Florida Keys National Marine Sanctuary
Advisory Council

PUBLIC COMMENT

*PLEASE PRINT ALL INFORMATION AND DISCUSSION CLEARLY

Name: Larry Wren **Organization:** _____

Email: [redacted]

If you would like to be added to the marine zoning and regulatory review email updates, please indicate your choice below:

☑ Yes, add me to the email list ☐ No, do not add me to the email list

TOPIC TO BE ADDRESSED

Closures

PUBLIC COMMENT

Larry Wren

- Dismal of the proposed maps by the working group as the are biased in the closures and target the fishing comunity
- Any areas that are closed should be closed for ALL user groups. Spas are closed to fishing so any damages come from the regulated or unregulated groups using the spa (Diving communities)
- A study should be conducted on the impact on ALL user groups before any new regulations/closures are considered.
- Areas considered for closure should be based entirely on actual science and should be coordinated through other managing entities (NOAA, SAFMC, Gulf Council, FWC).
- Ability for Law Enforcement Officers (LEO) to enforce any regulations should be a prime consideration before passing any new regulations.
- Current results of existing SPAs and research areas should be made public and specifically address purpose of the area and measurement of how effective it is. Do they achieve their goal?
- Impact of user groups on current SPAs should be made available to the public.
- Bait fishing should be allowed in the SPAs by permit as already agreed on.
- All missing signs and markers that fall under the FKNMS responsibility should be maintained in place. The ones that are missing should be replaced as soon as they are identified as missing.
- Representation for all user groups on the SAC and Working Groups must be maintained. Any conflicts of interest on any FKNMS boards or working groups should be addressed publicly.
- An impact study should be conducted on both the Commercial and Recreational Lobster and sponge fishery.

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Name: Bruce Anderson **Organization:** ICBA

Email: [redacted]

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TOPIC TO BE ADDRESSED

PUBLIC COMMENT

I am against any new closures.

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PUBLIC COMMENT

*PLEASE PRINT ALL INFORMATION AND DISCUSSION CLEARLY

Name: Capt Paul Johnson **Organization:** Charter Captain

Email: [redacted]

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TOPIC TO BE ADDRESSED

PUBLIC COMMENT

All areas that are closed should be closed to all user groups

Bait fishing should be matained by current permit holders

Areas considerd for closure should be done scientifiy

Are current SPAS being managed now and how so

Florida Keys National Marine Sanctuary
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PUBLIC COMMENT

*PLEASE PRINT ALL INFORMATION AND DISCUSSION CLEARLY

Name: George Carter Loggan **Organization:** Commercial Fisherman

Email: [redacted]

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TOPIC TO BE ADDRESSED

- Closure of Area
- Economics of the overall projects.

PUBLIC COMMENT

- I highly suggest we find out the advantages and positive attributes of the current closures before continuing disscussions for more closures. To my knowledge all these closures have done is to put more pressure on surrounding areas in turn breaking these reefs down.

- I suggest making a boaters fee from the state required to use the waters in the state this creating revenue to be able to pay for factors that will contribute to cleaning up the water, finding correct data that will enable our fisheries to grow.

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*PLEASE PRINT ALL INFORMATION AND DISCUSSION CLEARLY

Name: MICHAEL CASACE **Organization:** UPPER KEYS FISHING CLUB

Email: [redacted]

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TOPIC TO BE ADDRESSED

PUBLIC COMMENT

NO ONE DEFINED THE PROBLEM AND THEN TOLD OF THEIR RECOMENDATIONS

We were asked to comment in reaction to no information

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PUBLIC COMMENT

*PLEASE PRINT ALL INFORMATION AND DISCUSSION CLEARLY

Name: STEVE BANDAS **Organization:** RIVA MOTORSPORTS

Email: [redacted]

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TOPIC TO BE ADDRESSED

ZONES

PUBLIC COMMENT

NO ADDITIONAL ZONING RESTRICTIONS.

SOLUTION:

EDUCATION - ESPECIALLY OF KEYS VISITORS WHO ARE NOT FAMILIAR WITH RULES & REGULATIONS

ENFORCEMENT OF EXISTING RULES - FIND FUNDS FOR MORE PATROLLING MARINE POLICE

Florida Keys National Marine Sanctuary
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PUBLIC COMMENT

*PLEASE PRINT ALL INFORMATION AND DISCUSSION CLEARLY

Name: MIKE MARTIN **Organization:** RIVA MOTORSPORTS

Email: [redacted]

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TOPIC TO BE ADDRESSED

PUBLIC COMMENT

I AM AGAINST THE ENDING OF MINI SEASON

I AM FOR INCREASED COST OF LOBSTER STAMP TO FUND EDUCATION & FUNDING OF TOURISM ~~EITHER THROUGH~~ LAW AND THEIR USE ~~OF~~ BOATS / DIVING / FISHING IN THE KEYS

Florida Keys National Marine Sanctuary
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PUBLIC COMMENT

*PLEASE PRINT ALL INFORMATION AND DISCUSSION CLEARLY

Name: RICHARD BLACK **Organization:** Self

Email: [redacted]

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TOPIC TO BE ADDRESSED

SPA'S

PUBLIC COMMENT

IF MORE SPA'S OR GREATER SURFACE AREA OF SPA'S ARE NEEDED, AND WE ALREADY HAVE PROVED THAT THE SPA'S DO NOT WORK, DUE TO DIVER DAMAGE, WHY NOT INCREASE SPA'S AREA AND DISCONTINUE DIVING AND LIMIT FISHING TO CATCH & RELEASE ONLY IN AREA. THIS WOULD LIMIT THE NUMBER OF ~~DIVER~~ FISHERMAN TO FISHERMAN ONLY INTRESTED IN CATCH & RELEASE. THIS WOULD ALSO ENSURE CORAL PROTECTION FROM DIVERS.

- CREATE SMALL SPA'S FOR CATCH & RELEASE FISHERY & COMPARE REEF GROWTH OR DISTRUCTION WITH EXISTING SPAS' ONLY USED BY DIVERS.

- Artificial Reefs to reduce the amount of boating pressure on natural reefs. Also with adding more SPA's, it will increase pressure on other areas. Thus creating art, reefs will help protect nat reef structure.

- Shore line to reef protection zones cover many different bottom structures, much of which has little demand for boaters) (Eg grass bottom, sand, etc) Why not target specific reef rather than broad areas. (Site specific protection for adaptive management.)

- Coordinate SPA's (Esp seperate catch release zones) to fish spawn habits.

- Seek outside help for art reefs (corporations)

- ~~We know the reef & fishery sees better in some zone~~

- Seasonal SPA closure for diving

- From a problem standpoint near shore (shoreline to 1/2 mile out) has little problem compared to 3 mile reefs.
- For proposed plan we need to focus on reef rather than near shore (ocean side rock bottom)
- For nearshore we need to focus on water quality problems.

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PUBLIC COMMENT

*PLEASE PRINT ALL INFORMATION AND DISCUSSION CLEARLY

Name: Tim Klein **Organization:**

Email: [redacted]

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TOPIC TO BE ADDRESSED

Sanctuary Zone & Spa's

PUBLIC COMMENT

all Sanctuary Zone and Spa's Should be Shut down to all boaters Divers Fishenman alike. Unfortunately you cannot see all the is done from all the divers bouncing on off the Reef but you can see fishing line hooks and sinkers throughout the reef. Divers certainly do the majority of the damage to all reefs.

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*PLEASE PRINT ALL INFORMATION AND DISCUSSION CLEARLY

Name: Duane Baker **Organization:** FL Keys Fishing Guides Assoc.

Email: [redacted]

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TOPIC TO BE ADDRESSED

Closures

PUBLIC COMMENT

FKFGA is not in favor of closures, For Shorelines Keys and Flats, Catch and release Fishing on the flats and Shorelines is very Low Impact activity. We need to access via running Lanes. Once in those areas we fine with Idle, pole and troll zones. A shorline Butter zone can be established Ex. 100 yards In. Idle Pole Troll

PRESENTATION TO SANCTUARY ADVISORY COUNCIL AND NOAA

Henry Feddern
24 September 2013

The original idea of the Sanctuary Preservation Areas was to preserve the stony corals in representative areas throughout the Keys. Unfortunately, in order to gather enough support to get the Sanctuary approved, the Sanctuary allowed divers to use these SPAs. This use, as well as a decrease in water quality, led to the demise of most of the corals in the Sanctuary. This fact clearly shows that SPAs have failed.

The current push to expand them has a different agenda: to preserve all different types of habitats in the Sanctuary. This is a noble idea, but it fails because of the following comparisons, and because it expands the purpose of the Sanctuary into areas forbidden to it by its own charter.

Stony corals are already completely protected in SPAs and everywhere else in the Sanctuary.

Sand is already completely protected throughout the Sanctuary.

Native rock is already completely protected throughout the Sanctuary.

Turtle grass is already completely protected throughout the Sanctuary.

Non-fishery organisms are protected in SPAs but not in the remainder of the Sanctuary, but since they are not in a fishery, no one bothers them.

Fishery organisms are protected in SPAs but not in the rest of the Sanctuary.

As you can see, almost all of the above Sanctuary resources are fully protected throughout the Sanctuary, whether they are in a SPA or not. The only major exception is commercial and recreational fishing, which is banned in SPAs. Because of the above, it is obvious that expanding the SPAs is actually fishery management, which is expressly forbidden to the Sanctuary, and assigned to the South Atlantic Fishery Management Council and to the Florida Fish and Wildlife Conservation Commission.

A rose by any other name is still a rose.

Let's look at the specifics of what are being proposed in the Upper Keys.

SNAPPER LEDGE/PICKLES REEF SPA
A tiny ledge proposed by divers is now a 2.5 mile long area of the reef. Pillar corals are protected already. What other specific part of the ecosystem would be protected, and from what?

CONCH REEF
Expanding the boundaries shoreward would cover a shallow area of rubble that is constantly overturned by strong waves. No justification was stated for this expansion. Why then expand it?

DAVIS REEF
Purpose is fishery management.

ALLIGATOR REEF
What are the dangers to the deeper fore-reef habitats that do not include fisheries, that would be solved by SPA designation?

HEN AND CHICKENS and CHEECA ROCKS
The recommendation is that there be no changes to existing zone boundaries, yet no justifications are noted for these SPAs. If there is no justification for them, why not delete them?

ELBOW REEF
This folds three small SPAs into a huge new area 4.5 miles long that will ban all fishing activities.

FRENCH REEF/MOLASSES REEF
This combines two existing SPAs into one that is about 3 miles long. The stated purpose is fishery regulation. It also states that Molasses Reef is the most heavily visited coral reef on the planet. Unfortunately, divers do more damage to live corals than any other activity, yet it is being allowed there.

CARYSFORT SPA
Stated purpose is fishery regulation and mangrove protection (already protected in State Park). The SAC principle for these reef-to-shoreline SPAs seems to be "non-extractive", but is really non-fishing. Diver damage to stony corals is non-extractive, but is still "take", and is being allowed.

The inshore working group is also proposing new or expanded no-motor zones. One that makes no sense is the proposal to combine the areas around Dove and Rodriguez Keys into one large area in order to protect the turtle grass. Anyone who has been in this area knows that the turtle grass in the area is already protected in the current areas. The deeper area between the two islands is hard bottom without turtle grass. A good suggestion is to make the turtle grass areas around the islands "no-anchoring"zones.

SPAs, by moving people around, will not save or enhance their areas. Increasing the SPA areas might damage the SPA environment by making it more difficult to remove invasive species. What will enhance all the areas is to increase enforcement of existing regulations and to educate visitors about the Sanctuary's regulations. Enforcement and publicity personnel are

overwhelmed by the current situation. Adding a lot more regulations would just make this situation worse, and make the regulations more difficult to enforce. If fish spawning aggregations need to be protected, let the appropriate Federal and State agencies charged to manage fisheries do so. Let their scientific researchers determine where and when spawning aggregations need to be protected.

The most important action that the Sanctuary can take is to force the Environmental Protection Agency to do its job to improve water quality. Good water quality is the basis of the entire ecosystem in the Keys. Without it, nothing else that is done will succeed.

Closing off areas should be based on real, solid scientific facts, not based on arbitrary, emotional opinions.

A wise manager does not waste more time, money, and resources on failed programs.

Henry Feddern, PhD
Marine Biologist
156 Dove Ave.
Tavernier, FL 33070
hunter@terranova.net

Florida Keys Commercial Fishermen's Association

P.O. Box 501404, Marathon, FL 33050

Phone & Fax: 305-743-0294 Cell: 305-619-0039
E-mail: FKCFA1@hotmail.com Website: FKCFA.Org

September 24, 2013

Mr. John Hunt & Mr. Sean Morton, Co-Chairs FKNMS Ecosystem Protection Working Group
Florida Keys National Marine Sanctuary
33 East Quay Road
Key West, Florida 33040

Re: Ecosystem Protection Working Group

Gentlemen:

With regard to the fresh approach being taken by the Sanctuary to address ecosystem protection, we would like to endorse the following recommendations which would have broad industry support:

1. Designate and mark new areas to protect coral nurseries established by the coral Restoration Foundation, Mote Marine Labs and FWRI
2. 'Tweaking' the boundaries of some of the existing SPAs for additional coral protection
3. 'Tweakng' certain boundaries in the TER to afford additional protection for spawning aggregations
4. Rotating closures on existing SPAs for coral restoration and re-evaluation for specific intervals

Issues we would like to see addressed:

1. An assessment of diver/snorkeler impacts on corals, especially in marked SPAs
2. An assessment of the coral and environmental damage resulting from the annual two-day lobster mini-season

Issues of serious scientific and economic concern:

1. We have seen no science justifying additional ecological reserves closing enormous tracts of white sand bottom to the harvest of spiny lobster and stone crab
2. We have seen no science justifying additional spawning closures
3. We have serious concerns about perceived fisheries management actions by the FKNMS usurping the authority of NOAA/NMFS/FWC

We strongly urge the FKNMS to focus on the BIG THREE priorities for a health marine sanctuary:

1. Water quality 2. Education 3. Law Enforcement

Presently, our association has three members serving on the Working Groups: Jeff Cramer, Manny Herrera and Ernie Piton. All of them are highly qualified to work with Sanctuary staff and others to identify SPAs and Tortugas areas for expansion and additional coral protections. We look forward to working with you.

Sincerely,

s/Bill Kelly

Capt. Bill Kelly

Office Physical Address: 6363 Overseas Highway, Suite #4, Marathon, FL