



July 14, 2015

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Ms. Lauren Milligan
Office of Intergovernmental Programs
Department of Environmental Protection
3900 Commonwealth Boulevard, Mail Station 47
Tallahassee, FL 32399-3000
Lauren.Milligan@dep.state.fl.us

Re: SAI #FL201311186774C - National Park Service – Final General Management Plan/Environmental Impact Statement (FGMP/EIS) for Biscayne National Park – Miami-Dade County, Florida.

Dear Ms. Milligan:

The Florida Fish and Wildlife Conservation Commission (FWC) has completed agency review of the Final General Management Plan/Environmental Impact Statement (FGMP/EIS) for Biscayne National Park (BNP), and provides the following comments.

BNP is a highly popular Florida destination for outdoor enthusiasts who wish to boat, kayak, snorkel, camp, observe wildlife, and especially fish. The BNP website specifically states: "...Biscayne National Park offers diverse fishing experiences. Although the park is part of a *federal* agency, fishing and other harvesting activities are largely governed by *state* law." Throughout the lengthy process for developing a General Management Plan (GMP) for BNP, the FWC has continually noted that proposed elements associated with fisheries management should be addressed in the context of state fisheries regulations and broader marine fisheries management systems rather than isolated and likely ineffective restrictions established under the BNP GMP. The FWC has continually urged that fisheries management including recreational and commercial fishing should be managed under a Fishery Management Plan as prescribed in a Memorandum of Understanding (MOU) between FWC and BNP that was in effect for 12 years. After a decade of coordination between the FWC and BNP to develop an acceptable Fishery Management Plan and GMP, FWC is profoundly disappointed to reach this point in the process where we are compelled to express opposition to this FGMP/EIS.

The FWC maintains that Marine Protected Areas (MPAs) which prohibit fishing such as the marine reserve zone that would be established by FGMP/EIS Preferred Alternative 8, should be a tool of last resort, only to be used when all other less restrictive fishery management actions have been tried and evaluated. This FWC recommended approach is appropriate to ensure that public access to natural resources that are held in trust by the government is given high priority, and is not restricted hastily or unnecessarily. BNP has rationalized the marine reserve zone with a complete closure to all fishing as a tool necessary for restoring the visitor experience rather than a fisheries management action, but the FGMP/EIS is clearly inconsistent with this position.

The FGMP/EIS stated objectives for the marine reserve zone are "larger, healthier, diverse corals and larger number and diversity of fish." The establishment of a marine reserve zone that prohibits fishing to reach objectives of "larger, healthier,

diverse corals and larger number and diversity of fish”, is clearly a fisheries management action. FWC views this as a breach of the MOU between FWC and BNP in which both parties agreed a marine reserve would not be considered in the FGMP for purposes of fisheries management.

In addition to the above stated fisheries management objectives, the FGMP/EIS stated purpose of the marine reserve zone is “to provide visitors with the opportunity to experience a healthy, natural coral reef, with larger and more numerous tropical reef fish and an ecologically intact reef system.” It is unclear why the BNP expects that prohibiting fishing within a marine reserve zone would result in “a healthy, natural coral reef” or “an ecologically intact reef system”. Moreover, the body of scientific knowledge regarding the effects of non-extractive snorkeling and diving on coral reefs overwhelmingly establishes the impactful nature of these activities (see Attachment 1). It is also unclear why BNP expects that prohibiting all fishing would also result in “larger and more numerous tropical reef fish”, given that hundreds of tropical-ornamental, reef-dependent species (both fish and invertebrates) have already been prohibited from harvest in all of BNP for over 25 years. The justifications for prohibiting all fishing in the marine reserve zone simply do not hold up under objective scientific scrutiny.

The FWC recognizes there is a large body of scientific literature on MPAs that identifies the relationship between healthy fish populations and healthy reef ecosystems, and that MPAs can be effective fishery management tools when they are well-designed and used appropriately. FWC has supported MPAs under these circumstances, but the MPA/fishery closure in the FGMP/EIS is not well designed, is not being applied appropriately, and does not incorporate the ecological circumstances and features essential for achieving the stated environmental goals, much less fishery management goals. The FWC is disappointed to see our recommendations and advice in this regard completely ignored by BNP as they continue to misapply this large body of scientific literature to justify expectations that a marine reserve zone within BNP will be able to accomplish objectives of “larger, healthier, diverse corals and larger number and diversity of fish”, and will “provide visitors with the opportunity to experience a healthy, natural coral reef, with larger and more numerous tropical reef fish and an ecologically intact reef system.” These expectations based on misapplied science are just that, “expectations”, and are not clear fishery management goals that have been scientifically analyzed to ensure that they can be achieved by the management action proposed.

The FWC attempted to steer BNP in a more science-based direction in a letter dated December 30, 2011, and proposed that they clearly define fishery management goals and scientifically evaluate potential fishery management actions to accomplish these goals through a management strategy evaluation. This type of scientific evaluation uses simulation modeling to assess the potential outcomes for different management strategies, and can be used in situations such as BNP where there is minimal data available and time limitations that will not facilitate additional data collection. BNP disregarded this FWC proposal, and three and a half years later has finalized an FGMP/EIS which will establish a marine reserve zone that eliminates fishing within a 10,502 acre area that comprises 37% of the Park’s best habitat for reef fishing, with no scientific analysis. Three and half years could have been plenty of time for BNP to establish clear fishery management goals and to conduct a management

strategy evaluation to determine what management actions would accomplish such goals without unnecessarily restricting public access. This disregard for both the scientific process and the value of public access is a major reason why the FWC cannot support the marine reserve zone as proposed in Preferred Alternative 8.

While the FWC cannot support the FGMP/EIS, we are very appreciative of BNP's efforts to explore creative compromise including the designation of a Special Recreation Zone and incorporating the FWC-requested modifications to vessel speed zones. The FWC appreciates the opportunity to provide comments on the BNP, FGMP/EIS. These comments are offered with much respect for current BNP leadership and with a commitment that FWC will continue to work in a professional, cooperative and collaborative manner to best benefit the fish and wildlife resources in BNP, the citizens who enjoy these resources, and the Florida businesses who rely on them. If you have any questions or require any additional information, please contact me or Jessica McCawley, Director of the Division of Marine Fisheries Management at Jessica.McCawley@MyFWC.com or (850) 487-0554.

Sincerely,

A handwritten signature in cursive script that reads "Nick Wiley".

Nick Wiley
Executive Director

Diver / Snorkeler Impacts on Coral Reefs

The following are examples of available scientific literature that address diver/snorkeler impacts on coral reefs world-wide.

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Chadwick-Furman, N. E. (1995). "Effects of SCUBA diving on coral reef invertebrates in the U.S. Virgin Islands: implications for the management of diving tourism." Proceedings of the 6th International Conference on Coelenterate Biology: 91-100.

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