Organized Fishermen of Florida, Inc. Records and Herbert Z. Marvin papers

Date Range: 1936-1997

**Historic Homestead Town Hall Museum**

**41 N. Krome Ave., Homestead, FL 33030**

## Processed by: Katherine L. Fleming, September 2009

## Creator: Herbert Z. Marvin

**Extent:** 1.5 linear feet (2 boxes)

**Accession Number:** 2009.001

**Language:** English

**Acquisition Information:**

Donated by Herbert Z. Marvin, attorney for the Organized Fishermen of Florida, Inc.

**Cite as:**  Organized Fishermen of Florida, Inc. Records and Herbert Z. Marvin Papers

## Biographical Note and Organizational History:

Born in 1932, Herbert Z. Marvin moved to Florida with his family when he was a child. From 1936 until 1947 his father owned a grocery store in Miami, Florida. The entire family including Herbert and his two brothers worked in the store and spent their free time fishing in the Keys and on Biscayne Bay. In 1947, after selling the store, the family moved to Homestead and established a restaurant. Shortly thereafter they also opened a bait and tackle shop and a fish house. Later they added a commercial net fishing venture to their growing businesses. Members of the family developed into enthusiastic sport fishermen.

In his book *Men of Iron, Boats of wood*, Marvin provides insight into the lives of the men and women who worked in South Florida’s commercial fishing industry during the 1930s, 40s, and 50s.

Now retired, Marvin spent his professional career as an attorney at Marvin and Sheppard, Attorneys at Law, Miami, Florida. In 1985, Marvin, Victor H. Markely, Clyde R. Raffield, and the Organized Fishermen of Florida, Inc., filed a complaint in United States District Court, Southern District of Florida, against the Department of the Interior, National Park Service, and Everglades National Park for prohibiting commercial fishing in Everglades National Park. The case then went to the United States Court of Appeals for the Eleventh Circuit, and later to the Supreme Court.

## Scope and Content:

## The Herbert Z. Marvin collection on the Organized Fishermen of Florida, Inc. (1936-1997), includes correspondence, memorandums, business cards, receipts, clippings, legal documents, and photographs. The bulk of Marvin’s documents relate to a dispute, to which he was a party, with the federal government over commercial fishing rights in Everglades National Park. Other papers pertain to his commercial fishing business. Also among his personal papers are articles and photographs given to him by Alexander Dragovich, a fishery research biologist with the National Marine Fisheries Service in Miami. Dragovich studied fisheries in Florida, Guyana, and other regions of South America.

## Arrangement:

## The collection is arranged into six series. Within each series documents are primarily arranged chronologically with the exception of series 1B which is first organized by type of material then arranged chronologically.

**Series:**

1. Herbert Z. Marvin personal papers, 1979-1994
2. Background Materials: primarily exhibits for court case, 1936-1997
3. Organized Fishermenof Florida v. Cecil D. Andrus…, UnitedStates District Court, Southern Districtof Florida, 1980-1984
4. Organized Fishermen of Florida et al. v. James Watt…(Donald P. Hodel…), United States Court of Appeals for the Eleventh Circuit, 1985-1986
5. Organized Fishermen of Florida, et al. v, Donald P. Hodel…, Supreme Court of the United States, 1986
6. Photographs, circa 1985

**Subjects:**

Dragovich, Alexander

Everglades National Park (Agency : U.S.)

Key Largo Fisheries, Inc.

Marvin, Herbert Z., 1932-

Monroe County Fishermen’s Association

Organized Fishermen of Florida, Inc.

South Florida Research Center

United States National Park Service

# Series 1A: Herbert Z. Marvin Personal Papers, Correspondence, 1979-1994

1 1 Letter (carbon) from Herbert Z. Marvin, Marvin & Sheppard, to Parker Thomson, Paul & Thomson, 1979 October 12 (concerning 3 deeds, enclosures)

2 Letter (photocopy) from Marvin to Mrs. Jimmie Robinson concerning Buddy Roberts and Fishermen’s legal issues, 1980 June 27

3 Clippings [1980 June 18 clipping is probably associated with letter to Mrs. Jimmie Robinson, 1980 June 27; see Box 1, File 7]

a. “Buddy Roberts: Fighting for his homeland with National Park Service,” *Miami News*, 1980 June 18

b. “Matriarch of a colorful clan offers insight, and hindsight,” Buddy Roberts’ mother, “Granny,” Effle Tanner Roberts, *Miami News*, 1988 April 9

4 Memorandum (edited) from Marvin to Dough Halsey concerning legal issues, 1981 January 23

5 Correspondence (some photocopies) between Marvin and various organizations and individuals including the Everglades Protection Association, Inc., Paul & Thompson (Attorneys at Law), the State of Florida Department of Natural Resources, Paul Santini, Douglas M. Halsey (Attorney), Everglades National Park, the Department of the Interior, Keys Title and Abstract Company, and Jerry Sansom. Enclosures concern commercial fishing in Everglades National Park, 1981-1990

6 Letter from Marvin to Douglas Halsey includes enclosure (“Conference re Everglades National Park, December 13, 1944”), 1983 April 5

7 Letter and enclosures from Thomson Zeder Bohrer Werth Adorno & Razook, attorneys at law, to Marvin, 1986 March 31

a. Appellees’ Opposition to Motion to recall Mandate

b. Appellants’ Second Notice of Intervening Developments and Response to Appellees’ Opposition to Motion to Recall Mandate

8 Letter from Marvin to the Fishing Editor of the Miami Herald and clipping cited in letter, 1986 December

9 Letter from Marvin to Jerry Sansom, Executive Director, Organized Fishermen of Florida, 1990 March 8

10 Letter from Marvin to Carl Hagenkotter and Marvin’s business card, 1994

# Series 1B: Herbert Z. Marvin Personal Papers, Miscellaneous, 1962-1993

1 11 Mailing List, circa 1980

12 Key Largo Fisheries, Inc., Fisheries Trip Tickets and Fish Receipts, 1987-1988

13 Key Largo Fisheries, Inc., Fisheries Trip Tickets and Fish Receipts, 1989

14 Key Largo Fisheries, Inc., Fisheries Trip Tickets and Fish Receipts, 1990

15 Key Largo Fisheries, Inc., Fisheries Trip Tickets and Fish Receipts, 1992

16 Key Largo Fisheries, Inc., Fisheries Trip Tickets and Fish Receipts, 1993

17 Marvin’s business cards and Consolidated License Application (photocopy), 1987 May 5

18 Poetry by Marvin “It’s only found on Earth,” circa 1980

19 Articles by Alexander Dragovich (also see photographs), 1962-1983

a. “A Biological Study and Some Economic Aspects of Squid in Tampa Bay, Florida” by Alexander Dragovich and John A. Kelly, Jr. reprinted from the *Proceedings of the Gulf and Caribbean Fisheries Institute*, Fifteen Annual Session, pp. 87-103, 1962 November

b. “Dinoflagellates” [Red Tide] by Alexander Dragovich [encyclopedia entry?], circa 1966

c. “Hydrological and Biological Characteristics of Florida’s West Coast Tributaries” by Alexander Dragovich, John A. Kelly, Jr., and H. Grant Goodell in *Fishery Bulletin* vol. 66 no. 3, pp. 463-476, 1968 March

d. “The Food of Skipjack and Yellowfin Tunas in the Atlantic Ocean” by Alexander Dragovich in *Fishery Bulletin* vol. 68 no. 3, pp. 445-460, 1970 November

e. “The United States Shrimp Fishery off Northeastern South America (1972-74)” by Albert C. Jones and Alexander Dragovich in *Fisheries Bulletin* vol. 75 no. 4, pp. 703-716, 1977

f. “Guianas—Brazil Shrimp Fishery and Related U.S. Research Activity” by Alexander Dragovich in *Marine Fisheries Review* 43(2), pp. 9-18, 1981 February

g. “Artisanal fishery of Guyana” by B. Chackalall and A. Dragovich, contribution No. 82-16M, Southeast Fisheries Center, National Marine Fisheries Service NOAA, Miami, Florida, pp. 43-55, 1982

h. “Small-Scale (Artisanal) Fisheries of Northeastern Brazil (Para), French Guyana, Suriname and Guyana” by Alexander Dragovich and Louis Villegas in *FAO Fisheries Report No. 278—Supplement*, Western Central Atlantic Fishery Commission (WECAFC), National Reports and Selected Papers presented at the Third Session of the Working Party on Assessment of Marine Fishery Resources, Kingston, Jamaica, pp.192-214, 1982 May 12-21

i. Participation of U.S. Trawlers in the Offshore Shrimp Fisheries of French Guiana, Surinam [Suriname], and Guyana, 1978-79” by Alexander Dragovich and Essie M. Coleman, in *Marine Fisheries Review* 45(4-6), pp. 1-9, 1983 April-May-June

# Series 2: Background Materials: primarily exhibits, 1936-1997

1 20 “Report to Everglades National Park Commission relative to boundaries for proposed Everglades National Park” (photocopy) by the Committee on Lands and Boundaries, 1936 (Exhibit A)

21 Telegram (photocopy of copy) from Chester Thompson, Assistant Secretary (Monroe County Fishermen’s Association) to Thomas J. Pancoast, Chairman, National Park Service, 1937 April 3 (Exhibit Q)

22 Letter (photocopy of copy) from Ernest P. Coe, Executive Chairman, Everglades National Park Commission, to Chester Thompson, Assistant Secretary, Monroe County Fishermen’s Association, 1937 April 16 [no exhibit number]

23 Letter (photocopy) from Chester Thomson (Monroe County Fishermen’s Association) at Key West, Florida, to Ernest F. Coe, Executive Chairman, Everglades National Park Commission, 1937 April 19 (Exhibit S)

24 Letter from Arno B. Cammerer, Director of the National Park Service, Washington, D.C. to Chester Thompson, Assistant Secretary, Monroe County Fishermen’s Association, Key West, Florida, 1937 April 28 [no exhibit number]

25 “Wildlife Reconnaissance: Everglades National Park Project” prepared by Daniel B. Beard, National Park Service, 1938 October [no exhibit number]

26 Letter (photocopy) from Harold L. Ickes, Secretary of the Interior, to the Governor of Florida [Spessard L. Holland], 1941 May 6 [no exhibit number]

27 Letter (photocopy of copy) from Newton B. Drury, Director, National Park Service, to Burnie [Bernie] Papy, Monroe County Representative to the Florida State Legislature, 1947 April 11 (Exhibit P)

28 Letter (photocopy) from Newton B. Drury, Director of the National Park Service, to J. Tim Watson, Attorney General, 1947 August (Exhibit V)

29 Correspondence (2 items, photocopies) Daniel B. Beard, Superintendent, Everglades National Park, with Senator Spessard L. Holland, 1950 November 6, 8 (Exhibit M)

30 Correspondence (photocopies, 11 copies) of Spessard L. Holland with Hillary A. Tolson (Acting Director, National Park Service), Elmer Felder, and Jackson E. Price (Chief Counsel, National Park Service), 1951 January 1-April 25 [no exhibit number]

31 Letter (photocopy) from A. E. Demaray, Director, National Park Service, Washington, D.C. to Spessard L. Holland (United States Senator from Florida), 1951 May 11 (Exhibit E)

32 Correspondence (4 items, photocopies) of Spessard L. Holland (United States Senator from Florida) with A. E. Demaray (Director of the National Park Service) and Luther L. Chandler, 1951 May 30-June 6 [no exhibit number]

33 Correspondence (4 items, photocopies) of Spessard L. Holland (United States Senator from Florida) with Frank N. Irwin, Sr.; Rules and Regulations on Fishing at Everglades National Park (1951 March 9); and petition from property owners and commercial fishermen, 1951 May 29-June 7 [no exhibit number]

34 Correspondence (5 items, photocopies) from Lloyd E. Miller, President, Florida Salt Water Conservation Association, with Dan [Daniel B.] Beard, Superintendent, Everglades National Park, and Senator Holland’s Legislative Aid, James R. Golden, and Holland’s Executive Secretary Merrill Winslett, 1955 October 25-December 9 [no exhibit number]

35 Letter (photocopy) from Merrill Winslett, Executive Secretary to Spessard Holland, to Lloyd R. Miller, President, Florida Salt Water Conservation Association, Miami, Florida, 1956 January 7 (Exhibit 7-3)

36 Letter (photocopy) from Daniel B. Beard, Superintendent, Everglades National Park, to Spessard L. Holland, U.S. Senator from Florida, 1956 January 11 (Exhibit 7-5)

37 Correspondence (2 items, photocopies) Conrad L. Wirth, Director of the National Park Service, with United States Senator Spessard L. Holland, 1955 February 6, 16 [no exhibit number, also see folder 23]

38 Letter (photocopy) from Lloyd E. Miller, President, Florida Salt Water Conservation Association, to Daniel Beard, Superintendent, Everglades National Park,1956 March 1

39 Letter (photocopy) from E. T. Scoyen, Acting Director, National Park Service, to Spessard L. Holland, 1956 August 29

40 Letter (photocopy of copy) from Spessard L. Holland to J. Lee Cuddy, President, Miami Beach Rod and Reel Club, 1957 February 8

41 “Everglades National Park, Fla.: Hearings before the Subcommittee on Public Lands of the Committee on Interior and Insular Affairs, United States Senate,” (S. 1790, photocopy), 1957 June 11 and 12

2 42 “Everglades National Park, Fla.: Hearings before the Subcommittee on Public Lands of the Committee on Interior and Insular Affairs, United States Senate,” (S. 1790, photocopy), 1957 June 11 and 12

43 “Annual Aquatic Resources Report for 1972,” Everglades National Park and Fort Jefferson National Monument, National Park Service, 1973 January 10

44 Resolution of the Cabinet of the State of Florida concerning Farmers and Commercial Fishermen (photocopy), 1973 May 15

45 Memorandums of Understanding and Memorandum of Agreement (Drafts)

a. Memorandum of Understanding between the National Park Service, the United States Fish and Wildlife Service, the National Marine Fisheries Service, the United States Army Corps of Engineers, the Florida Departments of Natural Resources, and Environmental Regulation, the Florida Game and Fresh Water Fish Commission, and the South Florida Water Management District pertaining to the Management of South Florida Water Supply—Draft, circa 1976

b. Memorandum of Agreement between National Park Service, U.S. Fish and Wildlife Service, National Marine Fishery Service, and Florida Department of Natural Resources—Draft, circa 1976

46 Excerpt from *Management Policies*, [Washington] National Park Service, 1975, chapter IV p. 8 (revised) 1978 February (Exhibit “BBB”)

47 “Changes in the Everglades National Park red drum and spotted seatrout fisheries 1958-1978: fishing pressure, environmental stress, or natural cycles?” by G. E. Davis, *Proceedings of the of Red Drum and Seatrout Colloquium*, October 19-20, 1978, 81-87 (Exhibit “2”)

48 World Heritage List Nomination Supporting Document (photocopy), signed by John M. Good, Superintendent, Everglades National Park, 1979 January 11

49 “Executive Summary: an assessment of fisheries management options in Everglades National Park, Florida. South Florida Research Center, Homestead, Florida,” (Exhibit A) 1979 January

50 “An Assessment of Fisheries Management Options in Everglades National Park, Florida. South Florida Research Center, Homestead, Florida,” prepared by U.S. National Park Service, South Florida Research Center, Everglades National Park, Homestead, Florida,” (Exhibit A) 1979 January

51 Letter (photocopy) from Howard W. Campbell, American Crocodile Recovery Team, at Gainesville, Florida, to John Goode, Superintendent, Everglades National Park, 1979 February 12 (Exhibit K)

52 Letter (photocopy) from Howard W. Campbell, United States Department of Interior, Fish and Wildlife Service, American Crocodile Recovery Team, Gainesville, Florida to John Good, Superintendent, Everglades National Park, 1979 February 12 (same as above, no exhibit number)

53 “American Crocodile Recovery Plan” prepared by the American Crocodile Recovery Team, approved by Lynn A. Greenwalt, Director, U.S. Fish and Wildlife Service, 1979 February 12, “Exhibit NN”

54 Letter (photocopy) from Elton J. Gissendanner, Executive Director, State of Florida, Department of Natural Resources to John Good, Superintendent, Everglades National Park, 1979 February 27

55 Letter (photocopy) from Edwin A. Joyce, Jr., Director, Division of Marine Resources, Department of Natural Resources, State of Florida, to John M. Good, Superintendent, Everglades National Park, 1979 February 29 (Exhibit “EE”)

56 Letter (photocopy) from Joseph D. Carroll, Jr., Field Supervisor, U.S. Fish and Wildlife Service, to District Engineer, U.S. Army Corps of Engineers, Jacksonville, Florida, to 1979 February 27 includes maps , critical habitat reports and reports of recovery of injured or dead manatees (Exhibit “DDD”)

57 Letter (photocopy) from John M. Good, Superintendent, Everglades National Park, to Edwin A. Joyce, Jr., Director, Division of Marine Resources, Department of Natural Resources, State of Florida, 1979 March 26 (Exhibit “FF”)

58 Letter (photocopy) from Edwin A. Joyce, Jr., Director, Division of Marine Resources, Department of Natural Resources, State of Florida, to John M. Good, Superintendent, Everglades National Park, 1979 March 30 (Exhibit “GG”)

59 *United States Department of the Interior Final Environmental Statement for Master Plan, Everglades National Park, Florida*, prepared by Denver Service Center, National Park Service, 1979 May

60 Letter (photocopy) from William H. Stevenson, Regional Director, and William Fox, Center Director, United States Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service in St. Petersburg, Florida, to Claude McClain, Acting Superintendent, Everglades National Park, 1979 September 2 (Exhibit “II”)

61 Letter and Report of Investigation [concerning crocodiles] (photocopies) from Pat Tolle, Management Technician, Everglades National Park, to Herbert Z. Marvin, Marvin & Sheppard, Attorneys at Law, concerning crocodile / net encounters, 1979 September 28 (Exhibit “J”)

62 Letter (photocopy) from Howard W. Campbell, Chairman, International Union for the Conservation of Nature and Natural Resources, to John M. Goode, Superintendent, Everglades National Park, 1979 October 2 (Exhibit “WW”)

63 “Response to National Marine Fisheries Service (NMFS) Comments on Proposed Everglades National Park (EVER) Regulations,” National Park Service, 1979 November 8 (no exhibit number)

64 Letter (photocopy) from Elton J. Gissendanner, Executive Director, State of Florida, Department of Natural Resources, to Gentlemen, Everglades National Park, 1979 November 13 (Exhibit “KK”)

65 Letter (photocopy) from Terry L. Leitzell, Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, Washington, D.C., to William J. Whalen, Director, National Park Service, Washington, D.C., 1979 November 15 (Exhibit “JJ”)

66 Letter (photocopy) from Paul E. Moler, Team Leader, American Crocodile Recovery Team, Florida Game and Fresh Water Fish Commission, to Rick Dawson, Resource Management, Everglades National Park, 1979 December 31 (Exhibit “YY”)

67 Letter (photocopy) from Walter R. Courteney, Florida Atlantic University, to Craig A. Gathman, 1980 July 15 (no exhibit number)

68 *A Bibliography of South Florida Botany* (photocopy), Report T-600, Everglades National Park, Homestead, Florida, 1980 August (Exhibit “EEE”)

69 Regulations and Correspondence, 1979 and 1981

70 Regulations, *Federal Register* (clippings), 1980 and 1981

71 “Executive Summary: Cooperative Fishery Research Program, Everglades National Park, 1984-1985,” [National Park Service and U.S. Fish and Wildlife Service report], circa 1986

72 Clippings, 1990-1997

# Series 3: Organized Fishermen of Florida v. Cecil D. Andrus…, United States District Court, Southern District of Florida, 1980-1984

2 73 Order Denying Plaintiffs’’ Motion for Preliminary Injunction, 1980 April 29

74 Affidavit of Herbert Z. Marvin, 1980 May 31

75 Answers to Plaintiff’s First Set of Interrogatories by Richard H. Dawson, 1980 October 9

76 Notice of Service of Answers to Plaintiffs’’ First Set of Interrogatories, 1980 October 22

77 Deposition of Gary E. Davis on behalf of the plaintiffs, 1981 February 3

3 78 Deposition of Richard H. Dawson on behalf of the plaintiffs, 1981 February 6

79 Deposition of John M. Good on behalf of the plaintiffs, 1982 June 26, 2009

80 Comments on Fishing Regulations in Everglades National Park, Submitted on behalf of the Organized Fishermen of Florida, Herbert Z. Marvin, Victor H. Markley and Clyde R. Raffield. Paul & Thompson, attorneys for O.F.F., 1981 July 20

81 Appendix to Plaintiffs’ Cross-Motion for Summary Judgment, [1984 July 6]

82 Memorandum Opinion Granting Defendants’ Motion for Summary Judgment and Denying Plaintiffs’ Cross-Motion for Summary Judgment, 1984 July 6

# Series 4: Organized Fishermen of Florida et al. v. James Watt…(Donald P. Hodel…), United States Court of Appeals for the Eleventh Circuit, 1985-1986

3 83A Appellants’ Initial Brief, 1985 January 21

83B Appellants’ Initial Brief (photocopy), 1985 January 21 (copy 2)

84 Appellants’ Reply Brief, 1985 April 16

85 Appellants’ Notice of Supplemental Authority, 1985 May 9

86 Synopsis, West Publishing Co. (photocopy), 1985 November 15

87 Appellants’ Petition for Rehearing (by the panel), 1985 December 2

88 Appellants’ Motion to Recall Mandate, 1985 December

89 Appellees’ Opposition to Motion to Recall Mandate, 1986 March 24

90 Appellants’ Second Notice of Intervening Developments and Response to Appellees’ Opposition to Motion to Recall Mandate, 1986 March 28

# Series 5: Organized Fishermen of Florida, et al. v, Donald P. Hodel, Supreme Court of the United States

3 91 Brief for the Federal Respondents in Opposition (and Certificate of Service), 1986 May

# Series 6: Photographs

3 92 Photographs from Jerry [Sansom, Executive Director, Organized Fishermen of Florida?], 1980s

a. Zane Grey and a Pacific Marlin (copy of 1930s original), 5 x 7 inch B&W

b. Angus Boatwright’s Fish Camp on Bayside of Indian Key Fill (copy of 1930s original), 5 x 7 inch B&W

93 Photographs (7 x 10 inch B&W) of Guyana, South America, circa 1980s taken by Alexander Dragovich and used as figures in articles he authored (see background materials)

a. “Fig. 3. Typical flat bottom boats of less than 10 meters (32.8 feet) in length used in the artisanal fishery, shown at the dock in Georgetown.” “8923”

b. “Fig. 4. Several flat bottom boats of less than 10 meters (32.8 feet) used in Pinseine-type fisheries.” “8918”

c. “Fig. 5. Typical gillnetter of the 12-16 meters (39.4-52.5 feet) range.” “8922”

d. “Fig. 6. Typical gillnetter of the 8-10 meters (26.2-32.8 feet) range.” “8917”

e. “Fig. 8. Boat being hauled up the mud flat for maintenance.” “8915”

f. “Fig. 9. Fish auction at the Greater Georgetown fishermen co-operative society Sussex street wharf.” “8920”

g. “Fig. 10. Fish marketing centre at Rosignol Berbice.” “8914”

h. “Fig. 11. Fish drying on the docks of vessels.” “8919”

i. “Fig. 12. Loading of the flaked ice on one of the gill net boats.” “8921”