

**Resolution of the Florida Keys National Marine Sanctuary Advisory Council Addressing Permit Procedures and Adaptive Management for Analysis in a Draft Environmental Impact Statement**

*Motion passed October 21, 2014*

1. Whereas, The Florida Keys National Marine Sanctuary harbors a tropical marine ecosystem unique in the continental United States, including the world's third largest barrier coral reef, and
2. Whereas, this State and National environmental treasure experiences intensive usage by local residents and an estimated three million annual visitors to the region including recreational divers, recreational fishers, commercial fishers and boaters and it is subject to water pollution, and climate change impacts originating within and beyond the Sanctuary, and
3. Whereas, visitation and environmental usage are increasing with each passing year, and
4. Whereas, the Florida Keys National Marine Sanctuary Condition Report (2011) noted stable to declining trends in water quality related to eutrophication, risk to human health, and the impact of multiple stressors, and fair but increasing trends in human activities that may impact water quality.
5. Whereas, the Florida Keys National Marine Sanctuary Condition Report (2011) noted stable or declining trends in the abundance and distribution of habitat types, fair to poor status of the condition of habitats, and fair to poor status of human influence on habitat quality in the Florida Keys, and
6. Whereas, the Florida Keys National Marine Sanctuary Condition Report (2011) noted declining trends in the condition of living marine resources in the Sanctuary including fair to poor status of biodiversity, fair status of non-indigenous species, poor status of key species, and fair to poor status of the levels of human activities that might impact the quality of such resources, and
7. Whereas, changing environmental conditions and new activities occurring in the sanctuary that were not anticipated when the original rules were written necessitate an update to FKNMS regulations and permitting procedures, and
8. Whereas, certain resource management issues including climate change, resilience, weather, disease, invasive species, or specific impacts from human activity may require more regulatory flexibility that is not currently possible through the existing framework, and
9. Whereas, the boundaries, zoning, and regulations of the FKNMS are currently under review and it is expected that this review will result in changes that will guide the future of the FKNMS to adapt to and to withstand the environmental impacts associated with increased usage that are inevitable and currently underway, and
10. Whereas, as part of this review, the Sanctuary Advisory Council created a Regulatory and Zoning Alternatives Work-Plan and identified Permit Procedures and Adaptive Management as priority issues to address through this review, and
11. Whereas, the Sanctuary Advisory Council has discussed issues related to Permit Procedures and Adaptive Management at their February 18, 2013 and August 20, 2013 Council meetings.

Therefore, the Sanctuary Advisory Council of the Florida Keys National Marine Sanctuary resolves as follows:

1. Evaluate the following for economic and environmental benefit/impact:

- PP-1 Create a new discharge exemption to allow dispersal of cremated human remains.
- PP-2 Implement a prohibition on deserting or abandoning vessels and/or leaving harmful matter in vessels.
- PP-3 Implement a prohibition on abandoning fishing gear.
- PP-4 Clarify the discharge prohibition to address fish feeding by land-based activities, divers, vessels for hire, and in general except during fishing.
- PP-5 Implement a prohibition on large boats using mooring buoys not specifically marked "large vessel."
- PP- 6 Update definitions and terminology to be consistent with state laws and Office of National Marine Sanctuary regulations.
- PP-7 Modify requirements for Tortugas North Ecological Reserves Access Permits to allow requests for permits more than thirty days prior to any given trip and allow the permit to be valid for longer than two weeks.

2. Identify and evaluate options for implementing an adaptive management framework in FKNMS.

- AM -1 Evaluate how an adaptive management framework could be designed and implemented to complement sanctuary regulations and strengthen the ability to more rapidly and flexibly respond to threats impacting sanctuary resources.
- AM-2 Consider the following issues (as identified by the advisory council at the February and August 2013 advisory council meetings) as triggers / criteria to drive adaptive management:
  - Restoration zones (i.e. zone management, identifying new zones, moving zones);
  - Exotic / invasive species;
  - Species specific impacts following an event (i.e. hurricane or cold water event);
  - Changing wildlife patterns;
  - Climate Change Impacts
    - Sea level rise
    - Warming that trigger coral bleaching and/or disease; and
  - New or intensified marine uses.
- AM-3 Update the emergency regulations to allow a temporary regulation to be in effect for up to six months, with one six month extension.

*The council is an advisory body to the sanctuary superintendent. The opinions and finding 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.*