

BISCAYNE NATIONAL PARK FISHERIES MANAGEMENT PLAN

WORKING GROUP

Meeting #3
March 23, 2004
8:00 am to 4:30 pm

John D. Campbell Agricultural Center
Homestead, Florida

REPORT OF PROCEEDINGS

WELCOME/AGENDA REVIEW

The Chair of the Group, Jack Curlett, welcomed everyone to the third meeting. He announced that he had been invited by several member groups to attend their meetings so he could be aware of their issues and how they deliberate internally. He attended a couple of member constituency meetings as an observer and remarked on the dedication and effort that he witnessed. He once again thanked everyone for their hard work and diligence.

Members present:

Jack Curlett, Chair
Larry Adams
Richard Columbo
Juan Comendero
Marianne Cufone
Bill Curtis
Walter Flores
Ted Forsgren
Alejandro Gattorno
Jamie Green
Rick Hill
Rob Killgore
Carl Liederman
Monty Lopez
Jerry Lorenz
George Mitchell
Martin Moe
Mary Munson
Ken Nedimyer
Ernie Piton
Joe Serafy
Daniel Suman

He turned the meeting over to the facilitator, Janice Fleischer.

Ms. Fleischer reviewed the contents of the packets for the day and went over the Group's meeting Guidelines and Agenda (Exhibit A).

Ms. Fleischer reminded the Group that they have only 3 meetings left during which they must finalize their Objectives (a/k/a "Desired Future Conditions") for the five Issue Categories and make recommendations for Management Actions to accomplish those conditions. She explained that she would be keeping the members on task with the Agenda so they accomplish the work set out for them for the day.

ISSUE CATEGORY OPEN DISCUSSION

Ms. Fleischer directed the members to their packets for two documents that were created to assist them in their discussions. The first document (Exhibit B) was the document originally drafted by the Park and FWC subsequent to a lengthy process. This document contained the category headings and the sub categories along with the background information and alternatives for the "desired future conditions". Ms. Fleischer told the group to use this document only for the background information it contained which essentially described the current condition (Alternative A to desired future conditions). The second document (Exhibit C) contained only the category headings and the sub categories under each heading. This document was to be used as a reference and "note taking" document during the morning session and discussion.

She explained that the morning session of the meeting would be spent reviewing each Issue Category separately (Populations, Commercial Fishing, Habitat, Recreational Fishing, and Law Enforcement/Education) by:

1. Spending a minute re-familiarizing yourself with the Category and sub categories;
2. Commenting on whether any of the subcategories need to be combined or moved;
3. Asking any clarifying questions; and
4. Answering the question: "What do you think others on the Group need to know about this category from your perspective so they are in a position to draft desired future conditions"

All comments were recorded and would be delivered to Todd Kellison, Ph.D, BNP, Project Manager of the Fisheries Management Plan. Dr. Kellison will edit and, where necessary, redraft the Plan document to incorporate the comments of the members. The newly drafted document, with its desired future conditions, will be brought back to the Group for finalizing at the next meeting.

Prior to initial category discussion, the following general comments were made:

- Human impact is tremendous
- You need to maximize condition of resources
- Internal environmental component vs. external environmental component

Each category was then addressed separately:

1. POPULATIONS OF EXPLOITED FISH & SHELLFISH

It was decided the three sub categories should remain separate.

The following comments were made by subcategory:

Sub-category 1.1 – The abundance and average size of fish *(that are subject to take and spend a significant portion of their lives within the Park)* **relative to those fish in similar fished habitats outside the Park.**

These comments are to be added to those taken at the second meeting:

1. The language in the parentheses limits this sub category; it should not. Include “prey” species – don’t qualify ornamental species, ecosystem management
2. There are less folks fishing outside Park – less increase outside, bigger (>20 fold) impact of fishing in Biscayne National Park than outside
3. National Parks have higher standards for protection of resources than outside
4. Identify indicator species (bonefish, snapper) to see if achieving goals
5. Look at all fish populations

Sub-category 1.2 – Future abundance and average size of fish within the Park *(that are subject to take and spend a significant portion of their lives within the Park)* **relative to current levels**

1. See limitation comment on 1.1, should not limit the species
2. Fisheries species – consider what taken
3. All species are being taken in the Park
4. All fish are related; for example, small barracuda are a prey species
5. Ornamentals are not allowed to be taken in the Park, but not enforced
6. Many fish being taken out of Park that are not supposed to be taken
7. Mutton and Mangrove Snappers are down
8. Human Population considerations of more folks in the park – see 1.1
9. Other areas around world/country are getting away from specific species limits – looking at the issue on a more global scale
10. Bag limits and size limits work – need to be stringent about the limits
11. Enforcement is key

Sub-category 1.3 – The long-term abundances of spiny lobster, blue crab, stone crab and pink shrimp within the Park

1. Severely affects 1.2
2. Background portion seems to be accurate regarding shrimp
3. Is stabilization of catch due to actual water condition or to technology?
4. Lobster now is on a down cycle (south end of Park)
5. Lobster trap numbers are restricted and there will be impacts from more divers (population considerations)
6. Everything comes in cycles
7. Law enforcement =examples: short species; out of season; too small
8. Wing netters are commercial – there is also a recreational bag limit
9. Mini-season needs to be addressed
10. Most shrimping in Park is live bait shrimping, not for consumption
11. Never see any enforcement of wing-net shrimping
12. Stone crabs this year are average – few years ago they were up
13. Wing netters have a season, not a limit
14. Roller-frame not seasonal; restriction is the same
15. Any person can have 5 stone crab traps (families are not limited to how many people); this can result in a huge amount of traps being put out for personal use

2. **COMMERCIAL FISHING ACTIVITY**

Sub-category 2.1 – Numbers of commercial fishers within the Park

1. The background covers all Miami-Dade County, not just the Park; misleading
2. Background – data not consistent, it is misleading
3. Less than 30% (maybe 15%) of commercially registered boats actually take fish
4. When boat gets a trip ticket – are they area specific? How do we know where fish are coming from?
5. Decrease in population of fish starts with decrease in their food
6. Need restrictions on commercial fishing to accommodate recreational fishing and maintain fishery levels (Ted will clarify and help with drafting)
7. Currently levels of commercial fisherman are being restricted/limited
8. Should commercial fishing be allowed at all since it is a National Park?
9. Recreational fishing has a much larger impact
10. Enforcement needs to know difference in commercial and real commercial
11. Recreational fishing has increased greatly and commercial fishing has not increased
12. What are main commercial fisheries? What are commercial and recreational total landings?
13. Need to do something to extend the life of commercial fishing in the Park
14. Very few national parks allow commercial fishing

Sub-category 2.2 – Bycatch amount and bycatch-related mortality associated with commercial fishing gear

1. Bycatch related to shrimp and lobster is minimal re: mortality – within the Park all by-catch is put back
2. Bycatch mortality is really unknown – ex: Spotted Sea Trout do not live
3. There is no baseline data in Biscayne National Park re: bycatch mortality – need to write an **objective** that calls for the collection of data
4. Limited entry issue to maintain populations
5. Recreational mortality from undersized fish is a problem – “venting” - proper way to treat bycatch
6. Under-sized fish should be considered bycatch – recreational bycatch is important

3. **HABITAT CONDITIONS**

General comments regarding this entire category:

- Sub-categories 3.2 and 3.3 should be combined
- 3.2 and 3.3 should not be combined – there is much more of 3.3 than 3.2
- Maybe add a boating subgroup?

Sub-category 3.1 – Impacts from roller-frame trawling

1. Some roller-frame trawlers are set too low and are scraping the bottom
2. Are there studies on areas that are trawled? (possible **objective**) – hard bottom different from sea grass

3. Shrimp go to both grass and hard bottom
4. ~2% of shrimp population is taken by roller-frame trawling

Sub-category 3.2 – Frequency of derelict spiny lobster and crab traps and trap debris on benthic habitats

1. Traps last ~2-3 years – rope lasts longer
2. Polypropylene line floats – where did it come from – brought in by storms and currents not just left in area
3. Marine life grows on the nets – this could be a positive
4. Ghost traps get communities
5. Ghost traps are a habitat, but can also be a killing machine – **objective**: identify and move ghost traps
6. Ghost trap breaks up after 6-9 months – rope is real culprit – **objective**: rope removal program
7. Wire traps last longer
8. Plastic traps are allowed, but have escape hatch

Sub-category 3.3 – Frequency of lost or discarded hook and line fishing gear

1. As human population grows this problem will increase – hooks don't do damage, the sinkers and monofilament are the culprits
2. Nylon monofilament disintegrates – fluorocarbon is coming out because it is tougher and doesn't disintegrate; good for fishing not for the environment
3. 10 hook limit on single rig – must be floating
4. Illegal in Park >10 hooks on single rig
5. New spectra material for line – has more stretch, water insoluble, does not disintegrate

Sub-category 3.4 – Habitat impacts due to lobster divers

1. Population/education consideration – for example: no limit on recreational lobster divers
2. Coral damage from anchor ropes, too
3. Education of divers needs improvements/is the key
4. There is a significant impact from lobster diving
5. No lobster traps are allowed on the reef – there are no legal recreational lobster traps

Sub-category 3.5 – Spearfishing impacts

1. Population/education consideration again
2. There has actually been an improvement on spearfishing not being done as much – more Hawaiian sling
3. We should use the Bahamas rule – only a sling
4. Culture of other areas needs to be considered and other cultures need to be educated
5. If spears hit rocks – destroys habitat
6. When fishing for food (many cultures do that) the damage is greater – from time fish is hit and then brought to surface
7. No guns should be used in water less than 60 feet deep, but for water over 60 feet, guns should be allowed as a safety consideration
8. Spearfishing allowed in entire Park, including the Bay
9. Recreational spearfishers go over reef; illegal

10. No permit necessary to spearfish, only a fishing license

4. RECREATIONAL FISHING EXPERIENCE

General comments:

- Spearfishing consideration should move 3.5 into Categories 4 and 2
- The entire subcategory of 3.5 needs work in language

Sub-category 4.1 – Quality of experience of Park visitors engaged in recreational fishing

1. Population increases and education considerations
2. Recreational fishermen are not as particular about what they catch
3. Recreational fishermen in national parks often expect a different experience in Park
4. Some recreational fishermen don't care if they catch anything– they enjoy the experience on the water
5. Neutral 3rd party to do survey (see Background)
6. Jet skis are out of control/lack of education (may be 4.2)

Sub-category 4.2 – The portion of flats fishers experiencing a “private and tranquil” experience

1. See Jet skis comment above– jet skis do not belong in Park – enforcement needed
2. Speeding boats are a problem, cause flats damage
3. No motor zones, no combustible zones, no wake zones all needed
4. Flats fishing definition– “shallow water sight casting”
5. New folks will impact flats more – boats are cheaper, people will buy more and go on the water; increased population brings increased boats
6. Separate night activity from day activity – be careful of impact on e.g. shrimp industry
7. No combustible zone might wipe out blue crab industry
8. Horsepower limitations

Sub-category 4.3 – Fishing public’s knowledge of fishing regulations in Park

1. More education needed, current situation is a nightmare
2. We should be consistent with all educational processes with Everglades National Park – all State parks, County parks - we should have one cogent coordinated plan
3. Start with children first – go to school system – mandatory class in elementary-high school
4. When regulations change, you must inform the public
5. Park materials must be multi-lingual
6. Multiple entities need to be identified
7. See notes on enforcement/education category
8. Judicial authority needed

Sub-category 4.4 – Fishing public’s compliance with fishing regulations in the Park

1. Educated fishing public usually complies
2. Need to be punished if not complying
3. No compliance if no knowledge

4. 3 categories: doesn't know; doesn't care; repeat offender – all 3 need to be treated differently
5. Idea of “entitlement” vs. “privilege”
6. Enlarge circle of law enforcement entities

5. LAW ENFORCEMENT/EDUCATION/COORDINATION

This category was created by the Group at a previous meeting. There were no sub categories created so comment was taken on the category as a whole:

1. Enforcement plays an important role in all categories
2. Need to take a fresh look – keep getting their attention – What are regulations? – What are penalties?
3. Judicial authority needed
4. Peer education
5. Multi-lingual
6. Develop strategy to identify and successfully obtain educational funding through all sources
7. Success of all other categories is through enforcement and education – develop plan like Big Cypress; but consider that this is a larger population. Charge fees for permit, make anyone getting a permit see a mandatory video
8. Use money from licenses toward education
9. Combine with Florida Bay and Everglades National Park - one permit for all
10. How do you reach the person on the water for education? Where did he/she come from?
11. Coordinate with South Atlantic Fishery Management Council; Fishery Management Council
12. Enforcement is a bigger picture than any – if you could just enforce what we have now it would already bring improvement
13. Decal – visible to law enforcement and it raises funds
14. Funding is a major problem
15. Make everyone aware of their responsibility
16. Keep money here if you get it
17. If steps go through State, how do you make that happen? Legislature
18. Regular fishing permit fees – 3 categories: fisheries management; research; enforcement

At this point in the meeting, Chair Curlett asked if anyone wanted to make public comment. There was none.

The Group then broke for lunch.

SMALL GROUP WORK- DESIRED FUTURE CONDITIONS

Upon returning from lunch, the Facilitator handed out instructions for the small group work that would follow (Exhibit D) along with definitions to assist them (Exhibit E). She explained that they were to break into five small groups (representing each of the five Issue Categories) of approximately equal size and begin to work on developing desired future conditions for each category group. She encouraged them to keep their groups heterogeneous in order to nurture the creativity and critical thinking. She told them they would have approximately 2 hours to work on this exercise, then each small group would report out their work product and the rest of the members would comment.

Prior to beginning their work, the Facilitator asked for a consensus ranking on whether everyone agreed that the current situation needs improvement; that no category needs to be reduced. The members agreed unanimously that in all cases, the current situation either needs to stay as it is or be improved.

The results of this exercise and the reporting out are shown below:

ISSUE GROUP 1 – POPULATIONS OF EXPLOITED FISH & SHELLFISH (Ted Forsgren reported)

- Objective: Increase size and abundance in a five year time period
- Action:
 - 1) Define baseline
 - a) Comprehensive data sampling
 - Scientific biological sampling of specific species
 - Dockside surveys
 - Effort to catch
 - What was caught/released
 - Quantity and size data
 - b) Define and monitor key/indicator species
 - Bonefish
 - Permit
 - Tarpon
 - Shark
 - Snapper
 - Grouper
 - Snook
 - Lobster
 - Shrimp
 - Crabs (blue, stone)
 - Mullet/finger mullet
 - Bait species (ballyhoo, pinfish, pilchards, etc.)
 - 2) Implement additional restrictions by specific species
 - 3) Implement additional restrictions in adjacent state and federal waters

Comments/feedback:

- Needs to address migratory fish (see “adjacent” #3)
- Size and bag limits inside and outside Park – Can they be different? What is impact?
- Need input on what regulations are needed concerning specific species (initiate a dialogue after this process is completed)
- Need hard data (this is concern)

ISSUE GROUP 2 – COMMERCIAL FISHING ACTIVITY (Marianne Cufone reported)

Sub: 2.1

A) Number of Commercial fishers in Park

Today: crabs good, lobster OK, not great. Not sure re: snapper/grouper – some depleted. Shrimp populations good, maybe too many shrimpers – especially transients.

Objectives:

- 1) Limited entry at current level (transferable licenses)
- 2) Designate certain fishery – specific areas (e.g. shrimp only)

- 3) Regular, continued users (consistency)
 - 4) Gear regulations/standards (esp. shrimp) (need inspects)
 - 5) Boat standards (need inspects)
 - 6) Enforcement of regulations
- B) Recreational fishers
- Today: Too many recreational fishermen – resources depleted (would like carrying capacity study later) Review info re: number of people. We don't currently know the number.*
- Objectives:
- 1) Limited entry at reduced level
 - 2) Annual permits for locals (limited number)
 - 3) Visitors fishing permits
 - 4) Enforcement of regulations
 - 5) Eliminate/reduce mini-season take

Sub 2.2

- A) Bycatch amount and related mortality from commercial fishing
- Today: very area specific. More bycatch in grass than on hardbottom. Shallow water mortality low – water deeper than 50' = more mortality. Some fish weaker, like sea trout. Keep larger, legal fish like big muttons.*
- Objectives:
- 1) Limited entry at current levels
 - 2) Gear standards (e.g. smaller trawls)
 - 3) Mark high bycatch areas (so can be avoided)
 - 4) ID unsuitable and suitable habitat for trawling (work with fishermen) so it can be marked/protected/avoided
- B) Amount and mortality of bycatch from recreational fishing
- Today: Fair amount of mortality from handling of unintended catch/regulatory discards.*
- 1) Gear regulations (e.g. circle hooks)
 - 2) Limited entry at lower level than today
 - 3) Lower bag limits
 - 4) Education (e.g. venting)
 - 5) Enforcement of regulations

Comments/feedback:

1. Concern with limited entry for recreational with boats – all boats or just fishing?
2. If achieving resource goals, why reduce recreational fishing?
3. Concern over keeping commercial fishing at same level
4. If we cap fishing, it could be political/unsupportable
5. Capping recreational fishing may be unrealistic – permitting good because raises funds
6. Recreational folks have more impact than commercial
7. Limiting access should be extreme measure only
8. Boat ramps and parking lots limit access naturally
9. Grandfathering in – like Alaska
10. Limits would destroy charters
11. Evaluation of adverse consequences of **all objectives**
12. Limiting entry to the Park for fishing only

ISSUE GROUP 3 – HABITAT CONDITIONS (Martin Moe reported)

Sub 3.1 – Impacts from roller-frame trawling

Desired future conditions:

- Knowledge of effects of roller trawls
- Current fleet in good working condition (rollers work)
- Capability of regulations based on documented research
- Limited or no effects from dragging

Action steps:

1. Commitment to aquaculture as alternative source? (probably too polluting)
2. Establish Research Natural Area (RNA) expressly set up to provide a “control” area where roller-frame trawls are prohibited (but allowed in rest of park). Open RNA if science shows no difference.
3. Better design rollers (INSPECT!) or somehow ensure rollers can't be jerry-rigged with wires to drag on bottom (or modified)
4. Based on results of research from RNA (and research on designs) require new, non-destructive technology

Sub 3.2 Lobster and crab traps and debris, and 3.3 Lost hook and line

Desired future condition:

- Elimination of ghost traps and unsightly dangerous lines/ropes
- Pleasant visual experience underwater (natural diving)

Action steps:

1. Establish bounty for found traps
2. Establish volunteer clean-up programs. Involve: students, conservation groups, divers, community groups
3. Design traps with side entry or gear that does not trap permanently (*use the patented MOE™ design)
4. Place discard receptacles at boat entries
5. Educated, increased effort to prevent discarding line – inform about effects
6. Synthesize, disseminate and use already known info better (i.e. Berkeley study 1985, state info)

Sub 3.4 Habitat impact due to lobster divers

Desired future condition:

- Elimination of mass human impacts from intensive use season
- Users are aware of rules

Action steps:

1. Schedule reef clean-up day (with volunteers) right after mini-season, or
2. Prohibit mini-season in Biscayne National Park, just like Pennecamp
3. Include rules in information given to crawfish/lobster stamp recipients
4. Set heavier fines for anchoring on corals

5. Provide more anchoring buoys, but spread out so they're not concentrating effort.

Sub 3.5 Spearfishing impacts

Desired future condition:

- More protection for large-sized fish
- Safer, less lethal (destructive) spear fishery

1. Reduce lethal efficiency of equipment allowed in Park
2. Be a slinger, not a gun/trigger user
3. Follow model of Bahamas (sling-only)
4. Educate to orient spearfisherment to be sportsmen more than extractor
5. Prohibit spear guns
6. Eliminate all spearfishing inshore at the Park – make lobster sanctuary coterminous with spearfish sanctuary

Comments/feedback to all subgroups of Category 3:

1. Ghost traps – need to do “bounty” after season
2. Instead of “bounty” – hire people to get ghost traps
3. Side entry traps won't work on a lobster trap
4. Key is closed season, then anyone removes the trap, otherwise people will take good traps – felony for molesting any traps, even ghost trap
5. Don't like the turning the coral over – rather do prevention
6. 6-5s; 12-4s; 4-3s; 0-2s; 0-1s

ISSUE GROUP 4 – RECREATIONAL FISHING EXPERIENCE (George Mitchell reported)

Sub 4.1 Quality of Park visitors engaged – recreational experiences

- A) Develop and implement a survey process that will determine the valid requirements of a representative cross section of those who fish in the BNP and document the level of quality they experienced
- B) Provide a feedback critique system for BNP fishermen and fisherladies
 - Before anything can happen, we generate a pile of money through a “user fee”. BNP says 80% of money would be used directly in the Park for education and enforcement.
 - 1) Any boat harvesting marine life in BNP will have the \$50 (?) decal. To get the decal you need to attend the class and pass test.
 - 2) A per person daily – annual fee of \$2-\$20 yearly – to cover ALL anglers fishing in Park waters. Boat or landlocked!
 - 3) Education at all school levels, clubs, vendors, etc.
 - 4) Charter boats can buy an annual permit for their parties.
 - Compliance: 1st time offenders get a warning; 2nd timers a fine (substantial!); 3rd timers – confiscate boat and jail time!

Comments/feedback:

1. Permits for the boat only if fishing?
2. Motorized boats only? Canoes? Kayaks?
3. 4.3 and 4.4 – move to education and enforcement

4. 4.1 and 4.2 – How can you identify what is the fishing experience that is satisfactory or tranquil?
5. Permit system used for education and that would reduce usage
6. Permitting is one way to reduce usage
7. Add: expand to recreational snorkeling, diving, etc. – so change to “recreational experience”

ISSUE GROUP 5 – LAW ENFORCEMENT, EDUCATION AND COORDINATION (Carl Liederman reported)

Education and enforcement are key components to making the entire plan work. To accomplish we need to establish a funding structure.

In addition to require Florida fishing license: (Facilitator’s Notes: Action Steps?)

- 1) Establish a sticker for boats fishing within BNP. Price should be i.e. \$25 Efforts should be coordinated between ongoing efforts at ENP and Florida Keys National Marine Sanctuary. Funding for sticker earmarked solely for enforcement and education.
- 2) BNP should develop a relationship with Florida FWCC in which these funds fund FWCC enforcement officers operating in BNP. FWCC officers should be cross-deputized to enforce federal and state regulations in BNP.
- 3) Cap current commercial licenses currently in existence.
- 4) Take 1 hour informative video on all rules and regs pertaining to fishing and boating within Park. Receive of card after course.
- 5) Establish penalties for all violations.
- 6) Place signage and materials in English/Spanish/Creole at all public access ramps and fuel docks leading to BNP explaining all fishing and general regulations pertaining to all vessels using Park waters.
- 7) Coordinate with all appropriate media outlets to disseminate new rules and regs.
- 8) Earmark 10% of collected funds to community outreach programs to reach youth.
- 9) Place into effect within one year.

Comments/feedback:

- 1) Decal is per boat. Needs more specificity. Anyone fishing needs 1 hour video. What happens if you own more than one boat?
- 2) Permit holder see video.
- 3) Law enforcement agencies need to look at more creative ways to enforce laws (example: computer chips in illegally trapped fish, then see who takes)
- 4) Objective: should 1st be education which ends up being an element of prevention
- 5) Enforcement should be stricter in the Park – more expensive fines and harder
- 6) Repeat offenders – take boat
- 7) Need to differentiate between those who fish and use boats and those who just dive/swim, etc.

PUBLIC COMMENT

At the conclusion of the above exercise, the Chair once again asked if anyone from the audience wished to make public comment. None was received.

EVALUATIONS/ADJOURN

Ms. Fleischer reminded members to complete their Evaluations and the meeting was adjourned for the day.
