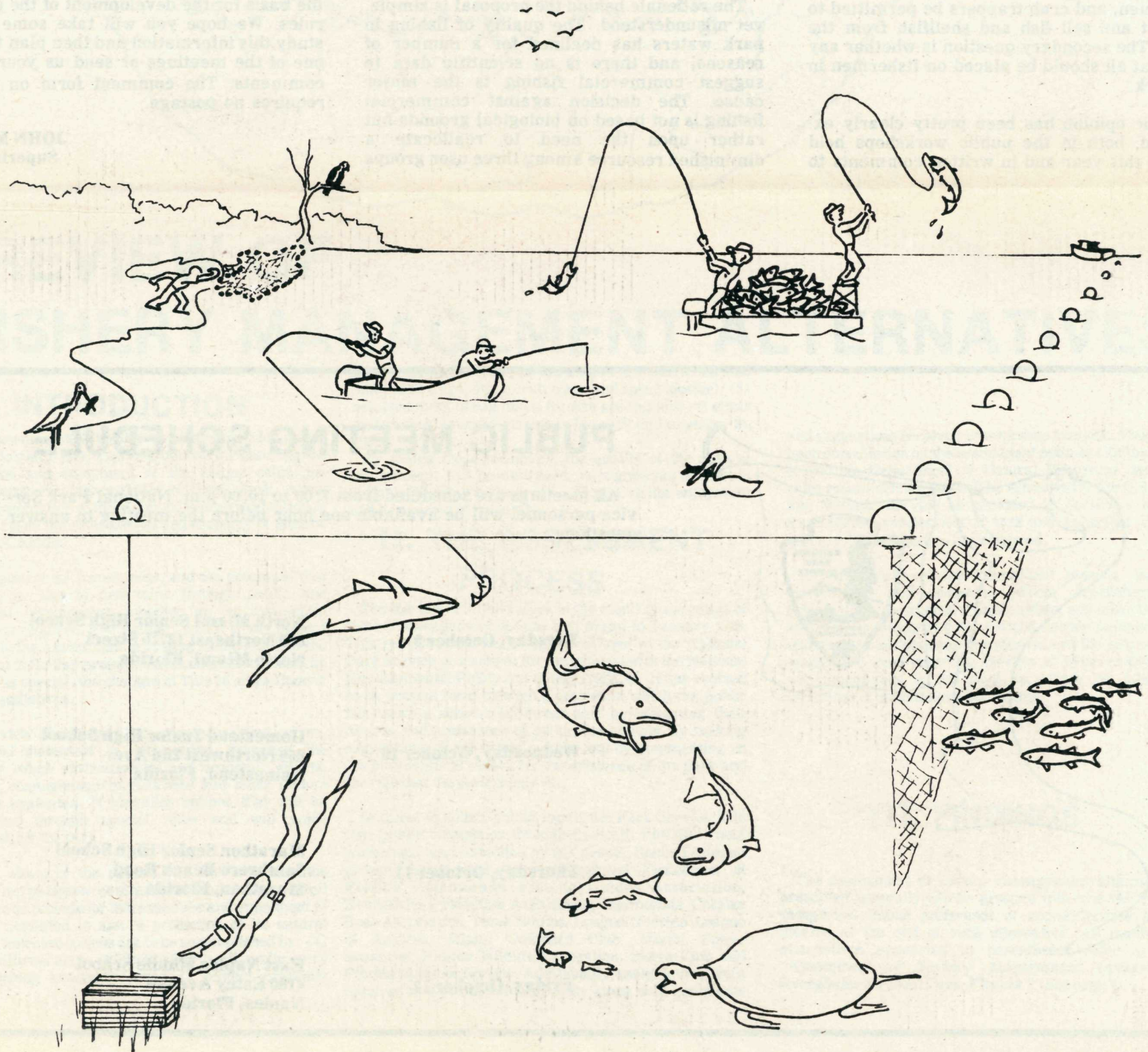


A REVIEW OF FISHERY MANAGEMENT OPTIONS AND PROPOSED RULES FOR EVERGLADES NATIONAL PARK



A MESSAGE FROM THE SUPERINTENDENT . . .

Times change. Conditions change. Preparation for a fishing trip today requires considerably more than hunting a piece of string and a bent pin. But regardless of what motivates the aspiring fisherman — whether it be for sport, relaxation, food on the table, escape, challenge, business, or a way of life — it is generally agreed that the quality of fishing in Everglades National Park has changed . . . has declined seriously, particularly in Florida Bay. Curtailment of fresh water entering estuaries, changes in tidal flows, and pollution attendant to South Florida development combined with heavy fishing pressure have done the damage.

The basic issue, as we see it, is commercial fishing: Should netters, hook-and-line fishermen, and crab trappers be permitted to harvest and sell fish and shellfish from the park? The secondary question is whether any limits at all should be placed on fishermen in the park.

Public opinion has been pretty clearly expressed, both in the public workshops held earlier this year and in written comments to

Senators, Representatives and all levels of the National Park Service. Commercial fishermen want to keep fishing in the park, but the overwhelming majority of people believe that commercial fishing should be stopped and that some bag limits should be placed on recreational fishermen. The National Park Service agrees.

The rules proposed by the National Park Service begin on page 11 of this information packet. They would immediately close parts of northeast Florida Bay, where crocodiles nest, to all boaters. Commercial fishing by existing permit holders would continue until December 31, 1985. Limits would be placed on the number of fish to be taken by recreational fishermen.

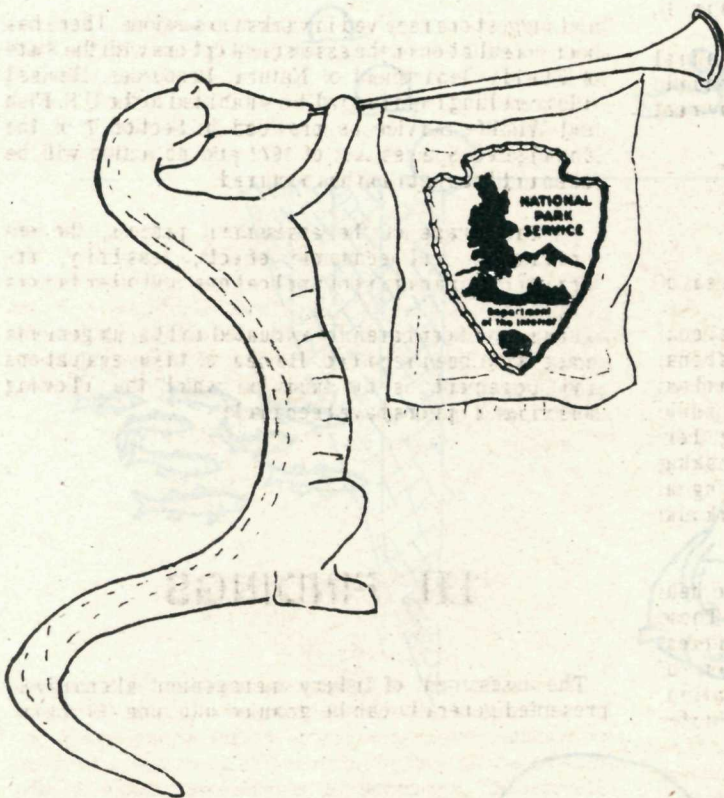
The rationale behind the proposal is simple, yet misunderstood. The quality of fishing in park waters has declined for a number of reasons, and there is no scientific data to suggest commercial fishing is the major cause. The decision against commercial fishing is not based on biological grounds but rather upon the need to reallocate a diminished resource among three user groups

— wildlife, park visitors and commercial fishermen.

During the week of October 9-12, 1979, you will have an opportunity to comment on these proposed rules. Formal public meetings are scheduled as shown below. Comments will be limited specifically to the rules proposed and a transcript will be prepared at each hearing. Uniformed National Park Service personnel will be available at each site from 6:00 to 7:00 p.m. to explain the rules and answer questions. Written comments submitted prior to Nov. 16 will also be considered in the preparation of the final rules.

The following pages contain a review of the fishery management alternatives which was the basis for the development of the proposed rules. We hope you will take some time to study this information and then plan to attend one of the meetings or send us your written comments. The comment form on page 13 requires no postage.

JOHN M. GOOD
Superintendent



PUBLIC MEETING SCHEDULE

All meetings are scheduled from 7:00 to 10:00 p.m. National Park Service personnel will be available one hour before the meeting to answer questions.

Tuesday, October 9

North Miami Senior High School
800 Northeast 137th Street
North Miami, Florida

Wednesday, October 10

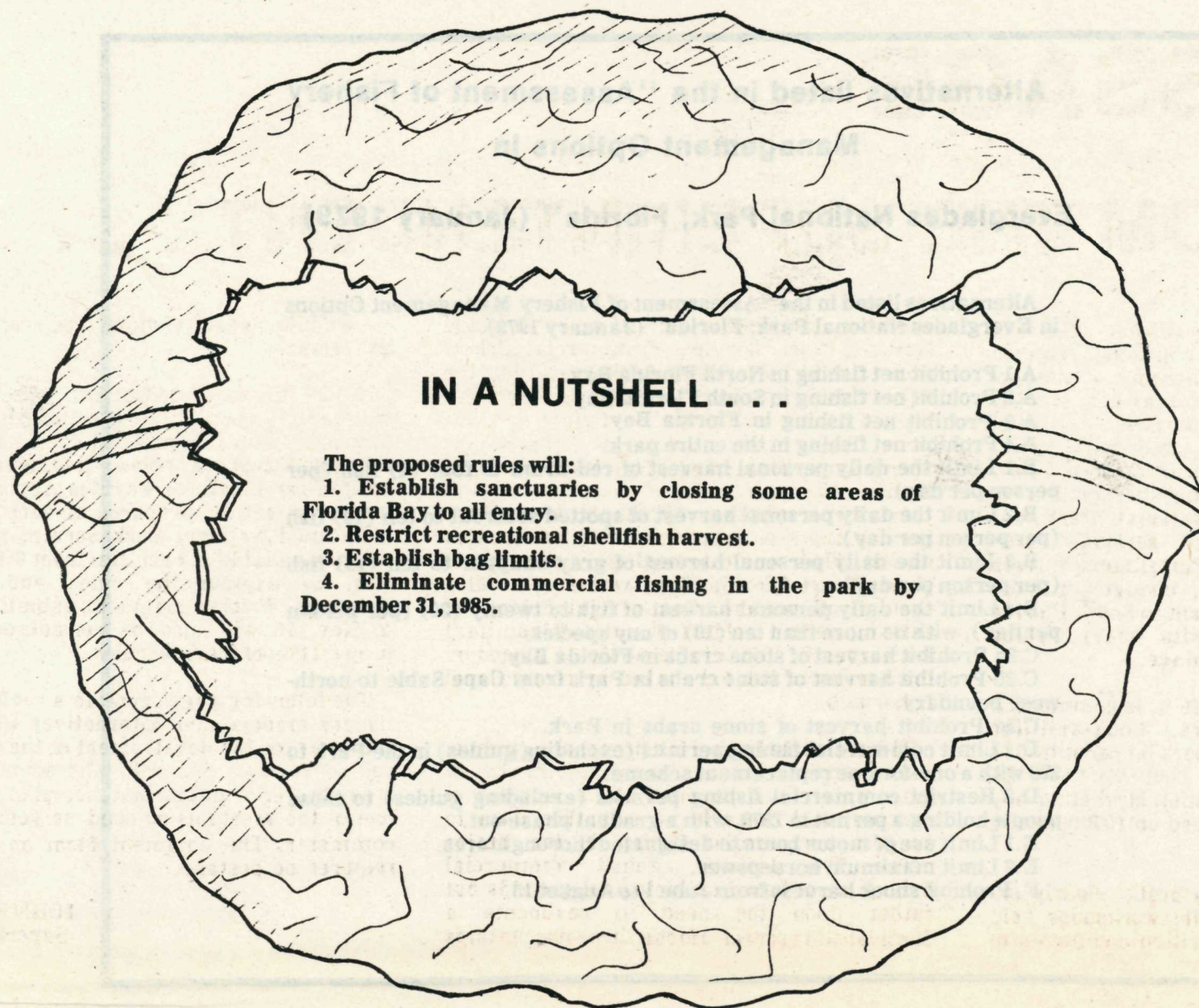
Homestead Junior High School
650 Northwest 2nd Ave.
Homestead, Florida

Thursday, October 11

Marathon Senior High School
Sombrero Beach Road
Marathon, Florida

Friday, October 12

East Naples Middle School
4100 Estey Avenue
Naples, Florida



A REVIEW OF FISHERY MANAGEMENT ALTERNATIVES

I. INTRODUCTION

The Assessment of Alternatives, distributed for public review in January 1979, explored options for assuring the preservation and enjoyment of the unique estuarine-marine resources of Everglades National Park. Along with the presentation of these options was an evaluation of their impacts on the environment and economy of Monroe and Collier Counties.

The purpose of the Assessment, and the processes that led up to it, was to determine through public and professional involvement, whether an environmental statement is required, and further, which of the options presented in the Assessment or arising as the result of the public input or further professional examination should be addressed as special rule changes in Title 36 of the Code of Federal Regulations.

This Review of Alternatives, concluding that an environmental statement is not needed, describes the process by which environmental and economic effects, feasibility, management implications and other factors have been evaluated. It identifies options that will be implemented through special rules and will guide management of the park.

The net effect of the options will be to reduce the competition between commercial and recreational fishermen and provide for increased use and enjoyment of the park, regulated to assure protection of its natural resources. Selected options are to be accomplished by: (1) closing additional areas of Florida Bay to all public entry by establishing sanctuary areas to protect crocodile

nesting critical habitat; (2) restriction of shellfish harvest (blue crab traps, stone crab traps and spiny lobster), (3) establishment of bag limits for fish species and (4) elimination of commercial fishing in the park on December 31, 1985.

By taking these measures, the quality of the natural environment will be enhanced, no significant economic impact will result in the areas, and park visitor enjoyment will be assured in the future.

II. THE ASSESSMENT PROCESS

The Review of Alternatives is the result of appraisal of fishery management options that began in January 1979. This review is the next step as outlined in the National Park Service procedures for compliance with the National Environmental Policy Act of 1969 (NEPA). It has evolved to its present form through a process in which the public has taken a substantial direct part by indicating their desires and preference of particular options, by making suggestions on substitute options and by commenting on the philosophical reason for the existence of the park and the role that the park should fill.

In order to solicit public input, the Park Service held four public workshops throughout South Florida. These workshops were attended by 611 people. Special interest groups represented were: Organized Fishermen of Florida, Islamorada Fishing Guides Association, Everglades Protection Association, Islamorada Charter Boat Association, Izaak Walton League, Florida League of Anglers, Miami Outboard Club, Miami Power Squadron, Florida Wildlife Federation, Sierra Club and Florida Audubon Society. Additionally, many letters were received and evaluated thoroughly along with comments

and suggestions received in workshop sessions. There has been consultation on the assessment options with the State of Florida Department of Natural Resources. Revised rules resulting from this will be submitted to the U.S. Fish and Wildlife Service as provided in Section 7 of the Endangered Species Act of 1972 and no action will be taken until consultation has occurred.

At each stage of the assessment process, the environmental and economic effects, feasibility, enforceability, management implications, and other factors affecting or affected by the various fishery management options have been carefully evaluated and the judgements made have been recorded. Review of these evaluations and judgements is the basis on which the following selections of options have been made.

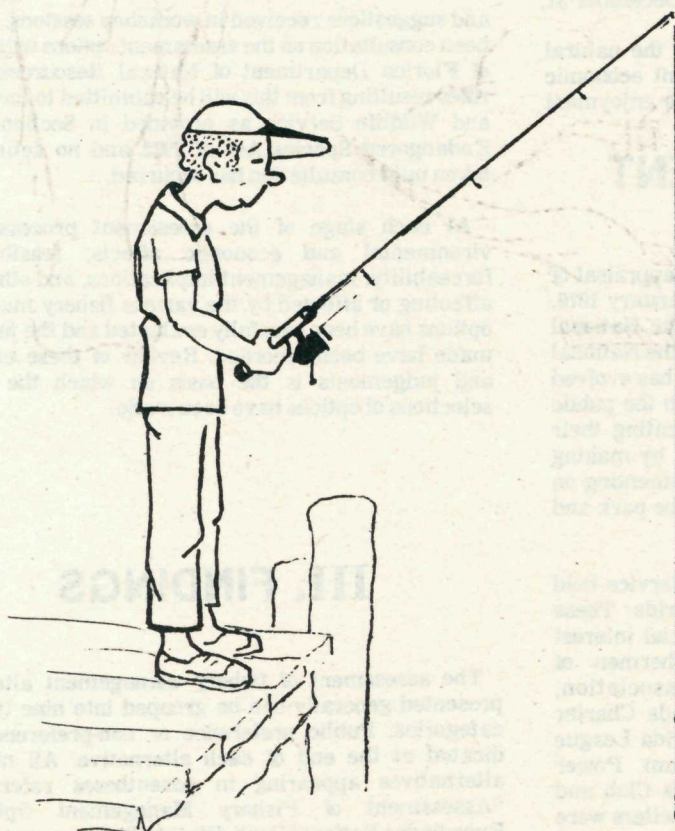
III. FINDINGS

The assessment of fishery management alternatives presented generally can be grouped into nine (9) major categories. Public preference or non-preference is indicated at the end of each alternative. All numbered alternatives appearing in parentheses refer to the "Assessment of Fishery Management Options in Everglades National Park, Florida." (See page 4).

Alternatives listed in the "Assessment of Fishery Management Options in Everglades National Park, Florida" (January 1979)

Alternatives listed in the "Assessment of Fishery Management Options in Everglades National Park, Florida" (January 1979).

- A.1 Prohibit net fishing in North Florida Bay.
- A.2 Prohibit net fishing in South Florida Bay.
- A.3 Prohibit net fishing in Florida Bay.
- A.4 Prohibit net fishing in the entire park.
- B.1 Limit the daily personal harvest of red drum to four (4) fish (per person per day).
- B.2 Limit the daily personal harvest of spotted seatrout to ten (10) fish (per person per day).
- B.3 Limit the daily personal harvest of gray snapper to ten (10) fish (per person per day).
- B.4 Limit the daily personal harvest of fish to twenty (20) (per person per day), with no more than ten (10) of any species.
- C.2a Prohibit harvest of stone crabs in Florida Bay.
- C.2b Prohibit harvest of stone crabs in Park from Cape Sable to north-west boundary.
- C.2c Prohibit harvest of stone crabs in Park.
- D.1 Limit commercial fishing permits (excluding guides) in the Park to 290 with a one-for-one replacement scheme.
- D.2 Restrict commercial fishing permits (excluding guides) to those people holding a permit in 1978, with a gradual phase-out.
- E.1 Limit use of motor boats to designated thoroughfares.
- E.2 Limit maximum horsepower.
- F. Prohibit snook harvest from June 1 to August 15.



A. NO ACTION ALTERNATIVE:

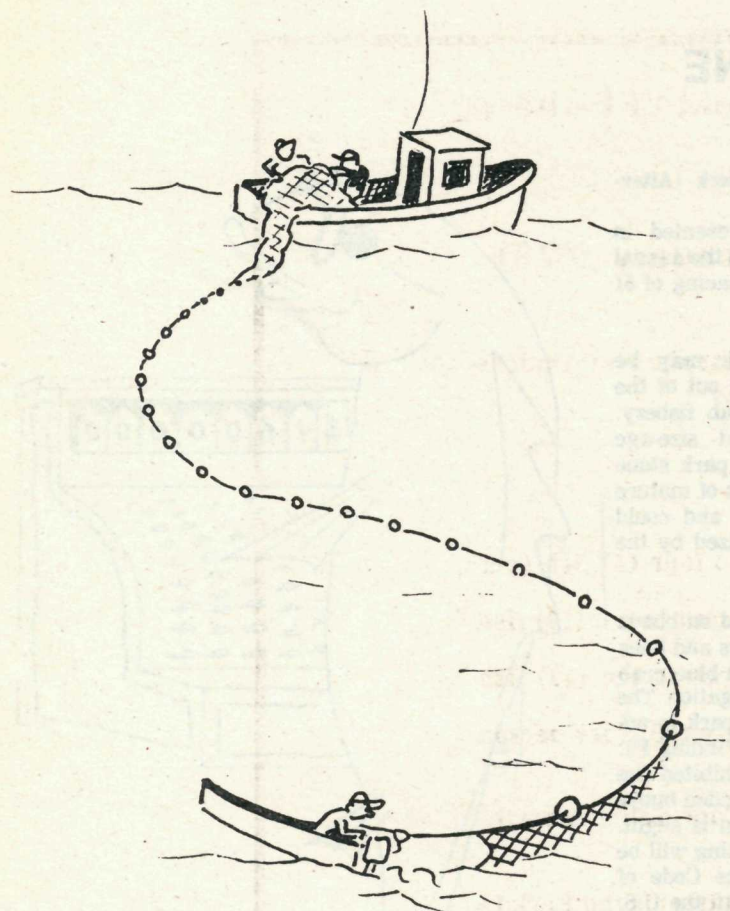
A. No Action Alternatives

While the marine and estuarine areas of the park will support, for a few years, the present level of fishing pressure, a decision to make no changes is likely to mean that commercial fishing will proceed and the competition between the commercial and recreational fishing interests will intensify.

Under this alternative the \$1.21 million that the commercial sector landings generate and, also, the 270 fishermen currently fishing in the park would not be displaced. However, the continued netting for mullet in shallow water bays and backwaters of the park increases the possibility of net encounters with endangered species, such as the American alligator, American crocodile, Kemp's Ridley sea turtle, Loggerhead sea turtle, and West Indian manatee. Also, hook and line fishermen will continue to compete with recreational fishermen for sportfish species. Finally, stone crabbing operations will continue to harvest from radically fluctuating stock being heavily fished offshore and whose operation itself presents a navigational hazard to recreational boaters.

Therefore, this no-action alternative will neither resolve nor mitigate the present recreational versus commercial fishing competition. This competition is steadily intensifying as more and more sportsmen choose to fish these waters. This influx has produced a recreational fishery estimated at \$2.5 million annually in park waters. Most of the public perceives the park's purpose as providing recreation and natural system preservation and not commercial harvest of a resource. It continues practices which can subject endangered species to unnecessary hazards.

This alternative was not preferred by either the commercial or sportsfishermen. Conservation groups did not prefer the no action since the alternative would not resolve the problems that spawned this process.



B. PROHIBITION OF NET FISHING

B. Prohibition of Net Fishing in the Entire Park (Alternatives A.1, A.2, A.3 and A.4 inclusive)

Since alternative A.4 was inclusive of alternatives A.1, A.2 and A.3, it was selected due to its comprehensiveness and enforceability. This will result in an annual loss of between \$638,000 and \$712,000 to the local economy. It will displace 125 fishermen from their present net fishing grounds.

However, alternative (A.4) will provide 1.1 to 1.5 million pounds of fish to the ecosystem annually for consumption by predators and fishermen both inside and outside the park. The white and striped mullet, at every stage of their life cycle, are used as a food source by piscian and avian predators, and therefore are essential for ecosystem maintenance. Net encounters with endangered species will be eliminated.

This alternative was preferred by a great majority of the public and is comprehensive in its scope and is therefore enforceable. Minority opinion focused on the fact that the quantity and quality of water entering the park, and not the catch of the net fishermen, caused fish stock declines. Since the weight of public opinion was overwhelmingly in favor of prohibition of netting, this alternative will be implemented as part of the phase-out of commercial fishing (Finding F).

This alternative is proposed for implementation as set forth in section (h).

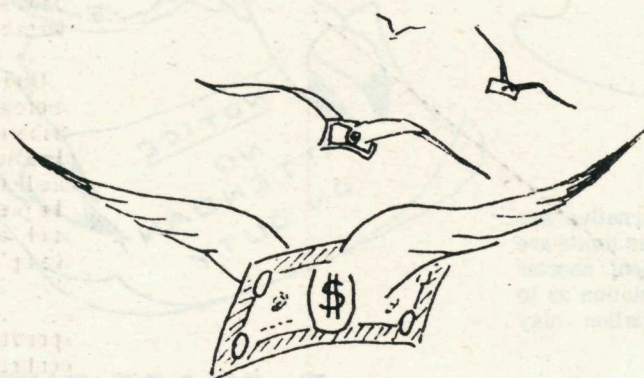
C. ESTABLISH A MAXIMUM BAG LIMIT

Establishment of a maximum bag limit of twenty (20) fish per person per day, with no more than ten (10) fish of any one species except snook, which will be four (4) fish per person per day. (Alternative B.4)

B.4 incorporates alternatives B.2 and B.3 and to a lesser extent B.1. It will eliminate the commercial hook and line fishermen from the park, resulting in an annual loss of \$113,000 to \$197,000, and the displacing of 63 fishermen currently holding permits. This alternative also will reduce recreational harvest by 2.6 % to 5.7 % with a resultant loss of \$3,100 to \$11,000 per annum. Conversely, it will provide an additional 227,500 to 402,500 pounds of fish annually to the ecosystem for consumption by predators and fishermen. Since the most commonly sought species (red drum, spotted seatrout and gray snapper) occupy high consumer positions as adult fish, their benefit to the natural system will be, mostly, in pre-juvenile and juvenile life history stages. This alternative will eliminate the "tin canner," the recreational fisherman who harvests large numbers of food fish for sale.

The bag limit alternative was popular among all segments of the public. Minority opinions dealt mainly with the actual numbers of each species or the number of fish in the aggregate bag limit. It provides the resource managers with a means of controlling harvest and protecting existing stocks. It will be implemented, pending consultation with the U.S. Fish and Wildlife Service, through adoption of appropriate special rules in Title 36 of the Code of Federal Regulations.

This alternative is proposed for implementation as set forth in section (F) (18).

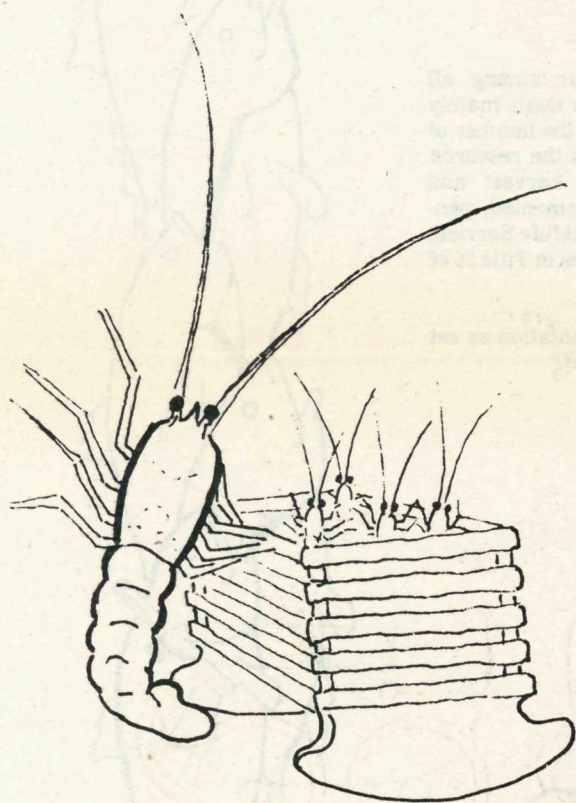


D. PROHIBITION OF SPINY LOBSTER HARVEST

Prohibition of Spiny Lobster Harvest (Alternative C.1)

This presents no negative economic impact to the local economy, since commercial harvest already is prohibited in the park. However, the opportunity for the recreational diver to harvest spiny lobster will be lost, thus displacing most recreational diving activity to outside the park where spiny lobster harvest is permitted.

This alternative could have a positive economic impact since it will make available approximately 4,000 additional spiny lobsters for harvest in adjacent areas and will be accompanied by a slight increase in market value. This increase will be realized because park waters will function as a nursery area-sanctuary. Currently, there is no serious decline in spiny lobster stocks within the park; however, as a result of this action the historical size and age structure, distribution and abundance of the spiny lobster population in the park will be restored.



The majority of public opinion on this alternative was negative. Opponents stressed that existing bag limits are not enforced and that with better enforcement, shorter season, stricter bag limits and further regulation as to capture methods the spiny lobster population may recover.

However, the aforementioned positive impact and the biological evidence obtained on prohibition of harvest of spiny lobster in Biscayne Bay support the decision.

This alternative is proposed for implementation as set forth in section (F)(4).

Along with prohibiting recreational spiny lobster harvest, staff professionals also believe that due to the enforcement problems and navigational hazards presented by recreational stone crab and blue crab traps, this activity also should be curtailed. The economic impact of this additional restriction will be slight and difficult to estimate.

Both of these alternatives will be implemented, pending consultation with the U.S. Fish and Wildlife Service, as special rules in Title 36 of the Code of Federal Regulations.

E. PROHIBIT STONE CRAB HARVEST

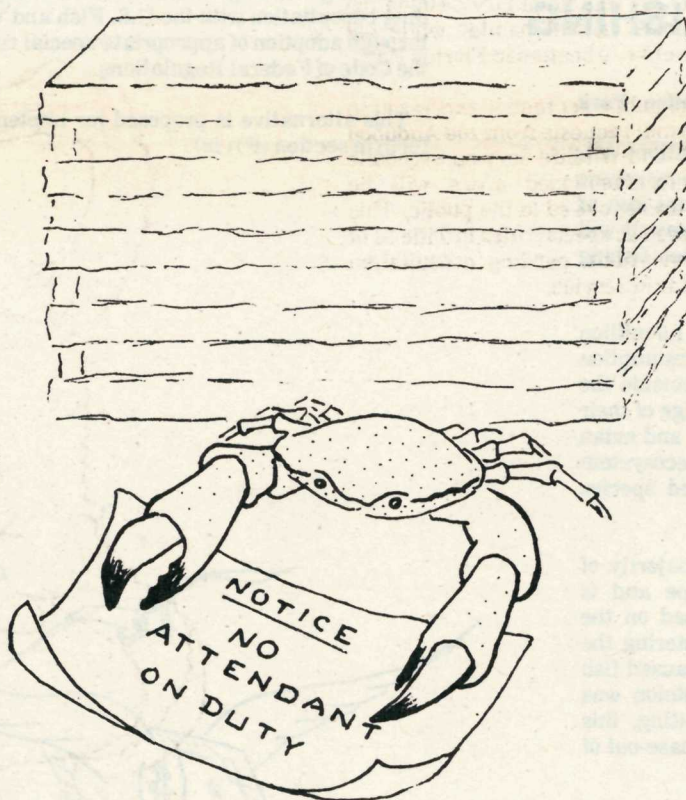
Prohibition of stone crab harvest in the park (Alternative C.2c; inclusive of C.2a & b).

This combines the area and impact presented in alternatives C.2a and C.2b. The impacts will be the annual loss of from \$102,000 to \$175,000 and the displacing of 51 crabbers now holding permits from the park.

The negative impact of this alternative may be mitigated partially by stone crabs migrating out of the park and into the Gulf of Mexico stone crab fishery. Harvest prohibition will restore historical size-age structure, distribution and abundance to the park stone crab population. Also, 152,000 to 220,000 pounds of mature male crabs will be provided to the system and could migrate offshore, out of the park, or be utilized by the ecosystem.

Public comments on stone crabbing focused on buoys and lines and navigational hazards. Since buoys and lines also are found on recreational stone crab and blue crab traps, they pose the same problem to safe navigation. The future of commercial stone crabbing in the park is addressed under the "phase-out" alternative (Finding F). However, recreational trap fishing will be prohibited due to the navigational hazards imposed by unattended buoys and lines. The economic impact of this action is slight. This prohibition of recreational shellfish trapping will be addressed as special rules in Title 36 of the Code of Federal Regulations, pending consultation with the U.S. Fish and Wildlife Service.

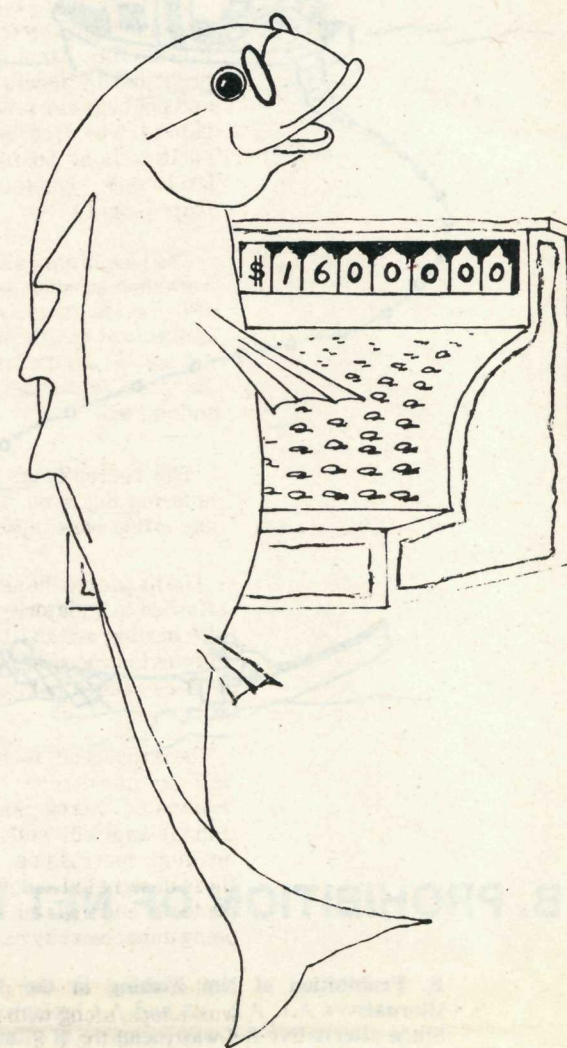
This alternative is proposed for implementation as set forth in sections (F)(5) and (H).



F. PHASE OUT COMMERCIAL FISHING

Phase-out commercial fishing (excluding guides) by December 31, 1985 (Alternatives D.1 and D.2)

This option essentially combines Alternatives D.1 and D.2. It will not allow an increase in the number of permittees and will accelerate the phase-out so that all commercial fishing will cease in the park by December 31, 1985. This date was based on depreciation schedules for fishing boats and gear. These schedules indicate stone crab traps fully depreciate in 3 years; fiberglass boats in 7 to 15 years; wooden mullet skiffs in 5 to 7 years. Gear such as nets, tackle, poles and outboard engines, commonly are written off as expenses and are not depreciated. No additional fishermen have entered the fishery since the August 23, 1978, moratorium. A seven (7)-year period, therefore, will allow total or at least 50% depreciation.



The major impact of this option will be the estimated loss of \$1.21 million that the park's commercial fishery provides the local economy. Additionally, 155 commercial fishermen (excluding guides) will be displaced from their traditional park fishing areas. This \$1.21 million loss represents 0.5% of the total worth of Florida's commercial fishing industry and 1.8% of the value of landings in Collier and Monroe counties. The six (6)-year phase-out period will allow fishermen to seek new fishing areas, outside the park, and this might mitigate partially the eventual impact of this alternative on them.

Further impacts of this alternative are that approximately 1.3 to 1.7 million pounds of fish and crabs will be available to the ecosystem annually to be consumed, caught by recreational fishermen or migrate out of park waters into commercial fisheries. This action will eliminate net encounters with endangered species. It also will eliminate the navigational hazard posed by crab trap buoys and lines. Finally, this will enable the stone crab and mullet populations to regain historical age-size structure, distribution and abundance in the park. Additionally, it will reduce the possibility of biological and economic overfishing of popular food fish species, such as red drum, spotted seatrout and gray snapper, by commercial hook and line fishermen.

This alternative resulted from public comment on D.1 and D.2, which addressed limiting commercial permittees to 290 individuals with one-to-one replacement and a gradual phase-out of commercial fishing, respectively. Since the weight of comment opposed commercial fishing, we believe this alternative, containing a warning period and considering depreciation of equipment, would be the most equitable. The regulations controlling this phase-out will be presented as changes in Title 36 of the Code of Federal Regulations, pending consultation with the U.S. Fish and Wildlife Service.

The proposed regulations implementing this alternative are set forth in section (h).

G. ESTABLISH SANCTUARY AREAS

G. Establishment of sanctuary areas in endangered species critical habitats (variation of Alternative E.1)

Recently, much concern has been placed on the status of the American crocodile population inhabiting northeast Florida Bay. These crocodiles are an endangered species protected by federal law. As previously stated, netting and boat use can adversely affect these animals and their habitat. The area being considered includes: back bays north of Long Sound, Snag Bay, Joe Bay, Davis Creek, Mud Creek, Dynamite Pass and Little Madeira Bay. (See map, page 9)

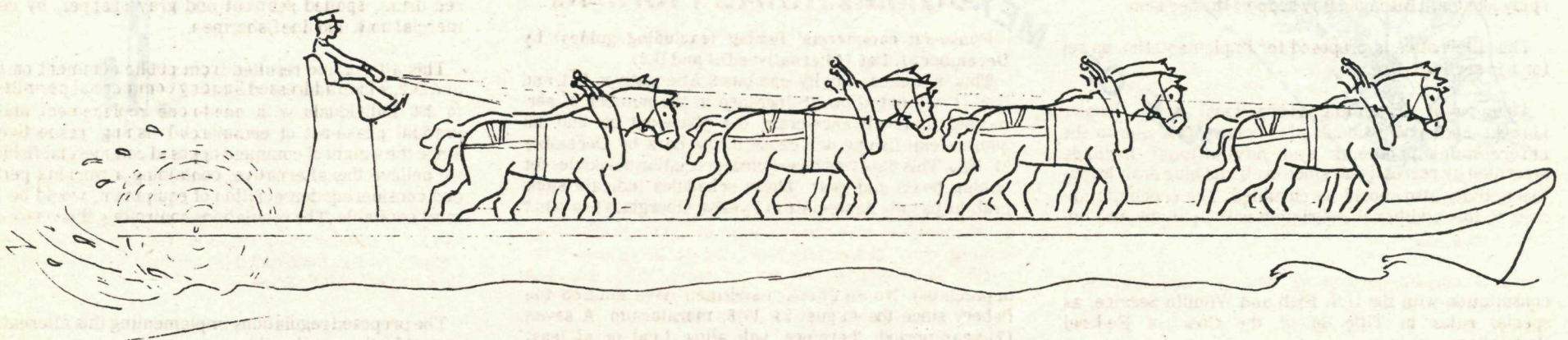
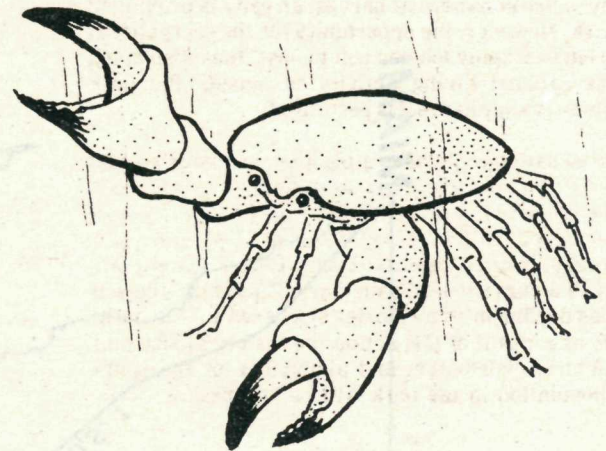
The idea of sanctuary designation was brought up in all workshop sessions and received moderate support. The effect of sanctuary designation was not analyzed in the assessment of alternatives, but since 50% to 60% of all the mullet landed from North Florida Bay are taken in this area an annual loss of \$188,250 to \$225,900 could be anticipated.

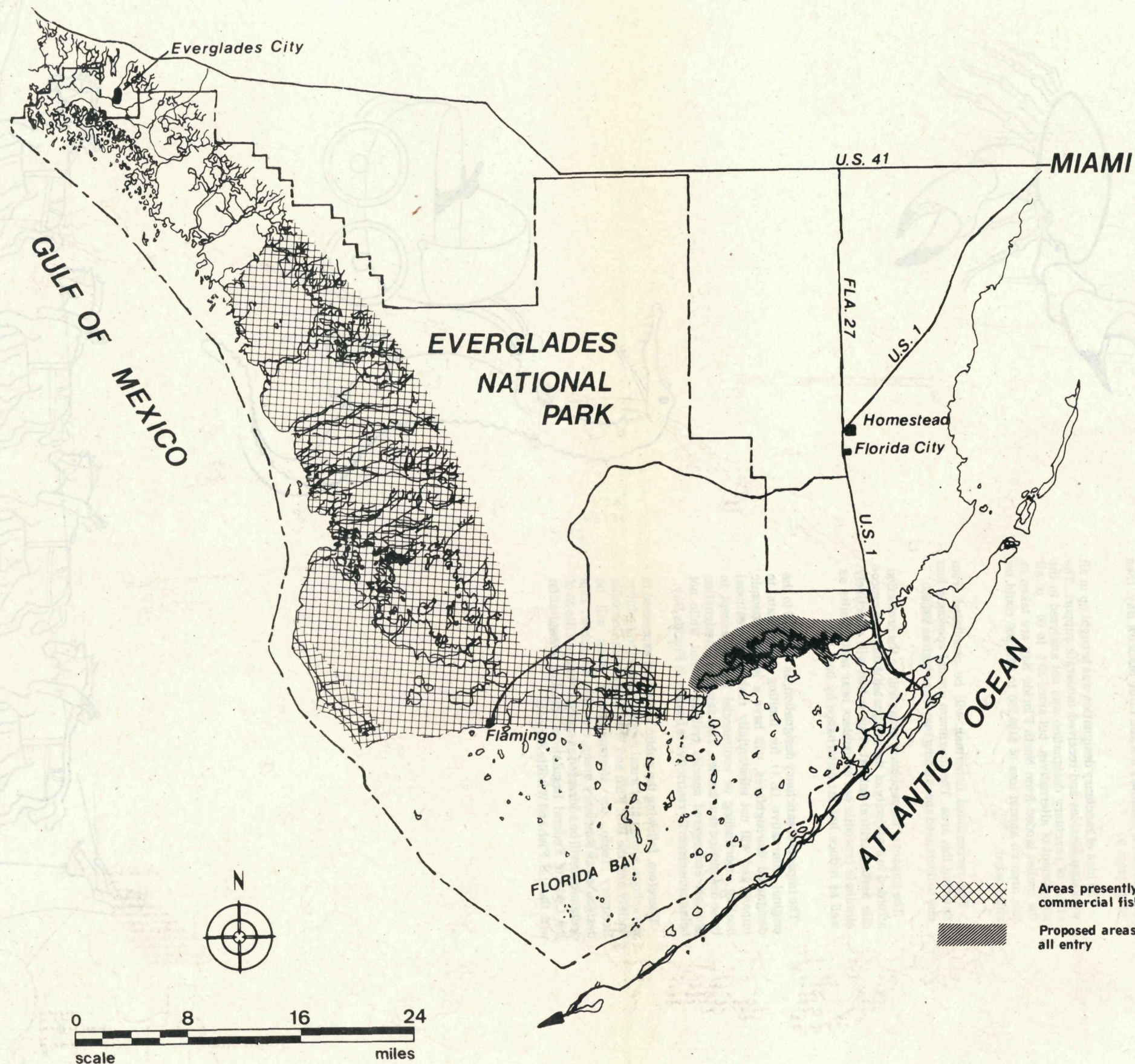
The recreational fisherman will be prohibited from entering this area. The maximum annual economic loss due to decreased sportfishing may be as high as \$96,300.

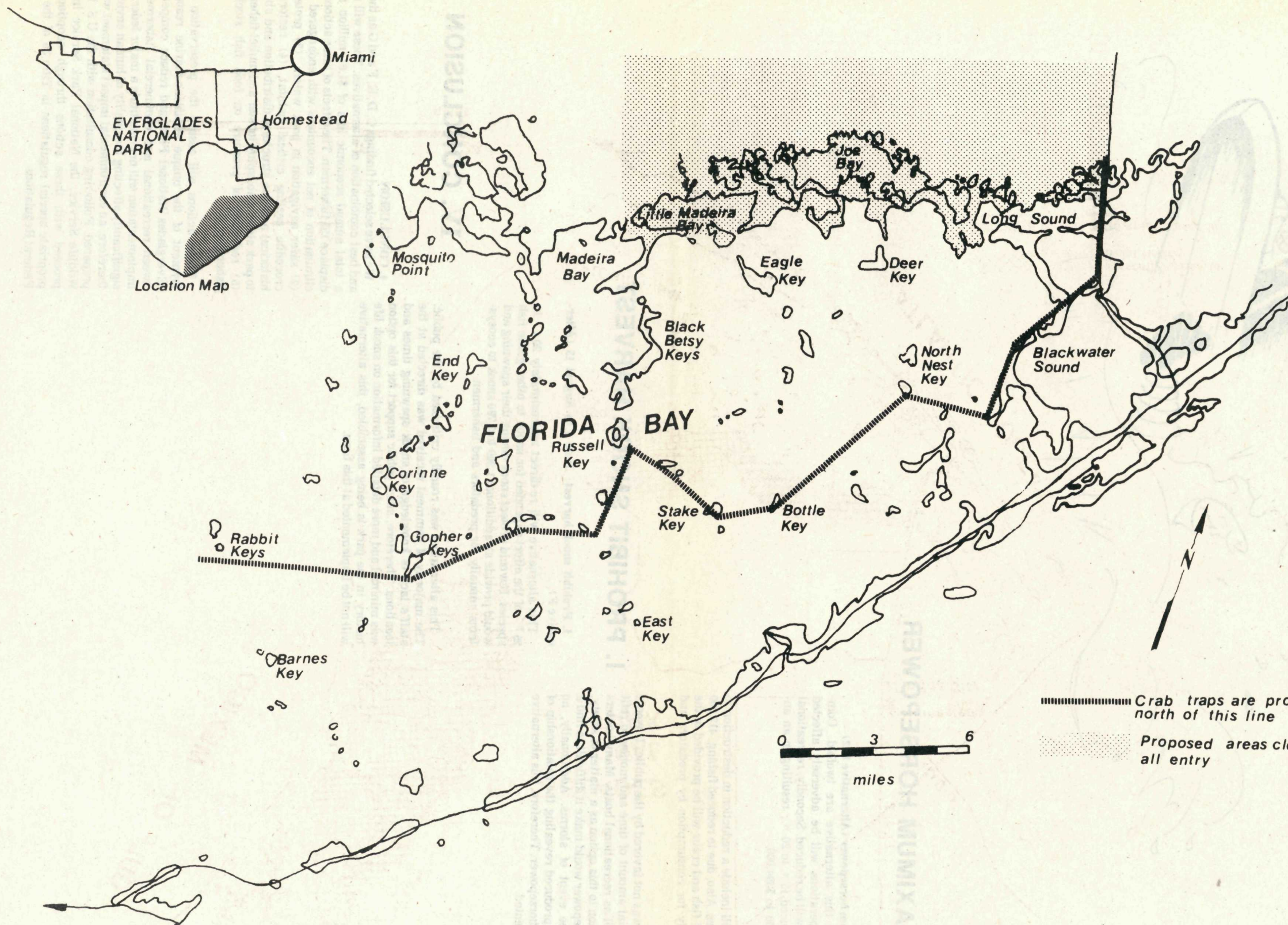
The impact of the sanctuary areas will be the protection afforded to a majority of the designated American crocodile nesting critical habitat. This option will effectively eliminate crocodile net encounters near nesting sites as well as reduce habitat disturbance by boat use.

The impacts of sanctuary designation, as opposed to the original alternative (E.1) for limiting motorboats to designated thoroughfares, will have a lesser economic impact and will not substantially restrict recreational boating, sportfishing or commercial fishing except in those designated sanctuaries. This sanctuary designation protects endangered species critical habitat while not being unnecessarily restrictive to boaters in Florida Bay.

Therefore, following the public sentiment expressed in workshops, along with formal requests from the Audubon Society and the U.S. Fish and Wildlife Service Crocodile Recovery Team, the aforementioned areas will be designated as sanctuary areas, closed to the public. This designation will be addressed as special rules in Title 36 of the Code of Federal Regulations, pending consultation with the U.S. Fish and Wildlife Service.

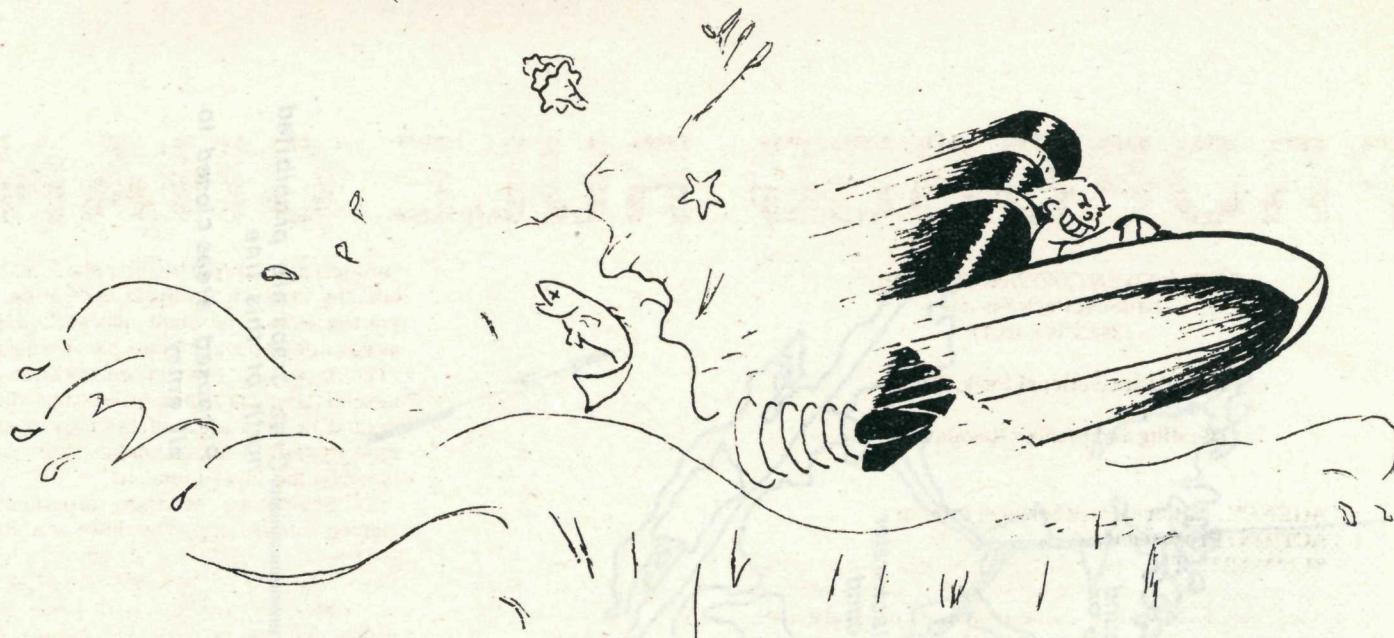






..... Crab traps are prohibited
north of this line

..... Proposed areas closed to
all entry



H. LIMIT MAXIMUM HORSEPOWER

H. Limit maximum horsepower (Alternative E.2)

The impacts of this alternative are twofold. Commercial fishing operations will be adversely affected because efficiency will be reduced. Secondly, recreational fishing will be reduced 15 % to 20 %, resulting in an annual loss of \$197,000 to \$394,000.

Other impacts will include a reduction in destruction to bottom communities. Also, due to reduced fishing, 417,000 to 833,400 pounds of fish and crabs will be provided to the ecosystem annually for consumption by predators and fishermen.

This alternative was not favored by the public. It would require a substantial amount of time and money to refit commercial as well as recreational boats. Many boaters cited their opposition to this option as a matter of safety, since reduced horsepower would make it difficult to find a safe harbor in the event of storms. Additionally, no evidence could be produced revealing the relationship of bottom damage to horsepower. Therefore, this alternative will not be implemented.

I. PROHIBIT SNOOK HARVEST

I. Prohibit snook harvest: June 1 to August 15 (Alternative F).

This alternative will re-direct approximately 20 % to 25 % of the effort expended for snook to other game fish species. It would protect snook during their spawning and would provide an additional 1,200 to 5,790 snook to ecosystems annually for predators and fishermen.

This alternative was roundly criticized by the public. The majority of comment received was directed at the staff's lack of knowledge of snook spawning times and locations. Therefore, since public support for this option was minimal and more detailed information on snook life history in the park is being assembled, this alternative will not be implemented at this time.

IV. CONCLUSION

4. CONCLUSION

We have selected findings C, D, E, F and G as the proper and best combination of alternatives. These will result in a total annual economic loss of \$1.67 million and will displace 155 fishermen. The effects of these actions are (1) elimination of net encounters with endangered species, (2) safer navigation in park waters, (3) protection of crocodile nesting critical habitat, (4) restoration of historical age-size structure, distribution and abundance to park stone crab, spiny lobster and mullet fisheries, and (5) reduction of pressure on food fish stocks from fishermen.

These actions will assure the preservation and enjoyment of the unique estuarine-marine resources of Everglades National Park and reduce competition between recreational and commercial fishermen. Their implementation will not constitute a major federal action significantly affecting the quality of human environment; therefore, an environmental impact statement will not be prepared. Following consultation with the U.S. Fish and Wildlife Service, the National Park Service intends to proceed with these actions through adoption of appropriate special regulations in Title 36 of the Code of Federal Regulations.

PROPOSED RULE CHANGES

DEPARTMENT OF THE INTERIOR
National Park Service
(36 CFR Part 7)

Everglades National Park, Florida

Boating and Fishing Regulations

AGENCY: National Park Service, Interior.

ACTION: Proposed Rule.

SUMMARY: The proposed regulations set forth below are necessary to ensure the preservation and enjoyment of the unique estuarine-marine resources of Everglades National Park. These regulations have been designed to provide greater resource protection through regulated use and to provide for increased recreational use and enjoyment of the park resources by resolving the competition between commercial and recreational fishermen.

This will be accomplished by: (1) closure of additional areas of Florida Bay to all public entry by establishing sanctuary areas to protect crocodile nesting critical habitat, (2) restrictions on recreational shellfish harvest (blue crab traps, stone crab traps and spiny lobster), (3) establishment of bag limits for fish species, (4) assimilation of the State of Florida statutes for commercial stone crabbing, and (5) elimination of commercial fishing by December 31, 1985, within waters of the park.

DATES: Written comments, suggestions or objections will be accepted until November 16, 1979.

IMPACT ANALYSIS

The National Park Service has made a determination that the proposed regulations contained in this rulemaking are not significant, as that term is defined under Executive Order No. 12044 and 43 C.F.R. Part 14, nor do they require the preparation of a regulatory analysis pursuant to the provisions of those authorities. In addition, the Service has determined that the proposed regulations do not represent a major Federal action significantly affecting the quality of human environment which would require preparation of an Environmental Impact Statement.

AUTHORITY

Section 3 of the Act of August 25, 1916, (39 Stat. 535, as amended 16 U.S.C.3); 245 DM1 (27 FR 6395) as amended; and National Park Service Order 77 (38 FR 7478, as amended).

In consideration of the following, it is proposed to amend Part 7 of Title 36 of the Code of Federal Regulations by revising section 7.45 (e), (f), (g), (h), to read as follows:

s 7.45 Everglades National Park

(e) **Definitions.** The following definitions shall apply to the provisions of this section.

(1) The term "cast net" means a type of circular falling net, weighted on its periphery, which is thrown and is retrieved by hand.

(2) The term "crawfish" means invertebrates of the genus *P. anulus* (spiny lobster).

(3) The term "dipnet" means a device for obtaining bait, the netting of which is fastened in a frame.

(4) The term "mullet" means a member of the family Mugilidae.

(5) The term "minnow" means a fish used for bait from the family Cyprinodontidae, Poeciliidae, or Atherinidae.

(6) The term "ornamental tropical fish" means finfish not commonly used for food or bait, belonging to the families Syngathidae, Apogonidae, Pomacentridae, Scaridae, Blenniidae, Callionymidae, Gobiidae, Ostraciidae and Diodontidae.

(7) The term "pilchard" means a member of the herring family (Clupeidae), generally used for bait.

(8) The term "pinfish" means a member of the genus Lagodon (family: Sparidae).

(9) The term "shrimp" means a member of the invertebrate family Penaeidae.

(f) **Fishing.** Except as provided in these regulations, or in s 2.13 of Title 36 of the Code of Federal Regulations, all

commercial and sportfishing shall be done in accordance with the laws of the State of Florida, including license requirements, and such nonconflicting State laws are hereby adopted and made a part hereof by reference.

(1) A person, firm or corporation engaged in commercial fishing or commercial harvesting of an edible sea product in the waters of the park open for this purpose must possess an annual nonfee commercial fishing permit issued by the Superintendent.

(2) Seahorses, starfish, ornamental tropical fish, nonfood fish, as defined by the laws of the State of Florida, and mollusks other than oysters shall not be taken from park waters for any purpose, except as provided herein.

(3) The taking of oysters from the waters of the park is prohibited, except by hand or rake for personal use.

(4) The taking of crawfish (spiny lobster) from waters of the park is prohibited.

(5) Recreational crabbing (stone and blue) may be conducted using attended gear only and no more than five (5) traps per person. Buoyed traps and other unattended gear are prohibited.

(6) Crabs (stone and blue) may be taken from park waters by commercial fishermen as provided for in Florida statutes 370.13, 370.132 and 370.135 and subject to the following restrictions:

(a) A person, firm or corporation must possess a valid commercial fishing permit as provided for in subsections (f)(1) of this section and shall not operate more than a total of 400 traps.

(b) All traps shall be made of wood and be buoyed as provided for in Florida statute 370.13.

(c) Traps may be used only in those park waters hereinafter described; provided, however, that such traps may not be placed closer than 200 feet from any Key or marked waterway:

Blackwater Sound and Buttonwood Sound; that portion of Florida Bay south of a line drawn from the southern tip of Boggy Key to the northern tip of Whaleback Key, thence to the southeastern tips of South Nest Key, North Butternut Key, and Bottle Key, thence southwesterly following the south side of a series of banks to the southern tips of Low Key, Stake Key, and Manatee Key, thence westerly to a small unnamed key north of Jimmies Channel, thence south following shoal waters to Captains Key, thence westerly following shoal waters touching a series of unnamed keys to Panhandle Key; thence to the northern tips of Spy Key, Sid Key, Cluett Key, Man-of-War Key, thence to the southern tip of Sandy Key, thence to the Intracoastal Waterway Marker No. 2 south of East Cape Sable; and the area south and west of a line connecting said marker to points one-quarter mile offshore from East Cape, Middle Cape, Northwest Cape, Shark Light, Shark Point, Highland Point, Porpoise Point, Seminole Point, Mormon Key, Pavilion Key, Rabbit Key, Indian Key Light and to the park boundary corner at approximately 25°50' N. latitude, 81°30' W. longitude.

(7) Live bait (shrimp, minnows, pilchards, pinfish or mullet) may be taken by fishermen with hook and line, dipnet (not exceeding 3 feet at its widest point), or by cast net (not exceeding 12 feet in diameter). No live bait shall be taken by fishermen for the purpose of sale. Dipnets and cast nets may not be dragged or trawled.

(8) Gill nets shall not exceed singly or in combination 1,200 yards in length and shall have a stretch mesh of not less than 2½ inches from knot to knot after being shrunk. Twine used shall not exceed No. 208 nylon or monofilament. Only one lead line and one cork line shall be permitted, and neither lead nor cork lines shall be more than five-sixteenths of an inch in diameter. No purse, pocket or other special device for entrapping or catching fish shall be used on a gill net except as provided in subsection (f)(9) of this section.

Gill nets may be gathered or taken in by hand only and shall not be dragged. Nets shall not be pulled up on shore. Gill nets may be tied together and used in groups of not more than three: Provided, that the nearest net or groups of nets shall be at least 500 yards from any other gill net. When used at night, such nets shall be marked with lighted buoys.

(9) Trammels shall have a stretch mesh of not less than 12 inches (on gill nets of not less than ¾ inches stretch mesh). Trammel nets shall not exceed 1,200 yards in length used singly or in combination. Trammel nets shall not be dragged. The nearest set or group of sets shall be at least 200 yards from any other net. When used at night, such nets shall be marked with lighted buoys. Trammel

PROPOSED RULE CHANGES

Continued from Page 11

nets shall not be used within the Florida Bay area of the park.

(10) Except as provided in this section, no nets, seines, traps, spears, explosives, or other devices for the trapping, catching, killing, or taking of fish, bait, or other edible product of the sea, except hook and line, may be placed, used or possessed by any person, firm or corporation within the park.

(11) No person, firm or corporation engaged in commercial fishing shall leave any net, trap, or other device used for taking products of the sea unattended for more than fourteen (14) days.

(12) The following areas are closed to all fishing:

(i) All waters of T.58S., R.37E., sections 10 through 15, inclusive, measured from Tallahassee meridian and base, in the vicinity of Royal Palm Visitor Center, except Donut Lake and Pine Island Lake.

(ii) All waters in T.54S., R.36E., sections 19, 30, and 31, and in T.55S., R.36E., sections 6, 7, 18, 19, and 30, measured from Tallahassee meridian and base, in the vicinity of Shark Valley Loop Road from Tamiami Trail south.

(13) The following described areas are closed to all commercial fishing (except guide fishermen) and to the taking of products of the sea by nets or traps for any purpose:

(i) All inland bays, bights, canals, lakes, rivers and other bodies of water lying inland from the shores of Florida Bay and, in addition, the area north of a line drawn from Christian Point to Shark Point to Mosquito Point, including Otter Key, thence to Crocodile Point to Terrapin Point and to Madeira Point.

(ii) All inland bays, lakes, canals, rivers, and other bodies of water lying inland from the nearest recognizable mainland shoreline from Flamingo to East Cape Sable and north to and including Lostman's River. For the purpose of this paragraph, the mainland shorelines shall be considered to be that area where the gulf coast rivers flow into the Gulf of Mexico.

(iii) From Lostman's River to the park boundary corner at approximately 25°50' N. latitude, 81°30' W. longitude, the following inland waters: Gopher Key Creek from its junction with Cannon Bay southwestward through Charlie Creek to the Gulf of Mexico, all waters in the Gopher Key Creek drainage basin, and all waters from the north end of Alligator Creek to Onion Key.

(14) West Lake Pond, Coot Bay Pond, and other small ponds bordering the park road shall be closed to fishing and the harvesting of any edible product of the sea during those periods, as determined by the Superintendent, that such action is necessary to protect feeding and roosting birds. Notice of closing shall be given by the posting of appropriate signs at these locations.

(15) Possession of a gill net, trammel net, crab trap, or other commercial fishing equipment while in closed waters is prohibited, except that during an emergency or in times of inclement weather, boats with such equipment may anchor behind outside islands or in the mouths of rivers only. The equipment may not be used during this time and when the emergency or inclement weather has passed, boats with such equipment aboard shall be removed from such closed waters.

(16) Nets, gear and fish, and other edible products of the sea that are legally possessed in State waters but are illegally possessed in park waters may be transported through the park only over Indian Key Pass, Sand Fly Pass, Rabbit Key Pass, Chokoloskee Pass and a passageway northwestward by the most direct route across Chokoloskee Bay to Fakahatchee Bay. Boats traveling through these passageways with such nets, gear, fish, or other edible products of the sea shall remain in transit unless disabled.

(17) Fish may not be fileted while in or on Park waters, except for four (4) filets per person for immediate consumption.

(18) Bag Limits: No person shall take, have in his possession, buy, offer for sale, sell, or unnecessarily destroy, at any time, more than: Ten (10) fish of one species, excluding bait fish, as stated in subsection (f)(7), and not totally more than twenty (20) fish of all species, excluding bait fish, with the exception of persons, firms, or corporations holding a valid commercial Park fishing permit for mullet and pompano netting only.

(g) Boating.

(1) West Lake Pond and West Lake shall be closed to all vessels during those periods, determined by the superintendent, that these areas are being used by feeding birds. At all other times, these areas, including Little Sable Creek, shall be open only to handpropelled vessels or Class A motorboats powered by motors not to exceed 5½ horsepower that can be launched by hand. Notice of closing will be given by the posting of appropriate signs at these areas.

(2) Except to effect a rescue, or unless otherwise officially authorized, no person shall land on keys of Florida Bay except those marked by signs denoting the area open, nor on the mainland shorelines from Terrapin Point eastward to U.S. Highway 1, including the shores of all inland bays and waters and those shorelines contiguous with Long Sound, Little Blackwater Sound, and Blackwater Sound.

(3) Motorboats are prohibited in the following inland fresh water areas: Long Pine Key Lake, Pine Glade Lake, Sisal Pond, Big Ficus Pond, Sweetbay Pond, Paurotis Pond, Nine Mile Pond, Royal Palm Pond, Pine Island Pond, Parachute Key Ponds, Coot Bay Pond, and Mrazek Pond and L67 Canal.

(4) The following described areas are closed to all public entry: Little Madeira Bay, Taylor River, East Creek, Mud Creek, Davis Creek, Joe Bay and its easternmost portion, commonly called Snag Bay, and all creeks inland from the northern shoreline of Long Sound to U.S. Highway 1.

(5) Vessels used as living quarters shall not remain in or be operated in the waters of the Park for more than 14 days without a permit issued by the superintendent. Said permits will prescribe anchorage location, length of stay, sanitary requirements and such other conditions as considered necessary.

(6) The following area bordering the Shark Valley Loop Road from Tamiami Trail south is closed to all boating: Sections 19, 30, and 31, Township 54 South, Range 36 East; sections 6, 7, 18, 19, and 30, Township 55 South, Range 36 East.

(h) Prohibition of Commercial Fishing.

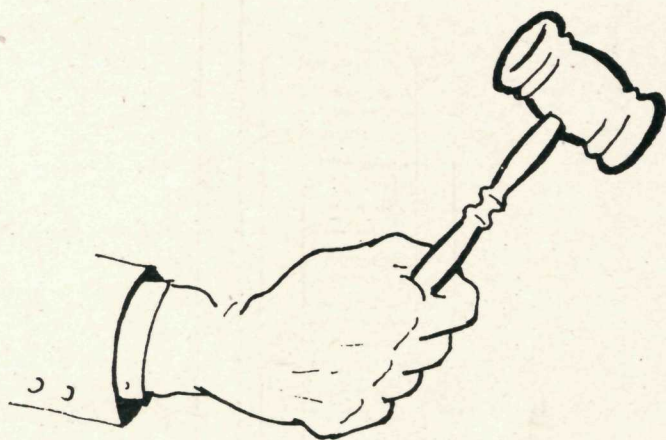
(1) As of December 31, 1985, all commercial fishing will be prohibited in the waters of the Park. Guide fishermen will not be included under this provision and will not be required to obtain permits from the Park to fish its waters. When this provision becomes effective, the regulations will be revised to reflect this change.



NOTES

YOUR COMMENTS

NOTES



WHAT HAPPENS NEXT?

A great many people, not just in South Florida but throughout the United States, are vitally concerned about the future management policies for the fishery at Everglades National Park. We anticipate the public hearings will be well attended with a substantial number of written comments provided before the close of the comment period.

The comments will all be reviewed by the National Park Service, and final regulations will then be developed. Unless there is some unforeseen delay, the final regulations should be published in the Federal Register before the end of the year. Rules of this type normally become effective 30 days after the final publication.

----- CUT ON DOTTED LINE -----

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
EVERGLADES NATIONAL PARK
P. O. BOX 279, HOMESTEAD, FLA. 33030

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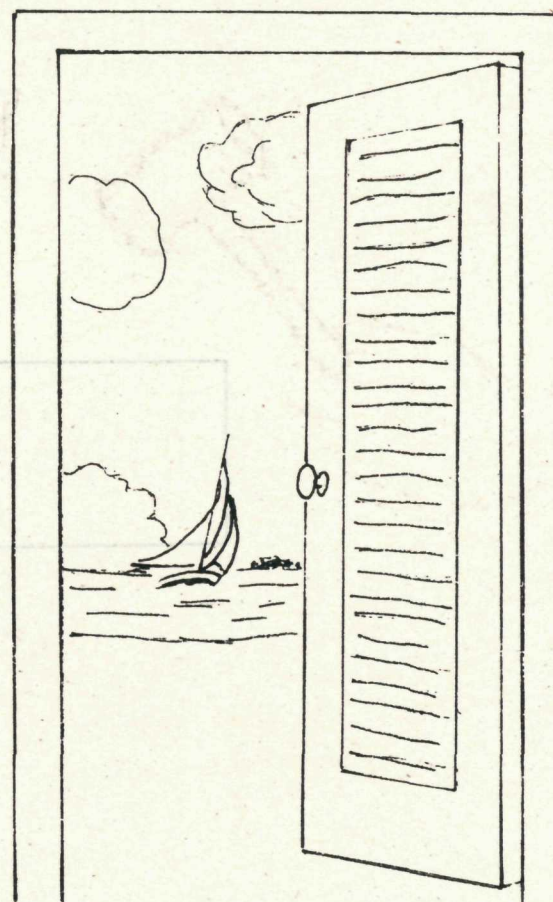
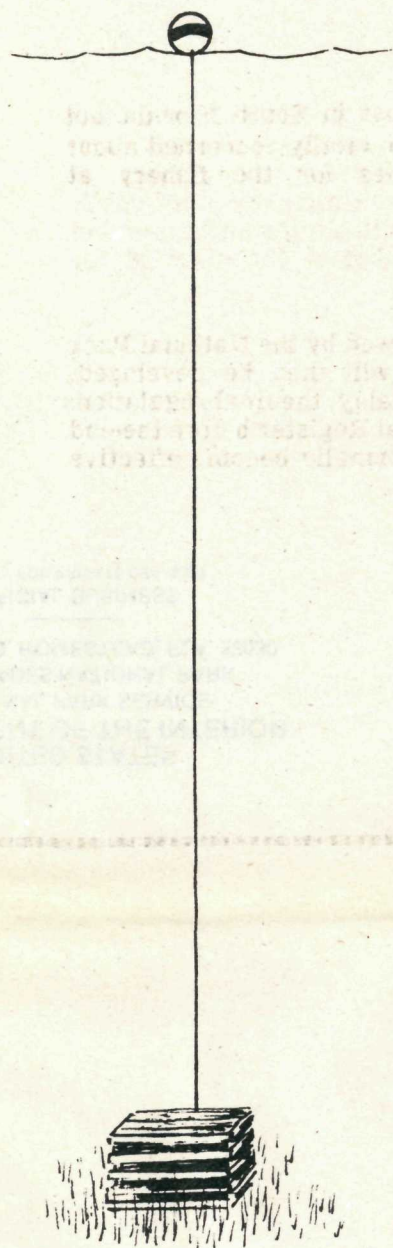
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DROP US A LINE



OUR DOOR IS OPEN . . .

We have made the proposals, and now, instead of talking, we want to listen. Tell us how you feel about the rules. We are easy to reach and encourage anyone with an interest in the park to let us know your thoughts. If there is something that is not clear, ask us.

Talk to the uniformed personnel who will be available from 6:00-7:00 p.m. at each of the public meetings. They will be happy to answer questions and explain the regulations.

Or call us at (305) 247-6211 during regular business hours, especially if you have questions.

If you cannot attend one of the public meetings — or if speaking in front of a group makes you uncomfortable — give us your comments in writing.

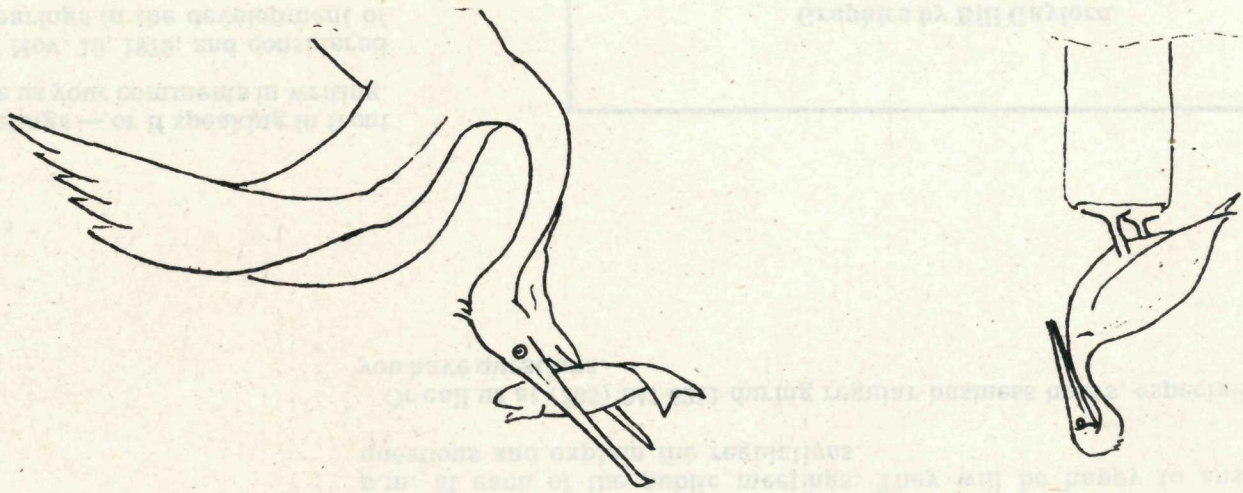
Written comments will be accepted until Nov. 16, 1979, and considered along with the proceedings of the public hearings in the development of the final regulations.

On the adjoining page is a pre-addressed comment form which requires no postage. Simply cut and fold as indicated, tape or staple securely, and drop into any mailbox. What could be easier?

Graphics by Bill Gaylord
Everglades National Park

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AN INFORMATION PACKET FISHERY MANAGEMENT EVERGLADES NATIONAL PARK



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