

FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION



SPINY LOBSTER AD HOC ADVISORY BOARD CONSENSUS RECOMMENDATIONS (Including All Options Evaluated)

MAY 2007

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LOBSTER ADVISORY BOARD CONSENSUS RECOMMENDATIONS

(Adopted Unanimously May 15, 2007)

CONSENSUS DRAFT RECOMMENDATIONS BY ISSUE

(Options with a 75% or greater level of support)

ALLOCATION

Allocation Baseline by User Groups:

Trap Fishery: 72%; Recreational Fishery: 22%; Commercial Dive Fishery: 5%; Bully Net 1%.

Allocation Criteria/Parameters/Triggers for Response:

A review is triggered when an allocation share falls outside (above or below) normal parameters of the baseline for two consecutive years. Following are the parameters:

	Trap	Recreational	C. Dive	Bully Net
High	77	26	8	3
Baseline	72	22	5	1
Low	67	18	3	0.1

Response When an Allocations Falls Outside Normal Parameters:

Triggers reconvening of a stakeholder group to meet with FWC staff to review the situation and develop recommendations as/if needed.

The reconvening will happen quickly (soon after baseline parameter are exceeded).

SEASON LENGTH

Set trap in water the day after mini-season ends. Contingent on correlation with federal requirements.

HARVESTABLE SIZE LIMITS

Maintain Status quo. No changes to the current requirements.

FISHERY EFFECTS ON THE ENVIRONMENT (NATURAL HABITAT)

The Board voted unanimously to recommend that a “comprehensive Keys shore clean-up plan” be developed and implemented.

The Board voted unanimously to recommend that an “emergency disaster trap clean-up plan” be developed and implemented.

Allow the sale of plastic traps collected during the State’s trap retrieval program, funds to be used to support the program.

The Board voted unanimously to support draft rule language for Rule 68B-55.004, Retrieval of Derelict Traps Located in Closed Areas, and Rule 68B-55.005, Recovery of Traps in Area of Major Natural Disaster.

OTHER LOBSTER SPECIES

Status quo. In general, the Board believes this issue is not a priority at this time.

Egg-bearing females of any species of lobster shall not be taken.

LOBSTER TRAP CERTIFICATE PROGRAM

Continue the certificate program.

Reduce the time from 3 years to 2 years in which trap certificates that have not had all of their associated fees paid for will revert to the State.

Remove 25% transfer surcharge when “A” certificates are sold.

End trap reductions permanently.

Buy back program, voluntary government with a provision for buybacks to be sold to new entrants into fishery, sponsored (state or Federal).

TRAP SPECIFICATIONS

Continue to allow trawls.

Continue to allow all-plastic lobster traps (status quo).

NEW ENTRANTS

Accommodate deck hands by allowing those with trap certificates to pull their own traps from owners' boats.

Develop an incentive program (to facilitate new entrants).

ISSUES REGARDING THE COMMERCIAL DIVE FISHERY

Annual law enforcement details during first two months of the season in the areas where the use of artificial habitat are concentrated.

Loss of license for convictions (stronger penalties) for use of illegal artificial habitat.

Develop an input control effort management program (e.g. endorsement transferability). The Board recommends that the Commission convene a process to review input control effort management program options for the commercial dive fishery, including transferability, developing a comprehensive strategy using the control date for qualifying landing up until March 31st 2007 as the threshold.

No diving for lobster (harvesting and possession) within 50' of illegal artificial habitat (change current rule from 10 yards to 50 feet).

Annual locate and removal efforts of artificial lobster habitat.

Fixed number of commercial dive endorsements (status quo).

Require owner's commercial dive endorsement number (CD) to be displayed on all catch gear for commercial divers.

Require commercial divers to use surface buoys with CD-number on flag, on the Gulf side of Keys.

ISSUES REGARDING THE RECREATIONAL FISHERY

Require a special endorsement to participate in the Special Two-Day Sport Season in Monroe County as a means to aid enforcement of the daily bag limit. The endorsement will have paper tags attached to it that would be separated and kept with each lobster harvested.

Clarifications on the two-day endorsement recommendation:

- Require lobster tags to enforce bag limits and multiple daily trips for the two-day season.
- The endorsement (tags) should be “possession tags”, a paper based system.
- The tag program should only be for the two-day mini-season.
- The program only applies to Monroe County.
- All participants are required to have the endorsements for the two-day season; however, those participants who qualify for licensure exemptions can apply for a free endorsement.
- Endorsements (tags) should be available by all of the existing methods: location-based printers, by mail, and through the FWC website.

Increase fee on recreational sector and earmark funds for tags (for the two-day season).

ISSUES REGARDING THE COMMERCIAL BULLY NET FISHERY

The Status quo. No changes to current regulations.

LAW ENFORCEMENT

The Board recommends that the Commission convene an initiative (i.e., a task force) to examine and assist the enforcement of fishery regulations (primarily regarding the lobster fishery).

**MAJORITY DRAFT OPTIONS EVALUATED BY THE BOARD BY ISSUE
(Options with a between 50% and 74% level of support)**

ALLOCATION

Overview of Other Baseline Allocation Proposals Evaluated by the Board

Better year: Trap 75%, Rec. 20%, Com Dive 4%, Bully Net 1%.

10 year average: Trap 70%, rec. 23%, com diver 6%, bully net 1%

Average of best year, 10 year average, and first year: trap 72%, rec. 23%, com dive 4%, bully net 1 %.

1st year baseline allocations (1993-94) 70% trap, 26% rec., 3%, com dive, 1% bully net.

Overview of Other Criteria for Triggering an Evaluation Proposals Evaluated by the Board

*Drastic change in 1 year or a progressive change over 3 years would trigger review
Drastic = 10% change in pie in 1 year; progressive = 5% shift from baseline allocation over 3 years.*

Any user group increase/decrease 5% of total pie, for 3 years in a row (adjusted for Bully).

	Trap	Rec.	C. Dive	Bully
Top	77	27	10	3
Baseline	72	22	5	1 (0.5 actual)
Bottom	67	17	1	0

Any user group increase/decrease 25% of their share, 2 years in a row (percentage of percent of their share).

Overview of other Response(s) When an Allocations Falls Outside Normal Parameters Proposals Evaluated by the Board

Board will re-convene in 3 years to re-assess percentages of allocations for user groups (this would be instead of a proactive allocation scenario being implemented at this time).

SEASON LENGTH

None in this category.

HARVESTABLE SIZE LIMITS

None in this category.

FISHERY EFFECTS ON THE ENVIRONMENT (NATURAL HABITAT):

None in this category.

OTHER LOBSTER SPECIES

None in this category.

ISSUES REGARDING THE COMMERCIAL TRAP FISHERY

Buy back program, voluntary government sponsored (state or Federal).

Passive reduction with 10% instead of 25% trap reduction (eliminate active reduction component, for transactions only).

TRAP SPECIFICATIONS

None in this category.

NEW ENTRANTS

None in this category.

ISSUES REGARDING THE COMMERCIAL DIVE FISHERY

Marking commercial divers with surface buoys with C-number on flag for Miami-Dade County waters.

ISSUES REGARDING THE RECREATIONAL FISHERY

None in this category.

ISSUES REGARDING THE COMMERCIAL BULLY NET FISHERY

None in this category.

ADDITIONAL OPTIONS EVALUATED BY THE BOARD BY ISSUE (Options with less than a 50% level of support)

ALLOCATION

Status quo - Continued reactive responses to shifts in landings allocations.

Close areas to prevent poaching by eliminating lobster diving.

Eliminate particular user groups.

Quota system – poundage, licenses, etc.

Close certain areas.

SEASON LENGTH

Start season earlier (July 21st traps in the water, pull Aug 1st), increase penalties for egg-bearing females; contingent on correlation with Federal season; 3 year sunset provision unless reinstated by Commission.

End season sooner.

No closed season.

Different regional seasons based upon specific criteria.

Shorten the season.

Start season later.

Traps set the day after mini season, soak 10 days, then the season opens for everyone. The start date of the season will change.

Soak period begin Aug 1st, season begins Aug 10th for all.

HARVESTABLE SIZE LIMITS

Establish a ‘slot limit’.

Establish a regional slot limit.

Increase minimum size.

Decrease minimum size.

FISHERY EFFECTS ON THE ENVIRONMENT (NATURAL HABITAT)

Establish an allowable-only gear list (if the gear is not listed than it is not allowed).

Reduce the number of traps.

Establish areal closures to protect certain habitats at certain times.

Evaluate and consider whether to prohibit certain additional gear types.

Shorten the season.

Split season.

OTHER LOBSTER SPECIES

Develop management for some or all of these species.

Prohibit harvest of some or all of these species.

ISSUES REGARDING THE COMMERCIAL TRAP FISHERY

Passive reduction with 10% instead of 25%.

Buy back program , voluntary government (or other entity) sponsored (state or Federal).

Continue passive reduction only (25%); eliminate active reduction component.

Switch to alternate trap management regime (IFQ, tiered license, etc.).

Status quo (Stop reducing the number of certificates at 400,000).

Continue the trap reduction component of the trap certificate program.

Continue with no minimum number of certificates per individual (reduce to zero).

Buy back program, voluntary government sponsored (state or Federal) with a percent of buy backs being used to compensate for any allocation shifts in the trap fishery, so active trappers don't have to give back traps they are using.

Continue active reduction.

Individual Fish Quota (IFQ).

TRAP SPECIFICATIONS

Require escape gaps.

Require weight on buoy lines.

Allow wire traps in state waters.

No floats on trawls.

NEW ENTRANTS

Require a proficiency course for new entrants (i.e., rules and regulations).

Require an apprenticeship (training) program for new entrants.

Create a voluntary apprenticeship program for new entrants.

ISSUES REGARDING THE COMMERCIAL DIVE FISHERY

Adjust trip limits to manage allocation.

Allow the use of permitted artificial habitat.

Closing specific area to divers and recreational users.

Establish an output control effort management program (i.e. IFQ).

Dive Endorsement Transferability Program: less than 100 lbs. of landings endorsement is nontransferable, 100 lbs. or more of landings endorsement is transferable; control date for qualifying = 2005-06 and 2006-07.

Dive Endorsement Transferability Program: less than 500 lbs. of landings endorsement is nontransferable, 500 lbs or more of landings endorsement is transferable; control date for qualifying = 2005-06 and 2006-07.

ISSUES REGARDING THE RECREATIONAL FISHERY

Abolish the two-day sport divers season.

*Limit the issuance of recreational crawfish endorsements.
(Fixed number of recreational endorsements)*

Establish an effort limitation program on the recreational fishery.

*Implement an annual bag limit with tags. (Still maintains the 6 per day limit)
Status quo.*

Bag limit applies to harvesters only.

Conduct straw the poll on the two-day season after 3 years, and once the lobster tag program is in effect.

FWC recommends in a Memo, that Monroe Co conduct a straw poll regarding whether to abolish the 2 day season in Monroe County, language to be developed by staff and Board, results forward to Commission for their consideration.

Reinstate the 24-vessel limit.

Require a lobster tag for each day of the recreational season.

Change the recreational harvesting season.

Establish a recreational limited entry program.

Change the bag limit.

Establish the same regulations for all recreational fishers.

Different management for two-day season.

ISSUES REGARDING THE COMMERCIAL BULLY NET FISHERY

Commercial divers cannot be commercial bully netters.

Establish a commercial bully net endorsement.

Develop an input control effort management program.

Establish and adjust trip limits to manage allocation.

Establish an output control effort management program (i.e. IFQ).

FREE MARKET REGULATION OF FISHERY

This issue was discussed at the January and March 2007 meetings, and there was no support for the concept by the Board.