

USER AGREEMENT

LOWER KEYS FISHING GUIDE ASSOCIATION
LOWER KEYS PWC CO-OP TOUR OPERATORS

December 11, 2012

Presentation to National Marine
Sanctuary Advisory Council

Purpose:

- In an effort to resolve seasonal user conflict, the PWC Co-Op and LKGA held a series of meetings to discuss ways in which to better the working relationship between parties, further mutual understanding, promote a healthier fishery and increase safety of PWC tours. The objective was to create a good faith agreement whereby both parties would jointly outline specific routes for PWC tours and guidelines for conduct.

Goals of the Lower Keys PWC Co-op and

LKGA:

- To work together to minimize user conflict.
- Promote safety and respect.
- To preserve the integrity of our shared resources.
- To continue meeting, maintain an open dialogue, and educate both user groups.
- To better understand the needs and concerns on our shared natural resources.
- Work together to develop the best routes and riding areas for PWC tour operators to reduce user conflict.



LOWER KEYS PWC CO – OP agrees to and
will abide by the following

During sensitive times, (Tarpon season) PWC guides shall take measures to avoid fishing grounds and fishermen that may be fighting fish. The routes set forth in the chart seek to accomplish this and represent the fishing guide's and PWC tour operator's best efforts to do so. See charts for details.



LOWER KEYS PWC CO – OP agrees to and will abide by the following

Ocean Side Route closed during the evening of the “Worm Hatch” Tours shall instead take backcountry route from the hours of 5pm until sunset. Dates are: May 11,12,13, May 25,26,27,28, June 10,11, 12 (10 evenings and subject to change annually) Normal operation during the day is expected, the fish congregate in the late afternoon.



LOWER KEYS PWC CO – OP agrees to and will abide by the following

When passing from West to East between Fleming Key and Demolition Key, hug Fleming Key to the South, and stay out of deep water channel if possible (especially in the morning). Proceed South until in front of the dive flag off Special Forces training facility (about 500 yards) before heading East to Sigsbee. Stay South in Seaplane basin. From the Special Forces dive flag, head directly towards the radar dome on Boca Chica (white golf ball looking dome). Doing so will allow safe passage North of the swim buoys and Special Forces drop zone. Proceed directly towards Channel Key and the Free-ride area. See Chart



LOWER KEYS PWC CO – OP agrees to and will abide by the following

Stay in 15 feet of water along the South side of Key West. Tarpon migrate between 3 and 10 feet of water.

Maintain ½ mile distance from all fishing boats if possible. Swing fishing boats very wide and if a captain is hooked up, stop the tour and make a judgment on which side to proceed. Mostly the fish will be fought from the front of the boat.

Stay off the mangroves near North Boca Chica.



LOWER KEYS PWC CO – OP agrees to and will abide by the following

When heading West on the South side of Key West and approaching Ft Zachary Taylor, go the southern range marker "G"WR5" before heading North into the Harbor. Main tarpon aggregation point is due Southwest of the Fort and in the main channel. Notice boats fishing and swing westward to avoid running over fishing activity. See chart and Note *

Note* PWC Co-op and LKGA jointly ask National Marine Sanctuary for relief of regulation to allow passage West of fishing grounds in the instance that doing so will avoid conflict between fishing boats and PWC tours in the immediate area South and West of Fort Zach.

LOWER KEYS PWC CO – OP agrees to and will abide by the following

- PWC Guides will conduct free style riding in following areas:
 - Outside the sub marine pits between Key Haven and Boca Chica.
 - North of the mooring field between Sigsbee and Fleming Key.
 - Between Sigsbee and Sunset Marina area.
 - On the west of Fleming Key.
 - In the Atlantic Ocean south of the main swim areas in 15'+ of water.

LOWER KEYS PWC CO – OP agrees to and
will abide by the following

PWC Co-op will hold a monthly tour guide meetings to bring current situations to light and to educate the new guides as to tour procedures.

Fishing Guides and Fishermen:

- Fishing guides agree to be patient and courteous with PWC tours, guides and riders.
- Fishing guides agree not to chase-down and confront any PWC's, and instead note the situation and call the PWC Co-op (Marius 305 -747-0799, Rich 305- 747-0302, Billy 305-849-0815 or John 305- 923-5484) to resolve the conflict in a professional manner such that a solution is found and both parties work towards a better understanding.
- LKGA will not take any position to further restrict commercial PWC Co-op within the areas that are included in the map.

Fishing Guides and Fishermen:

- Guides understand that this agreement is in good faith, and will remain flexible as the relationship gels into a long-term partnership.
- LKGA will maintain an open dialogue with PWC Co-op and advise when appropriate such that doing so will be to the benefit of all users.

LOWER KEYS PWC CO – OP RULES:

- Zero tolerance for customers drinking alcohol.
- 7-14 skis (2) guides, 15-20 skis (3) guides, 20 + Skis 4 guides split into 2 tours.
- Qualify the riders, if they cannot keep up with the tour; take them to a free ride area or back to the dock.
- Stay out of Wildlife Refuge and Military areas.
- 300 feet between skis.
- Idle through bridges and in and out of sub pits.
- Control speed of tour w/ rear guide (AKA the HAWK).



LOWER KEYS PWC CO – OP RULES:

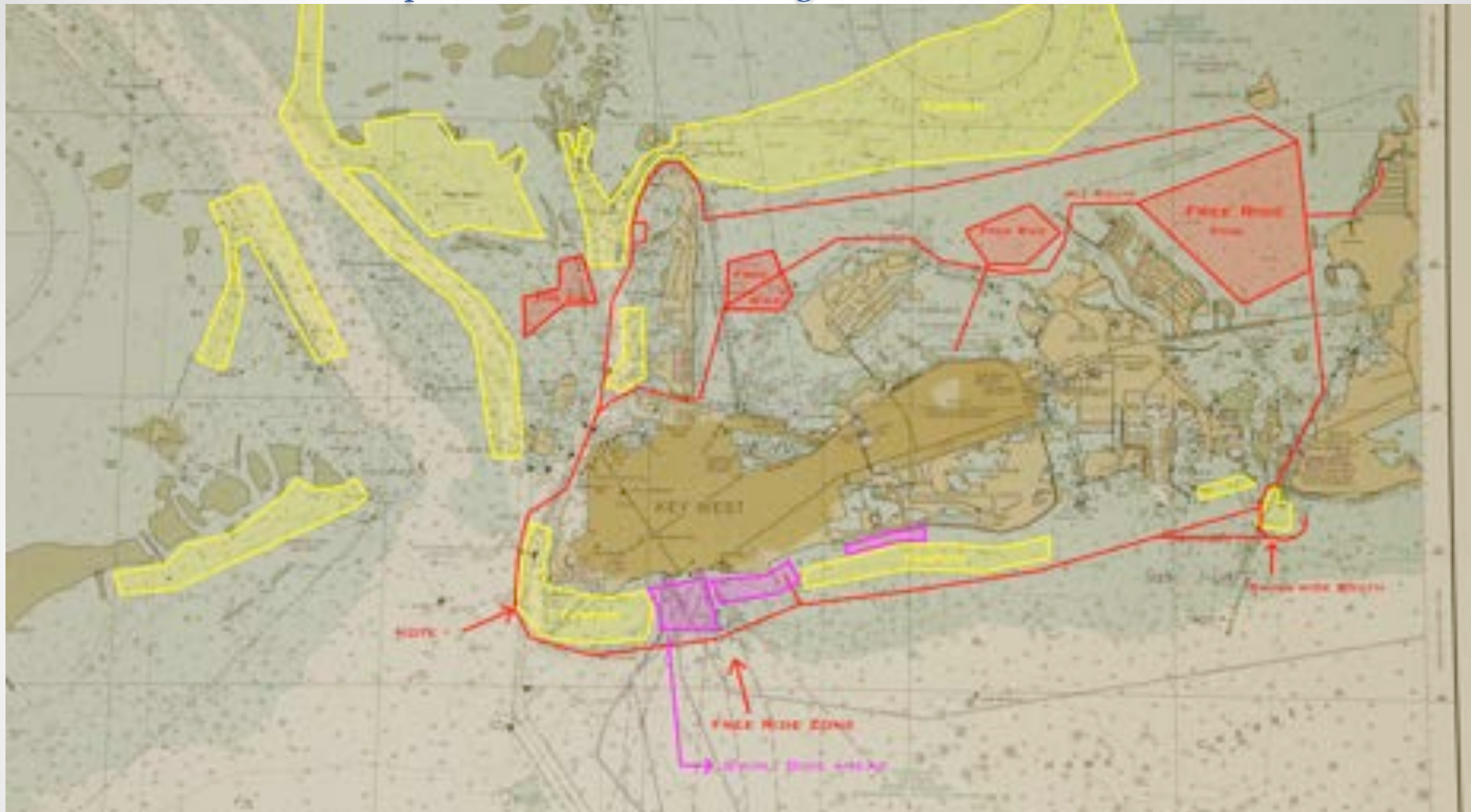
- Slow tour to accommodate boats, go astern if they are under way; when in doubt stop the tour and assess the situation.
- All tour operators shall be CPR Certified.
- All tour operators shall be Blue Rider Certified.
- All tour operators shall be State of Florida FWC Livery test / Certified
- If there is a storm approaching go to port immediately.
- Maintain a sealed case for cell phones. Communication is essential!
- Respect other tour companies. Keep your distance.



LOWER KEYS PWC CO – OP RULES:

- Report all discrepancies to the owners.
- Help other company tours if needed.
- All tour guides carry VHF hand held waterproof radios and maintain a channel open to communicate between other tours and for safety.
- If tour guides screw up they will not be hired by any PWC companies in Key West.
- All PWC's customers must be part of a guided tour or be escorted to a ride free area. Even rental companies at the Reach and Casa Marina must escort and monitor their PWC riders to the Ride-Zone South of the coral/swim area South of Key West.

Proposed Ride Area/Fishing Areas/Swin Areas



Red - Lines and shaded areas indicate PWC tour routes and Free-Ride Zones.
Yellow- Tarpon Habitat and migratory routes.
Purple- Popular Dive/swim areas to be avoided