developed by the Office of Coast Survey to improve vessel safety and habitat protection through providing non-traditional information on resources to mariners.

Dr. Alexander gave a PowerPoint presentation on Marine Information Objects (MIO) and marine international standards already in place. The Florida Keys National Marine Sanctuary has been selected for this pilot project as there is a lot of information already on benthic habitats for the Keys.

Ms. Ries summarized the schedule for the project for 2005 as compiling an inventory, putting together a white paper, holding a stakeholder workshop, consulting on gaps and needs, beginning MIO technical developments and submitting preliminary results both to NOAA and the international community. She requested that the Council participate in the project for its duration.

Discussion concerned cost to mariners and the future use of transponders for homeland security purposes. Jody Thomas suggested that The Nature Conservancy host a limited purpose meeting to bring in more stakeholders from the community. She moved that the Sanctuary Advisory Council create a limited purpose working group to support NOAA

“Protecting Corals, Saving Ships” effort. She proposed one brainstorm session at a public meeting in conjunction with project staff. Mr. Causey suggested that it be held at the time of the Safe Sanctuary drill in April. The motion was seconded by Debra Harrison and passed unanimously upon voice vote.

#### **J. Paul Getty III Award to Tony Iarocci**

Ms. Harrison of the World Wildlife Fund announced that Council member Tony Iarocci was one of two recipients this year for this highly prestigious, peer-reviewed award for innovation in conservation. Only once before has this award been given to someone from the United States, and never before to a commercial fisherman. Mr. Iarocci expressed his appreciation.

#### **Monitoring Lobster Populations at Buck Island National Monument, St. Croix – Carrollyn Cox (FWRI)**

Ms. Cox said that FWRI scientists are using the same monitoring methods used in the Florida Keys and Biscayne Bay to assess lobster populations off St. Croix. She gave a PowerPoint presentation on the habitats sampled, methods used and some preliminary results. St. Croix lobsters are by and large much larger than in the Florida Keys, but not very abundant. It was determined that recruitment is hindered by lack of suitable habitat for juveniles.

#### **Election of Chair and Vice Chair**

George Neugent graciously resigned the chairmanship of the Council. Jack Curlett nominated Bruce Popham, who accepted the nomination. Ms. Harrison nominated Ken Nedimyer, who also accepted the nomination. Jerry Lorenz nominated Jack Curlett. Mr. Curlett declined the nomination. Bruce Popham was elected Chair of the Council, and Ken Nedimyer was elected Vice Chair of the Council.

#### **Sub-surface Damage to Artificial Reefs of Martin, St. Lucie & Palm Beach Counties, Florida – Kerry L. Dillon**

Mr. Dillon, a commercial diver with a quarter of a century of experience inspecting industrial complexes, gave a PowerPoint presentation and showed video of the impacts of the past hurricane season on several sizeable, intentionally sunk vessels. He indicated that these large vessels tend to settle after a strong storm event and buckle at weak points. They do not move laterally. Discussion concerned safety, hurricane intensity and methods for sinking ships.

#### **Public Comment**

Eric O’Keefe, a dive operator from Key West, spoke in support of artificial reefs like the Spiegel Grove and Vandenburg, as wrecks hold large fish. He said that the dive industry works hard to be non-consumptive.

Michael Blades, on behalf of the Center for Biodiversity and Reef Relief entered material into the record for the meeting. He gave support to the petition to give protection to acroporid corals under the Endangered Species Act.

Joe Wetherby, of the Vandenberg Project in Key West, said that the vessel was selected so that it would not move, and that supporters of the project have worked with the Propeller Club and Sanctuary staff so that scouring will be minimized. He requested that the permit from NOAA to sink the Vandenberg be expedited.

**NOAA Fisheries Status Review of Elkhorn, Staghorn and Fused-staghorn Corals for Potential Listing under the Endangered Species Act – Jennifer Moore and Stephania Bolden (NOAA)**

Ms. Moore gave a PowerPoint presentation describing the process underway to respond to a petition by the Center for Biological Diversity to list acroporid corals as endangered under the Endangered Species Act. Invertebrate species must be considered throughout their range. Discussion concerned the difference between endangered and threatened status, and the implications for live rock culturists and vessel and anchor damage. It was generally agreed that keeping the public informed on the matter is essential.

**Items to be Entered into the Record**

Richard Grathwohl said that Marathon Guides will be giving a presentation on idle-speed only areas to the Marathon City Council in the evening.

Billy Causey announced that this year the Sanctuary will host an Advisory Council reunion for all current and prior members. It will be a purely social event.

**Agenda Items for the February 15, 2005 Meeting**

Mr. Causey said that Dr. Wes Pratt of Mote Marine Laboratory will talk on nurse shark data from the Tortugas.

Ms. Thomas requested a report from the South Florida Water Management District on Florida Bay.

Mr. Popham requested that the Council set priorities for the year.

**Team Panda Presentation on Global Warming – Marathon High School Gifted and Talented Program Students and Debra Harrison (WWF)**

The students drew attention to this major issue confronting the world and gave specific examples of how rising sea temperatures will affect the Keys. They concluded by saying of the reef system “It is yours to protect and ours to inherit”. It was agreed that they should take their message to Washington, D.C. Ms. Harrison is arranging a visit to Congress.

**Adjourned 3:55 p.m.**

Submitted by

Fiona Wilmot

