FLORIDA KEYS NATIONAL MARINE SANCTUARY ADVISORY COUNCIL

Marathon Government Center, Marathon, FL
Tuesday, August 21, 2012

DRAFT MINUTES

Members Present

Clinton Barras
Chris Bergh
Jeff Cramer
Jack Curlett
Ben Daughtry
Dolly Garlo
Richard Grathwohl
David Hawtof
Debra Illes
Don Kincaid
Steven Leopold
Jerry Lorenz
David Makepeace
Corey Malcom
Martin Moe
Ken Nedimyer
Bruce Popham
David Vaughan

Alternates Present

Bruce Frerer
Pete Frezza
George Garrett
Susan Ford Hammaker
Art Itkin
Jessica Pulfer
Suzy Roebling
Bob Smith
Joe Weatherby
Leah Wilde-Gould

Agency Representatives Present

Major Alfredo Escanio
John Hunt
Lauren Lugo
Anne Morkill
Joanna Walczak
Tracy Ziegler

Agency Alternates Present

Capt. Pat Langley
John O'Malley

Call to Order/Pledge of Allegiance/Roll Call/Approve Minutes from June 19, 2012 Meeting/Adopt Agenda for this Meeting/Chairperson's Comments

Chair Ken Nedimyer called the meeting to order at 9:03 AM.

Bruce Popham led the Pledge of Allegiance.

Sanctuary Advisory Council (SAC) coordinator, Lilli Ferguson, called the roll for all voting and agency representative members and alternates.

Approval of the draft minutes of the June 19 Sanctuary Advisory Council (SAC) meeting was moved by Mr. Popham, and seconded by Ben Daughtry. Susan Hammaker wanted people to know, regarding scoping outreach, she and Debra Illes [who made the report at that meeting of the outreach done for the Tourism – Upper Keys constituency] did a variety of activities, including a radio broadcast and 30-second spots at several upper Keys civic group meetings. Chair Nedimyer noted her remark; he said there was a lot, and a big effort to capture all of that, but he did not think she tried to capture everything. Chair Nedimyer deemed the minutes approved.

Regarding adoption of the agenda, Chair Nedimyer reviewed changes on the agenda in the SAC packet that were made after the draft agenda was sent out. He also said that there was a request to switch the places of the 11:00 agenda item and the 1:00 PM agenda item. Approval of the draft agenda with these changes was moved by Richard Grathwohl and seconded by David Makepeace. Hearing no objections, Chair Nedimyer deemed the agenda approved with these changes.

Chair Nedimyer mentioned over the next few years it would be a long and trying time, and it was important for the designated seat holders and the alternates to come to the meetings. The alternates would then be able to follow the dialogue, and pick up the conversation when needed. Also, [members] talking in between meetings [to their alternates] will allow people to be on the same page. He urged people to be at as many meetings as possible, to be engaged. He said the public scoping meetings were an earful, and were interesting. He said people from all over, with various backgrounds, would be throwing things at the SAC, some true and some off the wall, and the SAC would need to deal with it respectfully. He said the SAC would have the marine zoning goals, objectives and principles at each meeting, which the SAC would be sticking to. He also noted the agenda for the process was open, and there were no secret maps.

Martin Moe provided an update on his progress in rearing *Diadema* larvae, and showed some to the SAC. He gave the larvae to John Hunt for his laboratory.

Ms. Ferguson said she had a copy of the book Bill Kruczynski edited for each SAC member who had not already received it.

Summary of Comments Received – Sean Morton, Florida Keys National Marine Sanctuary (FKNMS)

Sanctuary Superintendent Morton said he would review in this presentation the public comments received doing the public comment period for the scoping portion of the marine zoning and regulatory review process. Comments were posted along the way on Regulations.gov, in record time. He said the comments had been summarized and put into categories, and would be reviewed by the SAC later in the meeting. The goals, objectives and principles shaped what went into the scoping meeting notice, which went out in April. That kicked off the scoping period, which went through June. The next phase may take a year or more. The SAC will be drafting recommendations, putting together a plan, and developing alternatives. Then, once the alternatives were compiled, they [National Oceanic and Atmospheric Administration (NOAA) and the U.S. Fish and Wildlife Service (USFWS)] had to do an Environmental Impact Statement, which would describe environmental impacts of different alternatives. There would be a lot of coordination to do on the state and federal sides. Anything with a fishing regulation would need to be worked through the State of Florida and the Fishery Management Councils (FMCs). He noted being on track with the timeline.

Mr. Morton reviewed that the five scoping meetings went well, and discussed the attendance and verbal comments received. Online, 241 comments were received, some with 5-6 suggested actions. Then, the staff read every comment, came up with common themes and issues, and then summarized them and lumped them together into logical, rough categories. In addition to the categories, there were subcategories. There were a lot of comments on what the state and county should do and how FKNMS should be involved in working with them. He asked the SAC to read the summary prior to the next SAC meeting, and to review the Condition Report. At the next SAC meeting, they would talk about forming SAC working groups or other ways of tackling issues. The core work group would meet the day after the SAC meeting. He said the SAC would not tackle everything, nor would it be appropriate to tackle everything raised. In addition to participating in SAC working groups or other SAC efforts, he asked SAC members to think about what constituents to bring in. He said the SAC would discuss a work plan in October, for adoption in October or December. He noted the process was very critical and that it was important everyone understood what was being done and how.

- Dave Vaughan asked about the core group and who was in it.
- Mr. Morton said it formed last year to try to take a stab at putting together the timeline for the marine zoning and regulatory review timeline. In it were Mr. Daughtry, Don Kincaid, Jack Curlett, Mr. Popham, Chair Nedimyer, Chris Bergh, Mr. Hunt, Anne Morkill, Jessica McCauley (Florida Fish and Wildlife Conservation Commission [FWC]), Joanna Walczak (Florida Department of Environmental Protection [DEP]), and Mr. Morton said some staff would be brought in, depending on what was being put together.
- Joe Weatherby asked if all the scoping comments were in the summary, or if they were boiled down.
- Mr. Morton said some were smoothed for punctuation, etc., but they did not reinterpret what people said, did not include large charts, and did not include all names on a petition. He said the comments were available on Regulations.gov.
- Ms. Hammaker congratulated those involved. She mentioned the power of going to the field with SAC and staff outreach, and how this had revitalized the group.
- Mr. Morton said it took a lot of SAC and staff work.
- Mr. Hunt commented the role of the core group was to develop processes, not make decisions about activities.
- Mr. Bergh asked if it was noted in the summary how many people commented on a petition.
- Mr. Morton was not sure, and referred people to the comments online, but said he could get the number out in an email. *ACTION ITEM*: Mr. Morton to provide information to Mr. Bergh about how many people signed a petition during the public scoping period.
- Ms. Hammaker mentioned the Key Largo Wastewater Treatment District had been invited to participate in federal FY 13 and FY 14 budget processes, to bring facts to that process.
- Mr. Nedimyer mentioned it was not the intention to weigh one comment over another, from the scoping comments.
- Mr. Grathwohl asked if the Condition Report was in the public library, where the general public could access it, as some did not have access online.
- Mr. Morton said they could do that, and Mary Tagliareni added they usually do that as a reference copy.
- Mr. Morton added it was on the FKNMS home page on the internet and was at the FKNMS offices.
- Billy Causey said he presented a paper for Scott Donahue at the International Coral Reef Symposium about the Condition Report, and people got that the report was a baseline that could be used for management purposes. He said it was peer reviewed, and that people were impressed with the willingness of FKNMS to give itself red scores on various things like water quality.
- Chair Nedimyer said people would be following what the SAC did, so it was important to chart a bold course and stick with it, as this would affect what the sanctuary looked like for the next 10-20 years.
- David Hawtof said some people at the scoping meeting brought large numbers of employees. He said this, and the fact some lobbyists were there, had to be kept in mind.
- Mr. Bergh clarified his earlier question had been about petitions.
- Bob Smith said the significance of a group taking a particular position was not to count there were 50 people at a meeting talking about an issue, but that someone at some position organized that effort.
- Mr. Bergh complimented the process, and mentioned people were already were trying to find solutions to their issues.
- Mr. Grathwohl mentioned talking to an individual that thought jet skis would be outlawed, and said he and another person explained to the person that was not the intention.
- Dolly Garlo said the organized groups had a lot of good comments, and many were advocates of sustainable use of resources.
- Mr. Grathwohl read a statement from a summary in a 1986 publication about tarpon and snook in Florida, which said rational fisheries management could not occur unless the habitat of the resource was managed as well. It said fisheries managers had little control over the physical environment of a species, and actions involving water and wetlands resources affected fisheries. It concluded the choice was ours.

As the meeting was ahead of schedule, Chair Nedimyer moved the agency reports to the morning part of the meeting.

Agency Report Highlights

FWC, Division of Law Enforcement Report – Capt. Pat Langley, FWC
Capt. Langley said there had been 26 groundings in the past couple of months. Mini season happened without any deaths, drownings or serious boating accidents, and he felt it went well. They made only small cases. He said they recently had a case of felony dumping, and the responsible party was ordered to pay over $13,000 to Monroe County Marine Resources, the group that takes boats out. Recently, FWC found a large gillnet on the reef line off of Key West, which had been in the water some time; the officers pulled it out of the water. There was also a live rock case off the lower Keys, he reported.

- Chair Nedimyer wondered if it involved recreational or commercial fishermen.
- Capt. Langley said he did not know, but did not think it was commercial.

Capt. Langley then said the *Gladding* was back to work in the Tortugas and the crew participated in two searches and rescues for divers. The *Gladding* crew just happened to be there to help with recovering them.

- Suzy Roebling asked about the regular season weekend and FWC being more busy that weekend than during mini season. For example, there was an entangled loggerhead turtle off Founders Park she went to help untangle, she said.
- August 6 had been busier, Capt. Langley replied, but there were no major cases then.

Sanctuary Superintendent's Report – Mr. Morton, FKNMS
Mr. Morton said the staff had been pretty busy with scoping work. He reviewed how the NOAA ship *Nancy Foster* had recently been to the area on a research cruise, with Scott Donahue as chief scientist, recovering receivers to track fish movements. The receivers were used for the research reported on by Mr. Hunt at the previous SAC meeting. They also did work with multibeam mapping, divers, drop cameras, and remotely operated vehicles. They caught the spawning of mutton snappers and cuberas. There were also two enforcement cases during that time, a commercial fisherman in the north reserve and a recreational fisherman in the south reserve.

- Mr. Makepeace asked if there was a press release to local papers.
- Mr. Morton replied there was, and said he knew it was in the Keynoter and Citizen, as well as some places online nationwide.

National Marine Fisheries Service (NMFS) Report – Lauren Lugo, NMFS
Ms. Lugo said the Gulf of Mexico FMC was meeting the week of the SAC meeting and the South Atlantic FMC would meet in September. She listed the appointments the Secretary of Commerce made to the Gulf of Mexico FMC, and also said the Executive Director announced his retirement so the FMC would be searching for a new Executive Director.

She said this was the first full year annual catch limits and accountability measures were put in place for all of the fisheries. When the triggers for the accountability measures were reached, either the fisheries would have to be shut down, or they would have to figure out what to do the next year. They had to manage on an annual basis, a major change from what done in the past. The reauthorized Magnuson Act might have an effect on how they manage.

The Congressional House Natural Resources Committee was holding a field hearing in Panama City the Saturday after the SAC meeting, she announced. She said the Chief Scientist for NOAA Fisheries was invited to testify at it, and also Bill Kelly. The topic was the economy of fishing, and what fishing does to provide jobs. Most of the witnesses would be from that industry.

- Mr. Bergh said something had changed with the deepwater grouper that might be of interest to the SAC.
- Ms. Lugo said the South Atlantic FMC requested NMFS remove some existing deepwater closures outside the 230 foot depth for speckled hind and Warsaw grouper, and NMFS removed those. The FMC would deliberate about what to put in place of those closed areas.
- Much of the habitat in those areas was outside the FKNMS boundary, but they were connected holistically, Mr. Bergh commented. The reexamination of what to do would happen at the same time as the sanctuary's process, he said, so there was an opportunity to think holistically.
- She said she could bring more information on that to the next SAC meeting. *ACTION ITEM*: Ms. Lugo to report at the next SAC meeting on what occurred at the September FMC meeting on closures for speckled hind and Warsaw grouper.
- Special Agent John O'Malley briefly mentioned that golden tilefish closed.
- Ms. Garlo said she was interested in more information about the Congressional hearing, and if it would be only live, or if there would be audio or video to see at another time.
- Ms. Lugo said people could see a live webcast from a link on the House Natural Resources Committee web site, which she would send to the SAC. She said they also archived video on their site. *ACTION ITEM*: Ms. Lugo to send a link on House Natural Resources Committee webcasts to the SAC.
- Ms. Garlo asked if she could send a link to archived webcasts as well.

National Park Service (NPS) Report – Tracy Ziegler, NPS

Ms. Ziegler said due to a busy field season, she had missed the last two SAC meetings. She said the five-year Research Natural Area report was released and she sent a copy to all the SAC members. It was well received. Back in March, Everglades National Park had meetings about the pole and troll zone in the Snake Bight Area. They were considering expanding the area by next season, and received some funding to measure the effect of the poll and troll zone in FY 14. They were trying to get this evaluation money earlier than that.

She provided some details on an interagency reef visual census. She said there were over 1600 dives to count and measure fish and determine abundance. She said that survey would now been done every other year on the same schedule as the Florida Keys cruise.

Finally, Dr. Ziegler introduced Tylan Dean, in the audience. He formerly worked for the USFWS, in its Virginia regional office. He has been at Everglades National Park since March, and replaced Dave Hallac.

USFWS Report – Ms. Morkill, USFWS

Ms. Morkill said this would be her last SAC meeting as she was transferring to the San Francisco Bay National Wildlife Refuge Complex. There, she would be going to the Gulf of the Farallones Sanctuary Advisory Council meetings. Recently, she met with Todd Hitchings and Robert Keeley about the idea of expanding Team O.C.E.A.N. to the backcountry of the Refuges. The synopsis and presentations from a Florida sea level rise adaptation workshop hosted with Mr. Bergh was available on the FRRP.org website, she said. The Florida Keys annual bird and wildlife festival would be September 25-30, and that registration was open at keysbirdingfest.org. Finally, Ms. Morkill introduced Kristie Killam, Visitor Services Specialist, who would be taking her place on the SAC and on the marine zoning and regulatory review core group in the short term. Ms. Morkill felt it was likely there would be a new refuge manager in 2013.

NOAA Office of Law Enforcement (OLE) Report – Special Agent O'Malley, OLE
The day prior to the SAC meeting, they finished the Kimbler and Bland lobster case, Special Agent O'Malley said, and he reviewed the sentences they received. He mentioned another case would be adjudicated soon. Some of the casitas removed recently were built to last decades, he observed.

FWC, Fish and Wildlife Research Institute Report – Mr. Hunt, FWC
Mr. Hunt thanked FKNMS and NOAA for providing the *RV Nancy Foster*, which was a huge boost for FWC, especially as FWC funding for that type of research had run out. A report on that cruise would be in the Executive Director's report, he said, and the report acknowledged the strength of the partnership here.

The FWC Commissioners heard a presentation on the Tortugas Research Natural Area at their June Meeting, and continued to concur with the special regulations, Mr. Hunt said. Also at that meeting, they took up the snook fishing issue. Snook were affected by the cold quite dramatically, he noted. The Commissioners decided to keep the existing regulations for another year in the Gulf waters.

Mr. Hunt also reported the Executive Director signed an executive order on lionfish, which was posted on myfwc.com. It allowed individuals without a saltwater license of any kind to take lionfish using very explicit gears, not including hook and line or standard spear guns with triggers. It did include Hawaiian slings, pole spears, nets and lionfish-specific gear. It was a major change in allowing FWC stakeholders/Florida citizens to participate in efforts to control lionfish.

- Mr. Smith asked about the Commissioners' rationale for not allowing trigger spear guns to catch lionfish.
- Mr. Hunt did not know exactly, but they were responding to requests made over time, he said. With a license, people could take lionfish with their licensed gear.
- Mr. Morton added this was in state waters, and there were still the restrictions in no take zones. He asked Mr. Hunt about not taking over 100 lionfish.
- The commercial limits no longer applied, Mr. Hunt said, and an unlicensed person could take over 100.
- Mr. Popham said the Executive Director of FWC was in the Keys during mini season, and that he, Mr. Curlett and Mr. Bergh met with him, giving him a historical perspective on what had being going on with sanctuary processes over the last twenty years.
- Mr. Hunt added that the executive order was good for one year and there was some discussion of going into rulemaking over the next year.

Public Comment
Ed Davidson spoke to the SAC, reviewing how he had nominated Looe Key as a National Marine Sanctuary, and how that was a pretty contentious time. He felt the public and key players understood the value of the resources for tourism, recreation, etc. now, though it was still a balancing act. In the beginning, this SAC did not exist, and Mr. Davidson said he was accused of having a secret map, which existed in his mind only as the present FKNMS. He felt the children at the Key West scoping meeting were what mattered, and that our job as stewards was to sustain the resources. He said making a living off the resources was a privilege, not a right, and it came with the obligation to regulate. Since the resources belong to the grandchildren of America, they needed to be managed well, and the fundamental attitude had to be sustainability.

Peggy Matthews of the American Watercraft Association spoke. She noted she was also at the meeting for Monroe County, and was working with them on the implementation of the Restore Act, signed in early July. It was money from fines assessed to BP that would come down through the five states. She said she would be happy to do a briefing on it at any time. She also said she had been on the original core group in the early 1990s to develop the Water Quality Protection Program (WQPP). She said Monroe

County would have a connection between the WQPP and what needed to be done and the Restore Act. She mentioned several components.

Marine Zoning Planning and Process Overview – Anne Walton, ONMS
Ms. Walton said she was here to help Mr. Morton put the process together, and would be talking about the process and tools to be used over the next few years. She mentioned the SAC would be in the public eye during this process, along with what the SAC did regarding the original management plan and Tortugas 2000. Ms. Walton stated she also ran the marine protected area capacity building program for the Office of National Marine Sanctuaries (ONMS), and that she worked internationally. She mentioned some of the other places she had worked, including Vietnam, Croatia, Indonesia, and Turkey, Guam, Hawaii, and the Commonwealth of the Northern Marianas Islands, and she described some of the particulars of those processes. The models developed in Florida were tested and evolved in those other places, she observed.

Ms. Walton said they were going through the FKNMS Zoning Plan for several reasons: a lot more was known now than 10 years ago; management objectives had changed; there were new demands on the ocean and marine environments; and now we had the Condition Report. She said the objectives of biodiversity protection and socioeconomics were not necessarily compatible, and there would need to be tradeoffs. She also stated each zone might not meet multiple objectives.

She then described four stages of a zoning process, and said the first, which this group was far into, was the preplanning stage. The other stages were analysis, developing a zoning plan, and implementation and evaluation.

In preplanning, it was necessary to work with stakeholders. This was already in place with the SAC, and NOAA also worked with the public at large, and would vet things back and forth at different stages in the process. All of the preplanning was done under the umbrella of the SAC she said. She talked about having sub-region advisors under a core team. Once the issues they wanted to really understand were known, the SAC might create working groups, have workshops with outside experts. Some items might be referred to other agencies or to technical groups. The SAC would develop a series of recommendations, which would go to the sanctuary superintendent.

Part of the overall process was to define the study area, including management areas and areas of influence. She said Chris Jeffrey would be presenting about biogeography and some of the data in that larger area later in the meeting. She also noted the target resources would need to be identified, and that most of those identified during the initial designation of the sanctuary had not changed. Some were called out in the goals and objectives.

Then, the management objectives got defined. She noted the SAC already defined them, and that was the framework for the process, with all decisions moving the SAC towards its goals and objectives. She said the SAC might want to refine them again during the process.

She said the sanctuary would ask for the SAC and experts to look at the data and at mapping human uses in the sanctuary, and for opinions on spatial and temporal human use requirements. For example, she said a dive boat also needed a dock, space for fuel, tanks, areas for divers, etc. Divers wanted interesting places to dive, pristine environment, places without large crowds, etc. So when talking about dive boats, she said the whole package was being talked about.

- Mr. Daughtry asked about divers needing hotels and restaurants and operators needing housing. He asked how far back it should be taken.
-Ms. Walton recommended looking at impacts on sanctuary resources.

Ms. Walton also talked about understanding impacts and identifying outside impacts and influences. Some examples she gave were an oil spill in the Gulf, larval dispersal, and cruise ship activities in Miami, etc. She stated predicting future uses was also important, such as wind and wave energy generation. There was a need to understand current uses and how those might ramp up or decrease over time. As part of the process, she said areas of conflict and compatibility would be identified, along with how uses related to the goals and objectives.

In the alternatives, different packages of zones would be presented and weighted for how they met different goals and objectives, and the SAC's help would be needed in determining what the zones were trying to achieve. NOAA would describe zones, regulations and boundaries, permits and best management practices. She said the spatial allocation of uses and the feasibility of addressing areas of conflict and compatibility would be evaluated.

The recommendations would go from the SAC to the sanctuary superintendent, who would give them a thumbs up or down, working with ONMS to come up with a range of objectives. Ms. Walton then asked if there were questions.

- Mr. Bergh said a reason for revisiting this was management objectives were changing, and it seemed to him a new era was being entered, with restoration. The first management plan was primarily about protection and compatible uses, but he felt things were moving into a restoration era. He also commented revisiting objectives did not jibe with what he had heard Mr. Morton say and what was in the Federal Register Notice. He thought they were firm.
- Mr. Morton said they were firm, but as the SAC got into specific issues, they would need to tailor objectives for tackling specific things. For example, he said the SAC might want to refine and add to specific restoration goals, such as having a spatial or species goal that related to a restoration objective. He said the SAC might want to get more quantified [objectives].
- Ms. Walton added they were general now, and as they were fine tuned, it would help with where they wanted to go with something such as water quality. She said the intention was not to go back and change the goals and objectives all the time, but to fine tune.
- Ms. Hammaker said there had been talk previously about looking at water quality on a global level. She said the goals and objectives were fine, but here we were part of a world wide web.
- Those could be drivers, Ms. Walton replied.
- Dr. Causey said advancements in technology could help in making refinements, and there were tools now, such as the internet, that did not exist before.
- Mr. Bergh cautioned the SAC also had to be careful of the sphere of influence and what the SAC's job was.
- Ms. Hammaker said there were other agencies and organizations that had a role.
- Ms. Walton observed that was why many of them sat at the [SAC] table.
- Ed Lindelof said he thought the presentation was great and felt the SAC would be pretty comfortable with the process, as a lot of the technology and tools were developed for the original management plan and Tortugas 2000 processes. He said the process would not be rushed, and there would be a series of meetings in each phase, with trainers helping move people through each. The focuses would be on technical information from outside experts and the knowledge and experience of the SAC, including qualitative experiences.
- Mr. Moe urged building flexibility into the process, and changing things that did not work well as they moved along.
- Ms. Walton stated a framework was needed, but so was flexibility.
- Mr. Grathwohl referred to work done on water quality, and that the voices were heard on it, but that they needed to be heard again, since the Florida Keys and the Everglades were interconnected.

Chair Nedimyer thanked Ms. Walton, especially for explaining how it was a process we could put arms around. He felt there was a good, structured framework to follow. As before, Chair Nedimyer stressed SAC participants needed to be at the meetings and engaged in the process. If people were missing from a lot of meetings, then they would be lost the next time they came to a meeting. He said if people were not up to the challenge, now was the time to get out, but he hoped no one would. He mentioned there would be conflicts in the future.

- Mr. Morton said this process was designed to try to reduce conflict along the way and promote understanding moving forward.
- Chair Nedimyer responded there would be eleventh hour people that would come in, and that would always be the case; that was the type of conflict he was talking about.
- Mr. Makepeace asked if the core group would be specific, such as having just two SAC Working Groups, as people would be spread pretty thin.
- Mr. Morton said that was the core group would work on and bring back to the SAC. He said it would not be mandated how many or which ones a SAC person would participate in, and he agreed there was a high potential to be spread very thin. He said all the advice would come back to the SAC with report-outs and feedback along the way.
- Mr. Makepeace said it would be helpful for the core group to sketch out the demands of a SAC Working Group, such as its frequency of meeting. He also commented the original management plan may have flaws, but it worked pretty well, and that was a compliment to those who put it together.
- Ms. Morkill said at public scoping meetings, they emphasized the public staying engaged in the process.
- Mr. Morton said the process would be public.
- Dr. Causey talked about the history of the original core group, which FKNMS began to pull together in 1990; it met 2-3 days a month, including meetings in Silver Spring.
- There were several more questions about the process, and Mr. Morton repeated that the proposal for a workplan would come before the SAC in October.

Biogeography Overview – Mr. Jeffrey, NOAA, National Centers for Coastal Ocean Science, Biogeography Branch

Mr. Jeffrey introduced Moe Nelson, Shay Viehman, and Angela Orthmeyer, and said they were helping put together the data for this part of the world. Typically, they do a biogeograhic assessment to inform a management need.

He said a biogeographic assessment involved getting a lot of information and looking at how it related in time and space. He observed there was a lot of information for Florida, especially since the first management plan was done. They did spatial auto correlation; places may share the same value, such as areas close to another one both may have a lot of fish (or may not). It was important to know the data set being examined. Using geographic coordinates and data layers, they tried to link to a metric, such as distribution of resources within a certain area. They then came up with relationships between the points and among the layers. Combining different layers leads to different patterns. He said biodiversity could be affected by bottom type, the amount of food in an area, etc. Biogeography was used as a decisionmaking tool.

First, Mr. Jeffrey said the relevant management issues and questions needed to be identified, and his part of NOAA had a client relationship with a management entity. In this case, it was FKNMS and its sanctuary management community. Then, they compiled information on resources, human uses, etc., working with partners who have the information. He mentioned some they had been and would be working with. Sometimes in a process like this, they had to use information that already existed. Once they had the data, then they began data integration and analysis. Once done, they presented it to the managing entity and its community. For example, they might explain where coral hotspots are or where there are areas of high anchoring. Then conflicts could be determined. He said they had worked with a lot

of different sanctuaries and SACs. He gave examples, including how they worked with Stellwagen Bank National Marine Sanctuary in a process to shift shipping lanes to minimize whale strikes, and how they worked with Gray's Reef National Marine Sanctuary in the selection of a research-only area.

Regarding the data for Florida's coral reef tract, he said there was an almost overwhelming amount of data, in different data sets, and said they had begun compiling it. Working with FWC, they were putting the information into a geodatabase with GIS layers.

He asked Ms. Orthmeyer to talk about the human aspects of the data. She said she had been with the team about four months and was working with another social scientist, looking at areas that had been studied, which they would overlay on ecological data. She described how this would be done

The social science, economic and human use data included human demographic information, legal and regulatory boundaries, zones, etc., and there were lots of managed areas within the study area. The ecological information included fishery and non-fishery species, coral and other reef-associated benthic organisms, seagrass and other soft bottom communities, etc. Mr. Jeffrey mentioned some of the sources of the data, and noted there were efforts to expand the ecological data available in the upper reef tract.

- Ms. Morkill asked about the area from which they sought data.
- All relevant areas, Mr. Jeffrey replied, but most of the data existed within the sanctuary boundaries.
- Mr. Moe said SAC might look at temporal zoning, and asked how it would be addressed in biogeography.
- Mr. Jeffrey said it could be built into the spatial model.
- Ms. Garlo was interested in looking at a ten year period, projecting into the future, for things like sea level rise and ocean acidification.
- Mr. Jeffrey said they would need to know the co-variants, and it could be harder to predict. Besides doing a GIS and looking at spatial data, sometimes it was necessary to go back to basic science as part of the decisionmaking process. They did not have all the solutions with [the biogeography products they could produce].
- Dr. Causey mentioned some data from visitor use counts, such as aerial surveys of fishermen and dive boats on the reef tracts, which he said Mr. Hunt had.
- Mr. Jeffrey asked about the form of the data.
- Mr. Hunt elaborated, and said it was spatially articulated information, and maps had been created. He suggested the name of a person Mr. Jeffrey could talk to about it.
- Dr. Causey also mentioned data on access and choke points he said was held by Monroe County.
- Mr. Jeffrey said they had that data, and said they were working closely with the state so there was one common stream of digital data. He said FWC would also use anecdotal information.
- Mr. Grathwohl asked if they had Bonefish and Tarpon Trust data.
- Not yet, but they did want it, Mr. Jeffrey replied.

Mr. Jeffrey asked Ms. Viehman to speak about fish spawning aggregations. She said she was from the Beaufort Laboratory, and she talked about the combination of methods they used, including split beam and diver surveys. She said the project was currently taking place. She reviewed data from the Tortugas Ecological Reserve North, gathered in 2008 and 2009, and said they also had more recent data.

There were also benthic maps for the whole reef tract, Mr. Jeffrey commented, and they were working with FWC to create one common benthic map for the whole space. He went onto it was hoped a spatial bibliography, tying the data to maps, would come out of this process. He explained a bit about how this was done, and said it would help organize the existing information in a geographic context and would help answers questions of "where." It was useful for science and conservation planning to know which

areas were well-studied and which were not. He said their next step was to build usable data tables, then perhaps develop an online database to which queries could be made.

- There were questions from the SAC on data sets and tool development. Clinton Barras asked if the SAC would have access to data sets.
- FWC would be working closely with the SAC so all the efforts would be compatible, and the SAC would be able to download information, and view it online. Right now the project was still under development.
- Mr. Morton said they had been working for a year already on this, and the SAC work plan would drive the next steps for biogeography.
- Mr. Bergh asked if they had looked at the goals and objectives and if they could point out gaps to the SAC.
- Mr. Jeffrey said yes. For example, they did not have any lobster data yet.
- Mr. Bergh asked if there would be a technical review group.
- Mr. Jeffrey said he saw it in a slide Ms. Walton had shown, so he assumed there would be one for this process. He said the products needed to be examined by experts, to ensure they stood up.
- Mr. Morton said that was one of the options that needed to be discussed regarding the path forward. The group used for the Condition Report was one such group that could be used for technical review.
- After more discussion about data and processes, Mr. Popham observed he felt there would be more data than they knew what to do with, and it was important to keep focused on the end result.
- Mr. Morton said the science was a tool to help the SAC get to the end of the process, and would be a backdrop for decisions, helping the SAC, FKNMS, and decision makers up the chain. This kind of spatial data was well reviewed and accepted, and was needed to move forward.
- Chair Nedimyer said people would be interacting with people, and while not everyone would be happy, having the data would be helpful. He urged interacting with people respectfully and carefully.
- Mr. Bergh asked about funding to have the GIS folks at meetings in the Keys.
- Mr. Morton said they had funded the GIS folks to be at the meetings.
- FWC would work with Mr. Morton on scheduling to have them there.
- Mr. Jeffrey said they had funding from the Coral Reef Conservation Program to help this process for at least three years.

Public Comment
There was none.

Agency Reports Cont. – LCDR Michael Capelli, USCG
LCDR Capelli reviewed the oil drilling rig in Cuba finished its first exploratory well, found nothing, went to a second well and found oil that was too expensive to recover, and was now on to a third well. He said Phil Goodman had recently led three HAZWOPER classes with about 300 attendees. These people could then volunteer in the event of an oil spill [for duties appropriate to their training]. Mr. Goodman planned to hold classes again for people who come down in the winter months. Regarding the National Response Center reports, there were 57 since the last SAC meeting of potential hazardous material in the water, LCDR Capelli reported. They opened the Oil Spill Liability Trust Fund seven times, and spent $10,000. They recovered 15 gallons of oil, 5 gallons of paint, and gave out seven warnings. He also reported that Congress had asked for regulations for commercial fishing vessels. These were not completed yet, but the USCG was working on them. The USCG did get a deadline by which the commercial fishing vessels had to get inspected under existing regulations, October 16. If not in compliance when stopped by the USCG, the fishing vessels would have to go back to the dock until they complied.

- Chair Nedimyer asked what constituted a commercial fishing vessel.
- Any vessel selling fish for a profit, LCDR Capelli said, such as crab boats, shrimp boats, and longliners with nets, sailing more than three miles from land.

- Did that apply to tropical fish collectors, Chair Nedimyer asked.
- Yes, if they were documented as commercial fishing vessels, registered with the state, and going three miles from shore, LCDR Capelli replied. LCDR Capelli then introduced a woman from Miami who would be dealing with this issue. She said she brought materials about it and mentioned a website where information was available.

Key West National Wildlife Sea Turtle Project—Michael Bresette, Inwater Research Group
Mr. Bresette thanked the SAC, and mentioned a previous presentation he had made to the SAC. He then showed the sea turtle project study area, including the Marquesas and Lakes Passage Keys. He explained they did visual transects of sea turtles to find hot spots and determine abundance. They also did rodeo captures, and put tags on six turtles.

Since 2002, they had seen over 2500 green turtles, almost 1500 loggerhead turtles, and over 200 hawksbill turtles. He described the habitat in the study area and the turtles found there. Three species of turtles use sponges for refuge; Hawksbill turtles eat sponges. He showed the turtle hotspots they found, and described the habitats there. The data collected would be important for FKNMS, USFWS, and NMFS, he said. The only times the turtles left was to go on long reproductive migrations. In the north region of the study area, he described an area with lots of Hawksbills. The only other site where this species has been studied was off Palm Beach County.

He described the threats to sea turtles in FKNMS, including trap lines, boat strikes, and habitat loss. Also, in 2007, spongers changed an area in the central study region so the structure of the hardbottom is different. It had previously been an area hawksbills frequented.

- Mr. Kincaid asked if the study team was there all year round.
- They had been there quarterly since 2002, Mr. Bresette replied.
- Mr. Kincaid talked about a big to do about sponges in the past, and said the ones on the flats took less time to grow back. At the time, the spongers were basically left alone because the resource was renewable, and the commercial type sponges had fewer critters living in them.
- Mr. Bresette commented he was not sure if there were any new changes in data on sponge growth.
- Dr. Causey said the commercial species were not the ones preferred by the Hawksbill turtles as a food source. He mentioned someone with Sea Grant in the Southwest Florida area who had done a lot of work on commercial sponging and work done by Mark Butler. In response to a question about filtering, he said some sponges did a better job of filtering than others. He felt it was important to look at any fishery closely before reacting.
- Mr. Bresette said when spongers were kicked out of Everglades and Biscayne National Parks, it put more pressure on the lower Keys. He stated hawksbill turtles ate yellow sponges and used them as refuge.
- Ms. Morkill asked if male turtles were there all the time in each of the areas.
- There was year-round use, and males followed females to the nesting areas, Mr. Bresette replied.
- Chair Nedimyer encouraged Mr. Bresette to get involved in this process.
- He said he welcomed the opportunity to help out in any way.
- Mr. Weatherby asked how they could tell they were not counting the same turtles over and over.
- They used visual transects, Mr. Bresette said, and acknowledged, on the grand scale of things, some got recounted.
- Mr. Morton said he would send out the report Mr. Bresette submitted for his permit to the SAC. *ACTION ITEM*: Mr. Morton to send a report from Mr. Bresette's permit for sea turtle research to the SAC.
- Ms. Morkill said she also had a relevant report, and that she would send it to Ms. Ferguson to send to the SAC. *ACTION ITEM*: Ms. Morkill to send a report on this work to Ms. Ferguson to send to the SAC.

Site Evaluation List – Dr. Causey, ONMS
Dr. Causey talked about the Site Evaluation List put together in ONMS over the years. He summarized the language about it in the regulations and the history of it. It was a comprehensive list of marine sites with high natural resource value and with historical qualities of special national significance qualified for further evaluation for possible designation as National Marine Sanctuaries. Citizens could make nominations, and Mr. Davidson nominated Looe Key and other sites in the Keys. That list was deactivated by the then-ONMS Director in 1995. The regulations said in order to have sites on a Site Evaluation List, with public notice and opportunity to comment, the ONMS Director must issue criteria for inclusion of marine sites on the list. Dr. Causey talked about needing support within NOAA for that. The only sites to be considered for designation must be on the Site Evaluation List.

He said a lot of people had raised concerns that more sites meant [fewer resources]. However, he said more sites built Congressional support in those areas, and showed a graph of budget figures to make his point.

In the 2003 reauthorization of the National Marine Sanctuaries Act it said the Secretary of Commerce may not publish in the Federal Register any sanctuary designation notice or regulations proposing to designate a new sanctuary before publishing a finding the addition of a new sanctuary would not have a negative impact on the system and sufficient resources were available for effectively implementing sanctuary management plans for each sanctuary in the system and for site characterization studies and inventories. At the time, ONMS needed to do something to get all the sites up to a minimum operational level, Dr. Causey explained. Reactivating the SEL would allow NOAA to begin making the findings required by the National Marine Sanctuaries Act.

The designation process for a proposed site ranged from 2-4 years to never being designated, he said. He showed a site designation timeline, and discussed the number of sites (parks, etc.) designated by the NPS, USFWS and ONMS. He then went over the proposed sanctuaries on the old Site Evaluation List and showed a graph of site designation and funding by year. The graph showed as each site came on, the budget took off, except when FKNMS was designated and absorbed two existing National Marine Sanctuaries. He said there were two years where the funding was particularly up, in which the first year was a mistake. They got that funding again, and then after that it went down.

The process to designate new sites did take years, but it began with the Site Evaluation List, Dr. Causey stated. He said his counterpart on the West Coast, Bill Douros, had also presented to the SACs on the West Coast. What was needed was a letter like the one from Monterey in the packet, through Mr. Morton to NOAA leadership, which would recommend the reactivation of the Site Evaluation List. He thought Dr. Jane Lubchenco, the NOAA Administrator, knew what the SACs were doing, and wanted to get a feel for the feeling around the country on this. He felt this SAC's opinion would mean a lot to her. He asked if there were questions.

- Mr. Weatherby asked if there was any correlation between the designation of a sanctuary and an uptick in ecotourism.
- Dr. Causey said they had seen the numbers in Hawaii, and also definitely in Thunder Bay.
- Mr. Lindelof described that the county originally voted not to accept a sanctuary in Thunder Bay. The governor decided to go along with it. Now, the biggest supporter is the Chamber of Commerce in Alpena. The Sanctuary has been incredible successful, had a visitor center, and did a number of events, he explained. Also, the local politicians in the adjacent counties petitioned ONMS to do a five or six-fold expansion of the sanctuary.
- Mr. Moe asked if there were parameters or characteristics of a marine area that had to be there in order for it to be suggested as a marine sanctuary.

- In the past, it just needed to have significant value, Dr. Causey replied. ONMS would like to ask for public input via the Federal Register, to ask for their help in developing criteria for selecting a site in the future. In the future, only sites on the Site Evaluation List would be selected for designation to go forward, but not all of them would.
- Mr. Morton said there also had to be certain findings, per the National Marine Sanctuaries Act.
- There was a little more discussion by the SAC on the history and about significant sites.

A motion on drafting a letter about the Site Evaluation List was moved by Jerry Lorenz and seconded by Dr. Vaughan.

Chair Nedimyer asked if there was any discussion.

- Mr. Moe said [Dr.] Chris Harrold's name should be taken out, and the date changed.
- Chair Nedimyer thanked Mr. Moe for the clarification, and said he supported it.
- Mr. Bergh asked if there was SAC letterhead.
- Ms. Ferguson replied there was some basic SAC letterhead for FKNMS.

The motion passed upon roll call vote. Below is the final text approved by the motion.

That we draft a letter like this, or similar to this, that substitutes the words Florida Keys National Marine Sanctuary in place of Monterey Bay National Marine Sanctuary, takes out Chris Harrold's name, and changes the date.

The Council is an advisory body to the sanctuary superintendent. The opinions and findings of this publication do not necessarily reflect the position of the Florida Keys National Marine Sanctuary, the National Oceanic and Atmospheric Administration, the Florida Department of Environmental Protection, or the Florida Fish and Wildlife Conservation Commission.

ACTION ITEM: Mr. Morton to follow up with Chair Nedimyer and NOAA leadership on the requested action in the resolution a letter supporting reactivation of the Site Evaluation List.

- Dr. Causey thanked the SAC and said the SAC's colleagues at the Gray's Reef National Marine Sanctuary Advisory Council passed a similar motion at their meeting the week prior to this meeting. He said the Flower Gardens Bank National Marine Sanctuary Advisory Council would also be discussing it.

Upcoming Meeting and Closing Remarks – Chair Nedimyer, SAC
Chair Nedimyer asked Mr. Morton if he had any final remarks. Mr. Morton asked the SAC to please take the time to read the summary of scoping comments and to re-review the Condition Report, as they would be taken into consideration moving forward. *ACTION ITEM*: Everyone on the SAC review the summary of scoping comments and the Condition Report.

Ken Nedimyer said the next meeting of the SAC October 16, would be somewhere in mid Key Largo, rather than at the Ocean Reef Club, and that information on the location would be provided to the SAC.

- Mr. Morton said the Holiday Inn was reserved, and it would be either there or at the Marriott.

Meeting adjourned, 4:00 PM.