

MEMORANDUM



To: Florida Fish and Wildlife Conservation Commissioners
From: Jessica McCawley, Director, Marine Fisheries Management
Date: September 8, 2016
Subject: Bully Nets – Review and Discussion

Purpose:

Staff will present a brief overview of the lobster fishery and discuss a series of management options for the bully net fishery that could potentially address a recent increase in participation in the commercial portion of the fishery and to obtain additional information to maintain the viability of this traditional commercial harvest method.

Summary:

Bully netting is a method of lobster harvest carried out by commercial and recreational fishers, primarily in the Keys and southern Miami-Dade County during the first few months of the regular lobster season. It occurs at night and requires clear, calm water. At the November 2014 Commission meeting, Commissioners heard concerns from stakeholders regarding increased participation in the lobster bully net fishery and requests from participants in the commercial fishery for increased regulation, specifically in the form of a limited access endorsement program. Public resource-related concerns that have been raised include negative impacts to the economic viability of the fishery with increasing participation and a variable overseas market for lobsters caught with bully nets, and the potential for the bully net fishery to be used as a cover for illegal lobster harvest, especially if growth in the fishery remains unchecked. In addition, stakeholders have brought forward concerns regarding user conflicts. The Commission directed staff to hold public workshops on the topic and determine whether rulemaking is appropriate.

Staff conducted three workshops throughout the Keys during February 2015 to discuss management of the commercial fishery and also conducted a public meeting in Islamorada in January 2015 to discuss user conflicts between fishers and private property owners. Approximately 225 stakeholders ranging from waterfront homeowners, recreational fishers and guides, to commercial bully netters attended these meetings. At the three workshops dedicated to collecting input about managing the commercial fishery, staff presented numerous regulatory options for public feedback. Staff also received public comments regarding the bully net fishery during statewide marine fisheries workshops that were held in south Florida in July 2015. Based on the current status of the fishery and the variety of input received, staff have developed a series of potential management actions for Commission consideration. These proposed actions include:

- 1) Creating an open-access commercial bully net permit associated with the commercial crawfish (lobster) endorsement that would help provide better data on this sector;
- 2) Requiring commercial bully net vessels to be marked with their bully net permit and crawfish endorsement number, so as to be readily identifiable from the air and water, to address concerns of illegal activity;
- 3) Prohibiting the possession or use of trap pullers on bully net vessels to address illegal use;
- 4) Prohibiting simultaneous possession of commercial quantities of lobster and scuba tanks or other underwater breathing apparatus unless the harvester possesses a Crawfish Dive endorsement (CD); and
- 5) Launching a “Respectful Bully Netting” outreach campaign to address user conflicts.

Staff Recommendation:

Staff recommend implementing the five proposed actions described above and, if directed, will return for a draft rule hearing at the November Commission meeting in St. Petersburg.

Staff Contact and/or Presenter:

Melissa Recks, Section Leader, Division of Marine Fisheries Management