

# Biscayne National Park Update



## Recent Actions

- The Florida Fish and Wildlife Conservation Commission (FWC) and the National Park Service (NPS) worked collaboratively to develop fishery regulations within Biscayne National Park (BNP) to meet the goals of the park's Fishery Management Plan (FMP).
  - Regulations went into effect in 2020 but did not include the no-take Marine Reserve Zone (MRZ) that was listed in the preferred alternative in the BNP General Management Plan (GMP).
- In December 2020, the National Parks Conservation Association (NPCA) sued NPS, claiming they unlawfully failed to take action to protect BNP because they did not pursue the no-take MRZ and a commercial fishing phase-out.
- In March 2024, a judge ruled NPS impermissibly delayed implementing the MRZ, but also ruled NPS was not bound to implement a commercial fishing phase-out.
  - The judge ordered NPS to “publish a proposed special regulation to designate the [BNP] Marine Reserve Zone as soon as practicable.”

## Park Location

- In southeast Miami-Dade County, Florida, next to Miami
- Encompasses 272 square miles (173,900 acres)
  - 95% is covered by saltwater
- The eastern boundary follows the 60-foot depth contour, with 8.8% of the park extending into federal waters (Figure 1)
- Close proximity to highly urbanized area can lead to:
  - Reduced water quality
  - High fishing effort

## Management Authority

- FWC fishing regulations apply throughout the park's state waters.
  - FWC retains the sole authority for fishing regulations in the northern and southern portions of the park that were donated by the State for the park in 1980 (Figure 1).
  - Traditionally, NPS has collaborated with FWC on fisheries management to maintain consistent fishing regulations within the park boundaries.
- NPS can make additional fishing regulations within the central portion of the park after consultation with the State of Florida.
- South Atlantic Fishery Management Council (SAFMC) has management authority for federally managed species in the park's federal waters but has traditionally deferred to FWC and NPS.

## BNP Management Plans

- General Management Plan (GMP)
  - Developed by NPS to establish a long-term management philosophy about activities in the park.
  - GMP has defined zones with different levels of resource protection and various activities.
  - The final GMP was released in 2015 and it included the MRZ as a management option.
    - NPS has not established the MRZ and was working with FWC to implement other, less-restrictive options first.

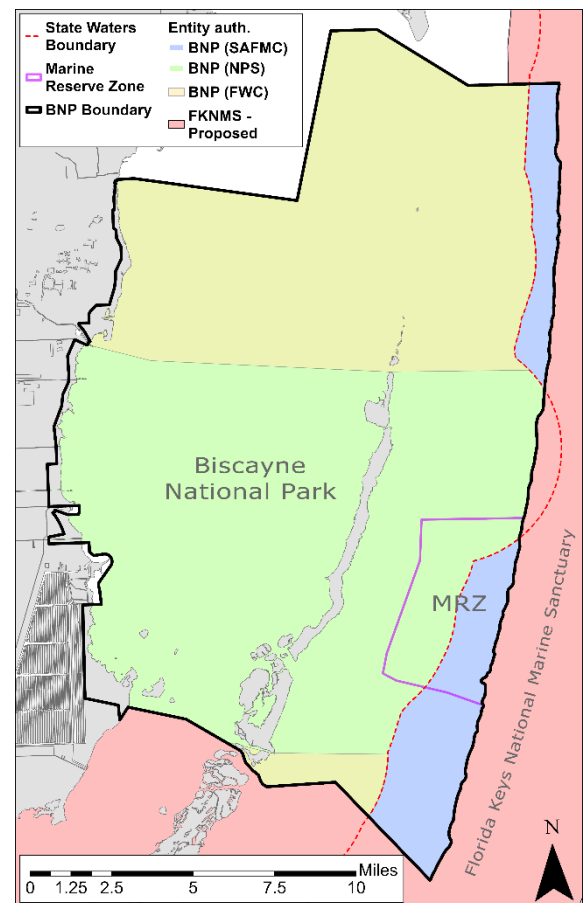


Figure 1: Map of Biscayne National Park with various boundaries marked. Map legend in upper left corner.

- Fishery Management Plan (FMP)
  - Jointly developed between FWC and NPS to balance recreational and commercial fishing activities in the park with protection of the park’s fisheries resources.
  - Intended to guide fisheries management within the BNP on a 5 to 10-year timescale.
  - Includes various management options that could be undertaken to improve fishery resources within the park.
  - The final FMP was released in 2014, the preferred alternative that was selected had the goal of increasing the abundance and average size of targeted fish and invertebrate species by at least 20% and to conserve important marine habitat inside BNP.

## 2020 FWC BNP Regulations

- NPS and FWC agreed that FWC would develop fishing regulations for the entire park to minimize regulatory complexity and public confusion.
- The purpose for the suite of regulations was to promote achievement of the FMP’s goals and included:
  - Modified size and bag limits for certain species.
  - Zones restricting the use of certain gear or activities to provide additional habitat protection.
- The final rule hearing for these regulation changes occurred at the February 2020 FWC Commission Meeting. At this time, the FWC Commission also gave approval to move forward with the FWC-BNP Science Plan and Memorandum of Understanding.
  - SAFMC sent a letter of support for FWC to promulgate fishery rules that are consistent with BNP’s FMP throughout the portion of the park that is in Federal waters.
  - The MRZ was not brought forward by NPS during this process at the request of FWC and the U.S. Congress. Instead, NPS would first try other coral protections, such as mooring buoys, in addition to the suite of regulations being implemented by FWC.

## Marine Reserve Zone (MRZ) — GMP

- The NPS’s preferred alternative for the GMP included an MRZ.
  - It encompasses approximately 10,512 acres.
  - It is located along the eastern boundary of the park and a portion of this zone would be within both state and federal waters.
  - This area makes up 6% of the park’s total area but encompasses an estimated 37% of the best habitat for targeted reef fish within the park.
- The GMP states that the MRZ would prohibit all recreational and commercial fishing activities.
  - The only consumptive activity that would be allowed is the spearing of lionfish and other non-native species.
  - All non-consumptive activities, such as diving, boating, and snorkeling, would be allowed in this area.
  - NPS has indicated that after they finish deploying mooring buoys within the area that was proposed as the MRZ in the GMP, they intend to prohibit anchoring in this area.
    - Mooring buoy deployment expected to be complete by end of 2024.
  - When the MRZ was initially proposed, it received strong opposition from the local fishing community and strong support from environmental groups.