

**Florida Keys National Marine Sanctuary  
Marine Zoning & Regulatory Review  
Shallow Water Wildlife and Habitat Protection  
May 21, 2013**

**Working Group Meeting Summary**

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**Meeting Agenda**

1. Update on progress of the Coral Reef Ecosystem Restoration and Ecosystem Protection working groups
  2. Presentation: National Park Service Commercial Use Authorizations for Tow Boat Services (Sula Jacobs, Biscayne National Park)
  3. Discussion and Decision: Update on the status of developing draft language for a potential FKNMS Tow Boat Services permit and finalize recommendation for working group Objective 7.
  4. Review and Discussion: Assessment of Wildlife Management Areas and associated access restrictions
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1. Update on progress of the Coral Reef Ecosystem Restoration and the Ecosystem Protection: Ecological Reserves / Preservation Areas and Wildlife Protection working groups (Beth Dieveney).
    - 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.
      - Determine potential management of the restoration sites: allowed activities, incentive engagement and concept of adaptive management.
    - Ecosystem Protection: Ecological Reserves / Preservation Areas and Wildlife Protection Working Group:
      - Discuss working group concept of Ecosystem Protection.
      - Review status and science of Fish Spawning Aggregations.
      - Identify ecosystem protection resources and activities working group will consider when making recommendations.
  2. Presentation: National Park Service Commercial Use Authorizations for Tow Boat Services (Sula Jacobs, Biscayne Bay National Park (BNP))

Sula Jacobs, Deputy Superintendent for Biscayne National Park, gave a presentation on the commercial use authorizations for tow boat services within Biscayne National Park.

    - Provided background and information on the process and policies of towing companies operating in BNP.
  3. Discussion and Decision: Update on the status of developing draft language for a potential FKNMS Tow Boat Services permit and finalize recommendation for towing and salvage (Beth Dieveney and Stephen Werndli).
    - Consider using the BNP towing permit as a model for developing a permit program in FKNMS.
    - A draft set of recommendations was presented to the group and changes/ suggestions were made:

- Consider a separate category for wreck removal
- Include the concept of dynamic vs. static operations to which will serve to clarify salvage vs. derelict vessel operations
- Develop a Sanctuary Advisory Council working group with stakeholders to monitor the process over time and make adjustments
- Decision: Move forward with the recommendation framework with comments

### **Morning Public Comment**

Public comment was provided by three individuals:

- Arnaud Girard d'Albissin, Key West Marine Assistance. Adopt a practical approach. Meetings needed twice year just like with the USCG. Meetings are incredibly beneficial. Fail to see how the permit is going to change how the environment is impacted. International treaty: any good Samaritan has the right to assist a vessel in distress. Permit is the wrong idea. Stay practical and everything will work wonderfully.
- Chris Shaffner: Chair of C Port. First, thank you Sula for presentation. Introduction of people who will be affected in room. All responsible for preserving the resource the best way we can. In the past, lot of communication between FWC and towing companies. Was very cooperative. Can and still exist and tow companies are requesting it. As an example of the scale and scope of what towing and salvage operators deal with, note that there could be upwards of 150 groundings over the course of two days over Memorial Day weekend. Volume needs to be considered. Per capita we have a good process in place. National Parks and marine Sanctuaries have two fundamental differences. Everything is 36 CFR for National Parks and 15 CFR for National Marine Sanctuaries. Different ways for things to be enforced. Permit may fall in that gray area. FWC dispatch takes 1.5 to 2 hours to get a response. Positive- FWC knows guys on the water and trusts them to make a decision. The ones that aren't in this room are the problems. Use what's already in place and not duplicate matters. USCG governs everything we do. Consideration of any kind for towing requires a towing license under USCG and FWC. All the professionals are members of C port which has established best practices and code of ethics. Membership to C port would cover all of this. Would like to test drive and really make a model, opposed to restricting the way we do business.
- Sean Morley: Tow Boat US KW, Member of C port. Chris did a fine job and our goals are the same. Industry already regulated by USCG, FWC, DEP and OSHA. Basically we need to enforce the current regulations. If there is an example made of the people doing the damage it will change. People spend tens of thousands on training for their employees and the people here are the ones trying to keep the standard where it should be. Some issues like the houseboat that was towed and the TV show gave this industry a bad public opinion. I think we can work together and create something that makes sense.

#### 4. Review and Discussion: Assessment of Wildlife Management Areas (Existing and Proposed) and associated access restrictions (Beth Dieveney and Stephen Werndli)

- Discussed table of working group recommendations and use restrictions for each individual site.
- Reviewed working group created maps with comments from working group homework
- Concept of adaptive management: Flexible management for bird use. Special buoys to mark bird areas that indicate no access within 100 yards.

- Define terms for access restrictions/zone types: Motor with idle, pole/troll/paddle, no motor on boat, closed area. Needs to be consistent with the State of Florida's definitions.

**Follow-Up Actions for Working Group Members**

1. Review the Draft Recommendations Framework and provide comments May 29.
2. Review the recommendations table after today's comments have been incorporated. Will be sent out by June 3.

**Decision Items of Note**

- Recommendation for addressing Objective 7: Reduce damage to natural resources from improper vessel salvage methods.