

National Park Service  
U.S. Department of the Interior

Biscayne National Park  
Florida



# *Biscayne National Park*

Supplemental Draft General Management Plan /  
Environmental Impact Statement

November 2013





## ABSTRACT

### Supplemental Draft General Management Plan / Environmental Impact Statement Biscayne National Park Miami-Dade County, Florida

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Biscayne National Monument was authorized by an act of Congress in 1968 (Public Law 90-606), expanded in 1974 (Public Law 93-477), and redesignated as a national park and expanded again in 1980 (Public Law 96-287). The last comprehensive management plan for the park was completed in 1983. The National Park Service released a Draft General Management Plan / Environmental Impact Statement (2011 Draft GMP/EIS) to the public in August 2011. A key component of the agency-preferred alternative in the 2011 Draft GMP/EIS was inclusion of a marine reserve zone. The marine reserve zone was proposed as an area in the park where fishing of any kind would be prohibited in order to allow a portion of the park's coral reef ecosystem to recover and to offer visitors a high-quality visitor experience associated with a healthy, intact coral reef ecosystem.

During the August 2011 public comment period, a number of substantive comments were received that identified both positive and negative impacts related to the establishment of the marine reserve zone. In particular, individuals who fish, fishing and marine industry organizations, and the Florida Fish and Wildlife Conservation Commission with whom the National Park Service consults regarding fishing management actions in the park, raised a number of significant issues about the NPS preferred alternative, including the marine reserve zone. The position of the State of Florida was that any consideration of a marine reserve zone could only occur after measurable management objectives have been clearly defined and less restrictive management measures have been appropriately implemented and evaluated in close coordination with agencies and stakeholders.

Based on the comments received, the National Park Service undertook an evaluative process to consider a number of management actions that could be deployed to achieve the goal of a healthier coral reef ecosystem within the zone to provide a more enjoyable and diverse visitor experience, while protecting the park's natural and cultural resources. Two new alternatives (alternatives 6 and 7) were developed in consultation with the Florida Fish and Wildlife Conservation Commission and the National Oceanic and Atmospheric Administration Fisheries. These alternatives contain many of the same elements as the original agency preferred alternative, except that instead of including a marine reserve zone, the alternatives include a new concept referred to as a special recreation zone. In developing the two new alternatives, the National Park Service and partner agencies are pursuing a novel approach to managing special marine ecosystems in a way that seeks to accomplish the same goals as a marine reserve while accommodating recreational fishing and providing a more enjoyable and diverse visitor experience. The two alternatives are described in detail in chapter 2 of the Supplemental Draft General Management Plan / Environmental Impact Statement. Chapter 4 describes the key impacts of implementing each of the two alternatives.

In alternative 6 (the new agency preferred alternative), the special recreation zone would include the following activities and limitations: fishing would be allowed year-round, with a special permit required for access to fish recreationally. There would be some zone-specific fishing restrictions (e.g., no grouper or lobster harvest, no spearfishing), but in general all other state fishing regulations would apply. There would be no commercial fishing allowed in the special recreation zone, with exception of the existing ballyhoo lampara net fishery. Anchoring within the zone would be prohibited; however, additional mooring buoys would be added over time as needed to disperse visitor use and improve the safety of diving operations. Snorkeling and diving would be allowed, and marine debris would be removed throughout the zone to improve the overall visitor experience for these activities. Alternative 7 is similar to alternative 6 in that it includes a special recreation zone with many of the same zone-specific fishing limitations. Differing from alternative 6, alternative 7 would not require an access permit to fish in the zone, but the area would be closed to recreational fishing during the summer months (June through September). This period is when the coral reef ecosystem is most stressed by warm water conditions and fish would benefit greatly from a respite in fishing pressure. The Florida Fish and Wildlife Conservation Commission would actively participate in the implementation of alternative 6, including permitting, research, monitoring, or rulemaking, but would not for alternative 7.

Adaptive management would be used in both new alternatives to guide long-term decision making. Both would employ a research and monitoring program to inform future decisions. Over time, a multiagency team would evaluate the need for management actions that may be warranted to reduce recreational impacts through the adaptive management process. Following the 10-year adaptive management period for the special recreation zone, the National Park Service would consider monitoring data and consult with relevant agencies (including the Florida Fish and Wildlife Conservation Commission for alternative 6 only) and an expert panel. At that point, the National Park

Service would decide whether to continue adaptive management strategies for a special recreation zone or implement a marine reserve zone.

This document fully describes and examines the original alternative 1 (no action) with minor updates, the two new alternatives (alternatives 6 and 7), and briefly summarizes alternatives 2 through 5 from the 2011 Draft GMP/EIS for comparison. The key impacts of implementing the no-action alternative (alternative 1) would be a continuation of existing impacts on natural and cultural resources, visitor experience, and park operations; including adverse effects on fisheries and some federally listed threatened and endangered species. Alternatives 6 and 7 have similar impacts, but many of the adverse impacts to fisheries, submerged aquatic communities, and listed species would be reduced due to zoning changes including the provisions of the special recreation zone. Alternatives 6 and 7 would also have both beneficial and adverse impacts on visitor experience and adverse impacts on park operations.

This Supplemental Draft General Management Plan / Environmental Impact Statement has been distributed to other agencies and interested organizations and individuals for their review and comment. The public comment period for this document will last for 90 days after the Environmental Protection Agency's notice of availability has been published in the *Federal Register*. Readers are encouraged to enter written comments on this draft plan on the park planning website at <http://parkplanning/nps.gov/BISC>. Please note that NPS practice is to make comments, including names and addresses of respondents, available for public review; see the following "How to Comment on this Plan" discussion for further information.

## HOW TO COMMENT ON THIS PLAN

Comments on this plan are welcome and will be accepted for 90 days after the Environmental Protection Agency's notice of availability appears in the *Federal Register*. If you wish to respond to the material in this document, you may submit your comments by any one of several methods. You may mail written comments to

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PO Box 25287  
Denver, CO 80225-0287

You may also comment via the NPS planning website (<http://parkplanning.nps.gov/bisc>). You may also hand deliver comments at public meetings to be announced in the media following release of this document. Before including your address, phone

number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. Although you may request in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

We will always make submissions from organizations or businesses and from individuals identifying themselves as representatives of or officials of organizations or businesses, available for public inspection in their entirety.

## SUMMARY

Biscayne National Monument was established in 1968 (Public Law 90-606), expanded in 1974 (Public Law 93-477), and redesignated as a national park and expanded again in 1980 (Public Law 96-287).

The last comprehensive planning effort (General Management Plan) for Biscayne National Park was completed in 1983. Much has occurred since 1983—the population near the park has greatly increased, visitor use patterns and types have changed, and people want to bring new recreational activities into the park. Each of these changes has important implications for how visitors access and use the park and the facilities needed to support those uses, how resources are managed, and how the National Park Service (NPS) manages its operations. A new plan is needed to

- Clearly define resource conditions and visitor experiences to be achieved in Biscayne National Park.
- Provide a framework for NPS managers to use when making decisions about how to best protect national park resources, how to provide a diverse range of visitor experience opportunities, how to manage visitor use, and what kinds of facilities, if any, to develop in the park.
- Ensure that this foundation for decision making has been developed in consultation with interested stakeholders and adopted by NPS leadership after an adequate analysis of the benefits, impacts, and economic costs of alternative courses of action.

The National Park Service released the Draft General Management Plan / Environmental Impact Statement (2011 Draft GMP/EIS) to the public in August 2011. A key component

of the agency-preferred alternative in the 2011 Draft GMP/EIS was inclusion of a marine reserve zone. The marine reserve zone was proposed as an area in the park where fishing of any kind would be prohibited in order to allow a portion of the park's coral reef ecosystem to recover and to offer visitors a high-quality visitor experience associated with a healthy, intact coral reef ecosystem.

During the August 2011 public comment period, over 18,000 pieces of correspondence were received, which contained over 20,000 comments. A number of these were substantive comments that identified both positive and negative impacts related to the establishment of the marine reserve zone. In particular, individuals who fish, fishing and marine industry organizations, and the Florida Fish and Wildlife Conservation Commission, with whom the National Park Service consults regarding fishing management actions in the park, raised a number of significant issues about the NPS preferred alternative, including the marine reserve zone. The position of the State of Florida was that any consideration of a marine reserve zone could only occur after measurable management objectives have been clearly defined and less restrictive management measures have been appropriately implemented and evaluated in close coordination with agencies and stakeholders.

Based on the comments received, the National Park Service undertook an evaluative process to consider a number of management actions that could be deployed to achieve the goal of a healthier coral reef ecosystem within the zone to provide a more enjoyable and diverse visitor experience, while protecting the park's natural and cultural resources. Two new alternatives (alternatives 6 and 7) were developed in consultation with the Florida Fish and

Wildlife Conservation Commission and the National Oceanic and Atmospheric Administration Fisheries and presented in this Supplemental Draft General Management Plan / Environmental Impact Statement. These alternatives contain many of the same elements as the original agency preferred alternative (alternative 4), except that instead of including a marine reserve zone, the alternatives include a new concept referred to as a special recreation zone. The special recreation zone is larger than the marine reserve zone in alternative 4, but still covers only about 8% of the park.

In developing the two new alternatives, the National Park Service and partner agencies are pursuing a novel approach to managing special marine ecosystems in a way that seeks to accomplish the same goals as a marine reserve while accommodating recreational fishing and providing a more enjoyable and diverse visitor experience. These alternatives seek to provide appropriate access, but prohibit specific activities that are most damaging to the coral reef system. Implementation of these alternatives within the framework of an adaptive management strategy represents a new opportunity to manage these special marine areas that are important to a diverse set of user groups. The two alternatives are described in detail in chapter 2 of the Supplemental Draft General Management Plan / Environmental Impact Statement. Chapter 4 describes the key impacts of implementing each of the two alternatives. Alternative 6 is identified as the new agency preferred alternative.

In alternative 6, the special recreation zone would include the following activities and limitations: fishing would be allowed year-round, with a special permit required for access to fish recreationally. There would be some zone-specific fishing restrictions (e.g., no grouper or lobster take, no spearfishing), but in general, all other state fishing regulations would apply. There would be no commercial fishing allowed in the special recreation zone, with exception of the existing ballyhoo lampara net fishery.

Anchoring within the zone would be prohibited; however, additional mooring buoys would be added over time as needed to disperse visitor use and improve diving operations safety. Snorkeling and diving would be allowed, and marine debris would be removed throughout the zone to improve the overall visitor experience for these activities. Alternative 7 is similar to alternative 6 in that it includes a special recreation zone with many of the same zone-specific fishing limitations. Alternative 6 is the NPS preferred alternative, replacing the former agency preferred alternative, alternative 4. Differing from alternative 6, alternative 7 would not require an access permit to fish in the zone, but the area would be closed to recreational fishing during the summer months (June through September). This period is when the coral reef ecosystem is most stressed by warm water conditions and would benefit greatest from a respite in fishing pressure. The Florida Fish and Wildlife Conservation Commission would actively participate in the implementation of alternative 6, including permitting, research, monitoring, or rulemaking, but would not for alternative 7.

Adaptive management would be used in both new alternatives to guide long-term decision-making. Both alternatives would employ a research and monitoring program (10-year science plan) to inform adaptive management decisions. Under alternative 6 only, the National Park Service would evaluate effort and take at regular intervals (see appendix F) to determine if the original assumptions are being met. If the assumptions of effort and take are being exceeded, a multiagency team would evaluate whether to reduce the number of permits to be issued for following years. For both alternatives 6 and 7, a multiagency team would evaluate the need for other management actions that may be warranted to reduce recreational impacts, through the adaptive management process. Depending on site-specific observations and concerns, such actions might include adjustments to the number and location of mooring buoys, changes to public messaging and law enforcement efforts, and increased

effort to remove marine debris. For both alternatives, a panel of experts would be convened at years 5 and 10 to provide recommendations on the science plan, the monitoring results, and long-term management. Following the 10-year adaptive management period for the special recreation zone, the National Park Service would consider monitoring data and consult with relevant agencies (including the Florida Fish and Wildlife Conservation Commission for alternative 6 only) and an expert panel. At that point, the National Park Service would decide whether to continue adaptive management strategies for a special recreation zone or implement a marine reserve zone.

This Supplemental Draft General Management Plan / Environmental Impact Statement presents two new alternatives in addition to the five alternatives previously presented in the 2011 Draft GMP/EIS, including the new preferred alternative (alternative 6), for future management of Biscayne National Park. The alternatives, which are based on the park's purpose, significance, and special mandates, present different ways to manage resources and visitor use and improve facilities and infrastructure at the park. Alternative 1 (no action) and the two new alternatives are described in full and analyzed in this Supplemental Draft General Management Plan / Environmental Impact Statement.

### **ALTERNATIVE 1: NO-ACTION ALTERNATIVE**

The no-action alternative consists of the continuation of existing management and trends at Biscayne National Park and provides a baseline for comparison in evaluating the changes and impacts of the other alternatives. The National Park Service would continue to manage the park as it is currently being managed. Existing operations and visitor facilities would continue, and no new construction would be authorized other than what has already been approved and

funded. Current law, policy, and plans would continue to provide the guidance framework.

The important impacts of continuing existing management conditions and trends would include a continuation of existing adverse effects on natural resources, an adverse effect on cultural resources, a continuation of adverse effects on visitor experience, a continuation of adverse effects on park operations, and a continuation of existing effects on the socioeconomic environment.

### **ALTERNATIVE 6: NPS PREFERRED ALTERNATIVE**

This alternative would emphasize strong natural and cultural resource protection while providing a diversity of visitor experiences. Visitor opportunities in this alternative would range from the challenges of exploring the natural environment alone to the convenience of built surroundings. A limited amount of moderate resource impacts would be tolerated in high-use areas of the park. Some visitor activities would be restricted in certain areas to protect sensitive resources and allow wildlife a respite from human contact. Other areas, such as the Legare Anchorage, would be reserved for limited types of visitor use.

As part of an adaptive management strategy, this alternative includes a special recreation zone that accommodates some recreational fishing by special permit while meeting the goal of providing a healthier coral reef ecosystem for a more enjoyable and diverse visitor experience.

Many of the existing adverse impacts to fisheries, coral reefs, submerged cultural resources, and identified listed species would persist in much of the park due to impacts associated with boating, fishing, and marine debris. However, some of these impacts would be reduced and there would be additional beneficial impacts in the special recreation zone and in other areas with protective zoning. There would also be

adverse impacts to park operations and both beneficial and adverse impacts to visitor experience and socioeconomic environment. The Florida Fish and Wildlife Conservation Commission would actively participate in the implementation of alternative 6, including permitting, research, monitoring, or rule development.

## **ALTERNATIVE 7**

Like alternative 6, this alternative would emphasize strong natural and cultural resource protection while providing a diversity of visitor experiences. Visitor opportunities in this alternative would range from the challenges of exploring the natural environment alone to the convenience of built surroundings. A limited amount of moderate resource impacts would be tolerated in high-use areas of the park. Some visitor activities would be restricted in certain areas to protect sensitive resources and allow wildlife a respite from human contact. Other areas, such as the Legare Anchorage, would be reserved for limited types of visitor use.

This alternative is similar to alternative 6 in that it incorporates an adaptive management approach to the special recreation zone. This alternative includes fishing limitations such as a seasonal fishing closure that accommodates some recreational fishing while meeting the goal of providing a healthy coral reef ecosystem for a more enjoyable and diverse visitor experience.

Many of the existing adverse impacts to fisheries, coral reefs, submerged cultural resources, and identified listed species would persist in much of the park due to impacts associated with boating, fishing, and marine debris. However, some of these impacts would be reduced and there would be additional beneficial impacts in the special recreation zone and in other areas with protective zoning. Some of these benefits

would be greater under alternative 7 when compared with alternative 6. There would also be adverse impacts to park operations and both beneficial and adverse impacts to visitor experience and socioeconomic environment.

In addition, the Florida Fish and Wildlife Conservation Commission would not participate in the research, monitoring, or rule development process associated with this alternative. All regulatory changes required under this alternative would be implemented via federal special regulation.

## **THE NEXT STEPS**

After distribution of the Supplemental Draft General Management Plan / Environmental Impact Statement, there will be a 90-day public review and comment period after which the NPS planning team will evaluate comments from other federal agencies, tribes, organizations, businesses, and individuals regarding the draft plan and incorporate appropriate changes into a Final General Management Plan / Environmental Impact Statement. The final plan will include letters from governmental agencies, any substantive comments on the draft, including the supplemental document, and NPS responses to those comments. Following distribution of the Final General Management Plan / Environmental Impact Statement and a 30-day no-action period, a “Record of Decision” can be prepared for the signature of the NPS regional director of the Southeast Region. The “Record of Decision” will document the NPS selection of an alternative for implementation. With the signed “Record of Decision,” the plan can then be implemented, depending on funding and staffing. (An approved plan does not guarantee that funds and staff for implementing the plan will become available.) Special regulations would need to be enacted through rule-making processes to implement many of the provisions of alternatives 6 or 7.

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