

**BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY
*ADD-ON***

Meeting Date: Tues., May 16, 2006

Division: BOCC

Bulk Item: Yes No

Department: Commissioner David Rice, District 4

Staff Contact Person: Tamara Lundstrom

AGENDA ITEM WORDING: Approval of Resolution of Opposition against passage of Federal Legislation HR5018 currently before the 109th Congress which proposes to reauthorize the Magnuson-Stevens Fishery Conservation and Management Act. Sections of the proposed legislation would make commercial and recreational fishing the primary use of sanctuaries, reversing the goals of the Sanctuary Act of marine life and resource protection.

ITEM BACKGROUND: Federal legislation HR5018 proposes management changes to the Magnuson-Ferguson Act that created the National Marine Sanctuaries that could adversely affect the numerous successes of the last 15 years of the Florida Keys National Marine Sanctuary.

PREVIOUS RELEVANT BOCC ACTION:

CONTRACT/AGREEMENT CHANGES:

STAFF RECOMMENDATIONS:

TOTAL COST: _____

BUDGETED: Yes No

COST TO COUNTY: _____

SOURCE OF FUNDS: _____

REVENUE PRODUCING: Yes No **AMOUNT PER MONTH** _____ **Year** _____

APPROVED BY: County Atty OMB/Purchasing Risk Management

DIVISION DIRECTOR APPROVAL:

David P. Rice *DP Rice*
(David P. Rice, Commissioner)

DOCUMENTATION: Included Not Required

DISPOSITION: _____

AGENDA ITEM # _____

RESOLUTION NO. 2006

A RESOLUTION OF THE MONROE COUNTY BOARD OF COMMISSIONERS OPPOSING FEDERAL LEGISLATION H.R. 5018 WHICH PROPOSES CHANGES IN MANAGEMENT OF THE NATIONAL MARINE SANCTUARIES, AFFECTING THE FLORIDA KEYS.

WHEREAS, the U. S. House of Representatives currently is considering H.R. 5018 to be cited as the "American Fisheries Management and Marine Life Enhancement Act." amending the Magnuson-Stevens Fishery Conservation and Management Act; and

WHEREAS, H.R. 5018 makes commercial and recreational fishing the primary use of sanctuaries, in effect amending the Sanctuaries Act's goal of managing for all uses compatible with the primary goal of resource protection; now, therefore

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS, MONROE COUNTY, FLORIDA THAT:

Section 1. The Board of County Commissioners opposes H.R. 5018.

Section 2. Reasons for opposing the Bill are:

- (a) Sec 10(d) of H.R. 5018 makes commercial and recreational fishing the primary use of sanctuaries, in effect amending the Sanctuaries Act's goal of managing for all uses compatible with the primary goal of resource protection, by making the Magnuson Act, with its economic goals, controlling over all other sanctuary purposes.
- (b) This fundamental change is exactly opposite of what thousands of marine scientists tell us is needed today which is to restore degraded marine ecosystems through creation of marine protected areas, including some marine reserves in which fishing is limited or prohibited.
- (c) The Keys Sanctuary has set aside 6 % of its waters in reserves, leaving the rest of the sanctuary open to fishing.
- (d) The bill calls for bifurcating the management of the sanctuaries between fishery bodies and the NOAA sanctuaries program, which is inefficient and costly.
- (e) The legislation is not need because fishery interests have multiple points in the sanctuary designation and management plan process to have their views heard.
- (f) Section 10(d) is a major amendment that has not had the scrutiny or public input it deserves, including that of the State of Florida or local governments affected by the legislation.

- (g) The bill, if passed, will have the following negative impacts on the Florida Keys:
 - Fishery management bodies will have the authority to amend the Keys management plan, and open the marine reserves to fishing;
 - Opening the reserves to commercial and recreational fishing will undo all the hard work achieved over the last 15 years to make the Keys an ecological showcase and provide benefits to a wider variety of users, and not just the fishing industry;
 - Passage of the bill would reverse the goals of the Sanctuary Act of marine life and resource protection.

Section 3. If Section 10(d) is not dropped out of the bill before markup it is imperative that the bill, or at least that section, be opposed from the floor of the House.

Section 4. Representative Ileana Ros-Lehtinen is hereby requested to lead the Florida delegation in opposition to the anti-sanctuary provision.

Section 5. The Clerk is directed to send copies of this resolution to Representatives Ileana Ros-Lehtinen, Clay Shaw, Connie Mack, Lincoln Diaz-Balart, and Mario Diaz-Balart.

PASSED AND ADOPTED by the Board of County Commissioners, Monroe County, Florida at a regular meeting of said Board held on the 16th day of May, A.D., 2006.

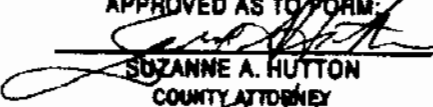
Mayor Charles "Sonny" McCoy _____
 Mayor Pro Tem _____
 Commissioner George Neugent _____
 Commissioner David Rice _____
 Commissioner Dixie Spehar _____

**BOARD OF COUNTY COMMISSIONERS
MONROE COUNTY, FLORIDA**

BY: _____
MAYOR CHARLES "SONNY" McCOY

(SEAL)
ATTEST: DANNY I. KOLHAGE, CLERK

BY: _____
DEPUTY CLERK

MONROE COUNTY ATTORNEY
 APPROVED AS TO FORM:

 SUZANNE A. HUTTON
 COUNTY ATTORNEY
 Date 5/11/06

Lundstrom-Tamara

From: William Chandler [bill@mcbi.org]
Sent: Thursday, May 11, 2006 1:41 PM
To: Rice-David
Subject: Your major points
Importance: High

Dear Mr. Rice,

I am told markup of the Pombo bill is May 17. You may wish to call Ileana or her staff person on this: Sarah Perez at 202-225-3931.

Ros-Lehtinen sarah.perez@mail.house.gov

The Ask is for Ileana to lead the Fla. delegation opposition to the anti-sanctuary provision or at minimum tell Pombo she wants Section 10d dropped out of the bill before markup. If not she intends to oppose it on the floor. She needs to understand the gravity of this proposed amendment.

You can ask the rest of the folks below to contact Pombo and tell him they object to the provision going forward.

I would send your letter c/o the aides who can understand it and pass it on. The folks are as follows:

Clay Shaw Christine.pollock@mail.house.gov
Connie Mack Brent.Leachwood@mail.house.gov
Lincoln Diaz-Balart hector.arguello@mail.house.gov
Mario Diaz-Balart Lauren.robitaille@mail.house.gov

As for the Senate, you need do nothing now as it is premature. These are the staff aides for future use.

Brydon ross@martinez.senate.gov
Bridget walsh@billnelson.senate.gov

Please call me if you have questions, Bill

About the bill:

- Sec 10d of HR 5018 makes commercial and recreational fishing the primary use of sanctuaries, in effect amending the Sanctuaries Act's goal of managing for all uses compatible with the primary goal of resource protection.
- It does this by making the Magnuson Act, with its economic goals, controlling over all other sanctuary purposes
- This fundamental change is exactly opposite of what thousands of marine scientists tell us is needed today which is to restore degraded marine ecosystems through creation of marine protected areas, including some marine reserves in which fishing is limited or prohibited
- The Keys Sanctuary is a leader on that score having set aside 6 % of its waters in reserves; the rest of the sanctuary is open to fishing

5/11/2006

- Bifurcating the management of the sanctuaries between fishery bodies and the NOAA sanctuaries program is inefficient and costly, and makes no sense from a good government perspective. If the Park Service has full authority to manage parks, why shouldn't sanctuaries continue to have the same authority?
- The legislation is not needed because fishery interests have multiple points in the sanctuary designation and management plan process to have their views heard.
- Section 10 d is a major amendment that has not had the scrutiny or public input it deserves, including that of 'sanctuary congresspersons' like yourself, or the State of Florida or local governments

About its impact on FL Keys

- If the bill passes, fishery management bodies will have the authority to amend the Keys management plan, and open the marine reserves to fishing
- This would undo all the hard work achieved over the last 15 years to make the Keys an ecological showcase and provide benefits to a wider variety of users, and not just the fishing industry, which is important but should not control the sanctuary.
- Giving over the major part of the Keys ecosystem to the fishery councils to run would be a major step backwards and makes questionable the entire marine sanctuary endeavor.

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Marine Conservation Biology Institute
Protecting Ocean Life through Science and Conservation Advocacy

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H.R.5018

Title: To reauthorize the Magnuson-Stevens Fishery Conservation and Management Act, and for other purposes.

Sponsor: Rep. Pombo, Richard W. [CA-11] (introduced 3/28/2006) [Cosponsors \(4\)](#)

Latest Major Action: 5/3/2006 House committee/subcommittee actions. Status: Committee Hearings Held.

Jump to: [Summary](#), [Major Actions](#), [All Actions](#), [Titles](#), [Cosponsors](#), [Committees](#), [Related Bill Details](#), [Amendments](#)

SUMMARY:

NONE

MAJOR ACTIONS:

NONE

ALL ACTIONS:

3/28/2006:

Introductory remarks on measure. (CR [E432](#))

3/28/2006:

Referred to the House Committee on Resources.

4/6/2006:

Executive Comment Requested from Commerce.

4/25/2006:

Committee Hearings Held.

5/3/2006:

Committee Hearings Held.

TITLE(S): *(italics indicate a title for a portion of a bill)*

NONE

COSPONSORS(4), ALPHABETICAL [followed by Cosponsors withdrawn]: (Sort: [by date](#))

Rep [Brown, Henry E., Jr.](#) [SC-1] - 3/29/2006 Rep [Frank, Barney](#) [MA-4] - 3/28/2006
Rep [Ortiz, Solomon P.](#) [TX-27] - 3/29/2006 Rep [Young, Don](#) [AK] - 3/28/2006

Rep McGovern, James P. [MA-3] - 4/26/2006(withdrawn - 5/4/2006)

COMMITTEE(S):

Committee/Subcommittee: Activity:

House Resources

Referral, Hearings, In Committee

RELATED BILL DETAILS:

NONE

AMENDMENT(S):

NONE

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