

# Biscayne National Park Fisheries Regulations



Draft Rule Update  
October 2, 2019



Florida Fish and Wildlife Conservation Commission

Version 1

This presentation provides a summary of potential draft rules that staff anticipates bringing forward at the December Commission meeting. These anticipated draft rules would create a new rule chapter, 68B-7, Florida Administrative Code (FAC), to house regulations specific to Biscayne National Park (BNP), as well as modifying various species-specific regulations elsewhere in 68B, FAC, as they apply within BNP.

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Unless otherwise noted, images throughout the presentation are by FWC.

## Outline

- Background
- Management plans and Science Plan
- Fishery Management Plan (FMP) implementation
- Management options
  - Public input
  - Anticipated draft rules
- Staff recommendation

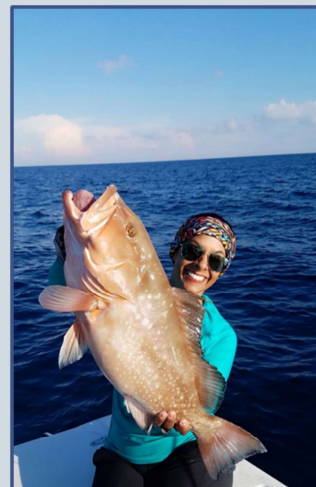


Photo courtesy of Rosemary White

The purpose of today's presentation is to present the progress staff has made toward implementing the Biscayne National Park (BNP) Fishery Management Plan (FMP) and ask for Commission direction moving forward. The presentation will first review the background of the park and its associated management plans and the FMP Science Plan. Staff will discuss implementation of the FMP, including updates on a series of potential management measures that were presented at the July 2019 Commission meeting. For each of those management options, the presentation will include the public feedback received so far and the relevant draft rule that staff anticipates bringing to the December Commission meeting for further Commission consideration. Finally, staff will ask for direction to gather additional public input on the modified proposed actions before finalizing the Draft Rule proposal.

## Background

### Biscayne National Park (BNP)

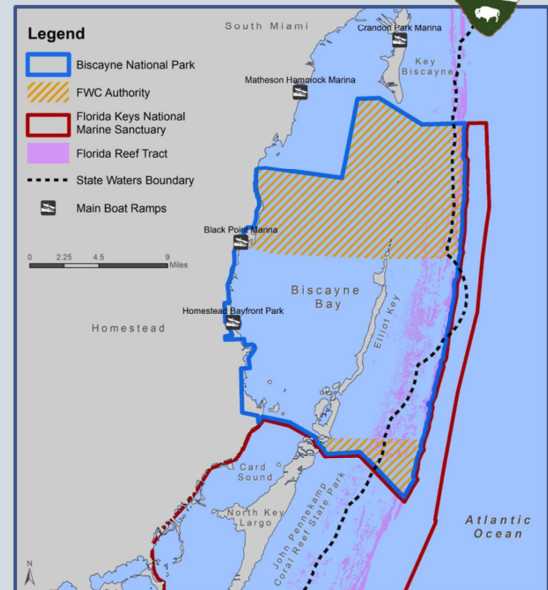
- 272 square miles adjacent to Miami
- Accessible to a diversity of stakeholders
- State and federal co-management

### Fishery Management Plan (FMP)

- Jointly developed by BNP/FWC
- Approved by Commission in 2013
- Suite of potential changes to FWC regulations

### July 2019

- Commission update on potential FMP actions
- Staff directed to gather public input and return



BNP is located in highly urbanized Miami-Dade County. Ninety-five percent of the park's 272 square miles (173,900 acres) are covered by saltwater. Habitats include coral reefs, sandy shoals, extensive seagrass beds, shallow sponge-bottom hardbottom, and a largely undeveloped mangrove shoreline. Biscayne Bay itself is relatively shallow, with an average water depth of six feet. However, deeper waters are found in the park, including Hawk Channel and along the reef tract running north-south in the Atlantic Ocean waters at the eastern edge of the park. The waters of BNP can be easily accessed from both public and private facilities, with four nearby public boat ramps.

The waters of BNP are jointly managed by state and federal partners. Based on the enabling legislation, the fishing regulations within the northern and southern extremes of the park (orange cross-hatch on the map) are under the full authority of the FWC. In the central area of the park, FWC fishing regulations apply, but can be modified by the U.S. Secretary of the Interior. Roughly 9% of the park is in federal waters. Current federal fisheries regulations apply in these waters, but the South Atlantic Fishery Management Council (SAFMC) has agreed to defer development of future park-specific fishing regulations to FWC and NPS.

The BNP Fishery Management Plan (FMP) was jointly developed by BNP and FWC over an extended time period with considerable public involvement. The plan was approved by the Commission in 2013 and later finalized by BNP. This plan includes a suite of potential changes to FWC regulations to accomplish the goals of the plan. In July, the Commission was updated on the FMP and potential management actions. At that meeting, staff was directed to gather public input on a series of potential management actions and return with draft rules.

# Management and Science Plans



## General Management Plan (GMP)

- Long-term management philosophy and zoning
- Included controversial no-take Marine Reserve Zone (MRZ)
- Finalized in 2015

## Fishery Management Plan (FMP)

- Long-term plan to balance resource protection and fishing
- Ensures high-quality fishing opportunities can continue
- Series of MOUs with FWC – Agreed marine reserves would not be considered as first option
- Finalized in 2014



## Science Plan

- Joint FWC-BNP plan for monitoring fish populations
  - Determine baseline conditions, establish benchmarks
  - Staff will seek Commission approval at Final Public Hearing



To review, there are two separate management plans developed to guide park operations. The General Management Plan (GMP) establishes an overall long-term management philosophy about visitor use and activities in the park and is concerned with zoning of areas where different levels of resource protection and various activities occur. Although FWC did not have a Memorandum of Understanding (MOU) with BNP for the GMP, an MOU related to the FMP was agreed upon in 2002 and stated in part that FWC and the park agreed to seek the least restrictive fisheries management actions necessary and that no-take zones should only be developed after other management measures had been tried and failed. However, a draft GMP in 2011 included a no-take marine reserve zone (MRZ) and was followed by substantial opposition from the local fishing community. While an alternative with greater access was pursued in a Supplemental Draft GMP, that alternative was also poorly received by the public and the final GMP released in 2015 included the MRZ. However the MRZ has not yet been implemented.

The FMP establishes a long-term plan to balance recreational and commercial fishing in the park with protection of the park's fisheries resources, such that high-quality fishing can continue in the park for generations to come. This plan is intended to guide fisheries management decisions over five to ten years and was developed, in part, through a series of MOUs. Initiated in 2002, the MOU included shared goals to work cooperatively on fishery management programs for the park. As previously stated, the FWC and the park agreed in the MOU to seek the least restrictive actions necessary, and that no-take zones should only be considered as a last resort. The FMP was approved by the Commission in 2013 and finalized by the park in 2014 after extensive public engagement over many years.

FWC and BNP also collaborated on developing a Science Plan to guide FMP-related research and monitoring. The Science Plan defines how the pre-FMP implementation baselines for targeted fishery species will be measured, as well as the corresponding benchmarks against which we will measure achievement of the goal to increase abundance and average size by 20%. Staff plan to produce progress reports of the Science Plan every 7 years that will evaluate the progress on whether the 20% increases in size and abundance have been reached, with other periodic updates occurring as requested. Staff will seek final Commission approval of the Science Plan at the Final Public Hearing.



## FMP Implementation



- NPS and FWC agreed that FWC will develop fishing regulations for entire park
- FMP goal: Increase size and abundance of targeted fish and invertebrate species within BNP by at least 20%
- Suite of changes presented at workshops
  - Modified size and bag limits
  - Spearfishing: limitations on SCUBA and/or trigger mechanisms
  - Elimination of lobster mini-season
  - Coral reef protection areas (trap-free zones)
  - Trap-free zone north and east of park headquarters
  - No-trawl zone



Photo courtesy of Jiangang Luo

The remainder of this presentation will focus on potential actions to implement the now-final FMP. The NPS and FWC agreed that FWC would develop the fishing regulations for the entire park to minimize regulatory complexity and public confusion. The FMP establishes a goal of increasing the abundance and average size of targeted species by 20% and includes a series of potential management actions that could be considered by BNP and FWC as means to meet the goal.

At the July Commission meeting, the Commission directed staff to collect public input on a portion of the potential management actions outlined in the FMP. The actions considered for rulemaking included modifications to the size limits and bag and possession limits for targeted species.

Other changes identified included prohibitions on the use of spearguns with trigger mechanisms and/or spearfishing when using SCUBA or other air-providing equipment within the park. If implemented, these spearfishing regulations would be more strict than the statewide regulations, but less restrictive than those for state parks, where spearfishing is prohibited entirely.

In addition, elimination of lobster harvest during the two-day recreational lobster sport season (mini-season) was considered for park waters.

Potential trap-free zones were also identified in various offshore Coral Reef Protection Areas (CRPAs) and in an area of nearshore waters north and east of park headquarters at Convoy point.

The implementation of a no-trawl zone within a portion of Biscayne Bay was also considered.

Background information and public feedback on each of these potential management options is discussed later in this presentation.

## Gathering Public Input

- Public workshops in early August
  - Coral Gables, Florida City, and Key Largo
  - 300+ participants
  - Live “clicker” survey and open public comment
- In-person meetings
- Online saltwater comments and emails
- Letters to staff, Commissioners, and the Governor’s Office



Next several slides: public input on proposed FMP management actions

The public input gathered on the proposals was gathered through a series of public workshops, in-person meetings with various stakeholder groups, and a variety of other ways for stakeholders to provide input to the Commission. Public workshops were conducted in early August in Coral Gables, Florida City, and Key Largo. These workshops were attended by a total of over 300 people. Each workshop included a staff presentation on the history of the FMP, the Science Plan, and the proposed management actions. The workshops also included a questions and answers panel, a live “clicker” survey designed to gather input on the specific proposals, and an open public comment period. Several additional in-person meetings were also held with various stakeholder groups where staff gathered more detailed input on some of the proposals that will be presented today. Finally, as of September 25<sup>th</sup>, staff had received over 60 comments through our online saltwater comments portal, over 5,800 emails (including over 5,600 from people associated with the National Parks Conservation Association and approximately 90 from American Sportfishing Association affiliates), and several letters to staff, Commissioners, and the Governor’s Office.

The next several slides will summarize the public input received on the various proposed FMP management actions and the anticipated draft rules for each action.

## Size Limits – Workshop Proposal

- **Purpose:** increase size of targeted species within the park by 20%
- Species selected for proposed size limit change informed by the Science Plan
- Transit of smaller, legally caught fish would be allowed

### Public Feedback

- Support from fishers and non-fishers

Minimum Size Limits – Recreational and Commercial		
Grouping	Species Common Name	Proposed Changes
Snapper	Gray snapper	10 → 12" TL
	Lane snapper	8 → 10" TL
	Mutton snapper	18 → 19" TL
	Schoolmaster snapper	10 → 12" TL
	Yellowtail snapper	12 → 14" TL
Grouper	Red grouper	20 → 24" TL
Hogfish	Hogfish	no change (16" FL)
Grunt	Bluestriped grunt	none → 10" TL
	White grunt	none → 8" TL
Triggerfish	Gray triggerfish	12 → 14" FL



Staff gathered public feedback on a series of potential park-specific size limits that would apply to both recreational and commercial fisheries operating within the park. The species selected for proposed size limit changes were prioritized within the Science Plan based on their existing monitoring, likelihood of response to park-specific management, and the current knowledge of their biology. For species with existing minimum size limits, a 20% increase to the current minimum size limit was calculated in order to shift the size structure of these species within the park toward the FMP goal. The two exceptions to the 20% size limit increase included hogfish and mutton snapper, which have undergone size limit increases in recent years. Mutton snapper was recently changed from 16 to 18 inches total length, needing only an additional inch to 19 inches to reach a 20% increase from the previous (long-standing) limit. Hogfish recently changed from 12 to 16 inches fork length, a 33% increase over the previous minimum size. Thus, staff suggested not increasing the minimum size for hogfish any further at this time. Fishermen have noted they are seeing bigger hogfish already. For targeted species without current size regulations (grunts), a new potential size limit that is approximately 20% larger than the size-at-maturity was provided as a measure to increase the average size of those species. Staff suggested allowing direct and continuous transit of fish below the park-specific size limits through the park and allowing them to be landed at park boat ramps that service the entire region, if those fish were legally harvested outside the park.

Public feedback received on the proposed size limit changes was largely supportive. In general, non-fishers supported the proposed changes, while fishers also tended to support them for most species. This proposal also tended to be supported in the comments received outside the workshop survey.

## Size Limits – Anticipated Draft Rule

- Increase size limits for selected finfish within BNP
- Allow transit and landing of smaller fish through the park if harvested legally outside the park

Minimum Size Limits – Recreational and Commercial		
Grouping	Species Common Name	Proposed Changes
Snapper	Gray snapper	10 → 12" TL
	Lane snapper	8 → 10" TL
	Mutton snapper	18 → 19" TL
	Schoolmaster snapper	10 → 12" TL
	Yellowtail snapper	12 → 14" TL
Grouper	Red grouper	20 → 24" TL
Hogfish	Hogfish	no change (16" FL)
Grunt	Bluestriped grunt	none → 10" TL
	White grunt	none → 8" TL
Triggerfish	Gray triggerfish	12 → 14" FL



Based on the public feedback received, the anticipated draft rules for this action would be the same as the original proposal and would include modifying recreational and commercial size limits for several targeted species within the park as discussed at the July Commission meeting. With the goal of increasing the size structure of fish in BNP by 20%, the proposal would increase size limits for a variety of snapper species, red grouper, two species of grunts, and triggerfish as shown in the table on this slide.

If harvested legally outside the park, the anticipated draft rules would allow for the transit of smaller fish through the park as long as the vessel did not stop in park waters. It would also allow the smaller fish to be landed at boat ramps within the park.



## Recreational Bag Limits – Workshop Proposal

Recreational Bag and Possession Limits (no transit allowance)	
Grouping	Proposed Changes
Major finfish	20-fish aggregate possession per person
Baitfish	100-fish possession per person
Stone Crab	$\frac{1}{2}$ -gallon claws per person, 1 gallon per vessel (half of current)
Blue Crab	5 gallons per person (half of current)

- **Purpose:** increase abundance of targeted species by 20%
- Possession and transit of fish in excess of these limits would be prohibited

### Public Feedback

- Finfish: support from non-harvesters and fishers (except spearfishers)
  - Some opposition to including pelagic species not common inside BNP
- Mixed support for baitfish, stone crab, and blue crab limits based on user group
  - Stone crab: opposition from fishers; supported by non-harvesters
  - Some opposition to baitfish and stone crab proposals and transit prohibitions



Several aggregate recreational bag and possession limit options were developed that could reduce overall harvest within the park without further limiting harvest of any particular species on a given recreational fishing trip. A total 20-fish recreational “major finfish” aggregate possession limit per person for targeted food and sport finfish species was proposed to reduce harvest and provide consistency with nearby Everglades National Park. A new recreational baitfish possession limit of 100 fish per person was also proposed to increase baitfish abundance within the park. Finally, 50% reductions in the recreational stone crab and blue crab possession limits were proposed to further contribute to the abundance of fishery species in the park. In order to improve compliance and maximize the benefits of these proposed aggregate limits, staff suggested applying them to all persons/vessels fishing within, transiting through, and landing within park boundaries, including at boat ramps within the park.

The workshop survey results indicated there was support from both non-harvesters and fishers (except spearfishers, who had a more mixed response) for the major finfish aggregate of 20 fish. Other comments were also supportive for this option overall, with the exception of some stakeholders who were concerned with the inclusion of pelagic species harvested outside the park. For the baitfish, stone crab, and blue crab bag limit options, workshop participants provided mixed feedback with non-harvesters showing strong support for these options and fishers having more mixed responses. Among the options, stone crab received the greatest opposition, particularly from spearfisher and lobster stakeholders. With blue crab, the survey showed fishers generally were not opposed to the proposal, but with a large proportion of neutral responses. We received some additional comments in opposition to the proposed baitfish and stone crab changes, as well as the concern about the prohibition on transit of fish in excess of these limits for people fishing outside the park boundaries.

## Recreational Bag Limits – Anticipated Draft Rule

- Establish 20-fish aggregate bag limit for selected major finfish
- Prohibit transit and landing of fish in excess of the aggregate limit

Species Group	Common Names
Snapper	Gray, Lane, Mutton, Schoolmaster, and Yellowtail
Grouper	Red, Black, Rock hind, Red hind, Coney, and Graysby
Hogfish	Hogfish
Triggerfish	Gray triggerfish
Jacks	Permit, Florida pompano, African pompano, Blue runner, Greater amberjack, Lesser amberjack, and Banded rudderfish
Drum	Spotted seatrout, Red drum, and Black drum
Snook	Common snook
<del>Mackerel</del>	<del>Spanish mackerel, King mackerel</del>
<del>Dolphin</del>	<del>Dolphin</del>
<del>Cobia</del>	<del>Cobia</del>
<del>Wahoo</del>	<del>Wahoo</del>
Tripletail	Tripletail
Sheepshead	Sheepshead
Flounder	Flounder
Barracuda	Great barracuda
Unregulated species	Grunts, Cero mackerel, Crevalle jack, Ladyfish, Porgies, Silver jenny (Irish pompano), Sand perch



*Recommendation: no changes to baitfish, stone crab, or blue crab bag limits*

Based on public input received, staff is recommending excluding the pelagic species dolphin, cobia, mackerel, and wahoo from this aggregate limit, but continuing to include the other species as originally proposed to establish a 20-fish recreational aggregate bag and possession limit for the selected major finfish.

Unlike the proposed size limits, the anticipated draft rule relating to the aggregate bag limit would not allow transit or landing of fish in excess of the limit within the park.

Staff does not recommend further consideration of an aggregate baitfish limit or park-specific reductions in the recreational bag limits for stone crab or blue crab.

# Spearfishing Restrictions – Workshop Proposal

- **Purpose:** reduce the harvest of undersized fish
  - Prohibit use of spearguns with trigger mechanisms
  - Prohibit air-providing equipment (SCUBA)
- Use of SCUBA would still be allowed in the park when not spearfishing

## Public Feedback

- Prohibiting air-providing equipment:
  - Mixed opinions from spearfishing, lobstering, and commercial groups
  - Majority support from others
- Prohibiting trigger mechanisms:
  - Strongly opposed by spearing, lobstering, and commercial groups
  - Support from charter and non-fishers



Photo courtesy of Emily Muehlstein

Other potential changes identified included new spearfishing regulations for park waters. This action was identified to reduce the harvest of undersized fish after BNP data showed that spearfishers were more than twice as likely as anglers to take at least one undersized fish per trip. These proposed limitations included prohibiting the use of spearguns with trigger mechanisms and/or prohibiting the use of air-providing equipment such as SCUBA when spearfishing. The use of SCUBA would still be allowed in the park when not spearfishing. If implemented, these spearfishing regulations would be more strict than existing statewide regulations, but less restrictive than those for state parks, which prohibit spearfishing altogether, including nearby John Pennekamp Coral Reef State Park, as well as the entire Upper Keys.

Stakeholders had mixed opinions on the two options for limiting spearfishing within the park. Spearfishing, lobstering, and commercial groups had mixed opinions on prohibiting air-providing equipment, while all other groups generally supported the option. There were more polarized opinions by the different stakeholder groups about prohibiting trigger mechanisms. Spearing, lobstering, and commercial groups strongly opposed the option, while charter fishermen and non-harvesters supported the option, and all other user groups had mixed opinions.

Staff received many comments and letters in opposition to any changes in spearfishing restrictions, although some of those stakeholders believed that staff's proposal was to eliminate spearfishing in BNP altogether. Some spearfishers at the workshops suggested the park require a special permit to spear in the park with a fee that could be used to fund additional law enforcement positions.

## Spearfishing – Anticipated Draft Rule

- *Prohibit use of SCUBA and other air-providing equipment while spearfishing within BNP*



*Recommendation: Continue to allow use of trigger mechanisms*

To assist in increasing the average size of fish in BNP by 20%, the anticipated draft rules would prohibit the use of air-providing equipment while spearfishing within the park. Staff recommends continuing to allow spearfishers to use spearing equipment with trigger mechanisms when fishing inside BNP.

As previously stated, this proposed spearfishing regulation would not impact divers' ability to use SCUBA within the park for non-consumptive purposes.

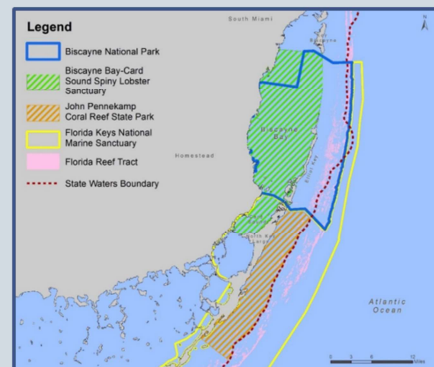


# Elimination of Lobster Mini-Season – Workshop Proposal

- **Purpose:** protect coral reef habitat from diver-related damage
  - Similar rule in nearby John Pennekamp Coral Reef State Park
- Lobster harvest prohibited year-round in Biscayne Bay-Card Sound Spiny Lobster Sanctuary and in Everglades and Dry Tortugas National Parks

Public feedback: highly polarized

- Supported by non-harvesters, commercial, and for-hire fishers
- Other harvesters generally opposed
- Many did not believe studies showing lobstering may damage corals



*Recommendation:* Continue to allow mini-season harvest in BNP

Staff also gathered feedback on eliminating the lobster mini-season in the park in order to protect coral reef habitat from diver-related damage during this high-effort time. This would be similar to a rule for nearby John Pennekamp Coral Reef State Park (orange hatch-marked area on the map). This consideration was supported by research in BNP and the nearby Florida Keys that demonstrated coral damage occurred during mini-season at a variety of sites where corals were measured before and after the two-day event. Lobster harvest is already prohibited year-round within the Biscayne Bay-Card Sound Spiny Lobster Sanctuary, which comprises the majority of the inshore waters of the park, as well as in Florida's two other national parks (Everglades and Dry Tortugas National Park).

Both the workshop survey and other comments received were highly polarized on this. The survey respondents who were non-harvesters, commercial fishers, and for-hire captains tended to support eliminating mini-season, while other user groups opposed it. The additional feedback received showed mixed opinions, but included a substantial amount of opposition. Many stakeholders did not believe that recreational lobstering contributed to coral damage. In addition to the feedback on the proposal, stakeholders also suggested several alternatives, including reducing the lobster bag limit during mini-season, prohibiting air-providing equipment while lobstering, prohibiting lobster harvest from the proposed CRPAs discussed on upcoming slides, and installing casitas to draw fishers away from the natural reefs.

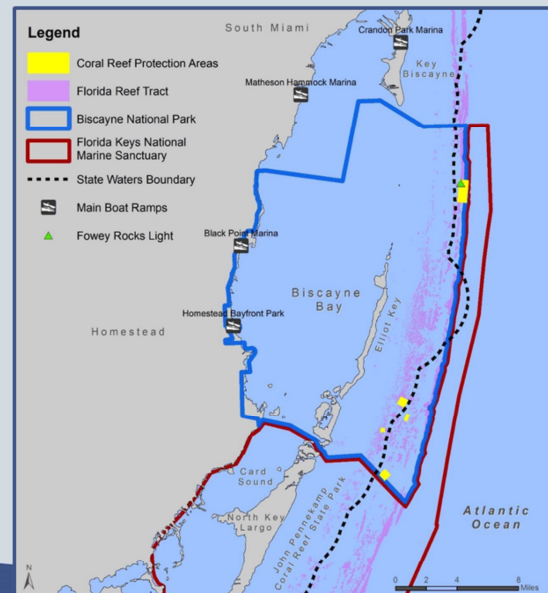
Based on the highly polarized feedback for this topic, staff is recommending the Commission continue to allow lobster harvest in BNP during mini-season.

# Coral Reef Protection Areas – Workshop Proposal

- **Purpose:**
  - Protect areas of high quality or threatened species of coral
  - Prohibit trap use in these areas
- 5 proposed areas

## Public Feedback

- Supported by most user groups
- Commercial fishers: some mixed support
  - Industry requested modification to northern-most area

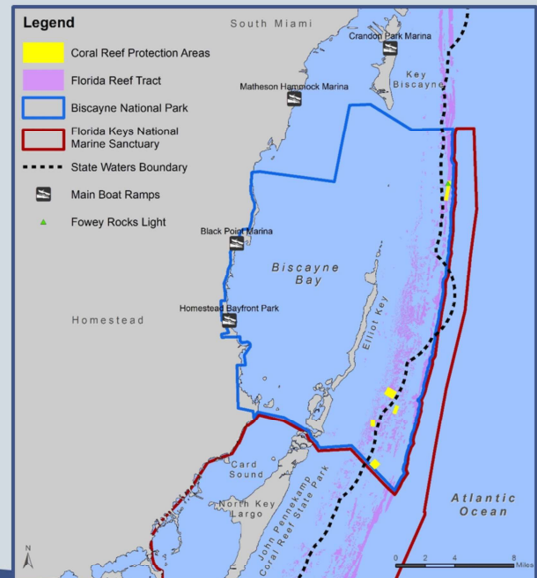


In addition, potential trap-free zones called Coral Reef Protection Areas (CRPAs) were identified in a series of locations along the reef tract. These areas were selected to provide protection from trap-related damage based on the presence of either especially high-quality coral habitat or areas containing high densities of federally listed threatened coral species. This proposed action is similar to FWC rules in John Pennekamp Coral Reef State Park (Pennekamp), which prohibit harvesting lobster and deploying traps near the natural coral formations within well-marked areas. High winds have the potential to cause trap movement into sensitive habitats, resulting in damage to corals and sponges. The size of these CRPAs are based on data collected from Pennekamp and other places in the Keys documenting how far traps tend to move in these locations when the fishery sets traps in the vicinity of current no-trap areas. Five areas were proposed with a total coverage of 1.29 square miles. These areas were designed to provide a buffer around the corals intended to be protected.

Workshop survey participants from most user groups supported implementing the CRPAs. However, support from commercial fishers was mixed. The comments received outside of the survey were limited for this management action, but were generally supportive. Commercial industry representatives who attended small group meetings with staff expressed concern about the proposed CRPA in the northeastern portion of the park near Fowey Rocks Light (shown as a green triangle on the map). Industry representatives requested a modification to this area to reduce the amount of sand-covered deep water that is commonly fished with traps.

## Coral Reef Protection Areas – Anticipated Draft Rule

- *Create a series of CRPAs around high-quality and threatened coral stands*
  - Reduce size of northern-most proposed CRPA to address industry concerns
  - Modify remaining proposed CRPAs to better encompass coral habitat
- *Prohibit trap use and lobster harvest inside the CRPAs year-round*



Based on the public feedback received, the anticipated draft rules would include creation of five CRPAs. Staff recommends modifying the proposed area for the northeast site near Fowey Rocks Light based on the industry request to reduce open sand cover in the area. The four areas on the southern end of the park would also be modified slightly to better encompass coral habitat and to provide a sufficient buffer for trap movement. As staff is not recommending the previously-discussed elimination of lobster mini-season, staff recommends modifying this proposal to not only prohibit traps, but also prohibit all lobster harvest inside the CRPAs year-round. Including the prohibition of lobster harvest in these areas would assist in the protection of the park's highest quality and threatened coral strands.

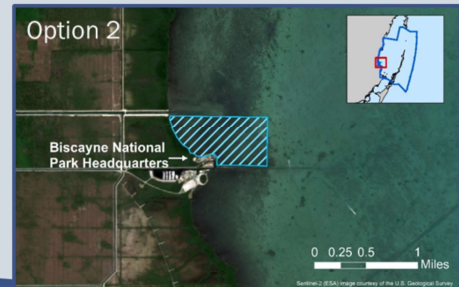
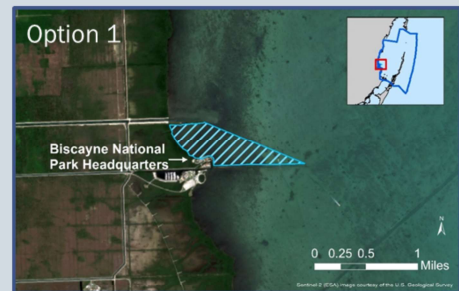
The map on this slide shows the modified CRPAs that staff anticipate being included in the future draft rule.

## Trap-Free Zone near Park Headquarters – Workshop Proposal

- Purpose:
  - Reduce conflicts in high-use area
  - Provide open-water views around Visitor Center
- Lobstering already prohibited in the area

### Public Feedback

- Support from most user groups
- Some opposition from commercial fishers



In addition to the CRPAs, the FMP identified a potential trap-free zone of approximately 0.3 square miles north and east of the park's headquarters at Convoy point to provide open-water views around the Visitor Center and to prevent user conflicts with non-consumptive visitors such as kayakers, paddle boarders, and wind surfers in this high-use area. Lobstering is already prohibited in this area because it is within the Biscayne Bay-Card Sound Spiny Lobster Sanctuary, but other types of traps are currently fished in the area.

Workshop survey participants from most user groups supported implementing this trap-free zone. However, some commercial fishers opposed it. Staff did not receive any feedback on the area outside of the workshop survey.



## Trap-Free Zone near Park Headquarters – Anticipated Draft Rule

- Create a trap-free zone near visitor's center at park headquarters



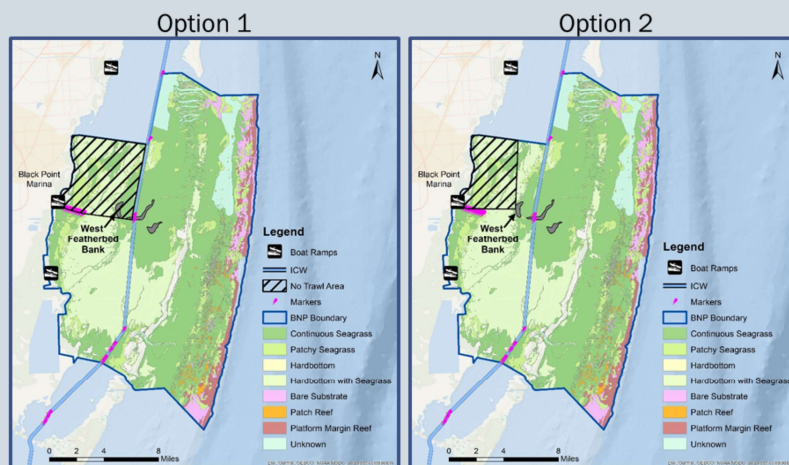
Staff anticipates developing a draft rule that would create a trap-free zone using option 2 to maintain parallel lines with landmarks for clarity and simplicity.

## No-Trawl Zone – Workshop Proposal

- **Purpose:** protect important nursery habitat and reduce bycatch
- Areas closed to trawling

### Public Feedback

- Broadly supported except by commercial participants
- Some suggested extending south
- Commercial industry concerns
  - Suggested alternative areas

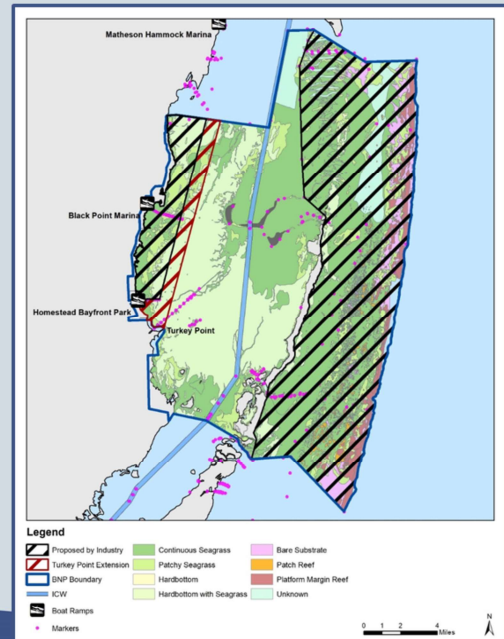


Finally, the FMP also identified the potential implementation of a no-trawl zone within a portion of the bay as a means to conserve park seagrass and hardbottom nursery habitat for fish and invertebrates as well as reduce bycatch. The roller-frame trawls used within the park were designed to roll over seagrasses with minimal negative impacts. However, research indicates that they can have a greater negative impact to hardbottom organisms such as soft corals and sponges. Two options (29 and 18 square miles, respectively) were presented to industry and at workshops for public feedback.

Workshop survey participants from most user groups supported implementing a no-trawl zone in the park. However, support from commercial fishers was mixed. While many stakeholders supported a no-trawl zone, staff received some suggestions to extend the area south to cover more area where trawling was assumed to be damaging to the bottom. During meetings with the commercial industry, fishery participants expressed concern about the negative impacts to the shrimp fishery from both of the presented options. Industry suggested alternative areas that would prohibit trawling close to shore, but also the deeper waters offshore of the barrier islands.

## No-Trawl Zones – Anticipated Draft Rule

- *Create no-trawl areas to protect sensitive habitat and reduce bycatch*
  - Proposed boundaries modified to incorporate feedback from industry and other stakeholders



Based on the public feedback received, staff is recommending the anticipated draft rule to create no-trawl zones incorporating the recommendation by the commercial industry. The industry suggested zones are shown on the map as black hatches over large portions of the park. However, the anticipated draft rule would expand the industry suggested zone slightly (red hatched area) in order to include additional hardbottom habitat that the zone was originally developed to protect. The new proposed boundaries provide more coverage while displacing fewer fishermen, and still provide protection for portions of the hardbottom nursery habitat that is most susceptible to trawl damage.

## Additional Feedback

- Requests for additional FWC Law Enforcement within the park
- Support for temporary or permanent marine reserves
- Requests to further limit commercial fishing



Staff also heard feedback on a variety of topics related to fisheries management in BNP besides the staff proposal.

One of the most common additional recommendations staff received was to increase the presence of FWC law enforcement in the park. This recommendation was often related to concerns about the enforcement of new regulations being proposed or as a suggested alternative to any new regulations.

Another common recommendation heard was to implement temporary or permanent no-take marine reserves (no-take areas). The National Parks Conservation Association for example gathered roughly 5,600 form letters and emails supporting the staff's proposals, but also recommending these types of spatial closures.

Limiting commercial fishing was also suggested as an alternative to further recreational restrictions.



## Staff Recommendation

Direct staff to gather additional feedback on the anticipated draft rules aimed at achieving the goals of the BNP FMP

- Modified size limits
- Aggregate recreational finfish bag limit
- No air-providing equipment while spearfishing
- Coral Reef Protection Areas
  - Trap use prohibited
  - Lobster harvest prohibited
- Trap-free zone near park headquarters
- No-trawl areas



Photo courtesy of Don DeMaria



*If approved and directed, conduct additional public workshops and return with draft rules at the December 2019 Commission meeting*

Staff will request approval of the Science Plan and MOU at the Final Public Hearing

Staff recommends the Commission direct staff to gather additional feedback on the anticipated draft rules aimed at achieving the goals of the BNP FMP through modified size limits, creation of a 20-fish recreational aggregate finfish bag limit, prohibiting air-providing equipment while spearfishing, creating Coral Reef Protection Areas where traps and lobster harvest would be prohibited, and creating a trap-free zone near park headquarters and no-trawl zones.

If approved and directed, staff recommends conducting additional public workshops on the anticipated draft rules presented today and returning with draft rules at the December 2019 Commission Meeting.

Staff will seek Commission approval of the Science Plan and new MOU at the Final Public Hearing.