

Palm Beach County REEF RESCUE

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U.S. Coral Reef Task Force Coordinator
NOAA Coral Reef Conservation Program
1305 East-West Highway, N/OCRM, Rm. 10405
Silver Spring, MD 20910

Re: Advance Public Comment

The reefs of the southeast Florida coast and Palm Beach County in particular, suffer from a lack of an effective management structure. Below are four examples, all of which occurred within the last year, which exemplify how the lack of management has resulted in negative impacts to what are arguably some of the best of Florida's remaining coral reefs.

Example 1: Gulf Stream Reef Lyngbya Bloom

In August 2008, Palm Beach County Reef Rescue (PBCRR) volunteer divers identified a reef area encompassing several acres severely impacted by a Lyngbya bloom. PBCRR requested assistance from the FDEP Coral Reef Conservation Program office (SEFCRI) to survey the extent and impact to the benthos. Initially, SEFCRI staff began to develop a protocol to perform the work, however due to workload no action by SEFCRI was taken. PBCRR received a Special Activity License (SAL) from Florida Fish and Wildlife Commission (FWC) to collect sea fan/Lyngbya and send samples on a monthly basis to the FWC, St. Petersburg, FL laboratory. There have been no regulatory agency actions to document, assess the impact to the ecosystem, or identify a cause for this Lyngbya infestation. A bloom which still persists after six months and has resulted in significant mortality to ten's of acres of sea fans (*Iciligorgia schrammi* and *Gorgonia ventalina*).

Example 2: Recreational Boat Anchoring

There is no enforcement by FWC to control recreational boat anchoring in coral along the southeast Florida coast. PBCRR in July and August 2008 provided video evidence and written statements to FWC of boats anchored in coral. After an investigation FWC concluded that the "take" provision in Florida Statute 68B-42.009 only regulated the collection of coral and was not intended to include "harm, destroy or kill" as is the accepted interpretation of "take" in the federal ESA.

In December 2008, PBCRR designed and purchased anti-anchoring boat ramp signs and brochures to target the Boynton Beach Inlet area with a public education campaign. These materials along with newspaper and TV coverage have been effective in nearly eliminating recreational boat anchoring on reefs in the nearby vicinity. FDEP has also cooperated by sending warning letters to boaters identified as anchoring in coral by PBCRR volunteers.

To monitor, preserve and protect the coral reef ecosystem of South Florida through research, education and public awareness.

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Example 3: Breaker's Reef Damage

In November 2008, PBCRR divers identified and reported to SEFCRI extensive damage to coral and sponges on Breaker's Reef. Volunteers provided video documentation of damage to the coral reef habitat covering an area the size of two football fields. FDEP SEFCI due to workload was unable to provide an in-water assessment of this reef which is the center of the tourism diving industry in north Palm Beach County. After many weeks FWC and Palm Beach County Environmental Resource Management staff performed a site assessment. Several months passed before restoration work was initiated, a delay far too long to expect any reasonable assurance of coral reattachment success. To date no responsible party has been identified.

Example 4: NOAA Acropora Coral Critical Habitat Designation

November 2008, NOAA NMFS published the Critical Habitat Designation (CHD) for ESA threatened Acropora coral. NMFS had proposed the CHD include all coastal waters of Palm Beach County (PBC). During the public comment period PBCRR reported numerous documented locations of Acropora cervicornis colonies in PBC to NMFS, most observed south of the Boynton Beach Inlet. The final published CHD set the northern boundary at the Boynton Inlet, excluding more than half of PBC. This, in spite of the known existence of A. cervicornis found north of the Boynton Inlet. In December 2008, PBCRR filed a formal petition with NOAA/NMFS to reopen the Critical Habitat evaluation process due to the documented occurrence of the species north of the Boynton Inlet. NOAA/NMFS has 90 days from the date of the PBCRR filing to respond.

All of the above instances serve to highlight compromised resource protection resulting from a lack of management structure. In each case, had adequate numbers of resource personnel been operating within a cohesive regional management framework, it is our opinion effective and timely action could have been realized.

Sincerely,



Ed Tichenor, Director
Palm Beach County Reef Rescue

cc: Michael Sole, Secretary FDEP
Kenneth Haddad, Executive Director FWC
Chantal Collier, FDEP Coral Reef Conservation Program
Janet Phipps, PBC Environmental Resource Management

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