



United States Department of the Interior

National Park Service
Canaveral National Seashore
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Fish and Wildlife Service
Merritt Island National Wildlife Refuge
P.O. Box 2683
Titusville, FL 32781
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COMMERCIAL PERMIT POLICY

August 3, 2009

This letter is to inform you as a permitted commercial user of Merritt Island National Wildlife Refuge (MINWR) and/or Canaveral National Seashore (CANA) that a new commercial use policy has been implemented which establishes conduct requirements for obtaining and maintaining a Commercial Use Authorization (CUA) or Incidental Business Permit (IBP).

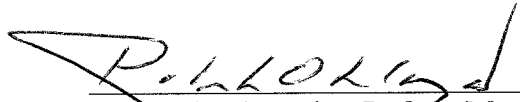
This new policy applies to all individuals using MINWR and CANA for commercial ventures including but not limited to: Commercial Fishermen, Crabbers, Clammers, Commercial Shrimpers, Fishing Guides, Kayak Tour Operators and Commercial Photographers.

The new policy was developed cooperatively by MINWR and CANA. The policy, in its entirety, is attached to this letter. However, some of the key points are outlined below.

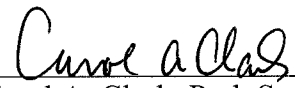
1. Beginning August 3, 2009, Refuge Law Enforcement will begin comprehensive background investigations of commercial permit holders to include criminal and resource violation histories of all applicable State and Federal laws.
2. Based on the background investigations, permit holders will be placed into one of the following three categories:
 - Zero or one resource or criminal violation in the preceding five-year period will cause no change in permit status.
 - Two resource or criminal violations in the preceding five-year period will cause the Permittee to receive a warning letter notifying them that one additional violation during the remainder of the permit period will result in an immediate permit revocation for one year from the date of conviction.
 - Three or more resource or criminal violations will result in an immediate permit revocation for a period of one year. The Permittee may re-apply for a permit at the end of the one-year period provided they have two or fewer violations in the preceding five years.
3. On September 1, 2009, letters will be issued to inform permit holders of their status as it applies to the revised policy.

4. New permit requests will be evaluated using the same requirements defined above and detailed in the attached policy.
5. At each permit renewal, background investigations will be conducted to insure no new violations have occurred within the preceding five-year period.

If you have any questions regarding the new commercial use policy, please contact Merritt Island NWR, Law Enforcement at 321-861-2805 or Canaveral National Seashore, Chief Ranger at 321-267-1110X16.



Ralph Lloyd, Acting Refuge Manager
Merritt Island NWR Complex



Carol A. Clark, Park Superintendent
Canaveral National Seashore



Commercial Permit Issuance/Suspension/Termination Policy

This Policy addresses issuance, suspension, and termination of commercial permits including Commercial Use Authorization, Commercial Harvest Permits, Commercial Photography Permits and other Commercial Use Authorizations/Special Use Permits for commercial activities.

Background: Commercial activities on Merritt Island National Wildlife Refuge (Refuge) and Canaveral National Seashore (Seashore) are increasing and collectively the Refuge/Seashore issues more than 100 commercial permits each year. The Refuge and Seashore share in the management of Mosquito Lagoon and work in cooperation to issue commercial permits for fishing guides (Commercial Use Authorizations) and individuals that harvest crabs, clams, fish and oysters (Commercial Harvest Permits). The Refuge and Seashore also issues Commercial Use Authorizations/Special Use Permits for commercial kayaking, commercial land tours, commercial waterfowl hunting guides, and commercial photography. There have been several occasions when a person holding a commercial permit has been convicted of several offenses of violating Refuge, Seashore, State of Florida (State), and/or other federal resource regulations. These resource violations include, but are not limited to, Refuge, Seashore, State or federal fishing and/or hunting violations, Refuge Pole and Troll Zone or No Motor Zone(s) violations, failure to obtain required Refuge/Seashore permits, or federal and/or State manatee zone violations. The Refuge/Seashore needs a policy for dealing with commercial permit holders that chronically violate resource and other laws and regulations.

Policy Statement: Applicants for commercial permits on Merritt Island National Wildlife Refuge and/or Canaveral National Seashore will undergo background checks for previous law and regulation violations, i.e., manatee speed zone violations, pole-troll zone/no motor zone violations, state and federal game and fish violations, commercial permit non-compliance violations, safety violations, DUI/BUI violations, firearms violations, felony convictions, and convictions involving resisting a law enforcement officer. Commercial permits will not be issued to individuals with more than three resource or other violations within the past five years. For those individuals receiving a commercial permit, the Refuge and Seashore will suspend a commercial permit for 60 days effective on the date of conviction for a second instance of a violation as outlined above within a 5-year period. The Refuge and Seashore will terminate a commercial permit for one year effective on the date of conviction for a third instance of a violation as outlined above within a 5-year period. If a Commercial Permit is suspended or terminated, the permit holder will have no claim for reimbursement for any portion of the commercial permit that remains unused. Authority to suspend or terminate permits is given in 50CFR25.43 and 36CFR, 1.6.