

CHAPTER 1

Introduction

(SDEIS)



CHAPTER 1: INTRODUCTION

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A GUIDE TO THIS DOCUMENT

This Supplemental Draft Environmental Impact Statement (SDEIS) is a supplement to the 2011 Draft General Management Plan / Environmental Impact Statement (2011 Draft GMP/EIS) and was developed to present updated information as well as two new alternatives (alternatives 6 and 7). Some sections of the original 2011 Draft GMP/EIS are incorporated by reference while other sections are modified to include new information.

Both documents can be accessed online at: <http://parkplanning.nps.gov/documentsList.cfm?parkID=353&projectID=11168>.

This SDEIS should be considered in addition to the 2011 Draft GMP/EIS document and is organized in accordance with the Council on Environmental Quality's (CEQ) implementing regulations for the National Environmental Policy Act (NEPA), National Park Service (NPS) *Management Policies 2006*, and NPS Director's Order 12: *Conservation Planning, Environmental Impact Analysis, and Decision-making*.

Chapter 1: Introduction sets the framework for the entire document. It describes why the plan is being prepared and what needs it must address. It offers guidance for the alternatives that are being considered, which are based on the park's purpose and the significance of its resources, special mandates and administrative commitments, servicewide mandates and policies, and other planning efforts in the area.

The chapter also details the planning opportunities and issues that were raised during public scoping meetings and initial planning team efforts; the alternatives in the next chapter address these issues and concerns to varying degrees. This chapter concludes with a statement of the scope of the environmental

impact analysis—specifically what impact topics were or were not analyzed in detail.

Chapter 2: Alternatives, begins by describing the management zoning that would be used to manage the park in the future. It also presents the continuation of current management and trends in the park—alternative 1 (the no-action alternative) and then the “action” alternatives. Alternatives 2 through 5 are incorporated by reference, alternatives 6 and 7 are presented in full. There is a brief discussion of alternatives or actions that were dismissed from detailed evaluation. The mitigation measures proposed to minimize or eliminate the impacts of some proposed actions are described just before the discussion of future studies and/or implementation plans that would be needed. The cost estimates and an evaluation of the environmentally preferable alternative are followed by summary tables of the alternative actions and the environmental consequences of implementing those alternative actions (which are based on information in chapter 4).

Chapter 3: the Affected Environment describes those areas and resources that would be affected by implementing actions in the various alternatives—natural resources, cultural resources, visitor experience, park operations, and socioeconomic environment.

Chapter 4: Environmental Consequences analyzes the impacts of implementing the alternatives on topics described in the “Affected Environment” chapter. Methods that were used for assessing the impacts in terms of the intensity, type, and duration of impacts are outlined at the beginning of the chapter.

Chapter 5: Consultation and Coordination describes the history of public and agency coordination during the planning effort and

any future compliance requirements; it also lists agencies and organizations that will be receiving copies of the document.

The **appendixes** present supporting information for the document along with references, a list of the planning team and other consultants, and an index.

PURPOSE OF AND NEED FOR THIS BISCAYNE NATIONAL PARK SUPPLEMENTAL DRAFT GENERAL MANAGEMENT PLAN / ENVIRONMENTAL IMPACT STATEMENT

This Supplemental Draft Environmental Impact Statement is a supplement to the 2011 Draft GMP/EIS, which describes the planned operation for the park for the next 20 years. This SDEIS was developed to present updated information as well as two new alternatives (alternatives 6 and 7) for consideration in the General Management Plan.

General management plans are intended to be long-term documents that establish and articulate a management philosophy and framework for decision making and problem solving in the parks. General management plans usually provide guidance during a 15- to 20-year period. The general management plan considers the park in its full ecological and cultural contexts – as a unit of the national park system and as a part of the surrounding ecosystem and region. The connections among various programs and management zones in the park are identified as a method of looking at the park holistically and fully considering the broader implications of specific decisions. Actions directed by general management plans or in subsequent implementation plans are accomplished over time, which may be many years into the future when dealing with timeframes of natural and cultural processes. Budget restrictions, requirements for additional data or regulatory compliance, and competing national park system priorities may prevent immediate implementation of many actions. Considerable or especially costly actions could be implemented 10 or more years into the future.

The full purpose of and need for the General Management Plan are described on pages 4–6 of the 2011 Draft GMP/EIS accessed online at: <http://parkplanning.nps.gov/>

[documentsList.cfm?parkID=353&projectID=11168](#).

This SDEIS incorporates by reference alternatives 2 through 5 that were previously analyzed in the 2011 Draft GMP/EIS. This SDEIS analyzes in full two new alternative future directions for the management and use of Biscayne National Park, referred to as alternatives 6 and 7, which were developed in response to public and agency comments on specific elements included in the 2011 Draft GMP/EIS.

Background

The 2011 Draft GMP/EIS was released to the public in August 2011 and reflected agency and stakeholder engagement throughout the entire GMP process. The National Park Service conducted public scoping meetings and workshops (in 2001, 2003, and 2009) and held three public meetings on the Draft GMP/EIS in 2011. During the public comment period in 2011, more than 18,000 public comments were received and more than 300 people attended public meetings. A key component of the agency-preferred alternative in the 2011 Draft GMP/EIS was inclusion of a marine reserve zone. Most comments were related to fishing, and in particular, the marine reserve zone. The marine reserve zone was proposed as an area in the park where fishing of any kind would be prohibited to allow a portion of the coral reef system to recover and offer visitors a high-quality visitor experience associated with a healthy, intact coral reef system.

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. Thus, two new alternatives were developed in consultation with the Florida Fish and Wildlife Conservation Commission and presented in this Supplemental Draft Environmental Impact Statement for public consideration. Some other comments resulted in minor changes to the text of this SDEIS or will be reflected in the Final General Management Plan / Environmental Impact Statement.

In developing the two new alternatives, the National Park Service, in conjunction with the Florida Fish and Wildlife Conservation Commission, is attempting a novel approach to managing special marine ecosystems in a way that might accomplish the same goals as a marine reserve, without completely eliminating harvest. The partner agencies believe an approach that limits access and prohibits specific activities that are most damaging to the coral reef system, implemented within the framework of an

adaptive management strategy, could successfully manage special marine areas that are important to a diverse set of user groups.

Brief Description of the Park

Biscayne National Monument was established by Public Law 90-606 in 1968, expanded by Public Law 93-477 in 1974, and expanded again and redesignated as a national park by Public Law 96-287 in 1980 (see appendix A in 2011 Draft GMP/EIS). It currently encompasses approximately 173,000 acres (270 square miles or 702 square kilometers), with park visitation of 480,379 in 2012.

The full description of the park as well as the purpose and need of the General Management Plan is found on pages 4–6 of the 2011 Draft GMP/EIS accessed online at: <http://parkplanning.nps.gov/documentsList.cfm?parkID=353&projectID=11168>.

Next Steps and Implementation of the Plan

The 2011 Draft GMP/EIS as well as this SDEIS will be considered in a Final GMP/EIS. The public will have an opportunity to comment on the SDEIS. Following the public comment period, a Final GMP/EIS and “Record of Decision” will be prepared and made available to the public regarding the final selection of the proposed action, which will then be implemented by the National Park Service.

The implementation of the approved plan would depend on future funding. The approval of a plan does not guarantee that the funding and staffing needed to implement the plan would be forthcoming. Full implementation of the approved plan could be many years in the future.

The implementation of the approved plan also could be affected by other factors. Once the General Management Plan has been

approved, additional required feasibility studies and more detailed planning and environmental documentation would be completed before any proposed actions can be applied, as follows:

- Appropriate permits would be obtained before implementing actions that would impact wetlands.
- Appropriate federal and state agencies would be consulted concerning actions that could affect threatened and endangered species.
- American Indian tribes and the state historic preservation office would be consulted.

The General Management Plan does not describe how particular programs or projects should be prioritized or implemented. Those decisions would be addressed during the more detailed planning associated with strategic plans, implementation plans, etc. All of those future more-detailed plans would tier from the approved General Management Plan and would be based on the goals, future conditions, and appropriate types of activities established in the approved General Management Plan. Future plans will follow NPS planning guidelines.

GUIDANCE FOR THE PLANNING EFFORT

The 2011 Draft GMP/EIS presented a full description of purpose and significance of the park, interpretive themes, special mandates, and administrative commitments. Those elements continue to serve as the foundation for this planning effort, including this SDEIS.

Relationship of Other Planning Efforts to this General Management Plan

Other plans and planning projects have influenced or would be influenced by the approved *Final General Management Plan* /

Environmental Impact Statement for Biscayne National Park. These plans have been prepared (or are being prepared) by the National Park Service and other federal, regional, state, and local agencies and organizations. Those most directly related to this General Management Plan or are potentially affected by it were fully described in the 2011 Draft GMP/EIS on pages 16–18 and highlighted here.

The Fishery Management Plan (FMP) is a joint effort between the National Park Service and the Florida Fish and Wildlife Conservation Commission. The two agencies are working cooperatively to manage the park's fishery resources. The draft plan was presented to the public in 2009, and the final plan is anticipated for release in 2014. The plan presents five alternatives (the no-action alternative and four action alternatives), with each alternative written in terms of desired future conditions to be achieved through management actions. The agency preferred alternative aims for 20% increases in both the size and abundance of targeted fish species. Once completed, the Fishery Management Plan would propose changes in current management strategies for both recreational and commercial fishing activities that would be achieved via new, park-specific federal and state fishing regulations.

The Mooring Buoy and Marker Plan, released for public comment in July 2010, had both controversial and noncontroversial aspects. The National Park Service has suspended work on the Mooring Buoy and Marker Plan at this time while efforts are focused on finalizing the General Management Plan and the Fishery Management Plan. The National Park Service is implementing some of the noncontroversial aspects of the Mooring Buoy and Marker Plan separately using appropriate environmental review processes. For example, the installation of additional mooring buoys on the reef tract, including formalizing the Maritime Heritage Trail, have been implemented.

PLANNING ISSUES AND CONCERNS

The general public; NPS staff with their knowledge about past planning efforts; representatives from other county, state, and federal agencies; and representatives from various organizations identified various issues and concerns during scoping (early information gathering) for the 2011 Draft GMP/EIS. An issue is defined as an opportunity, conflict, or problem regarding the use or management of public lands. Comments were solicited at public meetings, through planning newsletters and on the NPS planning website (see “Chapter 5: Consultation and Coordination”).

Comments received during scoping demonstrated that there is much that the public likes about the park—its resources, management, use, and facilities. The issues and concerns generally involve determining the appropriate visitor use and the types and levels of facilities, services, and activities, while remaining compatible with desired resource conditions. The GMP alternatives provide strategies for addressing the issues within the context of the park’s purpose, significance, and special mandates.

Commercial Fishing

Comments on the 2011 Draft GMP/EIS questioned NPS authority to allow commercial fishing in Biscayne National Park. The National Park Service acknowledges that a park special regulation through formal rulemaking processes would be needed to properly authorize existing commercial fishing at the park. The Fishery Management Plan, described previously, proposes changes to the management of commercial fishing parkwide. The preferred alternative in the Fishery Management Plan would require all commercial fishers to purchase a limited-entry permit from the park. The permit would be nontransferable, require annual renewal, and would be “use or lose.” The permit could not be renewed if: (1) it was not renewed the previous year, or (2)

no catch was reported in the previous year. The intended purpose is to phase out commercial fishing in the park without having negative economic impacts on fishers who currently depend on the park’s resources to support their livelihood.

Because the Fishery Management Plan addresses future management of commercial fishing parkwide, the National Park Service has determined that any regulatory and policy processes relevant to the parkwide phase-out of commercial fishing at the park is not addressed in the 2011 Draft GMP/EIS. The impacts of these proposed changes are assessed in the Fishery Management Plan. A park-specific special regulation to affirmatively allow the permitting of commercial fishing would be pursued after completion of the plan. The only changes to commercial fishing proposed in this SDEIS would be to prohibit commercial fishing activity in the special recreation zone, with the exception of lampara net fishing for ballyhoo. It is anticipated that this activity would also be phased out in accordance with the final special regulation that would follow approval of the Fishery Management Plan. The possibility of a termination of commercial fishing within the special recreation zone, if this zone is converted to a marine reserve zone, is also addressed in this SDEIS.

Coral Reefs

The coral reefs of Biscayne National Park have the attention of national and global reef conservation initiatives. Coral reefs are in serious decline globally, especially those near shallow shelves and dense populations. In the Florida Keys, because of nearby dense populations of people and the effects of hurricanes, vessel groundings, disease, overfishing, and a proliferation of algae, there has been a 37% decline in live coral cover in just five years, according to a 2002 report by the National Oceanic and Atmospheric Administration (NOAA). In addition to the impacts on the coral, fish populations, and coastal protection, the decline could affect

tourism because more than 4 million tourists visit the Florida Keys annually and the Florida Keys are the number one dive destination in the world. Some members of the public have voiced the desire to see reserves established; others noted that many people's livelihood depend on fishing. The possibility of including a marine reserve in Biscayne National Park has both proponents and opponents in the park's user community and beyond, including commercial and recreational anglers, divers, and snorkelers, boat enthusiasts, and environmental advocates.

Visitor Experience

The park's proximity to Miami-Dade County and its growing metropolitan population are increasing pressures on the park to accommodate local recreational demand. Recreational activities occasionally result in visitor conflicts, accidents, and resource damage. Vessel groundings cause long-term scarring of the bay floor and damage to coral. Boat anchors damage coral. Propellers can injure manatees, sea turtles, seagrass beds, and corals. Debris from fishing activities has damaged historic underwater resources and coral reefs. Also, conflicts between different recreational groups occur. Wakes from larger, faster boats swamp smaller, slower boats. The noise of motorboats or "partying" groups diminishes efforts of canoeists and kayakers to experience quieter environments. Currently, there is no place within the park where visitors who snorkel and dive can experience a healthy, natural coral reef or at least a zone reflecting heightened protection above that afforded by state fishing regulations. The challenge to park management is finding and managing for a user capacity that enables visitors to have a quality experience while protecting park resources for future generations.

The only mainland-based park visitor center is 35 miles south of Miami, frequently a 1.5- to 2-hour drive for Miami residents and nonlocal visitors arriving at the airport or

Port of Miami. Due to its remote location, this visitor contact center receives less than 10% of total park visitation. This situation makes it difficult for the park to determine the type and level of visitor use it receives. It also makes it difficult to provide important information on park rules, regulations, navigational information, events, and activities to park users and visitors.

Park Operation

Visitors have uncontrolled access to and from open waters of the bay and ocean, including the Intracoastal Waterway. Access points at developed areas include county and state parks and private and commercial developments in the Miami, Key Biscayne, and Key Largo areas. Because of the impracticality of marking the marine park's entire 50-mile water boundary, many park users are unaware of the fact that they are in a national park.

The northern part of the park, including historic Stiltsville, receives little law enforcement coverage and the park's ability to protect resources and respond to emergencies is limited by the hour-long boat ride from park headquarters.

Climate Change

There are two different issues to consider with respect to climate change and general management planning: (1) what is the contribution of the proposed project to climate change, such as greenhouse gas emissions and the carbon footprint? and (2) what are the anticipated effects of climate change on the park resources and visitors who are affected by the management alternatives? Because the contribution to climate change is negligible under any alternative, the former issue has not been carried forward for consideration in this plan. The latter issue, a discussion of the anticipated effects of climate change on park resources, has been carried forward.

Other factors driving environmental change include population growth in the area (subsidence of water table, increased visitation, pollution), shifts in visitor use patterns, and land use change and development around the park.

Global scale stressors such as climate change and ocean acidification can affect coral reefs in many ways, including altering calcification rates and increasing prevalence of bleaching and disease. Few NPS management actions exist that would directly reduce the effects of climate change and ocean acidification. However, taking actions to protect reefs from other pressures such as overfishing; land-based sources of pollution; and physical damage from fishing gear, anchoring, and vessel groundings might increase reef resiliency, potentially delaying the effects of global stressors.

These issues are described in the 2011 Draft GMP/EIS on pages 19–22, accessed online at: <http://parkplanning.nps.gov/documentsList.cfm?parkID=353&projectID=11168>.

IMPACT TOPICS – RESOURCES AND VALUES AT STAKE IN THE PLANNING PROCESS

An important part of planning is seeking to understand the consequences of making one decision over another. To this end, the

General Management Plan is accompanied by an Environmental Impact Statement, as presented in 2011, and this Supplemental Draft Environmental Impact Statement. Environmental impact statements identify the anticipated impacts of possible actions on resources and on park visitors and neighbors. Impacts are organized by topic such as “impacts on visitor experience” or “impacts on vegetation and soils.” Impact topics serve to focus the environmental analysis and to ensure the relevance of impact evaluation. The impact topics identified for this Draft General Management Plan were previously described in the 2011 Draft GMP/EIS. They were identified based on federal laws and other legal requirements, CEQ guidelines, NPS *Management Policies 2006*, staff subject matter expertise, and issues and concerns expressed by the public and other agencies early in the planning process (see previous section). Also included in the 2011 Draft GMP/EIS is a discussion of some impact topics that are commonly addressed, but that are not addressed in this plan for the reasons given.

As those impact topics remain unchanged, they are incorporated by reference in this Supplemental Draft Environmental Impact Statement and are found on pages 23–32 in the 2011 Draft GMP/EIS, accessed online at <http://parkplanning.nps.gov/documentsList.cfm?parkID=353&projectID=11168>.