

**Florida Keys National Marine Sanctuary
Marine Zoning & Regulatory Review
Ecosystem Protection: Ecological Reserves / Preservation Areas and Wildlife Protection
May 23, 2013**

Working Group Meeting Summary

Meeting Agenda

1. Update on progress of Shallow Water Wildlife and Habitat Protection & Coral Reef Ecosystem Restoration working groups, Review Agenda and Meeting Items (Chris Bergh and Beth Dieveney)
 2. Presentation & Discussion: Reef Fish Spawning Aggregations (Danielle Morley)
 3. Review and Discussion: Draft Criteria for Ecosystem Protection
 4. Exercise: Identify and map ecosystem components, areas, and uses
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1. Update on progress of the Shallow Water Wildlife and Habitat Protection and the Coral Reef Ecosystem Restoration working groups.
 - Shallow Water Wildlife and Habitat Protection Working Group:
 - Discuss and draft of towing and salvage recommendations.
 - Assess existing and potential new Wildlife Management Areas and associated access restrictions.
 - Coral Reef Ecosystem Restoration Working Group:
 - Discuss options and solutions to restoration permitting challenges.
 - Identify range of potential sites for active coral reef ecosystem restoration.
 - Prioritize and determine potential management of the restoration sites: allowed activities, incentive engagement and concept of adaptive management.

Address voting decision and attendance issue

- Comments made regarding the desire to retain their ability to vote if absent for up to three meetings. Much time and effort was already invested in this process to date, do not desire that effort to be wasted with inability to vote.
 - Motion passes to amend the ground rule on attendance and voting: members will now be allowed to miss up to three meetings and still retain their voting privilege. If four or more meetings are missed, voting is not allowed but members may still participate in meetings.
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2. Presentation and Discussion: Reef Fish Spawning Aggregations. (Danielle Morley, Florida Fish and Wildlife Conservation Commission (FWC))
The presentation can be found at:
<http://floridakeys.noaa.gov/review/ecosystemprotection>.

Working Group Discussion:

- FWC study includes snapper and grouper spawning aggregations, as well as noting other fish species as these areas provide a potentially important site for many other species.
- Research does not take place at night, however FWC is looking to expand to include this in the future. Documented cases of spawning aggregation occur during sunset, prompting FWC to plan around these times to study the events.
- Challenges in studying spawning aggregation sites include weather, timing and high volumes of boaters/fishers.
- Mapping data show the geomorphology of the local aggregation sites consist of reef drop-offs, cliffs, and humps.
- At present, sample size is too small to conclude any correlations between gray snapper aggregating in shallower water, and mutton snapper aggregating in deeper water at one site.
- Little is known regarding Nassau grouper spawning aggregation behavior in the Keys if it exists at all and little is known about migration into the Keys from the wider Caribbean.
- Additional data recorded while diving on spawning aggregations includes temperature and water quality data, current direction and approximate current speed.
- Question regarding what management solutions are implemented in other countries to protect spawning aggregations? Both spatial and temporal management. Some countries closed off areas year-round. A wide variety of techniques have been employed. There is no blanket solution. Techniques and solutions are unique to the situation and specific location. References the Society for the Conservation of Reef Fish Aggregations: www.scrfa.org. Protections or closures of multi-species aggregation sites have benefited many species.

The working group identified a range of ecosystem protection components to consider when making recommendations regarding fish spawning aggregations:

- Working group member provided historical context for one site: Carysfort reef and adjacent area were originally proposed as an Ecological Reserve in the initial management plan development process, but became a smaller Sanctuary Preservation Area instead. Considerable resistance to the boundaries of this area occurred due to high volume of fishing activity occurring at this location. Working group should consider a range of perspectives, resource protection goals, and uses when making recommendations during this process.
- Ecosystem protection issues to consider when addressing fish aggregation sites:
 - Consider habitat and resource protection goals
 - Choose the most productive, biologically and ecologically important areas that could help enhance and improve the rest of the ecosystem.
 - Protection during spawning, i.e. temporal closure/protection
 - Reminder to focus on the entire ecosystem: benthic, fish species, reef fish, etc. The use of Ecological Reserves (we should come up with our

- own zones) provides limits to the types of activities that can take place.
 - Take a proactive and long-term view
 - Recommend proactive action to protect fish species before they become endangered.
 - Recognize that fishing pressure is increasing. Working group needs to consider how an ecosystem protection zoning scheme might work to address/balance increase in user pressure.
 - Consider the long term including evolving technology. Many species currently not commercially-viable can become so in the future. We should look at creating the capability to protect species there is no market for now. Need flexibility in the plan to engage in this.
 - Challenged the working group to have the courage to make the hard decisions needed. Management by crisis is not good. Need to take a long-term view.
 - Promote productivity of the marine ecosystem and the commercial and recreational activities that rely on it
 - Minimize pressure
 - Consider when closing areas that pressure will be displaced to other areas.
 - Balance use
 - Protect viable resources for diving/tourism industry by increasing fish populations and sizes, corals, and other wildlife
 - Recognize a range of perspectives, and interests among various user groups.
 - Recommend managing for resilient populations.
 - Need to have a buffer in the system to protect against extreme weather events, man-made disasters such as oil spills, etc.
 - Zones which cover a range of habitats are a tool to provide for flexibility and resiliency.
 - Consider providing for resilient industries and uses, including the fishing, diving and tourism industry and recreation fishing and diving.
- Discussion related to Fisheries Management and Fisheries Regulation:
 - Clarification regarding working group role in proposing fishery management vs. fishery regulation recommendations. This group is to focus on ecosystem protection in a holistic manner. Fisheries management Councils (South Atlantic and Gulf of Mexico) has the authority and responsibility to regulate fisheries. Fisheries management plans exist for this purpose. This working group should not consider species specific recommendations.
 - Proposed recommendations during this process will be reviewed by other agencies/entities, such as the National Marine Fisheries Service, Florida Fish and Wildlife Conservation Commission and Fisheries Management Councils.

- A fishery management plan already is in place for many species. Stock assessments, maximum sustainable yield, etc. are all variables in the management of fisheries.
- Two current zoning schemes highlighted by working group members:
 - Reminder to group the Tortugas Ecological Reserve (TER) in 2001 led to results. Documented recovery of several species. The reserve protects the spawning aggregation site, not specific species. This response at the TER is along the lines of what we want to see for the rest of the Keys.
 - Concern raised that closed areas may not be increasing stock of species. Example given was lobster in the upper Keys where there are many no-take or no-lobstering zones but catches have not gone up as a result

Public Comment

Public Comment was provided by one individual:

- Lee Starling, Fisherman. Felt that FWC mutton spawning aggregation study locations of fish catch data collected were vague. Fish populations increased at Riley's Hump due to the elimination of fish traps. Knows of 30 or so fish aggregations throughout the Keys that change based on temperature and current variables. Reducing bag limits can protect mutton snapper. There are no mutton snappers at Western Dry Rocks right now. Don't need extreme, draconian rules such as closures. That will just increase fishing pressure elsewhere. 10% of fishermen catch 90% of the fish. A little bit of law enforcement goes a long way. There is a lack of law enforcement. Getting rid of traps was effective. There is no need to close off areas.

3. Review and Discussion: Draft Criteria for Ecosystem Protection.

Working group reviewed draft criteria and commented on any changes to existing language or additional items to include.

The draft criteria can be found at: <http://floridakeys.noaa.gov/review/ecosystemprotection>.

4. Exercise: Identify and map ecosystem components, areas, and uses.

Small group exercise to identify specific ecosystem components and uses that should be considered when making recommendations.

Public Comment

Public Comment was provided by one individual:

- Bill Kelley, Executive Director of Florida Keys Commercial Fisherman's Association (FKCFA). Use mutton snapper as an example. Lots of discussion around Western Dry rocks for closure to protect mutton snapper. In 2008, mutton snapper was declared not to be over-fished. In 2012, marine biologist Luis Barbieri with FWC/FWRI found that

mutton snapper is not overfished or undergoing over-fishing at this time. He sees no reason to regulate this species other than with size and bag limits. Focus on socio-economic impacts. Any closures benefit species of fish. When addressing these issues, need to focus on need and intent. Yellowtail snapper in 2012 was the most economically important finfish species in the Keys and not overfished or undergoing overfishing but commercial take was almost shut down for the year, putting fishermen temporarily out of business. Commercial fishing is a stand-alone industry, second only to tourism in importance to Monroe County. We are working on numbers showing our efforts to this area's economy. Stock assessments don't say that we are destroying fish stocks. We are fishing to strict quota. We can successfully harvest without having any impact on the fish. Closures of any magnitude severely impact all fishers across the board. During spawning season, we can do bag limits and law enforcement. I ask all of you to be cautious when doing closures - displacing fisheries manager's authority. Need actions based on sound science. Before October of this year, mutton snapper 2008 and 2012 assessments will be presented to FKNMS and both Gulf of Mexico and South Atlantic Fisheries Management Councils.

Follow-Up Actions for Working Group Members

1. Assess existing Ecological Reserves and Sanctuary Preservation Areas (Objectives 1, 2, and 3). Working group members to provide input in the *Zone Spreadsheet EP WG HW*. Deadline to return spreadsheet is June 3, 2012.

Decision Items of Note

Motion passes to amend the ground rule for the ability to be able to vote after missing up to three meetings and still vote. If four or more meetings are missed, voting is not allowed.