

***FLORIDA KEYS NATIONAL MARINE SANCTUARY ADVISORY COUNCIL***

**Hawks Cay Resort, Duck Key, FL  
Tuesday, February 19, 2013**

**FINAL MINUTES**

The Florida Keys National Marine Sanctuary Advisory Council met on Tuesday, February 19, 2013, in Duck Key, Florida. Public Categories and government agencies were present as indicated:

Conservation and Environment: Ken Nedimyer (Chair)  
Conservation and Environment: Chris Bergh (Vice Chair)  
Boating Industry: Bruce Popham  
Citizen at Large – Lower Keys: David Hawtof  
Citizen at Large – Middle Keys: Dolly Garlo (Absent)  
Citizen at Large – Upper Keys: David Makepeace  
Diving – Lower Keys: Don Kincaid  
Diving – Upper Keys: Rob Mitchell  
Education and Outreach: Martin Moe  
Elected County Official: George R. Neugent  
Fishing – Charter Fishing Flats Guide: Richard Grathwohl  
Fishing – Charter Sports Fishing: Steven Leopold  
Fishing – Commercial – Marine/Tropical: Ben Daughtry  
Fishing – Commercial – Shell/Scale: Jeff Cramer (Absent)  
Fishing – Recreational: Jack Curlett  
Research and Monitoring: David Vaughn  
South Florida Ecosystem Restoration: Jerry Lorenz  
Submerged Cultural Resources: Corey Malcom  
Tourism – Lower Keys: Clinton Barras  
Tourism – Upper Keys: Andy Newman

**council alternates** were present:

Conservation and Environment: Jessica Pulfer  
Citizen at Large – Upper Keys: Suzy Roebing  
Diving – Lower Keys: Bob Smith  
Fishing – Commercial – Shell/Scale: Justin Bruland  
Fishing – Recreational: Bruce Frerer  
South Florida Ecosystem Restoration: Pete Frezza  
Tourism – Lower Keys: Joe Weatherby

**Agency Representatives**

Florida Department of Environmental Protection: Joanna Walczak (Absent)  
Kevin Claridge  
FWC Division of Law Enforcement: Major Alfredo Escanio (Absent)  
Capt. Pat Langley  
FWC Fish and Wildlife Research Institute: John Hunt  
NOAA National Marine Fisheries Service: Lauren Lugo (Absent)  
NOAA Office of General Counsel: Karen Raine (Absent)  
NOAA Office of Law Enforcement: Kenneth Blackburn (Absent), John O'Malley (Absent)

National Park Service: Tracy Ziegler  
U.S. Coast Guard: LCDR Michael Capelli (Absent), Phil Goodman  
U.S. Environmental Protection Agency: Pat Bradley (Absent)  
U.S. Navy: Ed Barham  
U.S. Fish and Wildlife Service: Kristie Killam (Absent)

## **I. CALL TO ORDER, ROLL CALL, AND MEETING MINUTES APPROVAL OF 12/11/12 DRAFT MEETING NOTES**

### **MOTION: (Passed)**

Motion to approve minutes was introduced by Bruce Popham, seconded by Jack Curlett.

Discussion on the motion:

In the Florida Fish and Wildlife Conservation Commission (FWC) report, the spelling of Brian Fugate's (Officer of the Year) name needs to be corrected and Captain Rodriguez *willingly* took a demotion to investigator needs to be noted.

As there were no objections to the motion, the chair declared the minutes approved with changes noted.

### **MOTION: (Passed)**

Motion to approve agenda was introduced by Mayor George Neugent, seconded by Jack Curlett. As there were no additions or deletions to the agenda, the chair declared the motion passed.

### **Chairperson's Comments**

Ken Nedimyer, Council Chairperson, announced that public comment will be taken at 11:00 am and 3:30 pm (3 minute limit) for items not on the agenda. He added that two council seats are open for alternate Sanctuary Advisory Council members (boating, marine life seats) and have been publically noticed. Alternate SAC member applications will be accepted through March 6<sup>th</sup>. Chairperson Nedimyer recognized students who were present for the meeting with their science teacher, Lyn Cox. Students are enrolled in Marathon High School's Advanced Placement Environmental Science Class.

## **II. Adaptive Management and Permit Procedures: Joanne Delaney, FKNMS (Action Item)**

Ms. Delaney provided a presentation describing potential procedural changes related to permitting and to achieving adaptive management of Sanctuary resources. Changes to permit procedures could include small nearshore construction projects, abandoned vessels, no discharge/fish feeding, catch and release fishing in SPAs, and other topics. Ms. Delaney also presented a draft framework for implementing adaptive management in the Sanctuary. Discussion among SAC members included the types of activities that could require flexible and rapid response management. Any potential changes to permit procedures will be presented in the draft EIS (Environmental Impact Statement) document that will be presented to SAC for input and approval. To view Ms. Delaney's presentation, visit <http://floridakeys.noaa.gov/sac/othermaterials/130219permitprocedures.pdf>

The following points were made regarding a no fish feeding rule, permitting process and adaptive management.

### **Fish Feeding**

- Andy Newman: New fish feeding rules will affect tourism operations. This is a complex issue and needs a lot of consideration, especially if a no fish feeding rule from shore is being considered.
- Martin Moe: When fishing in a non-SPA area, chumming is exempt by the current rule. Since this is the case, maybe chumming should be defined better or just excised from the exception to avoid confusion.
- George Neugent: It is very important to seek scientific information on fish feeding since this will not be popular among some stakeholders. He has also seen more use of underwater lights as attractants from land-based operations and this might be altering fish behavior.

Superintendent Morton: Staff analysis will be brought forward using information on current fish feeding practices and input received from the Sanctuary Advisory Council.

### **Permitting Process**

- David Makepeace: Look at streamlining the permitting process.
- John Hunt: Breakwaters are more deleterious to environment than riprap and might consider not allowing them.

### **Adaptive Management**

- Chris Bergh: Consider setting up zones with performance criteria like 20% live coral cover. When the objectives are met, the area could revert back to its original use and that would trigger moving the restoration activity to another spot. This and other approaches could be programmed into regulatory framework in addition to six month emergency rule.
- David Vaughan: Consider adopting other adaptive management tools used by other sanctuaries or agencies that give more flexibility. Loosen up existing regulations to give superintendent ability to decide whether an activity is acceptable. For example, allow permits to be issued for coral replanting more quickly since this is a beneficial activity.
- David Makepeace: To gain more flexibility to address an event/issue that may not appear on the list of anticipated things in the future, consider creating a policy on adaptive management with checks and balances built into the process. Since it is hard to get away from some kind of list, the emergency regulation rule at six months helps address this concern.
- Joe Weatherby: Flexibility should be built into the framework and deregulation should be considered too, when appropriate.
- Ben Daughtry: Checks and balances are a necessary part of the process to address new situations.
- Suzy Roebing: Create emergency protocols to respond to situations such as hurricanes, cold fronts, oil spills.
- Several comments were made regarding the sanctuary's proposal to increase the length of time a superintendent can put an emergency action in place. Chris Bergh pointed out that going to a six month rule with a possible additional six months might be oversimplifying it. In some cases 60 days might be appropriate and is within the comfort level of people. Ben Daughtry suggested using a range of time from 6 weeks to 6 months (plus another 6 months) or until new permanent law or regulation is in place, if needed. Chairperson Nedimyer added that during the six month period, a more permanent action can be sought if needed.
- Clinton Barras: Channel widening issue affects tourism in Lower Keys. Suggests channel widening and dredging become part of this discussion.
- David Vaughan: Consider making it possible for the superintendent to allow non-profits and other entities to work under another organization's umbrella for permitting actions. They

could work under guidelines to accomplish things with private funds and not have to get their own permits.

- George Garrett: Emergency action by superintendent has been utilized only a few times over the years, which may indicate the need for more flexibility in the emergency regulation.
- Corey Malcom: Aim for developing a generic framework for adaptive/emergency regulation process.
- Justin Bruland: Emergency protocols could address things not currently allowed in SPAs. It is important to respond quickly to things (hurricanes); for example permission could be granted after a storm to quickly remove traps that have drifted inside of SPAs.
- Chris Bergh: Both emergency management and adaptive management are important, but they are two different things and need to be considered as such. Lots of discussion on adaptive management will take place as part of the working groups, especially in coral reef restoration working group (regarding when to set up new zones).
- David Makepeace: Consider making permit procedures such that it is easier to have non-government organizations (NGOs) address orphan areas of damage in all habitats (those not attached to a legal action).

Superintendent Morton: Sanctuary will consider these ideas and the work from the SAC working groups for the marine zoning and regulatory review process. A final proposal and framework for adaptive management will be presented to the SAC for discussion and decision as part of the EIS for the marine zoning and regulatory review.

### **Public Comment**

Peggy Matthews, American Watercraft Association

- It is very important to be very clear about what situation is going to trigger the implementation of emergency management actions so that people are knowledgeable about what triggers this type of management.

### **Break**

Chairperson called meeting to order.

### **III. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA**

Dottie Moses, Save a Turtle and Federation of Homeowners (3,000 homeowners in Upper Keys)

- An amendment to Monroe County's comprehensive plan has been proposed that includes dredging resources on the seafloor and the organizations she represents are against the idea of dredging channels with benthic resources in nearshore waters.

Andy Newman (council member)

- Announced that the Coral Restoration Foundation, represented by Ken Nedimyer, received the Wright Langley Award from the Lodging Association of the Florida Keys and Key West for the respect shown to the environment by the foundation.

Christopher Pelaez, Marathon High School Student

- Water fluoridation is allowed because it slows re-enzymization for elderly and young people and fluoridation chemicals get into the ocean even though it is illegal for a company to dump them directly into a water body. Many negative things are associated with water fluoridation.

John Galjanic, Marathon High School Student

- Concerned about mosquito control and the poisons that might be used and has doubts about the safety of chemicals used. He has researched malathion, which is used, and is supposed to be highly toxic.

Sydney Schuhmaher, Marathon High School Student

- Concerned about runoff from nearshore construction and how it affects water quality, especially in Key West where they are building docks near stagnant water. Wants to know if regulations are different if water is stagnant versus flowing.

Chairperson Nedimyer explained (to students) that the council doesn't respond to public comments, but does listen to concerns and issues. He added that water quality is very important for marine life and will be addressed on this meeting's agenda.

Steve Leopold, Charter fishermen

- At the last SAC meeting people might have left with impression that the ballyhoo fishery and conflicts attached to it are okay, but since last meeting the pressure on commercial ballyhoo fishing is more than he has seen in last ten years. He thinks ballyhoo are being overfished and commercial fishing pressure is changing the habitats of fish as the pressure proceeds southward. (Ballyhoo SAC working group was disbanded.)

Denise Vandenbosch, Captain Hook's Marina and Dive Center

- This is the first year that Captain Hook's has sponsored a SCUBA club at Marathon High School. The club promotes conservation. She applauds the students for coming to the meeting and working in this area. She and the SCUBA club are here to help them any way possible.

### **SAC Comments**

Andy Newman, Save a Turtle and Monroe County Tourist Development Council

- Noted that Malathion is not on the list of chemicals used according to Keys mosquito district website.

David Makepeace

- Commended students and teacher for coming to council meeting and wanted students to know that it is their right to be here and he thanked them for the opportunity to serve them

George Garrett

- Having students here reminds him of another group of students that tracked sanctuary issues during their school years, including the creation of the Tortugas reserve. Today, some of those students work in the environmental field and he encourages the Marathon students to pursue this field.

## **IV. FKNMS WATER QUALITY PROTECTION PROGRAM (WQPP) ACCOMPLISHMENTS AND FUTURE ACTION**

Bill Cox, U.S. Environmental Protection Agency and Jon Iglehart, Florida Department of Environmental Protection

Mr. Cox provided a presentation on the accomplishments and future of the Water Quality Protection Program. Mr. Gus Rios, FDEP, was present for Mr. Jon Iglehart. To view Mr. Cox's presentation, visit <http://floridakeys.noaa.gov/sac/othermaterials/130219wqpp.pdf>

Regional Director Billy Causey described the origins of the WQPP, how it is part of sanctuary legislation and how the committees within the program operate (steering, management and technical advisory). The advisory council is represented on WQPP steering committee as the SAC chair is named as a member.

Superintendent Morton explained that there were many public scoping comments on water quality and programs are in place to address this issue. Sanctuary staff, working with the WQPP, are doing an assessment of actions taken by WQPP and partners and outstanding needs that address the comments and identified needs through the public scoping process. This review and a plan for next steps will be presented to the SAC as part of the EIS for the marine zoning and regulatory review process.

The following points were made by advisory council members regarding water quality, program management, canal water quality and nutrients.

#### **Water Quality (general)**

- Martin Moe: Endocrine disruptors are active at extremely low concentrations and may be damaging to larval and planktonic forms of life. Methyl mercury and other chemicals that might come out of the everglades into Florida Bay are also a concern and even small amounts may have effects that are not readily seen. More research needs to be done on the effects of these substances (and of pharmaceuticals).
- Don Kincaid: It is suspected that endocrine disruptors are active here in inshore waters with respect to queen conch. Chemicals such as anti-depressants can alter fish behavior and affect its reproduction.

#### **Program Management**

- Chris Bergh: WQPP steering committee and SAC should integrate better with regards to water quality management. The release of the WQPP Biennial report is an opportunity for NOAA and EPA to work closely to support the report and its findings. This is especially important since funding has already been cut for special studies in water quality. To improve coordination, a meeting with the SAC and WQPP should take place at least every year and regular dialogue should occur.

#### **Canal Water Quality**

- Martin Moe: Many canals are a big problem. It might be possible to use a utility (not a homeowners association) to provide aeration into the canal. Consider researching the idea of using ozonation to enhance oxidation potential to burn sediments at the bottom of canals more quickly.
- Gus Rios: Monroe County has hired a consultant to develop a canal restoration plan and to put together best management practices. The water quality steering committee is tracking this issue. In some cases, hydrological restoration of canals is needed to restore water quality.

#### **Nutrients**

- Suzy Roebing: Downstream effects of nutrients should be considered. Keys waters are affected by agricultural and restoration activities taking place elsewhere.
- Gus Rios: Water quality in nearshore waters beyond 500 meters are affected by far afield sources and everglades issues. Mississippi influence could reach here and needs to be addressed as part of comprehensive plan.

#### **Public Comment**

Peggy Matthews

- Noted that she represents Monroe County for the Restore Act funding process and the county is actively pursuing restoration funds for canal restoration. Other projects brought forward can be pursued through The Restore Act as well.

**LUNCH** – on your own

**Islamorada Water Quality Infrastructure – Horizontal Directional Drilling Project:** Greg Tindle (or other representative), Village of Islamorada  
No presentation given.

## **V. BOATER EDUCATION PROGRAMS**

Phil Goodman, USCG Auxiliary and Sanctuary Advisory Council  
(Discussion and potential action)

Mr. Goodman provided a presentation about the role of the USCG Auxiliary. In the future, the Auxiliary will be assisting the sanctuary by patrolling Sanctuary Preservation Areas (SPAs) in the Upper Keys. (This will not be law enforcement, but educational.) To view Mr. Goodman's presentation, visit <http://floridakeys.noaa.gov/sac/othermaterials/130219cgaux.pdf>

The following points were made in the discussion on SPA patrol, boater education, and signage and outreach.

### **Sanctuary Preservation Areas (SPA) Patrol**

- Ben Daughtry: It is good to see the auxiliary work with the Sanctuary to promote sanctuary mission and goals. There is a need to patrol SPAs since in many cases, it is the uneducated individuals who run aground.

### **Boater Education/Licensing**

- Jessica Pulfer: Consider ways to get more people to take the current boating course (State). Accidents are often from individuals who don't have safety training.
- Rob Mitchell: Consider providing rental companies with more information and training for employees. (Note: It was explained by FWC that they have very strict rules regarding liveries and rental vessels and a training course is mandatory for boat rental operations.)
- Don Kincaid: According to Florida Trends magazine Monroe County leads nation in boating accidents, but only 8-10% accidents in Monroe County are by residents.
- George Garrett: Channel marking plan is both a navigation and resource protection plan.
- Chairperson Nedimyer: Most of the current boater courses are geared toward safety and navigation and not necessarily protecting resources. Many places are without channel markers and people need to know what they are doing to avoid damaging resources.
- Jessica Pulfer: If it's not feasible to have a Coast Guard course just for the sanctuary then maybe a specialty course could be an avenue for getting specific information on navigating in the Keys. The course could have incentives and tie back to sanctuary. (Sanctuary information is taught as part of the auxiliary boating and safety course.)
- Jerry Lorenz: Suggests considering an online course that mirrors the Eco-mariner course, especially to address non-residents.
- Julio Jimenez (audience member, FDEP Coral Program). Suggested the possibility of tying passing the course with lowered insurance rates for boaters (some companies have this already).
- Chairperson Nedimyer: Mandatory boating license should be necessary in Keys, but may not be feasible.
- Ben Daughtry: Due to budgetary constraints, an online course that mirrors the Eco-mariner course could be good. It is apparent that a large portion of boaters are using their own boats or bringing their boats down and they need to be reached regarding sanctuary waters. Ben

offered to provide a motion to promote a mandatory course for the sanctuary. (No formal motion was made. The sanctuary superintendent can also take direction/advise from the council.)

### **Signage, Outreach**

- Don Kincaid: People pay attention to rules and regulations when they find out they are in a marine sanctuary and yet no sign exists in the Keys showing that you are entering sanctuary. Signs could also be on the road.

Chair will solicit input from public if possible action is going to be taken on this motion.

### **Public Comment**

Nicole Vasilaros, National Marine Manufacturers Association

- Blue Rider program was developed with NOAA and is a partnership to promote liveries in the Key West area. The program has a safety checklist, information about habitat, among other things, and is a good model that could be expanded to reach other boaters. She strongly cautions against creating anything that is in conflict with state laws for boaters.

Jeff Neidlinger

- Owns rental boat operations in Keys, hasn't had a problem with his rentals, but has seen plenty of people who bring their own boat run aground, letting people know they are in a sanctuary is a plus

### **Discussion – Boater Education (continued)**

The following comments were made after the boating presentation regarding boater education.

- David Hawtof: State should have a boating license for everyone to help solve this problem.
- Rob Mitchell: He would like to see a state license, too. Instead, though, maybe boaters in the sanctuary could be required to have safety card through Coast Guard, Blue Rider, FWC, etc.
- David Makepeace: Keys boater license is unrealistic. Incentive programs are fine, though. This is a unique area and it might be best to ask state and others to partner with the sanctuary on evaluating possible solutions.

Chairperson Nedimyer asked the Sanctuary staff to work with agencies on a boater education and the potential for mandatory programs including licensing.

Superintendent Morton recognized that a mandatory boating license may not be feasible. The Sanctuary will work with the State and will provide a review and options for SAC consideration.

## **VI. SAC WORKING GROUP REPORTS**

- Coral Reef Ecosystem Restoration: Chair Ken Nedimyer, SAC
- Shallow Water Habitat and Wildlife Protection: Jack Curlett, SAC

Shallow Water Habitat and Wildlife Protection Working Group Report

- Steve Werndli, FKNMS team lead, gave a presentation on behalf of Jack Curlett. Steve reviewed the working group objectives regarding managing shallow water areas, user conflicts, new issues, research control areas, mangrove habitats, high impact activities. To view Mr. Werndli's presentation, visit <http://floridakeys.noaa.gov/sac/othermaterials/130219sw.pdf>

#### Coral Reef Ecosystem Restoration Working Group Report

- Chairperson Nedimyer provided a presentation on the progress made by the Coral Reef Ecosystem Restoration working group and the next steps to be taken. To view, Chairperson Nedimyer's presentation, visit <http://floridakeys.noaa.gov/sac/othermaterials/130219erwg.pdf>

Chairperson Nedimyer explained that at this time, it is early in the process and no recommendations have been made from either working group for SAC consideration.

### **VII. SAC & WORKING GROUP MEETING SCHEDULES**

Sean Morton, FKNMS and Ken Nedimyer, SAC (Action Item)

Superintendent Morton

- Information on all the working groups can be found at: <http://floridakeys.noaa.gov/review/workgroups.html>
- The Gulf, Atlantic and State fisheries councils are currently discussing the importance of fisheries management coordination in the Keys and the potential for a separate fisheries body to focus solely on the Florida Keys.
- Roy Crabtree (NOAA National Marine Fisheries Service) and Jessica McCawley (FWC Fisheries Director) can present on this issue to the council on July 9, 2013. He recommends moving June SAC meeting to July 9<sup>th</sup> and to have presentations on fisheries topics.

#### **Motion (Passed)**

A motion to move the June 15<sup>th</sup> meeting to July 9<sup>th</sup>, 2013 was introduced by Chris Bergh and seconded by Ben Daughtry.

Superintendent Morton

- Announced that Everglades National Park Superintendent Dan Kimball requested to be on the April 16 agenda to discuss the proposed draft management plan for Everglades NP.
- The original draft agenda for this meeting, February 19, included a presentation on Islamorada wastewater horizontal drilling. This item has been rescheduled for the April 16 SAC meeting.

#### **Break**

### **VIII. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA**

Trudy Ferarro, Park Biologist for Florida DEP at John Pennekamp Coral Reef State Park

- Noted that Pennekamp Coral Reef State Park is adjacent to Sanctuary waters and yet research is not being conducted in Pennekamp waters. To work in park waters, additional permits are needed. Trudy looks forward in the future to streamlining the permitting process to encourage researchers to conduct programs in park waters. She asked the auxiliary about the possibility of incorporating park reef patches into patrols as well and coordinating better in the future. Phil Goodman said that they could look into this.

**IX. SUPERINTENDENT’S REPORT, REGIONAL DIRECTOR’S REPORT, & AGENCY REPORT HIGHLIGHTS:** DEP, FWC, NOAA NMFS Southeast Region, NOAA OGCES, NOAA OLE, NPS, USCG, USEPA, USFWS, and U.S. Navy

**NOAA/Sanctuary Report, FKNMS Superintendent Morton**

- Noted the release of a biogeographic assessment of reef fish populations and fisheries in the Dry Tortugas. This study was an integrated assessment with a socioeconomic analysis that highlighted predicted economic impacts. The original EIS predicted losses for commercial and recreational fisheries, but such losses were not observed in this five years study. This good news should be considered for future processes.  
[http://ccma.nos.noaa.gov/ecosystems/coralreef/TortugasAssessmentReport\\_final.pdf](http://ccma.nos.noaa.gov/ecosystems/coralreef/TortugasAssessmentReport_final.pdf)

**NOAA OLE Report, Kenny Blackburn and John O’Malley**

- Superintendent Morton reported for Officers Blackburn and O’Malley. They are currently working on cases involving the illegal harvest of nurse sharks and other protected fish for wholesale aquarium trade.

**NOAA Office of General Council Report, Karen Raine**

- Superintendent Morton reported for Karen Raine. Since the last council meeting, four monetary settlements have taken place: seagrass grounding (\$6k), two Area To be Avoided cases (\$6k each) and a fishing violation in Western Sambo Ecological Reserve (\$1k).

**FWC Fish and Wildlife Research Institute (FWRI) Report, John Hunt, FWC**

- The process for identifying game fish species ended at the last fisheries council meeting. FWC staff was directed by council to look at tarpon and bonefish as only (no permit or snook) game fish species (more details on fisheries council website).

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

- Everglades National Park draft general management plan target date for release is March 1<sup>st</sup>. The park will hold seven different public meetings (two in Monroe County) to seek input in March and April, (web version available). Fred Herling, Park Planner, offered to attend next council meeting to present the general management plan (GMP) and to speak to any stakeholders or other groups upon request. Glenn Simpson has been hired to manage Dry Tortugas National Park.

**National Marine Sanctuaries/Southeast Region Report, Billy Causey**

- Transocean (owner of BP deep horizon platform) settlement was made. Civil penalties were settled for one billion dollars (in addition to four hundred million in criminal penalties that they settled for last week).
- He thanked the council for support on the letter that went forward regarding the reemergence of the site evaluation list, which proposes new sanctuaries for consideration. The list had been discontinued since 1995. If revised, an announcement will be made in the federal register requesting input on criteria to be used in evaluating new nominations for future sanctuaries.
- All three national marine sanctuaries in this southeast region are under review at some level: boundary expansion at Flower Gardens NMS; management plan review at Gray’s Reef NMS and zone review at FKNMS.

#### **US Navy (USN) Report, Ed Barham, USN**

- Due to financial issues, environmental program has been put on hold, standing by at this time.

#### **United States Coast Guard (USCG) Report, Phil Goodman, Coast Guard Auxiliary**

- Since last council meeting, they have responded to 50 calls from emergency response center (many were small oil sheens) and opened oil spill liability trust fund for \$25k in the Florida Keys. They also responded to the sinking of three vessels. Two were recovered but the other one was never found (closed case). One fine for the violation and one warning were issued. Cuba still drilling for oil at eastern end, less threat to the Florida Keys at that end of island

#### **FWC, Division of Law Enforcement Report, Capt. Langley, FWC**

- There were 23 groundings in December and 16 in January (39 total). Captain Langley took three-day trip on the R/V *Peter Gladding* to the Tortugas. While there, a shrimp boat just north of Tortugas North Ecological Reserve was over their recreational limit on yellowtail and had a Marine Sanitation Device (MSD) violation. Officers also found more MSD violations and on another trip caught someone actively fishing in Tortugas North Ecological Reserve. In that case, the vessel was impounded and each person was charged with state violations and charged for every fish.

#### **Florida Department of Environmental Protection (FDEP) Report, Kevin Claridge, FDEP**

- FDEP and FWC will have information on Restore Act funds. FDEP is hosting a webinar on Feb 26 and public meetings on February 28 and March 14.

#### **USFWS (absent)**

#### **US EPA Report, Bill Cox, EPA (reporting for Pat Bradley)**

- In 2010 EPA's Ocean Coastal Program division identified 8 priorities for all 10 EPA regions, undergoing strategic planning process and they are focusing on four priorities in this southeast region: water quality and nutrients, ocean disposal and five major port expansions (including Port of Miami), habitat restoration and vessel discharge/no discharge zones
- EPA is inheriting south Atlantic alliance co-chair from NOAA.
- Steve Blackburn, EPA, announced the WQPP meeting tomorrow at Marathon government center at 9am.

### **X. UPCOMING MEETING AND CLOSING REMARKS**

Chair Ken Nedimyer, SAC

Chairperson Nedimyer announced that the minutes for this and future SAC meeting will be shortened format. Please take time to review them when they are sent out. The next council meeting will be April 16 at Hawk's Cay. The next meeting will have reports out from working groups, discuss user fees and alternate funding sources. The two SAC seats that are open (alternates for boating and marine life) will close on March 6<sup>th</sup>, 2013

### **ADJOURN**

Meeting adjourned 4:04.