BISCAYNE NATIONAL PARK FISHERIES MANAGEMENT PLAN WORKING GROUP Meeting #5, May 17, 2004

REPORT OF PROCEEDINGS

WELCOME / CHAIR ANNOUNCEMENTS

Group chair, Jack Curlett opened the meeting by thanking everyone for their hard work and excellent advice during the course of the five meetings.

He then explained that a situation had arisen which he felt needed a Group decision. Pat Dorsey, one of the original members of the Group who had not been able to be in attendance for two meetings, had asked permission to attend and participate in this last meeting. Mr. Curlett reminded the Group of their policy regarding missed meetings which would eliminate Mr. Dorsey from coming back to participate at this time. Rather than just make a Chair's decision, Mr. Curlett said he would prefer to allow the Group to decide by vote. It was decided that Mr. Dorsey should not be permitted to return to deliberate at this meeting since he had not been in attendance at the previous meetings.

The Group then began its work for the day.

Exhibit A: Agenda

All Reports of Proceedings, exhibits and other pertinent documents can be found on the SFRPC Institute for Community Collaboration, Inc. website at <u>www.sfrpc.com/institute/bnpfmp.htm</u>. Anyone who does not have access to email and would like copies of any documents can contact Dr. Todd Kellison, Biscayne National Park, at 305-230-1144 x3081.

"WHERE YOU ARE AND WHAT TO EXPECT" PRESENTATION

Dr. Todd Kellison, Project Manager, Biscayne National Park, gave a PowerPoint presentation on the activity of the Working Group and details of the process that will be followed subsequent to this meeting. Exhibit B

RANKING DOCUMENT AND DISCUSSION

The remainder of the meeting was spent in gaining consensus, refining and re-ranking each section of the Draft Document: *Desired Future Conditions as of April 19, 2004*, see Exhibit C.

The results of this work are reflected below following the document section by section with commentary as recorded in addition to consensus ranking. The process used was to get an initial consensus ranking

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on each section. (See Consensus Rules on website) If there were no individual's indicating a ranking of "1" or "2", the section was accepted and the Group moved to the next section needing acceptance. If "1"'s or "2"'s were indicated, comments were taken from those individuals that will be used by Dr. Kellison when drafting the next iteration of the Fisheries Management Plan which will be reviewed by this Group.

DRAFT DOCUMENT: DESIRED FUTURE CONDITIONS (DFC) AS OF APRIL 19, 2004

ISSUE GROUP 1 – POPULATIONS OF FISH & SHELLFISH IMPACTED BY FISHERIES ACTIVITIES

Ranking of **<u>NEW TITLE</u>** here:

New Title

Value	5	4	3	2	1
Ranking	13	5	3	0	1

Comments:

- This title includes everything, not just those species that are being targeted.
- Clarify the impact add "adversely" before "impacted", that does not keep you only with today's species could then include new ones
- Another view: "Adversely" should not be included

DESIRED FUTURE CONDITION #1.1

Abundance and size of key / indicator species are increased over a five-year period.

Ranking of this DFC: mean: 4.75 (No re-ranking was necessary)

Ranking	5	4	3	2	1
Number	15	5	0	0	0

Action Steps for DFC 1.1:

What should be done?	How?	Specifics					
Define/examine previous record	Utilize scientific biological	Establish baseline					
for key indicator species	sampling, dockside surveys,	Review historical data					
	species specific harvest data	Annual summary					
		Five year analysis					
		Ten year assessment					
Monitor the following key	Same as above	Same as above					
species: bonefish, permit, tarpon,							
shark, snapper, grouper, snook,							
lobster, shrimp, crabs (blue &							
stone), mullet (finger), bait							
species, seatrout, redfish							
Implement restrictions by species	Establish local/stakeholder	Five year analysis					
	advisory panels to develop and						

	review management regulations (existing and proposed) for specific species (not standing committees)	
Implement additional restrictions in adjacent State & Federal waters		
Distribute end-of-season sampling card to license holders to monitor populations		

Ranking Action Steps for DFC #1.1-

Value	5	4	3	2	1
Ranking	9	8	5	0	0

No further commentary taken.

ISSUE GROUP 2: LAW ENFORCEMENT, EDUCATION AND COORDINATION

DESIRED FUTURE CONDITIONS

- 2.1.1 Park rules and regulations are enforced effectively and uniformly
- 2.1.2 Increase funding for and number of law enforcement officers over current levels.
- 2.1.3 Education and outreach efforts have fostered voluntary protection of Park resources by building support for rules and regulations and responsible behavior on the water.

Initial ranking of these DFCs: mean: 4.81 (NO RE-RANKING NECESSARY)

Ranking	5	4	3	2	1
Number	17	4	0	0	0

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

Actions for DFC 2.1.1-2.1.3:

- 1. Establish a permit system for fishing within BNP. Under the permit system:
 - a. Permit is for fishing from land or from water
 - b. Purchasers of permit required to view 1-hour informative video on rules and regulations pertaining to fishing and boating within Park
 - c. Permit holders that fish from boat put sticker on boat; can obtain more than one sticker per permit if can document owning multiple boats
 - d. Differentiate between locals and visitors
 - e. Coordinate efforts with ENP and Florida Keys National Marine Sanctuary (BNP should develop a relationship with Florida FWCC in which these funds fund FWCC enforcement officers operating in BNP).
 - f. Funding generated by permit earmarked solely for enforcement and education.

- 2. Education [concerning both (1) rules and regulations and (2) importance of being an ecologicallyresponsible park user]
 - a. 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
 - b. Coordinate with appropriate media outlets to disseminate rules and regulations
 - c. Education at all school levels, clubs, vendors, etc.
 - d. Earmark 10% of collected funds to community outreach programs to reach youth
- 3. Enforcement of Rules and Regulations
 - a. FWCC officers should be cross-deputized to enforce federal and state regulations in BNP
 - b. Establish and enforce strict penalties for all violations, particularly for repeat offenders
 - c. Devise and utilize creative law enforcement approaches
 - d. Stricter penalties for violations; violations enforced (particularly with repeat offenders)

Ranking of Action Steps for DFCs: 2.1.1-2.1.3

Value	5	4	3	2	1
Ranking	18	1	2	1	0

Comments:

- Under permit 1 hour video cumbersome/how do you implement and impractical •
- Internet access
- Do it at visitor's center "by _____ date" you must have attended this class give time to get it • done
- Funding could be a problem for videos ٠
- How do you qualify tourists who do not have permits
- Problem with land-based fishing what about tourists or others (park fishing permit land-based)

ISSUE GROUP 3 – COMMERCIAL FISHING ACTIVITY

SUB CATEGORY 3.1 Numbers of commercial fishers within the Park

DESIRED FUTURE CONDITION #3.1.1: Reduce adverse impacts of commercial fishing

Ranking of Desired Future Condition 3.1.1

Value	5	4	3	2	1
Ranking	14	5	2	0	0

No further commentary taken.

Action Steps to DFC 3.1.1:

What should be done?	How?	Target Date
Establish a limited, qualified non-transferable commercial permitting system for the next 5 years in BNP a. Show landings in 744 for any or of the last 3 years b. No transfers and lose it if non-use or not renewed c. Plan and develop system so that after 5 years, assess situation, then put a transferable permit (if appropriate) system in place that: i. Includes fishermen with qualified landings in BISC (weed out) in zones 744.4/744.5/744.8 ii. Use it or lose it iii. Consider banning wing nets targeting food shrimp	 By NPS can only renew permits gotten in 1st year Charge \$100 for permit when first offered and every subsequent year 	Implement initial permits right away (when plan is implemented) - then after 5 years evaluate and implement transferable permit ASAP
Identify areas being trawled for shrimp to help later identify management actions and identify areas of user conflicts	NPS must work with commercial fishermen	ASAP
Restrict traps from sensitive areas (hard bottom); Limit to sand and grass bottom	Make a new Rule	ASAP/upon implementation of FMP
Establish Boat standards –	Make a new Rule already inspected by Coast Guard so no need to put more duties on NPS	ASAP/upon implementation of FMP

Ranking Action Step 3.1.1

Manking Action Step 3.1.1					
Value	5	4	3	2	1
Ranking	9	3	6	1	2

Comments:

- After 5 years, we should be saying "permits will become transferable" •
- May be a buyout situation ٠
- Grass area could be a sensitive area, too, then there is no place to put traps •
- Possibly change to restrict traps from hard bottom ٠

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- Need a threshold on landings to qualify in next 5 years •
- "c" in 1st box leave as is, add a "d" "if permit system not appropriate then..." (Mary's language) •
- Buy out option may not be real option •
- Transferable or buyout is another option if reduction is needed

SUB CATEGORY 3.2 Bycatch amount and bycatch-related mortality associated with commercial fishing gear

DESIRED FUTURE CONDITION #3.2.1: Minimize adverse effects of bycatch mortality

Ranking of DFC# 3.2.1

Value	5	4	3	2	1
Ranking	6	7	7	0	0

No further commentary taken.

Action Stens to 391.

Action Steps to 3.2.1:		
What should be done?	How?	Target Date
Establish inspection program to	-At least semi-annual inspections	ASAP
check for proper	by NPS/State	
equipment/gear use have	-Issue certificates of passing	
frequent visual inspection of bait,	inspection or decal	
roller-frame trawls		
Investigate new technologies that	Researchers work with shrimpers	ASAP
can reduce bycatch		
NPS should consider stricter gear	Consult with trawlers/shrimp	Put in place when FMP
standards on trawl equipment	fishermen to identify gear that is	implemented, so figure out
	damaging, place restrictions as	restrictions during
	appropriate	scoping/drafting period
Perform more public		
outreach/education to ensure		
commercial fishermen are <u>aware</u>		
of regulations and adverse effects		
(in English & Spanish)		

Ranking of Action Steps to DFC #3.2.1

Value	5	4	3	2	1
Ranking	11	4	7	0	0

No further commentary taken.

ISSUE GROUP 4- RECREATIONAL FISHING ACTIVITY

SUB CATEGORY 4.1 Number of recreational fishers within the Park

DESIRED FUTURE CONDITION #4.1.1: Minimize and control the adverse impacts of recreational fishing to habitat and fish populations including bycatch mortality.

Ranking of DFC # 4.1.1

Value	5	4	3	2	1
Ranking	12	6	1	1	1

Comments:

- Recreational fishing problem is not only in numbers, but other issues as well
- Take out word "control" too broad, change to "minimize" only •
- Change Subcategories take out "numbers of" in both DCF #3.1 and #4.1 •

Action Steps to 4.1.1:						
What should be done?	How?	By Whom?	Target Date			
\$25.00 fee for usage of	Via permit process	BNP	As soon as Plan is			
Park per boat (Boat access		\$2.00 state fishing	approved			
fee, for all boaters		stamp				
regardless of fishing)		-				
Get rid of mini-season	Park regulation State Legal	BNP	As soon as management plan is approved			
\$25.00 boat fee will	By initiating \$25.00 boat	BNP	As soon as management			
generate revenue to	fee for NP use		plan is approved			
increase the number of						
law enforcement						
personnel to monitor and						
enforce Park fish						
regulations						
Separate navigation						
channels from recreating						
in the Park (i.e. if						
someone is only trying to						
get through the Park and						
does not stop, he/she						
should not be required to						
have a decal or permit)						
Park permit	Via permit process	BNP	As soon as Plan is			
	Reduced entry by		approved			
	permit					
Education received at						
time of sticker issuance						
-ensure recreational						

Action Stone to A 1 1.

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fishers know what		
"bycatch" is		

Ranking of Action Steps to DFC # 4.1.1

Value	5	4	3	2	1
Ranking	7	5	4	6	0

Comments:

- Need a monitoring system (see Issue group #1: Populations) tie this in the two sections
- Navigation channel is it practical intercoastal waterway
- Maybe add to signage "Special Regulations Apply" includes more than just fishing
- Change to "annual fee" and then decide all on whether everyone is on the same schedule or you have a running list
- "And how to handle bycatch" to ensure recreational fishers know what is bycatch
- This fee would not be in addition to fees under GMP
- Remember those folks on land fishing (\$2 land-based, etc.)
- Need to consider getting kids on docks, etc. let's encourage kids under 16 to fish; do not require fees
- Also include non-profit educational organizations

SUB CATEGORY 4.2 Spearfishing impacts (Previously under HABITAT category)

DESIRED FUTURE CONDITIONS

4.2.1 Reduce spearfishing harvest of large fish by spearfishers

4.2.2 Reduce likelihood of spear related habitat damage.

Ranking of DFC's: #4.2.1 - 4.2.2

Value	5	4	3	2	1
Ranking	9	8	3	2	0

Comments:

- What does "large fish" mean? Fishermen want to spear large fish put in a slide amount this won't work because once its speared, it's dead
- Regulate how it's done or # of large fish
- Spearfishers can actually target large fish
- If size is issue make it same for fishing or spearfishing

In response the comments above, the Group re-worded the DFC to say: **Minimize the adverse impacts** of spearfishing to habitat and fish populations.

Action Steps to 4.2.1-4.2.2:

What should be done?	How?	By Whom?	Target Date
Eliminate use of any gear	Change regulations and	BNP	As soon as Plan is
but Hawaiian Sling	improve enforcement		complete
	Eliminate air equipment		_
	for all spear fishing		

Prohibit the use of scuba		
gear by spearfishers		

Ranking on Action Step for DFC #4.2.1 and 4.2.2

Value	5	4	3	2	1
Ranking	12	6	2	1	0

Comments:

- Add if a fish is inappropriately speared then you must discard it, cannot keep it
- Change first box to "Eliminate any gear with a trigger mechanism", rather than just Bahama Sling; but allow pole spears
- How to reduce or eliminate spearfishing in areas where prohibited this is a population issue may not be a problem now, but could be as population increases
- Have gear restrictions on specific species

DESIRED FUTURE CONDITION # 4.2.3: Increase safety of spearfishing gear.

How would you rank deleting DFC #4.3.3 from this section and recommending it be considered under the General Management Plan (GMP)

Ranking of Deleting DFC #4.2.3

Value	5	4	3	2	1
Ranking	20	1	1	0	0

No further commentary taken.

ISSUE GROUP 5: HABITAT CONDITIONS

Sub Category 5.1: Marine Debris

DESIRED FUTURE CONDITION #5.1.1: Minimize adverse impacts to habitat from monofilament, stainless hooks, sinkers, traps, nets, trash, ropes, anchors and lines

Ranking of DFC # 5.1.1					
Value	5	4	3	2	1
Ranking	11	4	6	0	0

No further commentary taken.

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Action Steps to DFC #5.1.1:

Action Steps to DFC #5.1.1: What should be done?	How?	Target Date
Partner with programs like Clean Marina program		ASAP
Incentives for good behavior (reduced license fees?) Required education program	Videos	
before Park use	 In-school programs Sticker to indicate completion or signed "contract" (like 3 sisters for manatees) 	
TV/Radio public information re: debris (\$ like in hotels)	 Work w/NGOs, local groups, networks, DJs, etc. Hotels run on their in-house channel 	
Monitoring program	 Partner with organizations that already have debris programs Work with Park users 	
Prohibit non-biodegradable materials used for fishing that are non-retrievable	• Establish regulations	NOTE: THIS ENTIRE ROW WAS ELIMINATED BY CONSENSUS BEFORE RANKING WAS DONE; see comments below
Signage that educates re: marine debris	 School projects Park "make a sign" contest Work w/NGOs to sponsor signs Apply for grants 	ASAP
Marine debris clean-ups (derelict trap clean-ups)	 Work with students, groups, etc. Have Park organized activity (4x per year) "treasure hunt" with a list of certain key debris 	
Trash skimmer	 contact Miami River management do publicity event with trash skimmer to show trash in Park 	
Place discard receptacles (monofilament, etc.)	 Partner with existing programs Create own receptacles "Design a can" 	

NOTE: Spawning season closures: belongs elsewhere but our group thought a good idea (maybe under populations?) **It was suggested by the Group that this comment be placed in Section 1.1**

Ranking of Action Steps for DFC# 5.1.1

Value	5	4	3	2	1
Ranking	16	4	2	0	0

Consensus achieved, but additional comments made:

- Incentives for good behavior? What is it? How done?
- Video see former comments
- Penalties for violations
- Internet test for permitting credit card
- Archeologically sensitive areas that might need consideration

Taken out: Prohibit non-biodegradable (Action Step that was removed see note in that row in Action Steps above)

- Take out completely virtually everything used in fishing is non-biodegradable not possible
- Put in language about reducing use education issue
- Not functional "prohibit discard if non-biodegradable materials"
- Prohibit the discard of anything
- Even plastic coated wire traps should be prohibited
- Put it in law enforcement and education section
- Traps must have wooden(lathe) so they biodegrade and don't stay killers wire traps must have wood on bottom and top
- Consideration of replacements for lead sinkers

Sub Category #5.2: Direct Fishing Impacts

DESIRED FUTURE CONDITION #5.2.1: Minimize adverse impacts to habitat from: lobster divers, roller trawlers, prop damage, anchor damage, groundings, spearing and traps

Ranking of DFC #5.2.1							
	Value	5	4	3	2	1	
	Ranking	10	6	5	1	0	

Comment:

• This seems more like a General Management Plan issue, not a Fisheries Management Plan – only roller trawling under commercial section – good concept

Action Steps to 5.2.1: (Ultimately, this section was tabled: see discussion below)

What should be done?	How?	Target Date
Research Park topography for	Aerial survey	ASAP – like within 3 months
fragile (define) areas (e.g. reefs,	Underwater survey	
grass, sand-grass interface) and	Use existing habitat maps	
map.	and ground truth to update	
Conduct study to gain	Review areas of current use	ASAP – like within 3 months of
knowledge on habitat impacts	(fisherman reports and other	above
	user reports)	
	Underwater survey	

Mark fragile habitat areas with signs/lights or computer	 Commission marine bio team Establish RNA (Research Natural Area, completely protected) as control Buoys Beacons Lights 	Within 6 months of #2
Create buffer zones around sensitive areas	 Limit harmful gear (regs) Mark areas with signs/buoys Put on map to distribute at marinas, Park, etc. 	Same time frame as #3
Zone Park (designate certain areas for certain activities)	 Input from users Stakeholder group to designate areas Consider fragile areas (completely protect some of those) 	Through FNP/GMP process (within 2 years)
Eliminate mini-season	Establish regs for closure of BNP	2004 season
Eliminate spearfishing - or-sling/polespear only - or no powerheads (analogy to hunting or other items)	 Establish regs to stop spearfishing in BNP 	NOTE: THIS ROW (AFTER ELIMINATED WORDS WERE REMOVED) WAS MOVED TO SECTION 4.2
Gear standards for roller trawls and inspections so gear rolls not drags	Establish workable standards and inspection process for all gear used: • Length • Width • Height • Roller diameter • Finger bar spacing	
BNP licenses	 NPS/FWC partnership to sell licenses – use mail, internet, locations 	
Any state regs on commercial lobster apply to BNP	Have BNP issue parallel regs – adopt FWC regs	Continuously
BNP sets fine \$ if NPS catches State regulation violators (incentives for enforcement)		Continuously
	Community service in the Park as a consequence of violating any of the new rules	

Ranking of Action Steps to DFC #5.2.1

Value	5	4	3	2	1	
Ranking	4	4	6	5	3	

Comments:

- Concern with more "no entry" zones
- Spearfishing is in conflict with former sections Eliminate the Action Step on eliminating spearfishing – put other parts moved 4.2 (spearfishing section) on powerhead
- Buffer zones why do that? should be eliminated •
- Why zone Park? (may be GMP issue) this was meant for conflict management (example: bonefishing area vs. jet skis)
- No buffers, no zones strike these
- Fragile areas meant to protect certain areas that are down central part of Bay soft corals, etc. •
- Habitat belongs in GMP
- May want to voice no jet skis should stay? •
- "Fragile" and "sensitive" are relevant to where activity occurs need to indicate to users where their • activities are best pursued
- Many of these actions could potentially lead to "no fishing zones" don't want that to happen be careful with wording – delete these steps, FMP is not supposed to lead to no fish zones
- This entire section may belong in GMP use on name for controlled areas now there are 5 names ٠ for zones
- This set of Action Steps is way too open-ended
- Sanctuary preservation areas they are small discrete areas they should be allowed

Subsequent to this discussion, the Group decided to table these Action Steps until the next meeting. Additionally, the row on spearfishing was changed as indicated above in red.

ISSUE GROUP 6: RECREATIONAL FISHING EXPERIENCE

Actions

- 1 Collect baseline data on (1) what is required for a "quality" experience and (2) what proportion of fishers are having a quality experience
- 2 Provide a feedback critique system for BNP fishermen and fisherladies

This entire section of "Recreational Fishing Experience" should be moved to the General Management Plan (GMP) and the actions suggested above should be incorporated in the GMP (possibly in a section entitled "Recreational Experience" which would include the fishing experience).

Ranking on moving Issue Group 6 to GMP and include Action Steps there:

Value	5	4	3	2	1
Ranking	11	8	2	1	0

Comment: From the #1: Instead of putting this in the GMP, we may want to consider putting it in Issue Group 4.1.

NEXT STEPS AND ADJOURNMENT

The Group discussed having another meeting to specifically review the use of marine reserves/research natural areas (RNAs) as fishery management tools for the Fishery Management Plan. It was decided that

there was a need for an additional meeting. The Group then discussed what to report to the Sanctuary Advisory Council as to why they did not make recommendations on Habitat. It was decided that Chair, Jack Curlett, would present the current recommendations (in the form of the document reviewed above) and tell the Council it was incomplete because consensus was not reached on the issue of RNAs. Mr. Curlett will inform the Council that another meeting will be scheduled in order to finalize that discussion and that recommendations from that meeting would be included in an addendum to the original document submitted and would presented again to the SAC in August.

The meeting was then adjourned.

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