

FLORIDA

Introduction

Aquatic Preserves have existed in Florida since the 1960s.¹ Estero Bay was the first waterbody in Florida to receive Aquatic Preserve designation in 1966.² In 1967, the Florida legislature passed the Randall Act, which set forth a process to regulate previously unrestricted dredging and filling on state-owned submerged lands.³ Other legislation passed in 1967 gave the Board of Trustees of the Internal Improvement Trust Fund⁴ (BOT) proprietary control over state lands.⁵ The passage of these laws led to a moratorium on the sale of submerged lands to private parties⁶ and the creation of an Interagency Advisory Committee on submerged lands management, which recommended the establishment of twenty-six Aquatic Preserves. This chain of events led to the passage of the Florida Aquatic Preserve Act⁷ (FAPA) in 1975. FAPA established the Florida Aquatic Preserve Program, the purpose of which is to create new Aquatic Preserves and to manage existing and future preserves. The intent of FAPA is to set aside for future generations "state-owned submerged lands in areas which have exceptional biological, aesthetic, and scientific value as aquatic preserves or sanctuaries."⁸ The Florida Department of Environmental Protection's Office of Coastal and Aquatic Managed Areas administers Aquatic Preserves.

The primary management objectives for aquatic preserves are to maintain and improve existing resources such as seagrasses, mangroves, aquatic plants, birds, and fish so that the public may continue to enjoy such activities as boating, swimming and fishing.⁹ Preservation of cultural resources such as campsites and debris middens left by aboriginal populations and former military forts are also priorities of the Program.¹⁰ Aquatic Preserves established under FAPA only include lands or water bottoms owned by the State.¹¹ Privately owned lands and water bottoms are specifically excluded from the program, but BOT negotiates agreements with private landowners for inclusion in the Program.¹² Title to all sovereignty lands vests in the BOT and is held in trust for use by, and benefit of, the public.¹³

Florida's State Buffer Preserve Program is an extension of the Aquatic Preserve Program. Buffer Preserves typically are upland habitats that are established and managed to protect the watersheds of, and lands adjacent to, Aquatic Preserves. Two of the main objectives of State Buffer Preserves Program are (1) to protect and preserve wetlands, the waters and natural resources of adjacent aquatic preserves, parks, and other special management areas and (2) to restore natural communities and original ecosystem functions that have been degraded.¹⁴ The Florida Department of Environmental Protection's Florida Park Service administers State Buffer Preserves.

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1. Florida Department of Environmental Protection, Florida Aquatic Preserve Program, at <http://www.dep.state.fl.us/coastal/programs/aquatic.htm> (accessed December 7, 2003).
 2. *Id.*
 3. Bureau of Submerged Lands and Preserves, Florida Department of Natural Resources (now Florida Department of Environmental Protection), Lemon Bay Aquatic Preserve Management Plan 13 (1992), available at http://www.dep.state.fl.us/coastal/downloads/management_plans/aquatic/Lemon_Bay.pdf (accessed February 2, 2004).
 4. The BOT consists of the Governor and the Governor's Cabinet.
 5. *Id.* See also FLA. STAT. ANN. Section 253.03.
 6. *Id.*
 7. FLA. STAT. ANN. Section 258.35 et seq.
 8. FLA. STAT. ANN. Section 258.36.
 9. Florida Department of Environmental Protection, Florida Aquatic Preserve Program, at <http://www.dep.state.fl.us/coastal/programs/aquatic.htm> (accessed September 7, 2003).
 10. *Id.*
 11. FLA. STAT. ANN. Section 258.40.
 12. *Id.*
 13. See FLA. STAT. ANN. Section 253.03. See also FLA. STAT. ANN. Section 253.02.
 14. FLA. ADMIN. CODE 18-23.002.

General Programs

Artificial Reef Program

Florida's Artificial Reef Program was created by statute and is administered by the Florida Fish and Wildlife Conservation Commission (FWC) to "enhance saltwater opportunities and to promote proper management of fisheries resources associated with artificial reefs for the public interest."¹⁰ Participants in the program include the FWC, coastal local governments, state universities, and nonprofit corporations. FWC provides grants and financial and technical assistance to these participants for the siting, development, monitoring, and evaluation of artificial reefs and their recreational, biological, and economic effectiveness.¹¹ The program is funded from state, federal, and private contributions.¹² FWC is authorized to accept title, on behalf of the state, of vessels for use as offshore artificial reefs, and the program may be funded from state, federal, and private contributions.¹³

Currently, Florida is in the process of revising its Artificial Reef Strategic Plan. The Revised Strategic Plan will serve as a blueprint for FWC and coastal local government programs for the next five years and to guide the program and other artificial reef-related activities state-wide.¹⁴ The Revised Artificial Reef Strategic Plan will update the 1992 Florida State Artificial Reef Plan.¹⁵ Among the goals of the 1992 Plan are: to assure long-term social, economic, and quality of life values of artificial reefs, to utilize artificial reefs in scientific research to obtain an understanding of how they function ecologically and physically, to improve intergovernmental coordination and public/private cooperation, and to foster stewardship and understanding of artificial reef issues.¹⁶

Oyster Resource Development Program

Chapter 597, Florida Statutes, directs the Department of Agriculture and Consumer Service's Division of Aquaculture (DOA) to improve, enlarge, and protect the natural oyster and clam resources of the state.¹⁷ The purpose of restoring or constructing oyster reefs in Florida's estuaries is to offset losses of reef habitat caused by sedimentation, adverse environmental conditions, catastrophic events such as hurricanes, and over-harvesting.¹⁸ Requests to restore public oyster reefs can be made by county and city governments, representatives of local oyster farmers associations, and resource managers.¹⁹ The DOA considers all requests before selecting sites for restoration. Oyster restoration and construction involve replacing substrate to form oyster reefs. Replacing loss of buried shell with new shell (i.e., cultch) provides suitable substrate to which larval oysters can attach themselves and facilitate reef development.²⁰

The DOA also conducts relaying and transplanting projects to restore shellfish resources and utilize shellfish populations that otherwise might not be used. Relaying projects use oysters located in waters where harvesting for direct-to-market sales are prohibited for public health reasons.²¹ Relaying is the operation of relocating adult shellfish from waters classified as Restricted or Conditionally Restricted to

10. FLA. STAT. ANN. § 370.25(1).

11. *Id.*

12. *Id.*

13. *Id.*

14. See Florida Fish and Wildlife Conservation Commission, State of Florida Artificial Reef Strategic Plan (November 2003), available at http://marinefisheries.org/ar/AR_agenda_summary.pdf (accessed December 11, 2003).

15. *Id.*

16. *Id.*

17. See FLA. STAT. ANN. § 597.002 (2003).

18. Florida Department of Agriculture and Consumer Services Division of Aquaculture Procedures Manual, Procedures for Restoration and Construction of Public Oyster Reefs (1999).

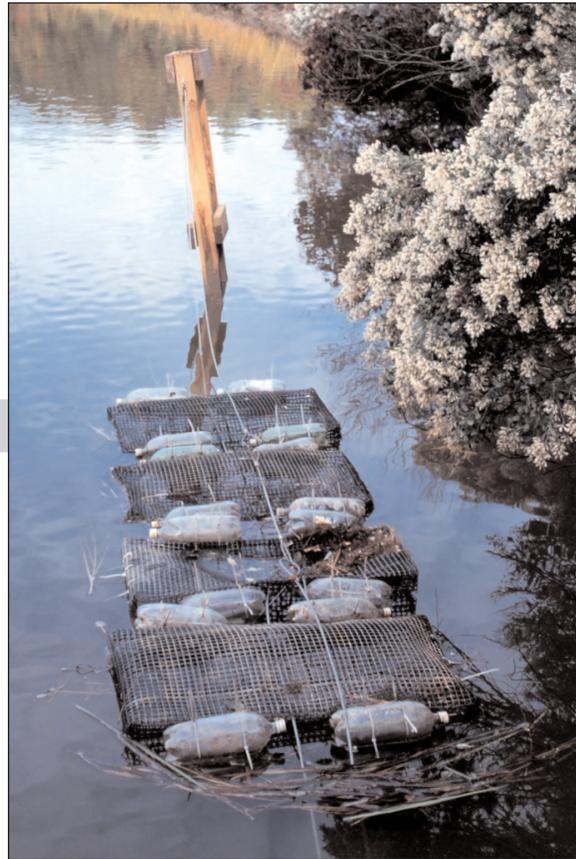
19. *Id.*

20. *Id.*

21. Florida Department of Agriculture and Consumer Services Division of Aquaculture Procedures Manual, Procedure for Conducting Relaying and Transplanting Projects (1999).

waters approved for shellfish harvesting.²² During this process, shellfish are harvested, transported, and replanted on public oyster reefs or clam beds, where harvesting can be prevented until the shellfish cleanse themselves of contaminants.²³ Relaying typically is done during closed harvesting seasons and is subject to strict oversight and supervision to protect the public health.²⁴ Transplanting is similar to relaying, but does not involve the same public health concerns as the relocation of oysters in relaying projects.²⁵ In transplanting projects, seed, juvenile, and adult oysters are moved from reefs located in waters that are classified as "Approved" or "Conditionally Approved," but not conducive to oyster growth and survival to public reefs where environmental conditions are more favorable for growth and survival to marketable size.²⁶

The DOA works with local oyster farmers to identify sites where oysters will be relocated and often employs local oyster farmer associations to move oysters from areas where they may be affected by pollution to waters approved for harvesting.²⁷ Participation by local oyster farmers is critical to the success of oyster restoration and development projects.²⁸



Oyster Float
Courtesy of NOAA National Estuarine Research Reserve Collection
Photograph by April Bahen

22. *Id.*
23. *Id.*
24. *Id.*
25. *Id.*
26. *Id.*
27. *Id.*
28. *Id.*

FEDERALLY-MANAGED AREAS

Cedar Keys National Wildlife Refuge

Authorizing Legislation: Executive Order 5158; Refuge Recreation Act, 16 U.S.C. 460k-460k-4, as amended; and National Wildlife Refuge System Administration Act, 16 U.S.C. 668dd

Signed by President Herbert Hoover on July 16, 1929, Executive Order 5158 originally set aside the island group of Cedar Keys as a refuge and breeding ground for birds. Absent rules or regulations to the contrary, Executive Order 5158 declared it “unlawful to hunt, trap, capture, willfully disturb, or kill any wild animal or bird or take or destroy the eggs of any wild bird; to cut burn, or destroy any timber, underbrush, grass, or other natural growth; to willfully leave a fire to burn unattended or to leave a built fire without totally extinguishing it near any timber or other flammable material; and to willfully injure, molest, or destroy any property of the United States.”²⁹

As they relate to Cedar Keys National Wildlife Refuge, the Refuge Recreation Act and the National Wildlife Refuge Administration Act authorize the protection of natural resources and fish and wildlife. The Refuge Recreation Act authorizes incidental fish and wildlife-related development, protection of natural resources, and the conservation of endangered and threatened species. The National Wildlife Refuge Administration Act authorizes setting aside land for the conservation, management, and restoration of fish, wildlife, and plant resources and their habitats for the benefit of present and future generations of Americans.

Date of Designation: 1929

Management Agency: U.S. Fish and Wildlife Service

Management Goals: (1) To manage and conserve the diversity and ecological function of the Refuge’s flora and fauna, particularly the colonial bird rookery of Seahorse Key, threatened and endangered species, and species of special concern in the state of Florida. Seahorse Key contains ones of the largest colonial bird nesting sites in north Florida; (2) to protect the refuge’s natural and cultural resources in order to ensure their integrity and to fulfill the mission of the National Wildlife Refuge System; (3) to provide opportunities for environmental education, interpretation, and wildlife-dependent recreation when compatible with the purpose, mission and vision of the refuge such that these activities will not negatively impact critical or sensitive habitats; and (4) to promote collaboration and partnerships with private citizens and other agencies to increase research and environmental education opportunities and to protect the coastal ecosystem.

Site Description:

Located 50 miles southwest of the city of Gainesville along the southern edge of the Big Bend region, Cedar Keys NWR covers an approximately 891 acre area in Levy County. The refuge contains many distinct habitats, including twelve islands ranging in size from one to sixty-five acres, maritime forests, salt marshes, mud flats, and seagrass beds. One island, Seahorse Key, was used as a military hospital in the past and also served as a detention camp for members of the Seminole tribe during the Second Seminole War (1835-1842). As trade expanded at the port of Cedar Key, a lighthouse was built on Seahorse Key in 1851. The Union Army during the Civil War later used the area as a military prison. Native Americans occupied the Cedar Keys area for at least 1,000 years from 450 to 1,800 years ago. The University of Florida currently uses the lighthouse and facilities as a Marine Science Laboratory.

29. Exec. Order 5158 (1929).

Regulation:

The primary agency responsible for regulating Cedar Keys NWR is the U.S. Fish and Wildlife Service. The Refuge Recreation Act, 16 U.S.C. 460k-460k-4, restricts public recreation use of fish and wildlife conservation areas, including National Wildlife Refuges. Section 460k lays out public uses that are allowed in the refuge, such as wildlife observation, sport fishing, commercial fishing and crabbing, nature photography, motorized and non-motorized boating, and waterfowl hunting. 50 C.F.R. 27.11-27.97 contains use restrictions. All motorized vehicles are restricted to designated roads. All-terrain vehicles, camping, littering, fires, collecting, horses, and firearms and weapons (except during refuge hunting season, if any) are also prohibited. Pursuant to 50 C.F.R. 32.28, sport fishing is allowed in saltwater areas on a year-round basis in accordance with Florida regulations subject to one condition - a buffer zone of 300 feet, beginning at mean high tide line and extending into the waters around Seahorse Key, is closed to all public entry from March 1 through June 30.

Primary Information Source: Cedar Key NWR website - <http://cedarkeys.fws.gov>



*Cottonmouth Snake
Courtesy of USFWS
Photographer Matthew Perry*

*Brown Pelican
Courtesy of NOAA
Photograph by Frank Ruopoli*



Chassahowitzka National Wildlife Refuge

Authorizing Legislation: The Migratory Bird Conservation Act, 16 U.S.C. 715-715r; Wilderness Act, 16 U.S.C. 1131 et seq., as amended; and Fish and Wildlife Act of 1956, 16 U.S.C. 742(a)-754, as amended

Date of Designation: 1941

Management Agency: U.S. Fish and Wildlife Service

Management Goals: To provide (1) habitat for migratory waterfowl and other birds; (2) habitat and protection for endangered and threatened species such as manatees, sea turtles, and bald eagles; (3) wildlife-dependent recreation; and (4) environmental education to the public.

Site Description:

Located 65 miles north of St. Petersburg, Florida, Chassahowitzka NWR covers approximately 30,842 acres in Citrus and Hernando Counties, Florida and is accessible only by boat. Pursuant to Pub. L. 94-557, 90 Stat. 2633 (1976), approximately 23,360 acres of Chassahowitzka NWR was designated as a Wilderness Area in 1976. It consists of marshlands, swamplands, shallow bays, tidal streams, and the Gulf of Mexico. The NWR provides habitat for approximately 250 species of birds, over 50 species of reptiles and amphibians, and at least 24 species of mammals.

Regulation:

The primary agency responsible for regulating Chassahowitzka NWR is the U.S. Fish and Wildlife Service. The Refuge Recreation Act, 16 U.S.C. 460k-460k-4, restricts public recreation use of fish and wildlife conservation areas, including National Wildlife Refuges. Section 460k lays out public uses that are allowed in the refuge, such as wildlife observation, sport fishing, commercial fishing and crabbing, nature photography, motorized and non-motorized boating, and waterfowl hunting. Motorized vehicles are restricted to designated roads. Pursuant to 50 C.F.R. 27.11-21.97, all-terrain vehicles, camping, littering, fires, collecting, horses, and firearms and weapons (except during hunting season) are prohibited. 50 C.F.R. 32.28 allows hunting of migratory game birds with a permit such as ducks and coots in designated areas of the NWR. Section 32.28 also allows game hunting with a permit of quail, squirrel, rabbit, armadillo, white-tailed deer, and feral hogs in designated areas of Chassahowitzka NWR. Finally, Section 32.28 allows sport fishing on a year-round basis subject to Florida regulations.

Primary Information Source: Chassahowitzka NWR website - <http://chassahowitzka.fws.gov>



*Whooping Crane
Courtesy of USFWS
Photograph by Ryan Hagerty*

*Swallowtail Butterfly
Courtesy of USFWS
Photograph by Ron Singer*



Crocodile Lake National Wildlife Refuge

Authorizing Legislation: Endangered Species Act of 1973, 16 U.S.C. 1531 et seq., as amended; Fish and Wildlife Act of 1956, 16 U.S.C. 742(a)-754, as amended

Date of Designation: 1980

Management Agency: U.S. Fish and Wildlife Service

Management Goals: (1) To provide habitat and protection for federally listed threatened and endangered species; (2) to provide habitat and protection for migratory birds; (3) to protect the globally endangered tropical hardwood hammock plant community; and (4) to provide future opportunities for environmental education and public viewing of refuge wildlife and habitats.

Site Description:

Located north of Key Largo and less than 40 miles south of Miami, Crocodile Lake NWR covers approximately 6,606 acres in Monroe County and is administered by the National Key Deer Refuge. Prior to 1997, Crocodile Lake NWR was managed as a satellite to National Key Deer Refuge. Habitat within the refuge consists of an estuary, upland hammock, mangrove forests, the Gulf of Mexico, and human-made channels. Upland portions of Crocodile Lake NWR include tropical hardwood hammock that are critical habitat to the Key Largo woodrat and cotton mouse and the only federally-listed endangered insect in the state of Florida, the Schaus swallowtail butterfly.

Regulation:

The U.S. Fish and Wildlife Service is the primary agency that regulates Crocodile Lake NWR. The refuge is administered by the Key Deer National Wildlife Refuge. The Refuge Recreation Act, 16 U.S.C. 460k-460k-4, restricts public recreation use of fish and wildlife conservation areas, including National Wildlife Refuges. Section 460k lays out public uses that are allowed in the refuge, such as wildlife observation, sport fishing, commercial fishing and crabbing, nature photography, motorized and non-motorized boating, and waterfowl hunting. Crocodile Lake NWR is small in size and contains habitats and wildlife that are sensitive to human disturbance. Therefore, pursuant to 50 C.F.R. 27.11-27.87, it is closed to the general public, and a Special Use permit is required for access to the refuge.

Primary Information Source:

Crocodile Lake NWR website - <http://southeast.fws.gov/CrocodileLake/index.html>



*Manatees
Courtesy of USFWS
Photograph by Doug Perrine*

Crystal River National Wildlife Refuge

Authorizing Legislation: Emergency Wetlands Resources Act of 1986, 16 U.S.C. 3901 et seq.; Endangered Species Act of 1973, 16 U.S.C. 1531 et seq. as amended; Refuge Recreation Act, 16 U.S.C. 460k et seq.; 1531 et seq. as amended; Refuge Recreation Act, 16 U.S.C. 460k et seq.

Date of Designation: 1983

Management Agency: U.S. Fish and Wildlife Service

Management Goals: (1) To protect the Crystal River herd of the endangered West Indian manatee and their critical wintering habitat; (2) to provide habitat and protection for other wildlife species, including wading birds, raptors, alligators, and fish; and (3) to provide wildlife-dependent recreation and environmental education to the public.

Site Description:

Located 75 miles north of St. Petersburg in the town of Crystal River in Citrus County, Crystal River NWR covers approximately 80 acres and is accessible only by boat. Crystal River NWR preserves Florida's most significant warm water refuge for the West Indian manatee and provides critical habitat for approximately twenty-five percent of the United States' endangered manatee population. Also, it includes twenty islands and small parcels of land that are surrounded by the spring-fed waters of Kings Bay. Six hundred million gallons of fresh water flow daily from the more than thirty natural springs.

Regulation:

The U.S. Fish and Wildlife Service is the primary agency that regulates Crystal River NWR. It is also administered as a satellite refuge of the Chassahowitzka National Wildlife Refuge Complex. The Refuge Recreation Act, 16 U.S.C. 460k-460k-4, restricts public recreation use of fish and wildlife conservation areas, including National Wildlife Refuges. Section 460k lays out public uses that are allowed in the refuge, such as wildlife observation, sport fishing, commercial fishing and crabbing, nature photography, motorized and non-motorized boating, and waterfowl hunting. Since Crystal River is home to the endangered West Indian manatee, there are use restrictions designed for their protection. These use restrictions include idle speed zones, slow speed zones, and "no entry" zones in manatee sanctuary areas from November 15 to March 31. In manatee sanctuary areas, swimming, boating, diving, and fishing are prohibited. Pursuant to 50 C.F.R. 27.11-27.97, ATVs, camping, littering, fires, collecting, horses, and firearms and weapons are prohibited. However, motorized vehicles are restricted to designated roads.

Primary Information Source: Crystal River NWR website - <http://crystalriver.fws.gov/>

Egmont Key National Wildlife Refuge

Authorizing Legislation: National Wildlife Refuge Administration Act, 16 U.S.C. 668dd and Pub. L. 93-341, 88 Stat. 295 (1974)

Date of Designation: 1974

Management Agency: U.S. Fish and Wildlife Service

Management Goals: (1) To provide nesting, feeding, and resting habitat for brown pelicans, terns, and other colonial nesting water birds; (2) to provide habitat and protection for endangered species such as manatees and sea turtles; (3) to preserve and protect barrier island habitat and historical structures of national significance; and (4) to provide wildlife-dependent recreation and environmental education to the public.

Site Description:

Located offshore from the city of St. Petersburg in Hillsborough County, Egmont Key NWR comprises approximately 350 acres and is accessible only by boat. The beach at the refuge is open to the public on a year-round basis to wildlife-dependent public uses, such as wildlife observation, wildlife photography, fishing, and bird watching. However, there are certain areas that are closed to the public. These closed areas have been designated Wildlife Sanctuaries to provide nesting habitat for endangered brown pelicans and other wading birds. The site on which Egmont Key NWR is located has a rich human history. Fort Dade was built in 1882 with temporary gun batteries to protect the city of Tampa during the Spanish-American War. The Spanish fleet never came, but over 70 buildings were built between 1899 and 1916, and a small town with 300 residents existed during that time.

Regulation:

The primary agency responsible for regulating Egmont Key NWR is the U.S. Fish and Wildlife Service. The refuge is also administered as a satellite refuge of the Chassahowitzka National Wildlife Refuge Complex. The Refuge Recreation Act, 16 U.S.C. 460k-460k-4, restricts public recreation use of fish and wildlife conservation areas, including National Wildlife Refuges. Section 460k lays out public uses that are allowed in the refuge, such as wildlife observation, sport fishing, commercial fishing and crabbing, nature photography, motorized and non-motorized boating, and waterfowl hunting. 50 C.F.R. 32.28 allows fishing only from sunrise to sunset on a year-round basis from refuge beaches only. Pursuant to 50 C.F.R. 27.11-27.97, ATVs, camping, littering, fires, collecting, horses, and firearms and weapons are prohibited. Motorized vehicles are allowed, but they are restricted to designated roads.

Primary Information Source: Egmont Key NWR website - <http://egmontkey.fws.gov/>

*Manatee with Nursing Calf
Courtesy of USFWS
Photograph by Gaylen Rathburn*



Gulf Islands National Seashore (Florida Portion)

Authorizing Legislation: Pub. L. 91-660, 84 Stat. 1967 (January 8, 1971) and Pub. L. 106-554, Section 1(a)(4), 114 Stat. 2763 (December 21, 2000)

Congress established Gulf Islands National Seashore in 1971 in order to “preserve for public use and enjoyment certain areas in Mississippi and Florida possessing outstanding natural, historic, and recreational values.”³⁰ The Public Law also transferred management of Horn Island and Petit Bois Island from the National Wildlife Refuge System to the National Park Service.³¹ In 2000, Congress authorized the addition of Cat Island in Mississippi as part of Gulf Islands National Seashore.³²

Date of Designation: 1971

Management Agency: National Park Service

Management Goal: To preserve for public use and enjoyment certain areas in Mississippi and Florida that possess outstanding natural, historic, and recreational values.

Site Description:

Located in an area that stretches from Ocean Springs, Mississippi to Pensacola, Florida, Gulf Islands covers approximately 160 miles from Cat Island in Mississippi to the eastern tip of Santa Rosa Island in Florida. The authorized acreage for the entire area is 135,607.15 acres. The acreage can be broken down by federal, non-federal, land area, and wilderness area designations. Federal acreage is 99,246.56, non-federal acreage is 36,360.59, land acreage is 19,445.56, and wilderness acreage is 1,800. Gulf Islands is comprised of offshore barrier islands, beaches, marshes, maritime forests, bays, historic forts and related historic structures, nature trails, and adjacent open waters. More than eighty percent of Gulf Islands is submerged lands. The barrier islands act as buffers that protect the mainland during storms. A unique feature of the barrier islands is that they are constantly moving westward as water currents erode sand from the eastern ends of the islands and deposit it on the western ends of the islands.

In the area of Gulf Islands located in Florida, over 280 species of birds, including songbirds, waterfowl, wading birds, birds of prey, marine birds, and shore birds, use the barrier islands for resting, feeding, wintering, or migratory rest stops. Santa Rosa beach mice have been seen at Santa Rosa Island and endangered Perdido Key beach mice inhabit sand dunes at Perdido Key. For resource management purposes, biologists and volunteers monitor nesting shore birds and other endangered species such as nesting sea turtles, gopher tortoises, and Perdido Key beach mice. Resource management also includes removal of non-native plant and animal species, water quality testing, planting sea oats in hurricane-impacted areas, monitoring ospreys and eagles, mapping shoreline erosion, and assisting with prescribed fires. The Florida side of Gulf Islands is also the location of four historic forts: Pickens, Barrancas, Barrancas-Advanced Redoubt, and McRhee.

Regulation:

36 C.F.R. 7.12 contains special regulations for Gulf Islands. The off-road operation of motor vehicles is allowed on designated roads and limited to oversand routes designated by the Superintendent of Gulf Islands. Also pursuant to 36 C.F.R. 7.12, the Superintendent is authorized to establish a system of recreational permits and to establish special recreation permit fees for these permits. The Gulf Islands Superintendent’s Compendium (SC)³³ is a valuable resource, as it establishes rules for the management,

30. Pub. L. 91-660, 84 Stat. 1967 (January 8, 1971).

31. *Id.*

32. Pub. L. 106-554, Section 1(a)(4), 114 Stat. 2763 (December 21, 2000).

protection, government and public use of Gulf Islands. According to Section 1.5-2 of the SC, portions of Santa Rosa Island and Perdido Key are closed to all public use and access from May 1 through September 30 of each year to protect nesting shore birds. Section 1.5-3 of the SC has closed certain locations used by nesting osprey and bald eagle to all public use and access. Section 1.5-5 prohibits roadside parking in certain areas to protect adjacent sand dunes, emerging dunes, and dune habitat from erosion. Section 2.2 of the SC (statutory authority pursuant to 16 U.S.C. 459h), waterfowl hunting is authorized in Santa Rosa Sound and Perdido Key, applicable to seasons, times, and other regulations established by the State of Florida. According to Section 2.13 of the SC, fires may be built subject to certain conditions and Sections 3.6 and 3.20 allow boating and water skiing subject to restrictions set forth by the Superintendent. Visit <http://www.nps.gov/guis/extended/Admin/mgmt.htm> for the full-text version of the SC.

Primary Information Source: Gulf Islands National Seashore website - <http://www.nps.gov/guis/>



*Gulf Islands National Seashore
Courtesy of National Park Service*

*Gulf Islands National Seashore
Courtesy of National Park Service*



33. Available at <http://www.nps.gov/guis/extended/Admin/compendium.htm>

Island Bay National Wildlife Refuge

Authorizing Legislation: Executive Order 958

Signed by President Theodore Roosevelt October 23, 1908, Executive Order 958 ordered “that all of the unsurveyed mangrove and other islands . . . reserved and set aside . . . as a preserve and breeding ground for native birds.”³⁴



Woodstork
Courtesy of USFWS
Photograph by Ryan Hagerty

Date of Designation: 1908

Management Agency: U.S. Fish and Wildlife Service

Management Goals: (1) To protect and provide suitable habitat for endangered and threatened species, including the West Indian manatee, wood stork, eastern indigo snake, American crocodile, and bald eagle; (2) to implement sound wildlife management techniques to provide feeding, nesting, and roosting habitat for shore birds, wading birds, waterfowl, raptors, and neo-tropical migratory species; and (3) to provide wildlife-oriented recreation that is compatible with the purposes for which the NWR was established.

Site Description:

Located on the north side of Charlotte Harbor in the Cape Haze area of Charlotte County, Florida, Island Bay NWR covers approximately 20 acres. It is administered as a satellite refuge of the J.N. “Ding” Darling National Wildlife Refuge Complex. Island Bay NWR is located among mangrove islands and brackish bays, consisting of six undeveloped and roadless tracts of land. However, these land tracts do not include entire islands. Instead, they occupy the higher portions of several islands and mangrove shoreline. In addition, the barrier islands protect Island Bay from the Gulf of Mexico. The bottoms of the bays support vegetation such as shoal grass, widgeon grass, and marine algae. Red and black mangroves dominate the wetland portions of the barrier islands. Also, cabbage palms dominate the higher ridges with trees such as gumbo limbo, sea grapes, and strangler fig. Wildlife population surveys and chemical and mechanical control of invasive plant species are two management tools utilized at the refuge.

Regulation:

The U.S. Fish and Wildlife Service is the primary agency that regulates Island Bay NWR. The Refuge Recreation Act, 16 U.S.C. 460k-460k-4, restricts public recreation use of fish and wildlife conservation areas, including National Wildlife Refuges. Section 460k lays out public uses that are allowed in the refuge, such as wildlife observation, sport fishing, commercial fishing and crabbing, nature photography, motorized and non-motorized boating, and waterfowl hunting. Pursuant to 50 C.F.R. 27.11-27.97, ATVs, camping, littering, fires, collecting, horses, and firearms/weapons are prohibited. However, motorized vehicles are allowed on designated roads.

Primary Information Source: Island Bay NWR website - <http://southeast.fws.gov/IslandBay/>

34. Exec. Order No. 958 (1908).

J.N. “Ding” Darling National Wildlife Refuge

Authorizing Legislation: Emergency Wetlands Resources Act, 16 U.S.C. 3901 et seq.; Fish and Wildlife Act of 1956, 16 U.S.C. 742(a)-754, as amended; Migratory Bird Conservation Act, 16 U.S.C. 715-715r; and Refuge Recreation Act, 16 U.S.C. 460k-460k-4

Date of Designation: 1945

Management Agency: U.S. Fish and Wildlife Service

Management Goals: (1) To join in partnerships with the residents of Sanibel and Captiva Islands, Lee County, and the State of Florida to protect and enhance Ding Darling NWR’s pristine subtropical habitat for the benefit of wildlife; (2) to protect and provide suitable habitat for endangered and threatened species such as the American crocodile, West Indian manatee, wood stork, eastern indigo snake, and bald eagle; (3) to implement sound wildlife management techniques to provide feeding, nesting, and roosting habitat for shore birds, wading birds, waterfowl, raptors, and neo-tropical migratory species; (4) to provide high quality interpretive and environmental education programs to instill in refuge visitors an appreciation of fish and wildlife ecology; and (5) to provide quality wildlife-oriented recreation that is compatible with Ding Darling NWR’s established purposes.

Site Description:

Located southwest of Fort Myers on Sanibel Island in Lee County, Ding Darling NWR covers approximately 6,315 acres. 5,220 acres are owned in fee title, and two portions of the refuge are managed in agreement with the State of Florida - Tarpon Bay (950 acres) and State Botanical Site (184 acres). Ding Darling is a National Wildlife Refuge Complex that also administers several satellite National Wildlife Refuges - Pine Island, Island Bay, Matlacha Pass, and Caloosahatchee. Marine components of Ding Darling NWR include sea grass beds, mud flats, mangrove islands, open water, interior freshwater open ponds, spartina swales, West Indian hardwood hammocks, ridges, shallow bays, and two brackish water impoundments. Approximately 238 bird species, 51 species of reptiles and amphibians, and 32 species of mammals have been identified at Ding Darling. Pursuant to Pub. L. 94-557, (October 19, 1976), 2,825 acres of the refuge have been designated as Wilderness Area.

Regulation: The U.S. Fish and Wildlife Service is the primary agency that regulates Ding Darling NWR. The Refuge Recreation Act, 16 U.S.C. 460k-460k-4, restricts public recreation use of fish and wildlife conservation areas, including National Wildlife Refuges. Section 460k lays out public uses that are allowed in the refuge, such as wildlife observation, sport fishing, commercial fishing and crabbing, nature photography, motorized and non-motorized boating, and waterfowl hunting. Pursuant to 50 C.F.R. 27.11-17.97, ATVs, camping, littering, fires, collecting, horses, and firearms/weapons are prohibited. However, motorized vehicles are allowed on designated roads. Pursuant to 50 C.F.R. 32.28, anglers may fish and crab in Ding Darling subject to conditions.



Black Skimmers
Courtesy of USFWS, Photograph by George Gentry

Primary Information Source: J.N. “Ding” Darling NWR website - <http://dingdarling.fws.gov/>

Lower Suwannee National Wildlife Refuge

Authorizing Legislation: Fish and Wildlife Act of 1956, 16 U.S.C. 742(a)-754, as amended and National Wildlife Refuge Administration Act, 16 U.S.C. 668dd

Date of Designation: 1979

Management Agency: U.S. Fish and Wildlife Service

Management Goals: (1) To expand scientifically-based monitoring and research to support management decisions regarding wildlife habitat and populations; (2) to restore, conserve, and enhance the natural diversity, abundance, and ecological function of Lower Suwannee habitats with an emphasis on managing habitat to benefit threatened and endangered species and Florida species of special concern; (3) to protect the refuge's natural and cultural resources; (3) to provide opportunities for environmental education, interpretation, and wildlife-dependent recreation; and (5) to promote interagency and private landowner cooperation and partnerships to manage and protect the natural and cultural resources of the Big Bend region of Florida, the Suwannee River Basin, and the North Florida ecosystem to benefit wildlife, water quality and quantity, and the public.



Great Blue Heron
Courtesy of USFWS

Site Description:

Located southeast of the city of Chiefland in Dixie, Levy, and Columbia Counties, Lower Suwannee NWR covers approximately 52,935 acres. 29,436 acres are located in Dixie County, 23,353 acres are located in Levy County, and 146 acres are located in Columbia County. 51,104 acres are in fee ownership, while 1,831 acres are administered via management agreements. Lower Suwannee NWR also manages Cedar Keys as part of its National Wildlife Refuge Complex. 36,000 acres of Lower Suwannee are wetland habitat, and 16,000 acres are upland habitat. More specifically, the refuge contains floodplain, hardwood forests, tidal marshes, salt marshes, islands, creeks, an estuary, and the Suwannee River. Lower Suwannee NWR provides habitat for wading birds, shore birds, migratory songbirds, bald eagles, ospreys, and swallow-tailed kites. One of the refuge's unique features is that it remains one of the largest undeveloped river delta-estuarine systems in the United States.

Regulation:

The U.S. Fish and Wildlife Service is the primary agency that regulates Lower Suwannee NWR. The Refuge Recreation Act, 16 U.S.C. 460k-460k-4, restricts public recreation use of fish and wildlife conservation areas, including National Wildlife Refuges. Section 460k lays out public uses that are allowed in the refuge, such as wildlife observation, sport fishing, commercial fishing and crabbing, nature photography, motorized and non-motorized boating, and waterfowl hunting. Pursuant to 50 C.F.R. 27.11-17.97, ATVs, camping, littering, fires, collecting, horses, and firearms/weapons (except during refuge hunting seasons) are prohibited. However, motorized vehicles are allowed on designated roads. Pursuant to 50 C.F.R. 32.28, hunting of migratory game birds in designated areas of Lower Suwannee NWR is allowed subject to conditions, including a refuge permit. Section 32.28 also allows upland game hunting and big game hunting subject to conditions, including a refuge permit. Finally, Section 32.28 allows sport fishing in accordance with Florida regulations and subject to conditions set forth in Section 32.28

Primary Information Source: Lower Suwannee NWR website - <http://lowersuwannee.fws.gov/>

Matlacha Pass National Wildlife Refuge

Authorizing Legislation: Executive Order 943

Signed by President Theodore Roosevelt on September 26, 1908, Executive Order 943 ordered that three small islands located in Matlacha Pass, Florida, be reserved and set aside for the use as a preserve and breeding ground for native birds.

Date of Designation: 1908

Management Agency: U.S. Fish and Wildlife Service

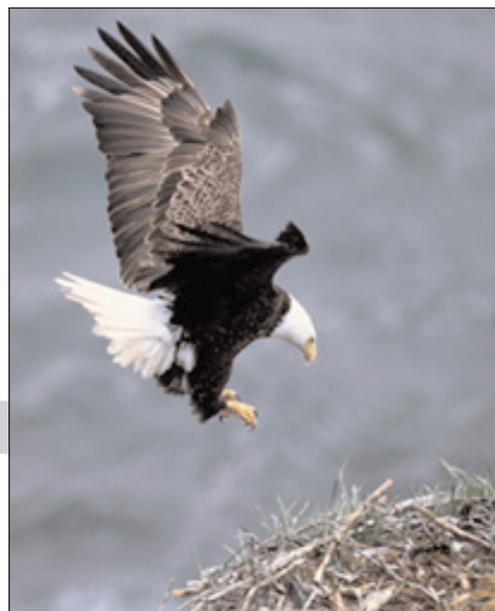
Management Goals: (1) To protect and provide suitable habitat for endangered and threatened species, including the West Indian manatee, eastern indigo snake, American crocodile, wood stork, and bald eagle; (2) to implement sound wildlife management techniques to provide feeding, nesting, and roosting habitat for shore birds, wading birds, waterfowl, raptors, and neo-tropical migratory species; and (3) to provide wildlife-oriented recreation compatible with the purposes for which the refuge was established.

Site Description:

Located within the Matlacha Pass estuary northwest of the city of Fort Myers in Lee County, Florida, Matlacha Pass NWR covers approximately 512 acres that include twenty-three islands, mangrove forests, and tidally-influenced wetlands with low sand and shell ridges. It is administered as a satellite refuge of the J.N. "Ding" Darling National Wildlife Refuge Complex. Matlacha Pass NWR is almost exclusively red mangrove habitat, but in interior wetland areas on some of the islands black mangroves dominate and are often mixed with white mangroves and buttonwood. Upland and wetland areas are maintained in their natural condition so that they may provide undisturbed habitat for birds, fish, invertebrates, and other animals. Colonial birds utilize the refuge as nesting and roosting habitats. As part of its management program, Matlacha Pass NWR uses chemical and mechanical controls against invasive species.

Regulation: The U.S. Fish and Wildlife Service is the primary agency that regulates Matlacha Pass NWR. The Refuge Recreation Act, 16 U.S.C. 460k-460k-4, restricts public recreation use of fish and wildlife conservation areas, including National Wildlife Refuges. Section 460k lays out public uses that are allowed in the refuge, such as wildlife observation, sport fishing, commercial fishing and crabbing, nature photography, motorized and non-motorized boating, and waterfowl hunting. Pursuant to 50 C.F.R. 27.11-17.97, ATVs, camping, littering, fires, collecting, horses, and firearms/weapons are prohibited. However, motorized vehicles are allowed on designated roads.

Primary Information Source: Matlacha Pass NWR website - <http://southeast.fws.gov/MatlachaPass/>



*Bald Eagle
Courtesy of USFWS
Photograph by Dave Menke*

Pine Island National Wildlife Refuge

Authorizing Legislation: Executive Order 939; Fish and Wildlife Act of 1956, 16 U.S.C. 742(a)-754, as amended; Refuge Recreation Act, 16 U.S.C. 460k-460k-4, as amended

Signed by President Theodore Roosevelt on September 15, 1908, Executive Order 939 ordered "two small, unsurveyed islets commonly known as 'Bird Island' and 'Middle Island' . . . are hereby reserved . . . as a preserve and breeding ground for native birds."³⁵

Date of Designation: 1908

Management Agency: U.S. Fish and Wildlife Service

Management Goals: (1) To protect and provide habitat for endangered and threatened species such as the West Indian manatee, eastern indigo snake, American crocodile, wood stork, and bald eagle; (2) to implement sound wildlife management techniques to provide feeding, nesting, and roosting habitat for shore birds, wading birds, waterfowl, raptors, and neo-tropical migratory species; and (3) to provide wildlife-oriented recreation compatible with the purposes for which Pine Island NWR was established.

Site Description:

Located north of Sanibel Island in Pine Island Sound in Lee County, Pine Island NWR is managed as a satellite refuge of the J.N. "Ding" Darling National Wildlife Refuge Complex. The refuge covers approximately 602 acres and approximately seventeen islands that consist of densely-forested red and black mangroves. There is little upland habitat, and only a few islands can support upland vegetation. Access to the islands is by boat only. Due to the dense mangroves and little upland habitat on the islands, Pine Island receives little public use. Several of the islands are important nesting and roosting habitats for colonial birds, particularly the brown pelican. Small colonies of gopher tortoises may be found on the larger islands, and dolphins have been spotted in area waters. Shell mounds are located on a few of the islands and are evidence that Calusa Indians once inhabited the area. As part of its management program, Pine Island NWR uses chemical and mechanical controls against invasive species.



*Manatees
Courtesy of USFWS
Photograph by Jim Reid*

Regulation:

The U.S. Fish and Wildlife Service is the primary agency that regulates Pine Island NWR. The Refuge Recreation Act, 16 U.S.C. 460k-460k-4, restricts public recreation use of fish and wildlife conservation areas, including National Wildlife Refuges. Section 460k lays out public uses that are allowed in the refuge, such as wildlife observation, sport fishing, commercial fishing and crabbing, nature photography, motorized and non-motorized boating, and waterfowl hunting. Pursuant to 50 C.F.R. 27.11-17.97, ATVs, camping, littering, fires, collecting, horses, and firearms/weapons are prohibited. However, motorized vehicles are allowed on designated roads.

Primary Information Source: Pine Island NWR website - <http://southeast.fws.gov/PineIsland/>

35. Exec. Order 939 (1908).

Cormorant
Courtesy of USFWS
Photograph by Jo Keller



Pinellas National Wildlife Refuge

Authorizing Legislation: Migratory Bird Conservation Act, 16 U.S.C. 715-715r, as amended; Refuge Recreation Act, 16 U.S.C. 460-460-k, as amended

Date of Designation: 1951

Management Agency: U.S. Fish and Wildlife Service

Management Goals: (1) To provide nesting habitat for the endangered brown pelican and other water birds; and (2) to preserve and protect barrier island habitat.

Site Description:

Located offshore from the city of St. Petersburg in Pinellas County, Pinellas NWR covers approximately 403 acres. It is closed to all public use and accessible by boat only. The refuge is administered as a satellite refuge of the Chassahowitzka National Wildlife Refuge Complex. Pinellas NWR was established as a breeding ground for colonial birds. Several islands comprise the refuge, and one of the islands, Tarpon Key, is the location of Florida's largest brown pelican rookery. Other species that utilize the islands as habitat include herons, egrets, and cormorants.

Regulation:

The U.S. Fish and Wildlife Service is the primary agency that regulates Pinellas NWR. The Refuge Recreation Act, 16 U.S.C. 460k-460k-4, restricts public recreation use of fish and wildlife conservation areas, including National Wildlife Refuges. Pursuant to 50 C.F.R. 32.28, fishing is permitted only from boats and in the waters surrounding Tarpon Key. Flats surrounding the islands contain seagrass beds, and, therefore, motorized boating activity is prohibited to protect them.

Primary Information Source: Pinellas NWR website - <http://southeast.fws.gov/Pinellas/>

St. Marks National Wildlife Refuge

Authorizing Legislation: Executive Order 5740; Migratory Bird Conservation Act, 16 U.S.C. 717-715r, as amended; National Wildlife Refuge Administration Act, 16 U.S.C. 668dd; Refuge Recreation Act, 16 U.S.C. 460k-460k-4, as amended

Signed by President Herbert Hoover on October 31, 1931, Executive Order 5740 originally set aside St. Marks National Wildlife Refuge as a migratory bird refuge and as a breeding ground for wild animals and birds. Executive Order 5740 also authorized use of the area's lighthouse by the U.S. Department of Commerce.

Date of Designation: 1931

Management Agency: U.S. Fish and Wildlife Service

Management Goals: (1) To provide wintering habitat for birds; (2) to provide habitat and protection for wildlife and for endangered and threatened species, such as the bald eagle, wood stork, West Indian manatee, Atlantic green turtle, Atlantic loggerhead turtle, and leatherback turtle; (3) to protect the diverse communities of forested and wetland habitats; (4) to control invasive species in the refuge; and (5) to maintain the St. Marks Lighthouse.

Site Description:

Located on Florida's Gulf coast, south of the city of Tallahassee in Wakulla, Jefferson, and Taylor Counties, Florida, St. Marks NWR covers approximately 67,122 acres. The refuge contains an array of habitats: coastal marshes, islands, tidal creeks, pine and oak forests, scrubby flatwoods, wet flatwoods, mesic flatwoods, mesic hammock, hydric hammock, inland hardwood swamps, and estuaries of seven north Florida rivers. Not only does St. Marks NWR provide migratory bird habitat, it also provides habitat for mammals such as Florida black bears, white-tailed deer, and bobcats. Also, the refuge currently provides habitat for several federally-protected endangered species: bald eagle, red-cockaded woodpecker, wood stork, West Indian manatee, Atlantic green turtle, Atlantic loggerhead turtle, and leatherback turtle. Formally, the Florida panther and ivory-billed woodpecker inhabited St. Marks NWR, but no members of these species have been documented in the refuge for decades. It is believed that the red wolf also occupied this area in the past. As part of its management plan, the refuge uses wildlife monitoring, prescribed burning, an endangered species program, and an exotic plant eradication program. The St. Marks lighthouse was built in 1832 to serve the town of St. Marks, which was an important port of entry. It is still in use today, aiding navigation to vessels that travel Apalachee Bay.

Regulation:

The U.S. Fish and Wildlife Service is the primary agency that regulates St. Marks NWR. The Refuge Recreation Act, 16 U.S.C. 460k-460k-4, restricts public recreation use of fish and wildlife conservation areas, including National Wildlife Refuges. Section 460k lays out public uses that are allowed in the refuge, such as wildlife observation, sport fishing, commercial fishing and crabbing, nature photography, motorized and non-motorized boating, and waterfowl hunting. Pursuant to 50 C.F.R. 27.11-17.97, ATVs, camping, littering, fires, collecting, horses, and firearms/weapons (except during refuge hunting seasons) are prohibited. However, motorized vehicles are allowed on designated roads. Pursuant to 50 C.F.R. 32.28, hunting of migratory birds, and certain species of upland game and big game are allowed as long as the required permit is obtained. Furthermore, Section 32.28 allows anglers to fish and crab in designated areas, subject to certain conditions and restrictions. St. Marks NWR currently is in the process of writing a Comprehensive Conservation Plan that will become the refuge management plan for the next fifteen years, which will further define refuge objectives and provide justification for future operation, maintenance, and enhancement opportunities.

Primary Information Source: St. Marks NWR website - <http://saintmarks.fws.gov/>

St. Vincent National Wildlife Refuge

Authorizing Legislation: Migratory Bird Conservation Act, 16 U.S.C. 715-715r, as amended

Date of Designation: 1968

Management Agency: U.S. Fish and Wildlife Service

Management Goals: (1) To provide habitat and protection for threatened and endangered species, including red wolf, bald eagle, American alligator, sea turtle, and eastern indigo snake; (2) to provide habitat for migratory birds; (3) to manage and preserve the natural barrier island and associated native plant and animal communities; and (4) to provide wildlife-dependent recreation and environmental education to the public.

Site Description:

Located southwest of the city of Apalachicola in Franklin and Gulf Counties, Florida, St. Vincent NWR is an approximately 12,490 acre undeveloped coastal barrier island. Therefore, access to the refuge is by boat only. Habitat consists of open water (approx. 264 acres), wetlands (approx. 4,566 acres), forest (approx. 5,861 acres), shrub (approx. 1,412 acres), and sand dunes (approx. 387 acres). In addition, St. Vincent NWR manages 21 conservation easements that cover approximately 1,625 acres in twelve counties in Florida. The refuge serves as a migratory bird stopover and provides nesting habitat for bald eagles, wood storks, and loggerhead sea turtles. A unique feature is the refuge's population of sambar deer, an elk species that is native to Southeast Asia. Prior to its designation as a National Wildlife Refuge, the island was used as a private hunting and fishing preserve, and several exotic wildlife species, including sambar deer, were introduced to the site. The sambar deer population co-exists with the native white-tailed deer that also populate St. Vincent by occupying different ecological niches of the island. Another unique feature of the refuge is that it serves as a red wolf propagation site. Red wolves born and weaned at the refuge are transported while they are still pups to other sites, such as Great Smoky Mountains National Park, for reintroduction into the wild.

Regulation:

The U.S. Fish and Wildlife Service is the primary agency that regulates St. Vincent NWR. The Refuge Recreation Act, 16 U.S.C. 460k-460k-4, restricts public recreation use of fish and wildlife conservation areas, including National Wildlife Refuges. Section 460k lays out public uses that are allowed in the refuge, such as wildlife observation, sport fishing, commercial fishing and crabbing, nature photography, motorized and non-motorized boating, and waterfowl hunting. Pursuant to 50 C.F.R. 27.11-17.97, ATVs, camping, littering, fires, collecting, horses, and firearms/weapons (except during refuge hunting seasons) are prohibited. However, motorized vehicles are allowed on designated roads. Pursuant to 50 C.F.R. 32.28, hunting of sambar deer, white-tailed deer, and feral hogs is allowed during specified seasons at the refuge subject to permit. Section 32.28 also allows sport fishing in designated areas subject to conditions. Pursuant to 50 C.F.R. 17.95, part of St. Vincent NWR is critical habitat for the piping plover, a bird species listed as Endangered in the Great Lakes watershed and listed as Threatened elsewhere in the U.S.

Primary Information Source: St. Vincent NWR website - <http://southeast.fws.gov/StVincent/>



Red Wolf
Courtesy of USFWS
Photograph by John and Karen Hollingsworth

Ten Thousand Islands National Wildlife Refuge

Authorizing Legislation: Fish and Wildlife Act of 1956, 16 U.S.C. 742(a)-754, as amended

Date of Designation: 1996

Management Agency: U.S. Fish and Wildlife Service

Management Goals: (1) To conserve and protect wildlife resources, especially endangered species that inhabit the Ten Thousand Islands NWR; (2) to permit sustained-yield use and enterprises compatible with the refuge's purpose; (3) to provide visitors with quality recreational opportunities compatible with the refuge's purposes; (4) to promote the interpretation and education of natural resources of the refuge; and (5) to promote refuge cooperation with entities involved with natural and cultural resources within the Big Cypress watershed.



Loggerhead Sea Turtle
Courtesy of USFWS
Photograph by Ryan Hagerty

Site Description:

Located southeast of the city of Naples in the lower end of the Fakahatchee and Picayune Strands of Big Cypress Swamp in Collier County, Florida, Ten Thousand Islands NWR covers approximately 35,000 acres of estuaries, freshwater marshlands, mangrove forests, and islands. One of the refuge's most unique features is that it is in one of the largest mangrove estuaries in North America. Approximately 8,000 acres of the refuge are mangrove forest, while 16,000 acres are marine water and 11,000 acres are freshwater marshland and other habitat. Ten Thousands Islands NWR is used year round by West Indian manatees, and the beaches are used by loggerhead sea turtles as nesting habitat. Dolphins and bald eagles have been spotted at the refuge. A variety of wading birds utilize the refuge,

including wood storks, water birds, and shore birds. The estuaries at Ten Thousand Islands NWR are used by interjurisdictional fisheries, which makes the refuge a popular saltwater fishing destination. As part of its management program, the refuge uses prescribed burning and control of exotic plants through mechanical and chemical means.

Regulation:

The U.S. Fish and Wildlife Service is the primary agency that regulates Ten Thousand Islands NWR. The Refuge Recreation Act, 16 U.S.C. 460k-460k-4, restricts public recreation use of fish and wildlife conservation areas, including National Wildlife Refuges. Section 460k lays out public uses that are allowed in the refuge, such as wildlife observation, sport fishing, commercial fishing and crabbing, nature photography, motorized and non-motorized boating, and waterfowl hunting. Per 50 C.F.R. 27.11-17.97, ATVs, camping, littering, fires, collecting, horses, and firearms/weapons (except during refuge hunting seasons) are prohibited. However, motorized vehicles are allowed on designated roads. Pursuant to 50 C.F.R. 32.28, hunting of ducks and coots is authorized in the refuge in accordance with Florida regulations and subject to conditions set forth in Section 32.28. Section 32.28 also authorizes sport fishing, and anglers may fish only in designated portions of the refuge subject to conditions.

Primary Information Source: Ten Thousand Island NWR website - <http://southeast.fws.gov/TenThousandIsland/>

Federal-State Cooperatives

Apalachicola National Estuarine Research Reserve

Authorizing Legislation: Coastal Zone Management Act, 16 U.S.C. 1461

Date of Designation: 1979

Management Agencies: U.S. Department of Commerce, National Oceanic and Atmospheric Administration and Florida Department of Environmental Protection, Office of Coastal and Aquatic Managed Areas

Management Goals: The mission of the National Estuarine Research Reserve System is to establish and manage, through federal-state cooperation, a national system of estuarine research reserves that are representative of the various regions and estuarine types in the United States.³⁶ A National Estuarine Research Reserve (NERR) is established to provide opportunities for long-term research, education, and interpretation.³⁷ The goals of the NERR program are: (1) ensure a stable environment for research through long-term protection of NERR resources; (2) enhance public awareness and understanding of estuarine areas and provide suitable opportunities for public education and interpretation; (3) promote federal, state, public, and private uses of one or more NERRs within the NERR System when such entities conduct estuarine research; and (4) conduct and coordinate estuarine research within the NERR System, gathering and making available information necessary for improved understanding and management of estuarine areas.

Site Description:

Located in the Florida panhandle region in Franklin, Gulf, Calhoun, and Liberty Counties, Apalachicola NERR (ANERR) covers approximately 246,000 acres. ANERR is one of twenty-five sites designated by the National Oceanic and Atmospheric Administration as a NERR. The site has also been designated an Aquatic Preserve and an Outstanding Florida Water by the State of Florida and a Gulf of Mexico Ecological Management Site by the EPA. Apalachicola Bay is a productive estuarine system. Between sixty percent to eighty-five percent of the local population make a living from the fishing industry, and most of this fishing takes place in ANERR waters. Therefore, research projects that focus on commercial fisheries management and the food chain are high priority. ANERR's education program focuses on educating coastal managers and visiting researchers about the area and its ecology. The education program also includes ongoing guest lectures for the community and coastal management workshops for environmental professionals. K-12 educational activities are another education program component, which provides both on-site and classroom programs.

Apalachicola Bay is an important nursery area for the Gulf of Mexico region. Over ninety-five percent of all commercially harvested species and eighty-five percent of all recreationally harvested species in the open Gulf spend a portion of their lives in the bay's waters. Apalachicola Bay is a major blue crab breeding ground for Florida's West Coast and a nursery for penaeid shrimp. The barrier islands surrounding Apalachicola Bay provide a resting spot for birds, and West Indian manatees migrate to Apalachicola Bay during the summer months.

The Apalachicola River and Apalachicola Bay drainage basin contain historic structures and over 100 archeological sites. The Apalachicola River valley is believed to have been occupied by humans for over 10,000 years by prehistoric human populations of small hunting groups, farmers, or aquatic species-based hunter-gatherers. Paleo-Indian through Mississippian cultural sites are represented, as well as historic set-

36. 15 C.F.R. 921.1 (2003).

37. *Id.*

tlements, structures and occupational sites. Prehistoric and historic artifacts still may be found on the shores adjacent to Apalachicola Bay Aquatic Preserve, with registered sites on St. Vincent, Cape St. George, and St. George Islands.

Regulation:

15 C.F.R. Part 921 contains regulations applicable to ANERR. According to 15 C.F.R. 921.1, NERRs are open to the public to the extent permitted under State and Federal law. Multiple uses are allowed to the degree compatible with each reserve's overall purpose as provided in the management plan and consistent with the NERR Program's mission and goals. Use levels are set by the state where each reserve is located and analyzed in the management plan. Management plans are required to describe the uses and establish priorities among these uses and identify uses requiring a state permit, as well as areas where uses are encouraged or prohibited. Consistent with resource protection and research objectives, public access and use may be restricted to certain areas or components within a NERR.

Primary Information Source: Apalachicola NERR websites - <http://www.dep.state.fl.us/coastal/sites/apalachicola/anerr/info.htm> and <http://nerrs.noaa.gov/Apalachicola/>

*Apalachicola NERR
Courtesy of NOAA National Estuarine Research
Reserve Collection*



*Apalachicola NERR
Courtesy of NOAA National Estuarine Research
Reserve Collection*

Charlotte Harbor National Estuary Program

Authorizing Legislation: Clean Water Act, 33 U.S.C. 1330

Section 320 of the Clean Water Act established the National Estuary Program. Section 302 sets forth the procedure for nominating an estuary into the National Estuary Program and development of a comprehensive management plan for the estuary. The Governor of the State of Florida nominated Charlotte Harbor estuary for participation in the National Estuary Program and it was accepted into the program in 1995. In February 2000, the National Estuary Program's Management Conference approved the Charlotte Harbor Comprehensive Conservation Management Plan.³⁸

Date of Designation: 1995

Management Agencies: U.S. Environmental Protection Agency and Florida Department of Environmental Protection

Management Goals: The management goals of the Charlotte Harbor National Estuary Program (CHNEP) are to "improve the environmental integrity of the Charlotte Harbor study area" by: (1) preserving, restoring, and enhancing seagrass beds, coastal wetlands, barrier beaches, and functionally-related uplands; (2) reducing point and nonpoint sources of pollution to attain desired uses of the estuary; (3) providing proper freshwater inflow to the estuary to ensure a balanced and productive ecosystem; (4) developing and implementing a strategy for public participation and education; and (5) developing and implementing a formal Charlotte Harbor management plan with a specified structure and process for achieving goals for the estuary.

Site Description:

The CHNEP covers an area of 4,400 square miles, with 270 of those square miles being open water. It is located on the Gulf of Mexico coast of Florida and includes parts of Charlotte, DeSoto, Hardee, Polk, Lee, Manatee, and Sarasota Counties. The Charlotte Harbor estuary extends along the coast from Venice to Estero Bay. Geographic subdivisions include the following areas: Myakka River, Peace River, Caloosahatchee River, coastal watersheds, Lemon Bay, San Carlos Bay, Estero Bay, Gasparilla Sound, Pine Island Sound, and Matlacha Pass. The Myakka, Peace, and Caloosahatchee Rivers feed freshwater into the estuary.

The estuary is the second largest open water estuary in the state of Florida. The CHNEP area provides a habitat for over 2,300 animal species, including 42 state listed or federally listed endangered species. The area also has the highest vascular plant species diversity in south Florida. The harbor itself serves as a protected area for the larval and juvenile stages of more than 270 species of fish. Key features to this estuary are the habitats that the area provides including subtidal soft bottoms and xeric oak scrubs.

A Comprehensive Conservation Management Plan has been approved for the CHNEP. The CCMP includes approximately 250 projects that will be implemented.³⁹ The plans focus on three main objectives: (1) preventing and slowing hydrologic alterations, (2) improving water quality, and (3) preserving fish and wildlife habitat.

38. Charlotte Harbor National Estuary Program, Comprehensive Conservation and Management Plan, available at <http://www.charlotteharbornep.org/CCMP.htm> (accessed September 16, 2003).

39. Charlotte Harbor National Estuary, Comprehensive Conservation Management Plan, p. 417 (accessed Sept. 17, 2003), available at <http://www.charlotteharbornep.com/CCMP/Volume%202.pdf>.

Regulation:

The NEP Program Office has no regulatory authority. The policies and goals identified by the Policy and Management Committees are implemented by the Alabama agencies with authority over the various resources and sectors.

Primary Information Sources: Charlotte Harbor NEP websites - www.charlotteharbornep.com/ and <http://www.epa.gov/owow/estuaries/programs/ch.htm>



*Florida Scrub Jay
Courtesy of USFWS*



*Spotted Sea Trout
Courtesy of USFWS
Illustration by Duane Raver*

Rookery Bay National Estuarine Research Reserve

Authorizing Legislation: Coastal Zone Management Act, 16 U.S.C. 1461

Date of Designation: 1978

Management Agencies: Florida Department of Environmental Protection, Office of Coastal and Aquatic Managed Areas and U.S. Department of Commerce, National Oceanic and Atmospheric Administration

Management Goals: The mission of the National Estuarine Research Reserve System is to establish and manage, through federal-state cooperation, a national system of estuarine research reserves that are representative of the various regions and estuarine types in the United States.⁴⁰ A National Estuarine Research Reserve (NERR) is established to provide opportunities for long-term research, education, and interpretation.⁴¹ The goals of the NERR program are: (1) to ensure a stable environment for research through long-term protection of NERR resources; (2) to enhance public awareness and understanding of estuarine areas and provide suitable opportunities for public education and interpretation; (3) to promote federal, state, public, and private uses of one or more NERRs within the NERR System when such entities conduct estuarine research; and (4) conduct and coordinate estuarine research within the NERR System, gathering and making available information necessary for improved understanding and management of estuarine areas.

Site Description:

Located in Collier County, Rookery Bay NERR includes both Rookery Bay and Cape Romano-Ten Thousand Islands Aquatic Preserves and covers approximately 110,000 acres. Rookery Bay NERR is managed jointly by the State of Florida and the National Oceanic and Atmospheric Administration. The area also has been designated a Gulf of Mexico Ecological Management Site. The Rookery Bay area is a relatively undisturbed mangrove estuary, one of the remaining few in the United States. Other types of habitat within the preserve include bays, salt marsh, freshwater marsh, xeric scrub, pine flatwoods, and coastal hammock. The area provides habitat for recreational and commercial fish and shellfish, and the bay's shallow waters are feeding grounds for dolphins, manatees, and various bird species.

Management of the preserve includes research and education programs. The research program promotes the preservation, protection, and understanding of the ecological integrity of the entire Rookery Bay system. Therefore, the NERR program promotes research that leads to improved knowledge and understanding of our nation's estuarine resources. The NERR program's goal is to enhance the ability of citizens and officials to make informed coastal decisions. Therefore, the education program focuses on interpreting coastal management information and results of coastal research to adult audiences. In furtherance of this goal, Rookery Bay NERR has been conducting training programs for local decision-makers in Southwest Florida for over 10 years, providing science-based information to local officials and a variety of professionals. In 2003, Rookery Bay NERR opened the Environmental Learning Center and Marine Lab. The Center houses four research labs, an auditorium, two classrooms, and a visitor center. The Center also includes exhibits designed to help visitors understand the value of estuaries.

Regulation:

15 C.F.R. Part 921 contains regulations applicable to Rookery Bay NERR. According to 15 C.F.R. 921.1, NERRs are open to the public to the extent permitted under state and Federal law. Multiple uses are allowed to the degree compatible with each reserve's overall purpose, as provided in the management plan and consistent with the NERR Program's mission and goals. Use levels are set by the state where each

40. 15 C.F.R. 921.1 (2003).

41. *Id.*

reserve is located and analyzed in the management plan. Management plans are required to describe the uses and establish priorities among these uses and identify uses requiring a state permit, as well as areas where uses are encouraged or prohibited. Consistent with resource protection and research objectives, public access and use may be restricted to certain areas or components within a NERR.

Primary Information Sources: Rookery Bay NERR websites - <http://www.dep.state.fl.us/coastal/sites/southwest/rookery/info.htm> and <http://nerrs.noaa.gov/RookeryBay/welcome.html> , and <http://www.rookerybay.org>

*Rookery Bay
Courtesy of NOAA National Estuarine Research
Reserve Collection*



*Common Tern Guards Nest
Courtesy of NOAA National Estuarine
Research Reserve Collection*

Sarasota Bay National Estuary Program

Authorizing Legislation: Clean Water Act, 33 U.S.C. 1330

Date of Designation: Sarasota Bay was named in the 1987 amendments to the Clean Water Act that created the National Estuary Program, and the Sarasota Bay National Estuary Program officially began in 1989.

Management Agencies: U.S. Environmental Protection Agency and Florida Department of Environmental Protection

Management Goals: Sarasota Bay National Estuary Program (SBNEP) is "dedicated to improving and protecting the area's greatest and most important natural asset - Sarasota Bay."⁴² The program "strives to improve water quality, increase habitat and enhance the natural resources of the area for use and enjoyment by the public."⁴³

Site Description:

Located on the southwestern coast of Florida in Sarasota and Manatee Counties, the watershed of SBNEP covers approximately 733 square kilometers of land and water areas. Marine components of SBNEP are Sarasota Bay, sea walls, artificial reefs, wetlands, seagrass beds, estuaries, and barrier islands. Accompanying the loss of marine habitat such as seagrass beds and mangrove wetlands to commercial and residential development were losses of marine life such as fish, birds, and shellfish. The Sarasota Bay region is home to many species of marine life, including dolphins, loggerhead turtles, West Indian manatees, black mullet, red drum, spotted sea trout, stone crabs, blue crabs, and bait shrimp. SBNEP has its own Comprehensive Conservation Management Plan that sets forth several management approaches to improve and protect Sarasota Bay, such as reforming sea walls, shoreline softening, bay bottom improvements, and channel markers as habitat.



*Aerial View of Sarasota Bay
Courtesy of Sarasota National Estuary Program*

SBNEP has its own Comprehensive Conservation Management Plan that sets forth several management approaches to improve and protect Sarasota Bay, such as reforming sea walls, shoreline softening, bay bottom improvements, and channel markers as habitat.

Regulation:

The NEP Program Office has no regulatory authority. The policies and goals identified by the Policy and Management Committees are implemented by the Florida agencies with authority over the various resources and sectors.

Primary Information Sources: Sarasota Bay NEP websites - <http://www.sarasotabay.org/default.asp> and <http://www.epa.gov/owow/estuaries/programs/sb.htm>

42. Sarasota Bay National Estuary Program, at http://www.sarasotabay.org/getpage.asp?Category_ID=31 (accessed September 15, 2003).

43. *Id.*

Tampa Bay Estuary Program

Authorizing Legislation: Clean Water Act, 33 U.S.C. 1330

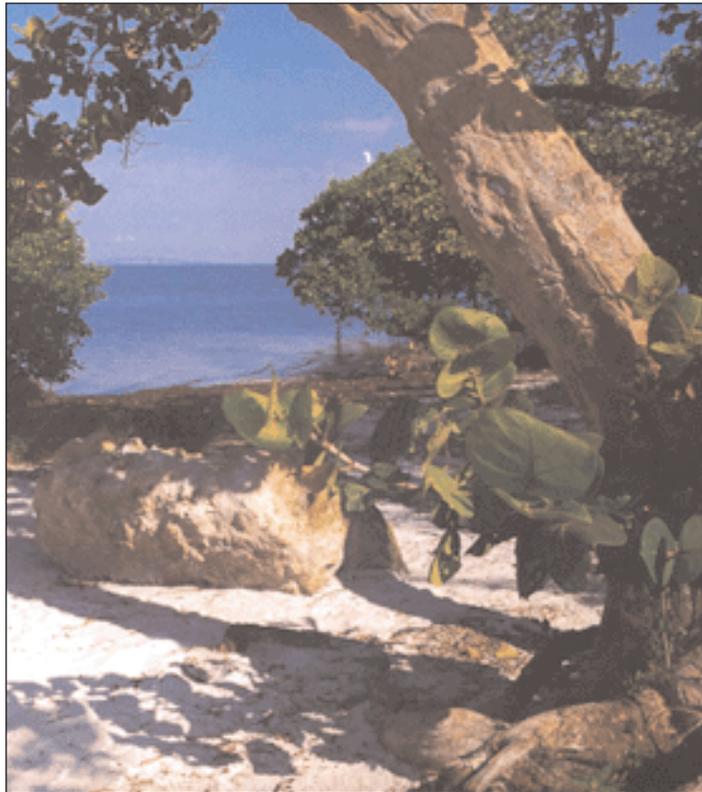
Date of Designation: 1990

Management Agencies: U.S. Environmental Protection Agency and Florida Department of Environmental Protection

Management Goals: (1) Improvement of water and sediment quality; (2) restoration of Tampa Bay habitats; (3) increase the diversity and improve the health of Tampa Bay's fish and wildlife populations; (4) development of a "long-range dredging plan for the bay that will minimize environmental impacts and maximize beneficial uses of the dredged material"; (5) installation of a vessel traffic system to improve coordination of ship movements along Tampa Bay's shipping channel; (6) installation of permanent anchors for oil-containment booms near environmentally sensitive areas; and (7) public outreach and education.

Site Description:

Located off the coast of the city of Tampa and in Pinellas, Hillsborough, and Manatee Counties, TBEP covers approximately 400 square miles of water. Major types of habitat in the estuary include sea-grass, artificial reefs, barrier islands, sand bars, sand flats, mud flats, salt flats, salt and brackish marshes, mangrove, forested wetlands, freshwater lakes and ponds, and scrub/shrub. A wide variety of fish, shellfish, and crustaceans use Tampa Bay waters during some critical stages of their development. Approximately 40,000 pairs of birds, including brown pelicans and roseate spoonbills, nest in Tampa Bay every year. Other bird species, such as sandpipers and white pelicans, nest in Tampa Bay on a seasonal basis. Tampa Bay is also home to dolphins, sea turtles, burrowing owls, manatees, and other many other animal species.



*Tampa Bay
Courtesy of Tampa Bay Estuary Program*

Regulation:

The NEP Program Office has no regulatory authority. The policies and goals identified by the Policy and Management Committees are implemented by the Florida agencies with authority over the various resources and sectors.

Primary Information Sources: Tampa Bay NEP websites - <http://www.tbep.org/> and <http://www.epa.gov/owow/estuaries/programs/tampa.htm>

STATE-MANAGED AREAS

Alligator Harbor Aquatic Preserve

Authorizing Legislation: Florida Aquatic Preserve Act, FLA. STAT. ANN. Section 258.35 et seq.

Date of Designation: 1969

Management Agency: Florida Department of Environmental Protection, Office of Coastal and Aquatic Managed Areas

Management Goals: (1) To preserve, protect, and enhance these exceptional areas of sovereignty submerged lands by reasonable regulation of human activity with the preserve through the development and implementation of a comprehensive management plan; (2) to protect and enhance the waters of the preserve so that the public may continue to enjoy the traditional recreational uses of those waters such as swimming, boating, and fishing; (3) to coordinate with federal, state, and local agencies to aid in carrying out the intent of the Florida Legislature in creating the preserve; to use applicable federal, state, and local management programs, which are compatible with the intent and provisions of the Florida Aquatic Preserve Act and its rules, and to assist in managing the preserve; (4) to encourage the protection, enhancement, or restoration of the biological, aesthetic, or scientific values of the preserve, including but not limited to the modification of existing man-made conditions toward its natural condition and discourage activities that would degrade the aesthetic, biological, or scientific values or the quality or utility of the preserve when reviewing applications or when developing and implementing a management plan for the preserve; (5) to preserve, promote, and utilize indigenous life forms and habitats, including but not limited to sponges, soft coral, hard coral, submerged grasses, mangroves, wetlands, aquatic and marine reptiles, game and non-game fish species, and estuarine, aquatic, and marine mammals, birds, shellfish, and mollusks; (6) to acquire additional title interests in lands whenever these acquisitions would protect or enhance the aesthetic, biological, or scientific values of the preserve; and (7) to maintain beneficial hydrologic and biologic functions for the public benefit.

Site Description:

Located in Franklin County and east of the Apalachicola Bay estuary, Alligator Harbor Aquatic Preserve covers approximately 14,366 acres. In addition to its designation as an Aquatic Preserve, Alligator Harbor AP also has been designated an Outstanding Florida Water, Class II Shellfish Harvesting Waters, and Gulf of Mexico Ecological Management Site. The preserve has little freshwater inflow. Preserve habitat includes seagrass beds, salt marshes, and nearshore coastal communities. The seagrass beds and salt marshes are nursery grounds and refuges for commercial and recreational fish and invertebrate species. Several offshore shoal systems border Alligator Harbor AP, including Dog Island Reef to the southwest, South Shoal to the southeast, and the Ochlocknee Shoal to the east.

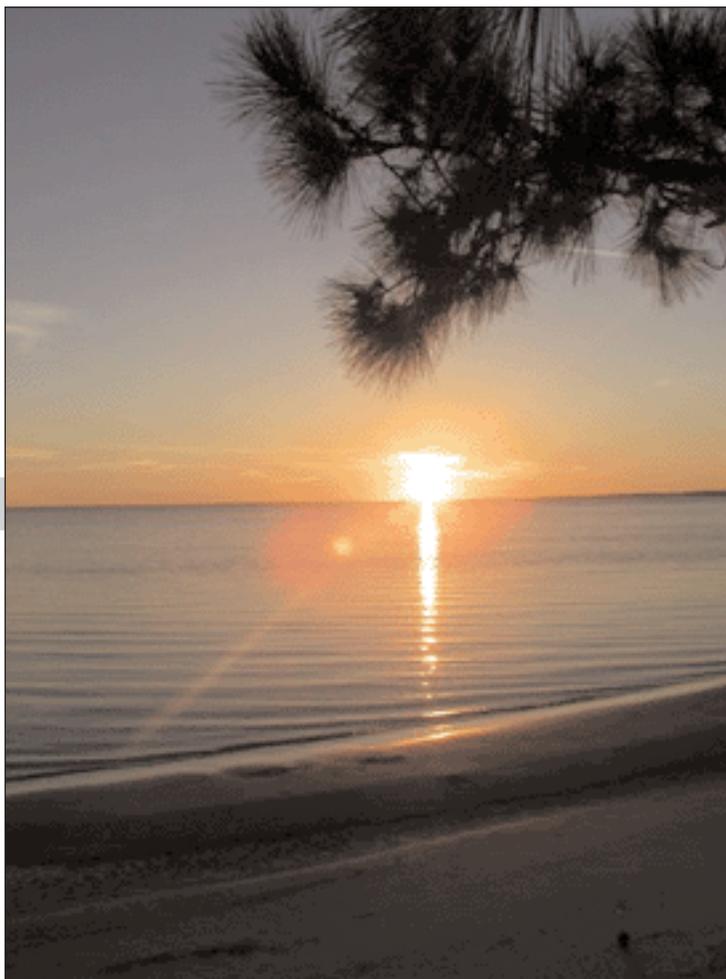
Recreational species within Alligator Harbor include tarpon, redfish, sea trout, flounder, pompano, and Spanish mackerel. Commercial species within the preserve include shrimp and clams. Alligator Harbor also is a forage area for migratory birds. A portion of the preserve known as Alligator Spit is a landfall area for migratory birds such as the piping plover. Many rare and endangered species utilize the preserve area as well, including the American alligator, Kemp's ridley sea turtle, and bald eagle.

For more detailed discussion of the habitats, flora and fauna, and management objectives and strategies for this Aquatic Preserve, see the Alligator Harbor Aquatic Preserve Management Plan. It is available online at http://www.dep.state.fl.us/coastal/downloads/management_plans/aquatic/Alligator_Harbor.pdf

Regulation:

FLDEP's Office of Coastal and Aquatic Areas administers Aquatic Preserves. Chapters 253 and 258, Florida Statutes, establish the proprietary management overview role of the Board of Trustees. Florida Aquatic Preserves Rules, FLA. ADMIN. CODE ANN. Chapter 18-20, and the Sovereignty Submerged Lands Management Rules, FLA. ADMIN. CODE ANN. Chapter 18-21, contain relevant rules and regulations to administer Florida's Aquatic Preserves. Preserves are managed primarily for the maintenance of essentially natural conditions, propagation of fish and wildlife, and traditional uses such as swimming, fishing, and boating.⁴⁴ Activities in Aquatic Preserves are limited to water dependent activities unless the BOT determines that it is in the public interest to allow an exception.⁴⁵ The use of preserves to provide road access to islands, where such access did not previously exist, is prohibited, but the BOT may allow an exception under certain circumstances.⁴⁶

Primary Information Source: Alligator Harbor Aquatic Preserve website - <http://www.dep.state.fl.us/coastal/sites/apalachicola/alligator/info.htm>



*Alligator Harbor Aquatic Preserve
Courtesy of FLDEP*

44. FLA. ADMIN. CODE ANN. 18-20.001(1).

45. FLA. ADMIN. CODE ANN. 18-21.004(1)(f). Note: Chapter 18-21 sets forth rules regarding management of sovereignty submerged lands. Aquatic Preserves are included in the category of sovereign submerged lands.

46. FLA. ADMIN. CODE ANN. 18-21.004(1)(i).

Apalachicola Bay Aquatic Preserve

Authorizing Legislation: Florida Aquatic Preserve Act, FLA. STAT. ANN. Section 258.35 et seq.

Date of Designation: 1969

Management Agency: Florida Department of Environmental Protection, Office of Coastal and Aquatic Managed Areas

Management Goals: See Alligator Harbor Aquatic Preserve, *supra* page 50.

Site Description:

Located in Franklin County in the Florida panhandle, Apalachicola Bay Aquatic Preserve (ABAP) covers approximately 80,000 acres of estuarine, riverine, floodplain, and adjacent upland habitats. ABAP also has been designated a Gulf of Mexico Ecological Management Site. ABAP lies within the ANERR at the mouth of the Apalachicola-Chattahoochee-Flint River system. The Apalachicola River is the largest river in Florida in terms of flow and plays a major role in the salinity regime and ecology of Apalachicola Bay.

Apalachicola Bay is an important nursery area for the Gulf of Mexico. Over 95 percent of all commercially harvested species and 85 percent of all recreationally harvest species in the open Gulf spend a portion of their lives in the bay's waters. Apalachicola Bay is a major blue crab breeding ground for the west coast of Florida and a nursery for penaeid shrimp. The barrier islands surrounding Apalachicola Bay provide a resting spot for birds. West Indian manatees migrate to the Apalachicola Bay during the summer months.

For more detailed discussion of the habitats, flora and fauna, and management objectives and strategies for this Aquatic Preserve, see the Apalachicola Bay Aquatic Preserve Management Plan. It is available online at

http://www.dep.state.fl.us/coastal/downloads/management_plans/aquatic/Apalachicola_Bay.pdf

Regulation:

FLDEP's Office of Coastal and Aquatic Areas administers Aquatic Preserves. Chapters 253 and 258, Florida Statutes, establish the proprietary management overview role of the Board of Trustees. Florida Aquatic Preserves Rules, FLA. ADMIN. CODE ANN. Chapter 18-20, and the Sovereignty Submerged Lands Management Rules, FLA. ADMIN. CODE ANN. Chapter 18-21, contain relevant rules and regulations to administer Florida's Aquatic Preserves. Preserves are managed primarily for the maintenance of essentially natural conditions, propagation of fish and wildlife, and traditional uses such as swimming, fishing, and boating. Activities in Aquatic Preserves are limited to water dependent activities unless the BOT determines that it is in the public interest to allow an exception. The use of preserves to provide road access to islands, where such access did not previously exist, is prohibited, but BOT may allow an exception under certain circumstances.

Primary Information Source: Apalachicola Bay Aquatic Preserve website - <http://www.dep.state.fl.us/coastal/sites/apalachicola/apalachicola/info.htm>



Apalachicola Bay Aquatic Preserve
Courtesy of FLDEP

Big Bend Seagrasses Aquatic Preserve

Authorizing Legislation: Florida Aquatic Preserve Act, FLA. STAT. ANN. Section 258.395

Date of Designation: 1985

Management Agency: Florida Department of Environmental Protection, Office of Coastal and Aquatic Managed Areas

Management Goals: See Alligator Harbor Aquatic Preserve, *supra* page 50.

Site Description:

Located along the coasts of Levy, Dixie, Taylor, Jefferson, and Wakulla Counties, Big Bend Seagrasses Aquatic Preserve covers approximately 945,000 acres. In addition to its designation as an Aquatic Preserve, Big Bend AP also has been designated an Outstanding Florida Water and Gulf of Mexico Ecological Management Site. The preserve primarily consists of a large, remote, and undeveloped expanse of submerged seagrasses and nearshore marshlands, which are located along approximately 150 miles of the northeast coast of Florida. Big Bend AP's marine components include estuaries formed at the confluence of the rivers and streams that flow into the preserve and support flora and fauna. The shoreline along the preserve consists of inter-tidal marsh grasslands. Mangroves occur in the southern parts of these marshes, but stunt and die during periodic freezes. The open waters and bay waters of these estuaries support commercial and recreational fish species. Big Bend AP also provides a nursery for shellfish and fish and foraging habitat for these species, as well as manatee, osprey, bald eagle, species of sea turtle, sturgeon, and dolphin.

For more detailed discussion of the habitats, flora and fauna, and management objectives and strategies for this Aquatic Preserve, see the Big Bend Seagrasses Aquatic Preserve Management Plan. It is available online at

http://www.dep.state.fl.us/coastal/downloads/management_plans/aquatic/Big_Bend.pdf.



*Seagrasses at Big Bend
Courtesy of FLDEP*

Regulation:

FLDEP's Office of Coastal and Aquatic Areas administers Aquatic Preserves. Chapters 253 and 258, Florida Statutes, establish the proprietary management overview role of the BOT. Florida Aquatic Preserves Rules, FLA. ADMIN. CODE ANN. Chapter 18-20, and the Sovereignty Submerged Lands Management Rules, FLA. ADMIN. CODE ANN. Chapter 18-21, contain relevant rules and regulations to administer Florida's Aquatic Preserves. Preserves are managed primarily for the maintenance of essentially natural conditions, propagation of fish and wildlife, and traditional uses such as swimming, fishing, and

boating. Activities in Aquatic Preserves are limited to water dependent activities unless the BOT determines that it is in the public interest to allow an exception. The use of preserves to provide road access to islands, where such access did not previously exist, is prohibited, but BOT may allow an exception under certain circumstances.

Primary Information Source: Big Bend Aquatic Preserve website - <http://www.dep.state.fl.us/coastal/sites/bigbend/bigbend/info.htm>

Great Egret
Courtesy of NOAA Restoration Center
Photograph by Louise Kane



Boca Ciega Bay Aquatic Preserve

Authorizing Legislation: Florida Aquatic Preserve Act, FLA. STAT. ANN. Section 258.396

Date of Designation: 1969

Management Agency: Florida Department of Environmental Protection, Office of Coastal and Aquatic Managed Areas

Management Goals: See Alligator Harbor Aquatic Preserve, *supra* page 50.

Site Description:

Located in south central Pinellas County, Boca Ciega Bay Aquatic Preserve covers approximately 22,000 acres and lies within the Cross Bayou and Boca Ciega Bay watersheds. Marine-related habitats within the preserve include seagrass beds, hardbottom, open sand and mud bottom, sandy beach, oyster reef, mangrove forest, and salt marsh. Boca Ciega Bay AP is in the middle of an area in which the shoreline was dredged and filled extensively throughout the 1950s and 1960s. Nevertheless, the area still contains valuable submerged resources, with the "aquatic preserve" designation providing added protection.

Regulation:

FLDEP's Office of Coastal and Aquatic Areas administers Aquatic Preserves. Chapters 253 and 258, Florida Statutes, establish the proprietary management overview role of the BOT. Florida Aquatic Preserves Rules, FLA. ADMIN. CODE ANN. Chapter 18-20, and the Sovereignty Submerged Lands Management Rules, FLA. ADMIN. CODE ANN. Chapter 18-21, contain relevant rules and regulations to administer Florida's Aquatic Preserves. Preserves are managed primarily for the maintenance of essentially natural conditions, propagation of fish and wildlife, and traditional uses such as swimming, fishing, and boating. Activities in Aquatic Preserves are limited to water dependent activities unless the BOT determines that it is in the public interest to allow an exception. The use of preserves to provide road access to islands, where such access did not previously exist, is prohibited, but BOT may allow an exception under certain circumstances. Boca Ciega AP also has specific rules regarding docks and docking facilities.⁴⁷

Primary Information Source: Boca Ciega Aquatic Preserve - <http://www.dep.state.fl.us/coastal/sites/tampabay/bocaciega/info.htm>⁴⁸

47. See FLA. ADMIN. CODE ANN. 18-20.019.

48. Information on FLDEP's Boca Ciega Bay AP web site is forthcoming. Information contained in this summary was obtained from Dr. Randy Runnels of the FLDEP Office of Coastal and Aquatic Managed Areas.

Cape Haze Aquatic Preserve

Authorizing Legislation: Florida Aquatic Preserve Act, FLA. STAT. ANN. Section 258.39

Date of Designation: 1978

Management Agency: Florida Department of Environmental Protection, Office of Coastal and Aquatic Managed Areas

Management Goals: See Alligator Harbor Aquatic Preserve, *supra* page 50.

Site Description:

Located in Charlotte County within the Charlotte Harbor estuary, Cape Haze Aquatic Preserve covers approximately 11,168 acres. In addition to its designation as an Aquatic Preserve, Cape Haze also has been designated an Outstanding Florida Water, a Gulf of Mexico Ecological Management Site, and a National Estuarine Preserve. The preserve supports many recreational fish species, including mullet, spotted sea trout, red drum, flounder, blue crab, pink shrimp, and several species of shark. The preserve also supports commercial fish species such as cobia, flounder, mullet, pompano, spotted sea trout, snapper, and pink shrimp. Mangroves, seagrasses, and salt marshes provide nursery areas for many commercial and recreational species. Eighty-six endangered and threatened species are found within the Charlotte Harbor region, such as American alligator, bald eagle, wood stork, West Indian manatee, and species of sea turtle.

For more detailed discussion of the habitats, flora and fauna, and management objectives and strategies for this Aquatic Preserve, see the Charlotte Harbor Aquatic Preserves Management Plan. It is available online at http://www.dep.state.fl.us/coastal/downloads/management_plans/aquatic/Charlotte_Harbor.pdf

Regulation:

FLDEP's Office of Coastal and Aquatic Areas administers Aquatic Preserves. Chapters 253 and 258, Florida Statutes, establish the proprietary management overview role of the BOT. Florida Aquatic Preserves Rules, FLA. ADMIN. CODE ANN. Chapter 18-20, and the Sovereignty Submerged Lands Management Rules, FLA. ADMIN. CODE ANN. Chapter 18-21, contain relevant rules and regulations to administer Florida's Aquatic Preserves. Preserves are managed primarily for the maintenance of essentially natural conditions, propagation of fish and wildlife, and traditional uses such as swimming, fishing, and boating. Activities in Aquatic Preserves are limited to water dependent activities unless the BOT determines that it is in the public interest to allow an exception. The use of preserves to provide road access to islands, where such access did not previously exist, is prohibited, but BOT may allow an exception under certain circumstances.

Primary Information Source: Cape Haze Aquatic Preserve website - <http://www.dep.state.fl.us/coastal/sites/charlotte/capehaze/info.htm>



*Kemp's Ridley Sea Turtle
Courtesy of USFWS,
Photograph by David Bowman*

Cape Romano-Ten Thousand Islands Aquatic Preserve

Authorizing Legislation: Florida Aquatic Preserve Act, FLA. STAT. ANN. Section 258.35 et seq.

Date of Designation: 1988

Management Agency: Florida Department of Environmental Protection, Office of Coastal and Aquatic Managed Areas

Management Goals: See Alligator Harbor Aquatic Preserve, supra page 50.



Florida panther
Courtesy of USFWS

Site Description:

Located in Collier County, Cape Romano-Ten Thousand Islands Aquatic Preserve (CR-TTI AP) covers approximately 70,000 acres. CR-TTI AP is part of the larger Rookery Bay NERR, which is managed jointly by the State of Florida and the National Oceanic and Atmospheric Administration. The area also has been designated a Gulf of Mexico Ecological Management Site. The area is a relatively undisturbed mangrove estuary, one of the remaining few in the United States. Other types of habitat with the preserve include bays, salt marsh, freshwater marsh, xeric scrub, pine flatwoods, and coastal hammock. CR-TTI AP provides habitat for recreational and commercial fish and shellfish, and the bay's shallow waters are feeding grounds for dolphins, manatees, and various bird species.

As part of the larger Rookery Bay NERR, the management of the preserve includes research and education programs. The research program promotes the preservation, protection, and understanding of the ecological integrity of the entire Rookery Bay system. Therefore, the NERR program promotes research that leads to improved knowledge and understanding of our nation's estuarine resources. The NERR program's goal is to enhance the ability of citizens and officials to make informed coastal decisions. The education component of the program focuses on interpreting coastal management information and results of coastal research to adult audiences.

For more detailed discussion of the habitats, flora and fauna, and management objectives and strategies for this Aquatic Preserve, see the Rookery Bay and Cape Romano-Ten Thousand Islands Aquatic Preserves Management Plan. It is available online at http://www.dep.state.fl.us/coastal/downloads/management_plans/aquatic/Rookery_Bay_and_Cape_Romano_Ten_Thousand_Islands.pdf.

Regulation:

FLDEP's Office of Coastal and Aquatic Areas administers Aquatic Preserves. Chapters 253 and 258, Florida Statutes, establish the proprietary management overview role of the BOT. Florida Aquatic Preserves Rules, FLA. ADMIN. CODE ANN. Chapter 18-20, and the Sovereignty Submerged Lands Management Rules, FLA. ADMIN. CODE ANN. Chapter 18-21, contain relevant rules and regulations to administer Florida's Aquatic Preserves. Preserves are managed primarily for the maintenance of essentially natural conditions, propagation of fish and wildlife, and traditional uses such as swimming, fishing, and boating. Activities in Aquatic Preserves are limited to water dependent activities unless the BOT determines that it is in the public interest to allow an exception. The use of preserves to provide road access to islands, where such access did not previously exist, is prohibited, but BOT may allow an exception under certain circumstances.

Primary Information Source: Cape Romano-Ten Thousand Islands Aquatic Preserve website - <http://www.dep.state.fl.us/coastal/sites/southwest/rookery/info.htm>

Charlotte Harbor State Buffer Preserve

Authorizing Legislation: FLA. STAT. ANN. Sections 253.03 and 253.86(1)

Section 253.03 is the enabling statute that vests acquisition, management, and disposition of public lands with the Board of Trustees of the Internal Improvement Trust Fund.

Date of Designation: 1988

Management Agency: Florida Department of Environmental Protection, Florida Park Service

Management Goals: (1) To conserve and preserve natural values of ecosystems; (2) to provide public access and recreation that is compatible with natural and cultural resource conservation; (3) to protect and preserve wetlands, natural and water resources of adjacent aquatic preserves, parks, and other special management areas administered either by the Department of Environmental Protection or other state, federal, or local government authorities; (4) to protect and preserve native plant and animal species and natural communities, particularly any that are endangered or threatened; (5) to restore natural communities and original ecosystem functions, which have been historically degraded; (6) to protect cultural resources; and (7) to enhance public appreciation for natural and cultural diversity.⁴⁹

Site Description:

Located in Charlotte and Lee Counties, Charlotte Harbor State Buffer Preserve (CHSBP) covers approximately 42,400 acres. The preserve primarily consists of mangrove and salt marsh wetlands along with freshwater marsh, coastal scrub, tropical hardwood hammocks, and pinelands. The preserve's estuarine environment is its most prominent feature. CHSBP faces open bay waters, tidal creeks, and the Myakka, Peace, and Caloosahatchee Rivers. The preserve's coastal wetlands remain relatively undisturbed. The aquatic and terrestrial communities in the preserve support many species of wildlife, including federally- and state-listed endangered and threatened species such as the Florida panther, Florida scrub jay, and West Indian manatee. The preserve's mangrove swamps, salt marshes, salt flats, and seasonal ponds provide nursery areas for many species.

The location of CHSBP is significant because it provides additional protection to a group of aquatic preserves that were established to protect the Charlotte Harbor estuary. The Aquatic Preserves protected by CHSBP include Gasparilla Sound-Charlotte Harbor (80,000 acres), Cape Haze (11,289 acres), Matlacha Pass (14,000 acres), and Pine Island Sound (62,000 acres). CHBP also acts as a land buffer between the Charlotte Harbor estuary and adjacent upland development. Buffer Preserves generally protect water quality and other resources in adjacent environmentally sensitive areas. They also connect with other public lands to provide continuity among habitats and wildlife corridors.

Regulation:

FLA. ADMIN. CODE ANN. Chapter 18-23 conveys authority and establishes guidance for the management of Florida's State Buffer Preserves by the Board of Trustees of the Internal Improvement Trust Fund. Activities generally allowed in Buffer Preserves are hiking, horseback riding, and bicycle riding on specified trails or roads; camping in designated areas; fires in designated areas; vehicles on designated roads; and motor vehicle or vessel operation in water bodies, wetlands, or low lying areas located inside the boundaries of Buffer Preserves when such areas are designated for use with signs.⁵⁰

Visitors are responsible for proper disposal of all wastewater, refuse, and trash by placing them in designated containers, if provided, or removed to an off-site disposal facility or receptacle.⁵¹ Prohibited activ-

49. FLA. ADMIN. CODE ANN. 18-23.002.

50. FLA. ADMIN. CODE ANN. 18-23.007(2)(b).

51. *Id.*

ities in Buffer Preserves include: consumption of alcoholic beverages; hunting, harassing, possessing, or trapping wildlife; use of animal trapping or concealment devices; use of firearms or other weapons that are potentially dangerous to humans and wildlife; admission of unleashed domestic animals, except those assisting the handicapped; transplant or removal of any plant or animal or parts of plants or animals (living or dead), except as provided; removal, disturbance, pollution, or destruction of property or natural or cultural resources; and solicitation or distribution of commercial material and advertising any commercial event, other than FLDEP materials or announcements of FLDEP-sponsored or sanctioned events and gatherings.⁵²

FLDEP is required to close any Buffer Preserve or section of a Buffer Preserve to the public at any time and for any interval of time to protect the public health, public safety or welfare, weather conditions, natural hazards, management activities or environmental conditions, natural or cultural resources.⁵³

Primary Information Source: Charlotte Harbor State Buffer Preserve website - <http://www.dep.state.fl.us/coastal/sites/charlotte/charlotte/info.htm>



*Charlotte Harbor
Courtesy of Charlotte Harbor Aquatic
Preserve, Coastal Aquatic Managed Areas
(CAMA), FDEP
Photograph by Katie Fuhr*



*Manatee playing with crab pot
Courtesy of USFWS
Photograph by Jim Reid*

52. FLA. ADMIN. CODE ANN. 18-23.007(2)(a).
53. FLA. ADMIN. CODE ANN. 18-23.007(2)(d).

Cockroach Bay Aquatic Preserve

Authorizing Legislation: Florida Aquatic Preserve Act, FLA. STAT. ANN. Section 258.391

Date of Designation: 1976

Management Agency: Florida Department of Environmental Protection, Office of Coastal and Aquatic Managed Areas

Management Goals: See Alligator Harbor Aquatic Preserve, *supra* page 50.

Site Description:

Located in Hillsborough County, along southeast Tampa Bay, Cockroach Bay Aquatic Preserve covers approximately 8,583 acres and lies within the Little Manatee River, Little Cockroach Bay, Cockroach Bay, and Piney Point Creek watersheds. Marine-related habitats in the area include seagrass beds, hardbottom, sandy beach, open sand and mud bottom, tidal creek, mangrove forest, fresh marsh, and salt marsh. Cockroach Bay AP is one of the most pristine areas in the Tampa Bay region. The extensive seagrass beds and mangrove shorelines serve as nursery areas for abundant nearshore and offshore fisheries. It is believed that Spanish explorers who observed numerous horseshoe crabs first called the area "Cockroach Bay."

For more detailed discussion of the habitats, flora and fauna, and management objectives and strategies for this Aquatic Preserve, see the Cockroach Bay Aquatic Preserve Management Plan. It is available online at http://www.dep.state.fl.us/coastal/downloads/management_plans/aquatic/Cockroach_Bay.pdf.



Aerial View of Cockroach Bay
Courtesy of NOAA, Tampa Bay Watch
Photograph by Peter Clark

dependent activities unless the BOT determines that it is in the public interest to allow an exception. The use of preserves to provide road access to islands, where such access did not previously exist, is prohibited, but BOT may allow an exception under certain circumstances.

Primary Information Source: Cockroach Bay Aquatic Preserve website - <http://www.dep.state.fl.us/coastal/sites/tampabay/cockroacha/info.htm>⁵⁴

54. Information on FLDEP's Cockroach Bay AP is forthcoming. Information contained in this summary was obtained from Dr. Randy Runnels of the FLDEP Office of Coastal and Aquatic Managed Areas.

Estero Bay Aquatic Preserve

Authorizing Legislation: Florida Aquatic Preserve Act, FLA. STAT. ANN. Section 258.35 et seq.

Date of Designation: 1966

Primary Management Agency: Florida Department of Environmental Protection, Office of Coastal and Aquatic Managed Areas

Management Goals: See Alligator Harbor Aquatic Preserve, *supra* page 50.

Site Description:

Located in Lee County, Estero Bay Aquatic Preserve covers approximately 15 square miles of surface area and approximately 293 square miles of the Estero Bay drainage basin. Estero Bay AP was Florida's first Aquatic Preserve. In addition to its designation as an Aquatic Preserve, it also has been designated a Gulf of Mexico Ecological Management Site. The preserve is a productive estuarine system due to the subtropical climate, lagoon configuration, and vegetation. Approximately 40 percent of Florida's endangered and threatened species are found within the area. Estero Bay AP's estuary also supports and provides a nursery area for commercial and recreational fisheries.

For more detailed discussion of the habitats, flora and fauna, and management objectives and strategies for this Aquatic Preserve, see the Estero Bay Aquatic Preserve Management Plan. It is available online at http://www.dep.state.fl.us/coastal/downloads/management_plans/aquatic/Estero_Bay.pdf.

Regulation:

FLDEP's Office of Coastal and Aquatic Areas administers Aquatic Preserves. Chapters 253 and 258, Florida Statutes, establish the proprietary management. Chapters 253 and 258, Florida Statutes, establish the proprietary management overview role of the BOT. Florida Aquatic Preserves Rules, FLA. ADMIN. CODE ANN. Chapter 18-20, and the Sovereignty Submerged Lands Management Rules, FLA. ADMIN. CODE ANN. Chapter 18-21, contain relevant rules and regulations to administer Florida's Aquatic Preserves. Preserves are managed primarily for the maintenance of essentially natural conditions, propagation of fish and wildlife, and traditional uses such as swimming, fishing, and boating. Activities in Aquatic Preserves are limited to water dependent activities unless the BOT determines that it is in the public interest to allow an exception. The use of preserves to provide road access to islands, where such access did not previously exist, is prohibited, but BOT may allow an exception under certain circumstances.

Primary Information Source: Estero Bay Aquatic Preserve website - <http://www.dep.state.fl.us/coastal/sites/southwest/esteroa/info.htm>



*Estero Bay Seagrass
Courtesy of NOAA
Photograph by Paige Gill*

Estero Bay State Buffer Preserve

Authorizing Legislation: FLA. STAT. ANN. Sections 253.03 and 253.86(1)

Section 253.03 is the enabling statute that vests acquisition, management, and disposition of public lands with the Board of Trustees of the Internal Improvement Trust Fund.

Date of Designation: 1987

Management Agency: Florida Department of Environmental Protection, Florida Park Service

Management Goals: See Charlotte Bay State Buffer Preserve, *supra* page 57.

Site Description:

Located in Lee County, Estero Bay State Buffer Preserve (EBSBP) covers approximately 9,518 acres and lies within the Estero Bay drainage basin. In addition to its designation as a State Buffer Preserve, the site also has been designated a Gulf of Mexico Ecological Management Site. EBSBP contains five types of habitat: wet flatwoods, tidal estuarine marshes (salt marshes), tidal estuarine swamp (mangrove forests), mud flats, and shell mounds. The estuary is bordered on the west by a chain of barrier islands: Estero Island, Long Key, Lovers Key, Black Island, Big Hickory Island, and Little Hickory Island. Mangrove is the dominant type of vegetation in the preserve. Seagrass beds are found within shallow bays and sounds. The region in which EBSBP is located is known for its abundant recreational fishing grounds and wading bird and shore bird breeding and wintering grounds, as well as being a home to the West Indian manatee and bottle-nose dolphin. Many endangered and threatened species inhabit the area as well, including American alligator, American crocodile, and red-cockaded woodpecker.

Regulation:

FLA. ADMIN. CODE ANN. Chapter 18-23 conveys authority and establishes guidance for the management of Florida's State Buffer Preserves by the Board of Trustees of the Internal Improvement Trust Fund. Activities generally allowed in Buffer Preserves are hiking, horseback riding, and bicycle riding on specified trails or roads; camping in designated areas; fires in designated areas; vehicles on designated roads; and motor vehicle or vessel operation in water bodies, wetlands, or low lying areas located inside the boundaries of Buffer Preserves when such areas are designated for use with signs.

Visitors are responsible for proper disposal of all wastewater, refuse, and trash by placing them in designated containers, if provided, or removed to an off-site disposal facility or receptacle. Prohibited activities in Buffer Preserves include: consumption of alcoholic beverages; hunting, harassing, possessing, or trapping wildlife; use of animal trapping or concealment devices; use of firearms or other weapons that are potentially dangerous to humans and wildlife; admission of unleashed domestic animals, except those assisting the handicapped; transplant or removal of any plant or animal or parts of plants or animals (living or dead), except as provided; removal, disturbance, pollution, or destruction of property or natural or cultural resources; and solicitation or distribution of commercial material and advertising any commercial event, other than FLDEP materials or announcements of FLDEP-sponsored or sanctioned events and gatherings.

FLDEP is required to close any Buffer Preserve or section to the public at any time and for any interval of time to protect the public health, public safety or welfare, weather conditions, natural hazards, management activities or environmental conditions, natural or cultural resources

Primary Information Source: Estero Bay State Buffer Preserve website - <http://www.dep.state.fl.us/coastal/sites/southwest/esterob/info.htm>

Fort Pickens State Park Aquatic Preserve

Authorizing Legislation: Florida Aquatic Preserve Act, FLA. STAT. ANN. Section 258.35 et seq.

Date of Designation: 1970

Management Agency: Florida Department of Environmental Protection, Office of Coastal and Aquatic Managed Areas

Management Goals: See Alligator Harbor Aquatic Preserve, *supra* page 50.



Green Sea Turtle
Courtesy of USFWS
Photograph by Ryan Hagerty

Site Description:

Located in Escambia County, Fort Pickens State Park Aquatic Preserve covers approximately 34,000 acres and lies within the Pensacola Bay watershed. The preserve surrounds the western portion of Santa Rosa Island and the eastern portion of Perdido Key, both of which are undeveloped barrier islands. The preserve is also located in proximity to Gulf Islands National Seashore. In addition to its designation as Aquatic Preserve, Fort Pickens AP also has been designated an Outstanding Florida Water and a Gulf of Mexico Ecological Management Site. Shallow saline water, seagrass, and salt marsh communities provide habitat for wildlife and birds such as nesting sea turtles and shorebirds. Endangered and threatened species have been documented in the area, including green turtle, leatherback turtle, Kemp's ridley sea turtle, wood stork, and Perdido Key beach mouse. Fort Pickens AP previously had some of Florida's largest sand dunes. Hurricanes Erin and Opal in 1995 flattened many of them, however.

The preserve has a rich archeological and military history. Indian middens are located on Santa Rosa Island and Perdido Key, but most activity was historic and included Spanish settlers who first came to the area in 1528 and activity from the Civil War and Spanish-American War. Fort Pickens, Fort McRhee, and Fort Barrancas guarded the mainland during these wars. A sunken ship is located within the waters of the preserve. The USS Massachusetts, built in 1891 and one of the most powerful naval vessels of its time, was sunk in 1921 and used as target for artillery tests. In 1993, it was designated an underwater preserve and is located one mile from Pensacola Pass in the Gulf of Mexico.

For more detailed discussion of the habitats, flora and fauna, and management objectives and strategies for this Aquatic Preserve, see the Fort Pickens Aquatic Preserve Management Plan. It is available online at http://www.dep.state.fl.us/coastal/downloads/management_plans/aquatic/Ft_Pickens.pdf.

Regulation:

FLDEP's Office of Coastal and Aquatic Areas administers Aquatic Preserves. Chapters 253 and 258, Florida Statutes, establish the proprietary management overview role of the BOT. Florida Aquatic Preserves Rules, FLA. ADMIN. CODE ANN. Chapter 18-20, and the Sovereignty Submerged Lands Management Rules, FLA. ADMIN. CODE ANN. Chapter 18-21, contain relevant rules and regulations to administer Florida's Aquatic Preserves. Preserves are managed primarily for the maintenance of essentially natural conditions, propagation of fish and wildlife, and traditional uses such as swimming, fishing, and boating. Activities in Aquatic Preserves are limited to water dependent activities unless the BOT determines that it is in the public interest to allow an exception. The use of preserves to provide road access to islands, where such access did not previously exist, is prohibited, but BOT may allow an exception under certain circumstances.

Primary Information Source: Fort Pickens State Park Aquatic Preserve website - <http://www.dep.state.fl.us/coastal/sites/northwest/ftpickens/info.htm>

Gasparilla Sound-Charlotte Harbor Aquatic Preserve

Authorizing Legislation: Florida Aquatic Preserve Act, FLA. STAT. ANN. Section 258.392

Date of Designation: 1979

Management Agency: Florida Department of Environmental Protection, Office of Coastal and Aquatic Managed Areas

Management Goals: See Alligator Harbor Aquatic Preserve, *supra* page 50.

Site Description:

Located in Charlotte and Lee Counties, Gasparilla Sound-Charlotte Harbor Aquatic Preserve (GS-CH AP) covers approximately 79,168 acres and lies within the Charlotte Harbor watershed. In addition to its designation as an Aquatic Preserve, GS-CH AP also has been designated an Outstanding Florida Water, a Gulf of Mexico Ecological Management Site, and a National Estuarine Preserve. The most common biological communities in the preserve are mangroves, seagrasses, salt marshes, tidal flats (including estuarine beaches, spoil areas, shoal areas, and mud flats), and oyster communities. The preserve consists of recreational species such as mullet, spotted sea trout, and red drum, and commercial species such as cobia, flounder, pompano, and pink shrimp. Approximately eighty-six of Florida's endangered and threatened species can be found in the Charlotte Harbor region, including Atlantic green turtle, leatherback turtle, Kemp's ridley sea turtle, bald eagle, wood stork, and West Indian manatee.

For more detailed discussion of the habitats, flora and fauna, and management objectives and strategies for this Aquatic Preserve, see the Charlotte Harbor Aquatic Preserves Management Plan. It is available online at http://www.dep.state.fl.us/coastal/downloads/management_plans/aquatic/Charlotte_Harbor.pdf

Regulation:

FLDEP's Office of Coastal and Aquatic Areas administers Aquatic Preserves. Chapters 253 and 258, Florida Statutes, establish the proprietary management overview role of the BOT. Florida Aquatic Preserves Rules, FLA. ADMIN. CODE ANN. Chapter 18-20, and the Sovereignty Submerged Lands Management Rules, FLA. ADMIN. CODE ANN. Chapter 18-21, contain relevant rules and regulations to administer Florida's Aquatic Preserves. Preserves are managed primarily for the maintenance of essentially natural conditions, propagation of fish and wildlife, and traditional uses such as swimming, fishing, and boating. Activities in Aquatic Preserves are limited to water dependent activities unless the BOT determines that it is in the public interest to allow an exception. The use of preserves to provide road access to islands, where such access did not previously exist, is prohibited, but BOT may allow an exception under certain circumstances.

Primary Information Source: Gasparilla Sound Charlotte Harbor Aquatic Preserve website - <http://www.dep.state.fl.us/coastal/sites/charlotte/gasparilla/info.htm>



Hawksbill Turtle
Courtesy of NOAA, Florida Keys National
Marine Sanctuary Staff

Lemon Bay Aquatic Preserve

Authorizing Legislation: Florida Aquatic Preserve Act, FLA. STAT. ANN. Section 258.3925

Date of Designation: 1986

Management Agency: Florida Department of Environmental Protection, Office of Coastal and Aquatic Managed Areas

Management Goals: See Alligator Harbor Aquatic Preserve, *supra* page 50.

Site Description:

Located in Charlotte and Sarasota Counties, Lemon Bay Aquatic Preserve covers approximately 7,667 acres and lies within the Charlotte Harbor estuary complex. In addition to its designation as an Aquatic Preserve, Lemon Bay AP also has been designated an Outstanding Florida Water, Gulf of Mexico Ecological Management Site, and National Estuarine Preserve. The preserve is a linear inlet system connected by previous dredging activities. Lemon Bay AP includes large areas of wetlands, marine and estuarine waters, inlets, bays, tidal creeks, mudflats, sand bars, beaches, and salt flats. The preserve also includes submerged and intertidal habitats such as seagrass beds and mangrove islands.

Commercial species (e.g., mullet) and recreational species (e.g., snook and redfish) can be found in the waters of the preserve. Estuarine tributaries and mangrove and marsh habitats within the preserve support the early life stages of marine species. Lemon Bay AP's mangrove ecosystem in particular supports many species. At least 230 species of fish depend on the mangroves in Lemon Bay AP for feeding, breeding, and nursery grounds and shelter. Mangrove habitat also provides nursery and feeding grounds for bird species such as the brown pelican. In the southwest Florida region alone, at least 20 species of reptiles and amphibians, 90 species of birds, and 20 species of mammals utilize mangroves as habitat for feeding, roosting, breeding, and cover. In addition, Lemon Bay AP is a forage area for the West Indian manatee and several species of sea turtles.

For more detailed discussion of the habitats, flora and fauna, and management objectives and strategies for this Aquatic Preserve, see the Lemon Bay Aquatic Preserve Management Plan. It is available online at http://www.dep.state.fl.us/coastal/downloads/management_plans/aquatic/Lemon_Bay.pdf.

Regulation:

FLDEP's Office of Coastal and Aquatic Areas administers Aquatic Preserves. Chapters 253 and 258, Florida Statutes, establish the proprietary management overview role of the BOT. Florida Aquatic Preserves Rules, FLA. ADMIN. CODE ANN. Chapter 18-20, and the Sovereignty Submerged Lands Management Rules, FLA. ADMIN. CODE ANN. Chapter 18-21, contain relevant rules and regulations to administer Florida's Aquatic Preserves. Preserves are managed primarily for the maintenance of essentially natural conditions, propagation of fish and wildlife, and traditional uses such as swimming, fishing, and boating. Activities in Aquatic Preserves are limited to water dependent activities unless the BOT determines that it is in the public interest to allow an exception. The use of preserves to provide road access to islands, where such access did not previously exist, is prohibited, but BOT may allow an exception under certain circumstances.

Primary Information Source: Lemon Bay Aquatic Preserve website - <http://www.dep.state.fl.us/coastal/sites/charlotte/lemon/info.htm>



Reddish Egret
Courtesy of USFWS
Photograph by James Leupold



Loggerhead Sea Turtle
Courtesy of NOAA Sanctuary Collection

Matlacha Pass Aquatic Preserve

Authorizing Legislation: Florida Aquatic Preserve Act, FLA. STAT. ANN. Section 258.35 et seq.

Date of Designation: 1972

Management Agency: Florida Department of Environmental Protection, Office of Coastal and Aquatic Managed Areas

Management Goals: See Alligator Harbor Aquatic Preserve, *supra* page 50.

Site Description:

Located in Lee County, Matlacha Pass Aquatic Preserve covers approximately 12,511 acres and lies within the Charlotte Harbor estuary complex. Mangroves, seagrasses, salt marshes, oyster communities, and tidal flats (estuarine beaches, spoil areas, shoal areas, and mud flats) are common biological communities within the preserve. Matlacha Pass AP supports various commercial and recreational species. Snook, mullet, and redfish are a few recreational fish species found in the preserve while commercial species include shrimp, blue crab, and oysters. Mangroves, seagrasses, and salt marshes in the preserve provide nursery grounds for recreational and commercial species. Matlacha Pass AP is near parks and beaches such as Cayo Costa State Park and Ding Darling NWR.

For more detailed discussion of the habitats, flora and fauna, and management objectives and strategies for this Aquatic Preserve, see the Charlotte Harbor Aquatic Preserves Management Plan. It is available online at http://www.dep.state.fl.us/coastal/downloads/management_plans/aquatic/Charlotte_Harbor.pdf

Regulation:

FLDEP's Office of Coastal and Aquatic Areas administers Aquatic Preserves. Chapters 253 and 258, Florida Statutes, establish the proprietary management overview role of the BOT. Florida Aquatic Preserves Rules, FLA. ADMIN. CODE ANN. Chapter 18-20, and the Sovereignty Submerged Lands Management Rules, FLA. ADMIN. CODE ANN. Chapter 18-21, contain relevant rules and regulations to administer Florida's Aquatic Preserves. Preserves are managed primarily for the maintenance of essentially natural conditions, propagation of fish and wildlife, and traditional uses such as swimming, fishing, and boating. Activities in Aquatic Preserves are limited to water dependent activities unless the BOT determines that it is in the public interest to allow an exception. The use of preserves to provide road access to islands, where such access did not previously exist, is prohibited, but BOT may allow an exception under certain circumstances.

Primary Information Source: Matlacha Pass Aquatic Preserve website - <http://www.dep.state.fl.us/coastal/sites/charlotte/matlacha/info.htm>

Pine Island Sound Aquatic Preserve

Authorizing Legislation: Florida Aquatic Preserve Act, FLA. STAT. ANN. Section 258.35 et seq.

Date of Designation: 1970

Management Agency: Florida Department of Environmental Protection, Office of Coastal and Aquatic Managed Areas

Management Goals: See Alligator Harbor Aquatic Preserve, *supra* page 50.

Site Description:

Located in Lee County, Pine Island Sound Aquatic Preserve covers approximately 54,176 acres and lies within the Charlotte Harbor estuary complex. In addition to its designation as an Aquatic Preserve, Pine Island Sound AP also has been designated as an Outstanding Florida Water, Gulf of Mexico Ecological Management Site, and National Estuarine Preserve. The preserve shares some of the same ecological features with Matlacha Pass AP. Mangroves, seagrasses, salt marshes, oyster communities, and tidal flats (estuarine beaches, spoil areas, shoal areas, and mud flats) are common biological communities within the preserve. Pine Island Sound AP supports various commercial and recreational species. Snook, mullet, and redfish are a few recreational fish species found in the preserve while commercial species include shrimp, blue crab, and oyster. Mangroves, seagrasses, and salt marshes in the preserve provide nursery grounds for recreational and commercial species. As with Matlacha Pass AP, Pine Island Sound AP is near parks and beaches such as Cayo Costa State Park and Ding Darling NWR.

For more detailed discussion of the habitats, flora and fauna, and management objectives and strategies for this

Aquatic Preserve, see the Charlotte Harbor Aquatic Preserves Management Plan. It is available online at http://www.dep.state.fl.us/coastal/downloads/management_plans/aquatic/Charlotte_Harbor.pdf.



Reddish egret
Courtesy of USFWS
Photograph by James Leupold

Regulation:

FLDEP's Office of Coastal and Aquatic Areas administers Aquatic Preserves. Chapters 253 and 258, Florida Statutes, establish the proprietary management overview role of the BOT. Florida Aquatic Preserves Rules, FLA. ADMIN. CODE ANN. Chapter 18-20, and the Sovereignty Submerged Lands Management Rules, FLA. ADMIN. CODE ANN. Chapter 18-21, contain relevant rules and regulations to administer Florida's Aquatic Preserves. Preserves are managed primarily for the maintenance of essentially natural conditions, propagation of fish and wildlife, and traditional uses such as swimming, fishing, and boating. Activities in Aquatic Preserves are limited to water dependent activities unless the BOT determines that it is in the public interest to allow an exception. The use of preserves to provide road access to islands, where such access did not previously exist, is prohibited, but BOT may allow an exception under certain circumstances.

Primary Information Source: Pine Island Aquatic Preserve website - <http://www.dep.state.fl.us/coastal/sites/charlotte/pineisland/info.htm>

Pinellas County Aquatic Preserve

Authorizing Legislation: Florida Aquatic Preserve Act, FLA. STAT. ANN. Section 258.35 et seq.

Date of Designation: 1972

Management Agency: Florida Department of Environmental Protection, Office of Coastal and Aquatic Managed Areas

Management Goals: See Alligator Harbor Aquatic Preserve, *supra* page 50.

Site Description:

Located along the east and west coasts of Pinellas County, Pinellas County Aquatic Preserve covers approximately 336,265 acres and lies within the Anclote River and Tampa Bay watersheds. Basins include Clearwater Harbor, Safety Harbor, Feather Sound, western Tampa Bay, and state-owned lake bottoms. Marine-related habitats include seagrass beds, hardbottom (including diverse coral communities in the Gulf of Mexico), open sand and mud bottom, sandy beach, mangrove forest, and salt marsh. Pinellas County AP is Florida's largest urban aquatic preserve. Despite its location, the dense seagrass beds, coral communities, and other habitats have thrived under its aquatic preserve designation.

Regulation:

FLDEP's Office of Coastal and Aquatic Areas administers Aquatic Preserves. Chapters 253 and 258, Florida Statutes, establish the proprietary management overview role of the BOT. Florida Aquatic Preserves Rules, FLA. ADMIN. CODE ANN. Chapter 18-20, and the Sovereignty Submerged Lands Management Rules, FLA. ADMIN. CODE ANN. Chapter 18-21, contain relevant rules and regulations to administer Florida's Aquatic Preserves. Preserves are managed primarily for the maintenance of essentially natural conditions, propagation of fish and wildlife, and traditional uses such as swimming, fishing, and boating. Activities in Aquatic Preserves are limited to water dependent activities unless the BOT determines that it is in the public interest to allow an exception. The use of preserves to provide road access to islands, where such access did not previously exist, is prohibited, but BOT may allow an exception under certain circumstances.

Primary Information Source: Pinellas County Aquatic Preserve website - <http://www.dep.state.fl.us/coastal/sites/tampabay/pinellas/info.htm>



*Stilts taking flight
Courtesy of USFWS
Photograph by Tupper A. Blake*

*Florida Black Bear
Courtesy of USFWS
Photograph by R.I. Bridges*



Rocky Bayou State Park Aquatic Preserve

Authorizing Legislation: Florida Aquatic Preserve Act, FLA. STAT. ANN. Section 258.35 et seq.

Date of Designation: 1970

Management Agency: Florida Department of Environmental Protection, Office of Coastal and Aquatic Managed Areas

Management Goals: See Alligator Harbor Aquatic Preserve, *supra* page 50.

Site Description:

Located in Okaloosa County, Rocky Bayou State Park Aquatic Preserve (Rocky Bayou AP) covers approximately 480 acres and lies within the Choctawhatchee Bay watershed. In addition to its designation as an Aquatic Preserve, Rocky Bayou AP also has been designated as an Outstanding Florida Water and Gulf of Mexico Ecological Management Site. The preserve is a freshwater to brackish water system that includes forested wetlands, marshes, low bays, and grass beds. Rocky Bayou AP provides food and habitat for fish and wildlife, and endangered and threatened species utilize the preserve. For example, a bald eagle's nest has been active and produced fledglings for over five years. The uplands bordering the preserve are primarily residential and publicly managed areas. Fred Gannon Rocky Bayou State Recreation Area and Eglin Air Force Base, both of which manage almost half of the uplands adjacent to Rocky Bayou, help buffer impacts to water quality.

For more detailed discussion of the habitats, flora and fauna, and management objectives and strategies for this Aquatic Preserve, see the Rocky Bayou Aquatic Preserve Management Plan. It is available online at http://www.dep.state.fl.us/coastal/downloads/management_plans/aquatic/Rocky_Bayou.pdf.

Regulation:

FLDEP's Office of Coastal and Aquatic Areas administers Aquatic Preserves. Chapters 253 and 258, Florida Statutes, establish the proprietary management overview role of the BOT. Florida Aquatic Preserves Rules, FLA. ADMIN. CODE ANN. Chapter 18-20, and the Sovereignty Submerged Lands Management Rules, FLA. ADMIN. CODE ANN. Chapter 18-21, contain relevant rules and regulations to administer Florida's Aquatic Preserves. Preserves are managed primarily for the maintenance of essentially natural conditions, propagation of fish and wildlife, and traditional uses such as swimming, fishing, and boating. Activities in Aquatic Preserves are limited to water dependent activities unless the BOT determines that it is in the public interest to allow an exception. The use of preserves to provide road access to islands, where such access did not previously exist, is prohibited, but BOT may allow an exception under certain circumstances.

Primary Information Source: Rocky Bayou State Park Aquatic Preserve website - <http://www.dep.state.fl.us/coastal/sites/northwest/rocky/info.htm>

Rookery Bay Aquatic Preserve

Authorizing Legislation: Florida Aquatic Preserve Act, FLA. STAT. ANN. Section 258.35 et seq.

Date of Designation: 1978

Management Agency: Florida Department of Environmental Protection, Office of Coastal and Aquatic Managed Areas

Management Goals: See Alligator Harbor Aquatic Preserve, *supra* page 50.



Rookery Bay Aquatic Preserve
Courtesy of NOAA National Estuarine Research Reserve Collection

Site Description:

Located in Collier County, Rookery Bay Aquatic Preserve (Rookery Bay AP) covers approximately 40,000 acres. Rookery Bay AP is part of the larger Rookery Bay NERR, which is managed jointly by the State of Florida and the National Oceanic and Atmospheric Administration. The area also has been designated a Gulf of Mexico Ecological Management Site. The Rookery Bay area is a relatively undisturbed mangrove estuary, one of the remaining few in the United States. Other types of habitat within the preserve include bays, salt marsh, freshwater marsh, xeric scrub, pine flatwoods, and coastal hammock. The area provides habitat for recreational and commercial fish and shellfish, and the bay's shallow waters are feeding grounds for dolphins, manatees, and various bird species.

As part of the larger Rookery Bay NERR, the management of the preserve includes research and education programs. The research program promotes the preservation, protection, and understanding of the ecological integrity of the entire Rookery Bay system. Therefore, the NERR program promotes research that leads to improved knowledge and understanding of our nation's estuarine resources. The NERR program's goal is to enhance the ability of citizens and officials to make informed coastal decisions. Therefore, the education program focuses on interpreting coastal management information and results of coastal research to adult audiences.

For more detailed discussion of the habitats, flora and fauna, and management objectives and strategies for this Aquatic Preserve, see the Rookery Bay and Cape Romano-Ten Thousand Islands Aquatic Preserves Management Plan. It is available online at http://www.dep.state.fl.us/coastal/downloads/management_plans/aquatic/Rookery_Bay_and_Cape_Romano_Ten_Thousand_Islands.pdf.

Regulation:

FLDEP's Office of Coastal and Aquatic Areas administers Aquatic Preserves. Chapters 253 and 258, Florida Statutes, establish the proprietary management overview role of the BOT. Florida Aquatic Preserves Rules, FLA. ADMIN. CODE ANN. Chapter 18-20, and the Sovereignty Submerged Lands Management Rules, FLA. ADMIN. CODE ANN. Chapter 18-21, contain relevant rules and regulations to administer Florida's Aquatic Preserves. Preserves are managed primarily for the maintenance of essentially natural conditions, propagation of fish and wildlife, and traditional uses such as swimming, fishing, and boating. Activities in Aquatic Preserves are limited to water dependent activities unless the BOT determines that it is in the public interest to allow an exception. The use of preserves to provide road access to islands, where such access did not previously exist, is prohibited, but BOT may allow an exception under certain circumstances.

Primary Information Source: Rookery Bay Aquatic Preserve website - <http://www.dep.state.fl.us/coastal/sites/southwest/rookery/info.htm>

St. Andrews State Park Aquatic Preserve

Authorizing Legislation: Florida Aquatic Preserve Act, FLA. STAT. ANN. Section 258.35 et seq.

Date of Designation: 1972

Management Agency: Florida Department of Environmental Protection, Office of Coastal and Aquatic Managed Areas

Management Goals: See Alligator Harbor Aquatic Preserve, *supra* page 50.

Site Description:

Located in Bay County, St. Andrews State Park Aquatic Preserve covers approximately 25,000 acres. In addition to its designation as an Aquatic Preserve, St. Andrews AP also has been designated as an Outstanding Florida Water and a Gulf of Mexico Ecological Management Site. The preserve surrounds the entrance of St. Andrews Bay, a diverse ecosystem that also includes the largest expanse of seagrass in the Florida panhandle region. Estuarine and oceanic waters and salt marsh also compose the St. Andrews Bay system. The bay itself has little freshwater input. Major water sources are from spring-fed streams. The preserve itself, however, is important to the entire St. Andrews Bay system because all waters entering and exiting the bay must pass through the preserve.

Over 2,100 marine-dependent species have been documented in the bay. The beaches within the preserve and adjacent beaches provide nesting grounds for sea turtles such as the Atlantic green and Atlantic loggerhead and several species of endangered and threatened shorebirds. Salt marshes and seagrass beds provide spawning and nursery habitats for fish and shellfish species. The dunes and beaches within the preserve support protected species such as the piping plover, snowy plover, and Choctawhatchee beach mouse.

For more detailed discussion of the habitats, flora and fauna, and management objectives and strategies for this Aquatic Preserve, see the St. Andrews State Park Aquatic Preserve Management Plan. It is available online at

http://www.dep.state.fl.us/coastal/downloads/management_plans/aquatic/St_Andrews_State_Park.pdf .

Regulation:

FLDEP's Office of Coastal and Aquatic Areas administers Aquatic Preserves. Chapters 253 and 258, Florida Statutes, establish the proprietary management overview role of the BOT. Florida Aquatic Preserves Rules, FLA. ADMIN. CODE ANN. Chapter 18-20, and the Sovereignty Submerged Lands Management Rules, FLA. ADMIN. CODE ANN. Chapter 18-21, contain relevant rules and regulations to administer Florida's Aquatic Preserves. Preserves are managed primarily for the maintenance of essentially natural conditions, propagation of fish and wildlife, and traditional uses such as swimming, fishing, and boating. Activities in Aquatic Preserves are limited to water dependent activities unless the BOT determines that it is in the public interest to allow an exception. The use of preserves to provide road access to islands, where such access did not previously exist, is prohibited, but BOT may allow an exception under certain circumstances.

Primary Information Source: St. Andrews State Park Aquatic Preserve website - <http://www.dep.state.fl.us/coastal/sites/northwest/standrews/info.htm>



*Atlantic green sea turtle
Courtesy of FLDEP
Photograph by Shirley Brown*

St. Joseph Bay Aquatic Preserve

Authorizing Legislation: Florida Aquatic Preserve Act, FLA. STAT. ANN. Section 258.35 et seq.

Date of Designation: 1969

Management Agency: Florida Department Environmental Protection, Office of Coastal and Aquatic Managed Areas

Management Goals: See Alligator Harbor Aquatic Preserve, *supra* page 50.

Site Description:

Located in Gulf County, St. Joseph Bay Aquatic Preserve covers approximately 73,000 acres. In addition to its designation as an Aquatic Preserve, St. Joseph Bay AP also has been designated as an Outstanding Florida Water and Gulf of Mexico Ecological Management Site. A distinguishing characteristic of the preserve is that it is the only bay in the eastern Gulf of Mexico not influenced by the inflow of freshwater. Habitat includes salt marsh, nearshore coastal communities, and seagrass beds. St. Joseph Bay AP is the location of one of the north Florida coast's most abundant seagrass communities. Five species of seagrass can be found in the bay: Cuban shoal grass, manatee grass, turtle grass, widgeon grass, and star grass. These seagrass communities provide habitat for many commercial and recreational marine species such as blue crab, redfish, and flounder and provide nursery grounds and cover for juvenile fish and invertebrate species.

The land area surrounding the preserve is an important stopover for migratory birds. Birds from the Midwest and the Atlantic seaboard travel to the Gulf of Mexico and peninsular Florida during migration. In season, migratory birds such as warblers, vireos, tanagers, and grosbeaks flock to the St. Joseph peninsula and cape. The St. Joseph peninsula also draws hawks from all over North America.

Regulation:

FLDEP's Office of Coastal and Aquatic Areas administers Aquatic Preserves. Chapters 253 and 258, Florida Statutes, establish the proprietary management overview role of the BOT. Florida Aquatic Preserves Rules, FLA. ADMIN. CODE ANN. Chapter 18-20, and the Sovereignty Submerged Lands Management Rules, FLA. ADMIN. CODE ANN. Chapter 18-21, contain relevant rules and regulations to administer Florida's Aquatic Preserves. Preserves are managed primarily for the maintenance of essentially natural conditions, propagation of fish and wildlife, and traditional uses such as swimming, fishing, and boating. Activities in Aquatic Preserves are limited to water dependent activities unless the BOT determines that it is in the public interest to allow an exception. The use of preserves to provide road access to islands, where such access did not previously exist, is prohibited, but BOT may allow an exception under certain circumstances.

Primary Information Source: St. Joseph Bay Aquatic Preserve website - <http://www.dep.state.fl.us/coastal/sites/apalachicola/stjosepha/info.htm>



*Atlantic green sea turtle
Courtesy of FLDEP
Photo by Tammy Summers*

St. Joseph Bay State Buffer Preserve

Authorizing Legislation: FLA. STAT. ANN. Sections 253.03 and 253.86(1)

Section 253.03 is the enabling statute that vests acquisition, management, and disposition of public lands with the Board of Trustees of the Internal Improvement Trust Fund.

Date of Designation: 1995

Management Agency: Florida Department of Environmental Protection, Florida Park Service

Management Goals: See Charlotte Harbor State Buffer Preserve, *supra* at page 57.

Site Description:

Located in Gulf County, St. Joseph Bay State Buffer Preserve (SJBSBP) covers approximately 5,018 acres. An additional 486 acres are managed as part of the St. Joseph Bay Aquatic Preserve. The optimal buffer preserve acreage is 12,570 acres. The preserve includes upland, tidal marsh, bog and swamp habitats that also influence St. Joseph Bay. SJBSBP provides habitat for several endangered and threatened species not found on other conservation lands in Florida. Migratory birds also use this area during their journeys. The preserve also acts as a water recharge area and buffers primarily St. Joseph Bay, but also the Gulf of Mexico, St. Vincent Sound, Indian Lagoon, and Apalachicola River and Bay through connected drainages, which improve and protect the bay's water quality.

Regulation:

FLA. ADMIN. CODE ANN. Chapter 18-23 conveys authority and establishes guidance for the management of Florida's State Buffer Preserves by the Board of Trustees of the Internal Improvement Trust Fund. Activities generally allowed in Buffer Preserves are hiking, horseback riding, and bicycle riding on specified trails or roads; camping in designated areas; fires in designated areas; vehicles on designated roads; and motor vehicle or vessel operation in water bodies, wetlands, or low lying areas located inside the boundaries of Buffer Preserves when such areas are designated for use with signs.

Visitors are responsible for proper disposal of all wastewater, refuse, and trash by placing them in designated containers, if provided, or removed to an off-site disposal facility or receptacle. Prohibited activities in Buffer Preserves include: consumption of alcoholic beverages; hunting, harassing, possessing, or trapping wildlife; use of animal trapping or concealment devices; use of firearms or other weapons that are potentially dangerous to humans and wildlife; admission of unleashed domestic animals, except those assisting the handicapped; transplant or removal of any plant or animal or parts of plants or animals (living or dead), except as provided; removal, disturbance, pollution, or destruction of property or natural or cultural resources; and solicitation or distribution of commercial material and advertising any commercial event, other than FLDEP materials or announcements of FLDEP-sponsored or sanctioned events and gatherings.

FLDEP is required to close any Buffer Preserve or section of a Buffer Preserve to the public at any time and for any interval of time to protect the public health, public safety or welfare, weather conditions, natural hazards, management activities or environmental conditions, natural or cultural resources.

Primary Information Source: St. Joseph Bay State Buffer Preserve website - <http://www.dep.state.fl.us/coastal/sites/apalachicola/stjosephb/info.htm>



*Aerial View of St. Joseph Bay State Buffer Preserve
Courtesy of LDEP*

St. Martins Marsh Aquatic Preserve

Authorizing Legislation: Florida Aquatic Preserve Act, FLA. STAT. ANN. Section 258.35 et seq.

Date of Designation: 1969

Management Agency: Florida Department of Environmental Protection, Office of Coastal and Aquatic Managed Areas

Management Goals: See Alligator Harbor Aquatic Preserve, *supra* page 50.

Site Description:

Located in Citrus County, St. Martins Marsh Aquatic Preserve covers approximately 23,000 acres. In addition to its designation as an Aquatic Preserve, it also has been designated an Outstanding Florida Water and a Gulf of Mexico Ecological Management Site. The preserve is comprised of open water, inlet bays, tidal rivers and creeks, salt marsh, seagrasses, mangroves, and adjoining upland hammock islands. The nutrient exchange between the marshes and the Gulf of Mexico makes the salt marsh in St. Martins Marsh AP a nursery ground for commercial and recreational fish. Species of fish that can be found in preserve waters include snook, redfish, and sea trout. The marsh and coastal hammocks are wintering and stopover areas for migratory birds.

For more detailed discussion of the habitats, flora and fauna, and management objectives and strategies for this Aquatic Preserve, see the St. Martins Marsh Aquatic Preserve Management Plan. It is available online at http://www.dep.state.fl.us/coastal/downloads/management_plans/aquatic/St_Martins_Marsh.pdf.

Regulation:

FLDEP's Office of Coastal and Aquatic Areas administers Aquatic Preserves. Chapters 253 and 258, Florida Statutes, establish the proprietary management overview role of the BOT. Florida Aquatic Preserves Rules, FLA. ADMIN. CODE ANN. Chapter 18-20, and the Sovereignty Submerged Lands Management Rules, FLA. ADMIN. CODE ANN. Chapter 18-21, contain relevant rules and regulations to administer Florida's Aquatic Preserves. Preserves are managed primarily for the maintenance of essentially natural conditions, propagation of fish and wildlife, and traditional uses such as swimming, fishing, and boating. Activities in Aquatic Preserves are limited to water dependent activities unless the BOT determines that it is in the public interest to allow an exception. The use of preserves to provide road access to islands, where such access did not previously exist, is prohibited, but BOT may allow an exception under certain circumstances.

Primary Information Source: St. Martins Marsh Aquatic Preserve website - <http://www.dep.state.fl.us/coastal/sites/bigbend/stmartins/info.htm>



*St. Martin's Marsh Aquatic Preserve
Courtesy of FLDEP*

Wood Stork
Courtesy of NOAA National Estuarine
Research Reserve Collection



Terra Ceia Aquatic Preserve

Authorizing Legislation: Florida Aquatic Preserve Act, FLA. STAT. ANN. Section 258.393

Date of Designation: 1984

Management Agency: Florida Department of Environmental Protection, Office of Coastal and Aquatic Managed Areas

Management Goals: See Alligator Harbor Aquatic Preserve, *supra* page 50.

Site Description:

Located in northwest Manatee County, along southeast Tampa Bay, Terra Ceia Aquatic Preserve covers approximately 25,786 acres and lies within the Terra Ceia/Frog Creek, Terra Ceia Bay, and Bishop Harbor watersheds. The area also is adjacent to the Manatee River. Marine-related habitats include seagrass communities, hardbottom, open sand and mud bottom, sandy beach, tidally-influenced creeks, backwater stream, mangrove forest, fresh marsh, and salt marsh. Although this area is located in Tampa Bay, near urbanized Pinellas County, it supports coral communities and tropical and subtropical marine species. Extensive mangrove systems and dense seagrass beds make this system especially productive.

For more detailed discussion of the habitats, flora and fauna, and management objectives and strategies for this Aquatic Preserve, see the Terra Ceia Aquatic Preserve Management Plan. It is available online at http://www.dep.state.fl.us/coastal/downloads/management_plans/aquatic/Terra_Ceia.pdf .

Regulation:

FLDEP's Office of Coastal and Aquatic Areas administers Aquatic Preserves. Chapters 253 and 258, Florida Statutes, establish the proprietary management overview role of the BOT. Florida Aquatic Preserves Rules, FLA. ADMIN. CODE ANN. Chapter 18-20, and the Sovereignty Submerged Lands Management Rules, FLA. ADMIN. CODE ANN. Chapter 18-21, contain relevant rules and regulations to administer Florida's Aquatic Preserves. Preserves are managed primarily for the maintenance of essentially natural conditions, propagation of fish and wildlife, and traditional uses such as swimming, fishing, and boating. Activities in Aquatic Preserves are limited to water dependent activities unless the BOT determines that it is in the public interest to allow an exception. The use of preserves to provide road access to islands, where such access did not previously exist, is prohibited, but BOT may allow an exception under certain circumstances.

Primary Information Source: Terra Ceia Aquatic Preserve website - <http://www.dep.state.fl.us/coastal/sites/tampabay/terraceiaa/info.htm> ⁵⁵

55. Information on FLDEP's Terra Ceia AP web site is forthcoming. Information contained in this summary was obtained from Dr. Randy Runnels of the FLDEP Office of Coastal and Aquatic Managed Areas.

Yellow River Marsh Aquatic Preserve

Authorizing Legislation: Florida Aquatic Preserve Act, FLA. STAT. ANN. Section 258.35 et seq.

Date of Designation: 1970

Management Agency: Florida Department of Environmental Protection, Office of Coastal and Aquatic Managed Areas

Management Goals: See Alligator Harbor Aquatic Preserve, *supra* page 50.

Site Description:

Located in Santa Rosa County, Yellow River Marsh Aquatic Preserve covers approximately 16,435 acres. In addition to its designation as an Aquatic Preserve, Yellow River Marsh AP also has been designation an Outstanding Florida Water and a Gulf of Mexico Ecological Management Site. The preserve includes a large section of the Yellow River, near where the river flows into the Blackwater and East Bays, in the western portion of the Florida Panhandle region. Forested wetlands, freshwater and saltwater marshes, and submerged seagrasses provide food and habitat for fish, reptiles, amphibians, mammals, and benthic invertebrates. Protected species such as the Florida black bear, Gulf sturgeon, and bald eagle can be found in the preserve.

Regulation:

FLDEP's Office of Coastal and Aquatic Areas administers Aquatic Preserves. Chapters 253 and 258, Florida Statutes, establish the proprietary management overview role of the BOT. Florida Aquatic Preserves Rules, FLA. ADMIN. CODE ANN. Chapter 18-20, and the Sovereignty Submerged Lands Management Rules, FLA. ADMIN. CODE ANN. Chapter 18-21, contain relevant rules and regulations to administer Florida's Aquatic Preserves. Preserves are managed primarily for the maintenance of essentially natural conditions, propagation of fish and wildlife, and traditional uses such as swimming, fishing, and boating. Activities in Aquatic Preserves are limited to water dependent activities unless the BOT determines that it is in the public interest to allow an exception. The use of preserves to provide road access to islands, where such access did not previously exist, is prohibited, but BOT may allow an exception under certain circumstances.

Primary Information Source: Yellow River Marsh Aquatic Preserve website - <http://www.dep.state.fl.us/coastal/sites/northwest/yellowa/info.htm>



*Tri-Colored Heron
Courtesy of USFWS
Photograph by Gary Stolz*