

Bay Scallops



Final Public Hearing
May 1, 2019



Florida Fish and Wildlife Conservation Commission

Version 1

This presentation provides a summary of proposed final rules to amend the Florida Fish and Wildlife Conservation Commission's (FWC) bay scallop regulations in 68B-18, Florida Administrative Code (FAC), to extend the allowable harvest area to include Pasco County, allow direct transit of legally-harvested scallops across closed areas, establish long-term season dates beginning in 2020, and modify bag and vessel limits for a portion of the harvest area that is open prior to June 1.

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Unless otherwise noted, images throughout the presentation are by FWC.
Cover photo courtesy of Tyler Jones, UF/IFAS Florida Sea Grant

Background

- Scalloping is a popular, family-friendly recreational activity in the Big Bend and eastern Panhandle
- Fishery is economically important to Florida communities
 - Season timing affects economic impacts
- [June 2016](#): Staff directed to review scallop management
- [2017-2019](#): Unique season dates set each year via Executive Order
- [Feb. 2019](#): Draft rule hearing for 2020 seasons
- [Today](#): Final public hearing for 2020 seasons



Photo: Tyler Jones, UF/IFAS Florida Sea Grant

Harvesting scallops is a popular, family-friendly, recreational activity throughout the Big Bend and eastern Panhandle. This fishery is also an important economic driver for many coastal communities. Timing of the scallop season can affect the economic impacts for local communities, and may also impact the local scallop population.

In June 2016, the Commission directed staff to review statewide scallop management. From 2017-2019, FWC has taken an adaptive approach by managing the scallop fishery to balance community and stakeholder desires with the sustainability of local scallop populations. These short-term management changes were made annually by Executive Orders (EO). Throughout this time period, staff has been working with communities and stakeholders to identify a well-balanced, sustainable season structure that can be implemented long-term. In Feb. 2019, the Commission approved draft rules to establish long-term, regionally-specific season dates beginning with the 2020 scallop season and directed staff to gather additional public feedback. Today is the final public hearing for these rule changes, which take into consideration feedback received following the February draft rule hearing.

Previous Commission Direction

- Allow transit through closed areas
- Modify seasons in rule to be July 1 – Sept. 24 for following areas
 - Gulf County (2020 to be set by EO)
 - Franklin County through NW Taylor County
 - Levy through Hernando counties
- Pasco season: 10 days starting 3rd Friday in July
- Gather additional public input on remaining portion of Taylor County and Dixie County
 - Season: June 15 – Sept. 10
 - 50% bag/vessel limit reduction in June



At the February 2019 Commission meeting, Commissioners approved a series of proposed draft rules and directed staff to gather additional feedback on a revised proposal for the Taylor/Dixie County area.

The approved draft rules would, beginning with the 2020 scallop season, allow transit of legally-harvested scallops through areas closed that are to harvest, establish a long-term season beginning on July 1 and going through Sept. 24 annually from Gulf County through NW Taylor County and Levy County through Hernando County (Gulf county 2020 season will be set via EO), expand the allowable harvest area to include Pasco County, and establish a long-term scallop season for Pasco County that would begin on the 3rd Friday in July and remain open for 10 days each year.

Based on public comment received at the meeting, the Commission approved a proposal for the remaining portion of Taylor County and Dixie County that set season dates of June 15 through Sept. 10 with a 50% reduction in the bag and vessel limits until July 1 each year. The reduced harvest limits are intended to help balance the higher number of scallops harvested in a bag/vessel limit earlier in the season when scallops are smaller, compared to later in the season when scallops are larger, and the reduced harvest limits would only apply during the early portion of the season. On July 1, when the majority of the harvest area opens to scallop harvest, this area would have the regular harvest limits. The Commission also directed staff to gather additional public input on the season dates and modified harvest limits for this area.

Taylor/Dixie Feedback Update

Public workshop

- Support for early start date
 - Majority supported June 15 season opening
 - Minimal support for opening 3rd Saturday in June
 - Limited opposition to opening before July 1
- Support for closing season immediately after Labor Day
- Support for 50% bag/vessel limit reduction until July 1

Other feedback

- Mixed feedback on season dates
- Opposition to reduced bag/vessel limit



On March 5, staff held a public workshop in Steinhatchee to gather public feedback on a variety of options for potential season dates as well as bag and vessel limit reductions prior to July 1, that would apply in the Taylor/Dixie portion of the harvest area. A total of 48 stakeholders attended this workshop.

Overall, participants that attended the workshop were supportive of establishing an early start date long-term. Most attendees reported that they believe opening on June 15 provides an important opportunity for both scallopers and communities. However, there was some support for opening the season on the 3rd Saturday in June (ranges from June 15-21) as well as some opposition to opening before July 1. With regard to the season end date, most stakeholders at the Steinhatchee workshop supported closing immediately after Labor Day (first Monday in September, ranges from Sept. 1-7 annually) because it would not negatively impact the community, since scalloping effort generally wanes after Labor Day, and could provide additional conservation benefits to scallop populations. Of the options discussed, workshop attendees expressed the highest support for a 50% reduction in bag and vessel limits until July 1.

Staff also received limited feedback from stakeholders outside of the workshop via email and the Saltwater Comments webpage. Overall, feedback received outside of the workshop was mixed on preferred season dates. There was general opposition for reducing the bag/vessel limit during the June 15-30 portion of the season from stakeholders who submitted comments electronically.

Proposed Final Rule

- Allow direct transit across closed areas
- Extend allowable harvest area through Pasco County
- Establish long-term seasons beginning in 2020
 - Gulf through NW Taylor and Levy through Hernando counties: July 1 – Sept. 24
 - Remaining portion of Taylor County and Dixie County: June 15 – Labor Day
 - Pasco County: 10 days beginning 3rd Friday in July
- Modify harvest limits for a portion of Taylor and Dixie County from June 15-30
 - Bag: 1 gallon whole, 1 cup shucked
 - Vessel: 5 gallons whole, 2 pints shucked



Photo credit: Carol Lyn Parrish



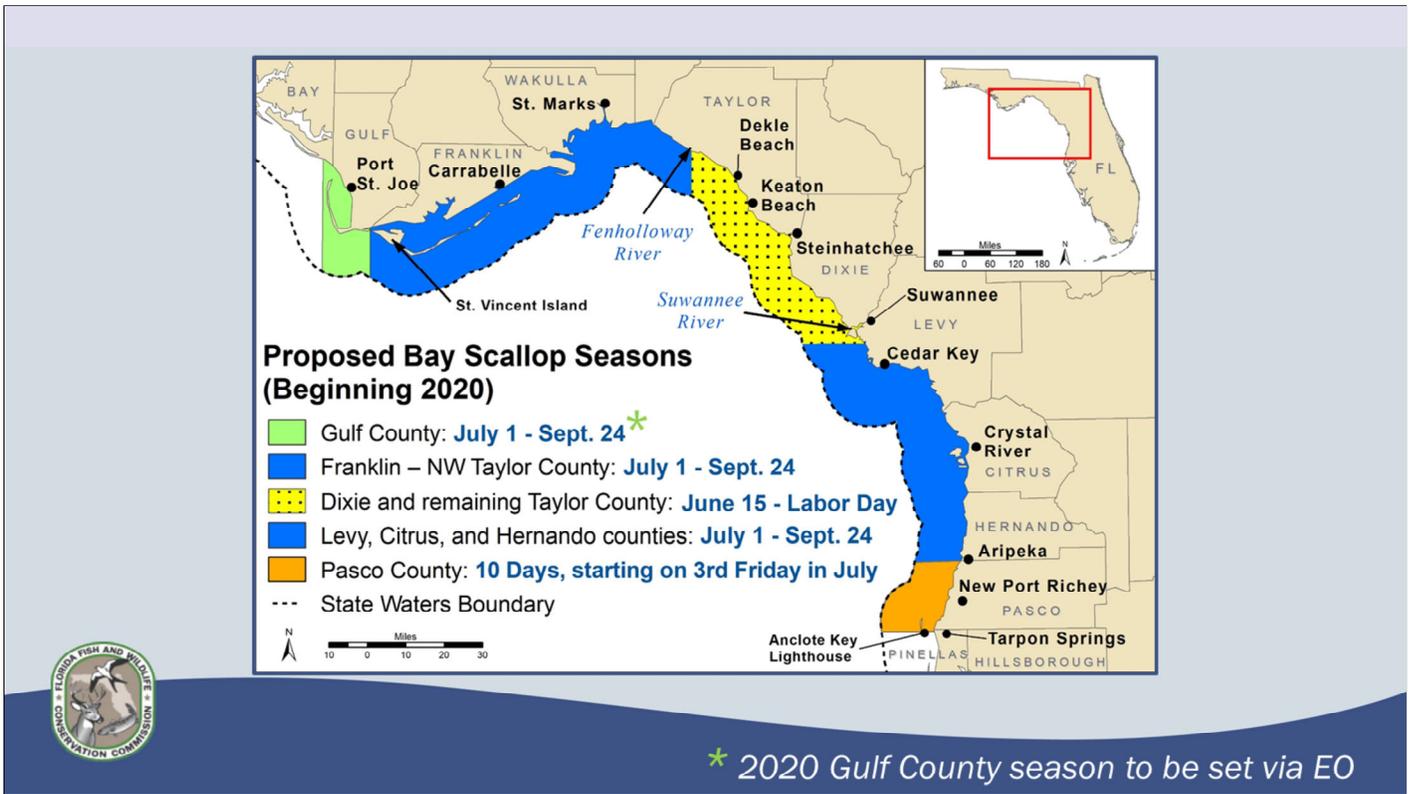
Reminder: 2020 Gulf County season to be set via EO

The proposed final rules would modify 68B-18, FAC, to allow the direct transit statewide of scallops across areas closed to harvest, provided that the scallops were legally collected in an open area and the harvester does not stop while transiting through any closed areas; extend the allowable harvest area through Pasco County; and establish long-term seasons beginning in 2020 as follows:

- Gulf through northwestern Taylor County and Levy County through Hernando County: July 1 – Sept. 24
- For the remaining portion of Taylor County and Dixie County: June 15 – Labor Day. Labor Day occurs on the first Monday in September and varies annually from Sept. 1 to Sept. 7. This proposed season is similar to, but is not the same as, the previously approved season but is based on public input received since the draft rule hearing.
- For Pasco County: 10-day season that begins on the 3rd Friday in July

In addition, based on Commission direction and public feedback, the proposed final rule would modify 68B-18, FAC, to implement a reduced bag and vessel limit for the remaining portion of Taylor County and Dixie County from June 15-30 to 1 gallon whole or 1 cup shucked scallops per person with a maximum of 5 gallons whole or 2 pints shucked scallops per vessel per day.

The proposed July 1 – Sept. 24 season applies to Gulf County; however, staff recommends modifying the 2020 Gulf County season by EO, if necessary, at a later date to allow flexibility to evaluate ongoing scallop restoration efforts and the recovery of St. Joseph Bay scallop populations following the 2018 red tide and Hurricane Michael.



This map provides a summary of the proposed seasons for 2020 and beyond for the entire area open to scallop harvest.

- **Gulf through northwestern Taylor and Levy through Hernando counties** (both green and blue on map): July 1 – Sept. 24.
 - Staff recommends modifying the 2020 Gulf County season by EO, if necessary, at a later date to allow flexibility to evaluate ongoing scallop restoration efforts and the recovery of St. Joseph Bay scallop populations following the 2018 red tide and Hurricane Michael.
- **The remaining portion of Taylor County through Dixie County** (yellow with dots on map): June 15 – Labor Day
 - Labor Day occurs on the first Monday in September and varies from Sept. 1-7 each year
 - Modified bag/vessel limit would apply June 15 – June 30
- **Pasco County** (orange on map): 10 days beginning on the 3rd Friday in July

Staff Recommendation

- Allow direct transit across closed areas during 2019 season via EO

Approve the following proposed final rules to be effective beginning in 2020

- Gulf through NW Taylor and Levy through Hernando counties: July 1 – Sept. 24
- The remaining portion of Taylor County and Dixie County
 - Season: June 15 – Labor Day (September 7, 2020)
 - Harvest limit from June 15 – June 30: 1 gallon whole/1 cup shucked per person or 5 gallons whole/2 pints shucked per vessel, whichever is less
- Extend allowable harvest area through Pasco County and establish 10-day season that begins on the 3rd Friday in July
- Allow direct transit across closed areas



Advertise change to the proposed rules via Notice of Change



Return in future years for consideration of Gulf County season



Staff recommends allowing the direct transit statewide of scallops across areas closed to harvest beginning with the 2019 season, provided that the scallops were legally-harvested in an open area and the harvester does not stop while transiting through any closed areas. To accomplish this in time for the 2019 season, staff recommends implementing this via EO.

Staff also recommends approving the proposed final rules to implement the following scallop seasons, beginning in 2020:

- Modifying the scallop season for Gulf through NW Taylor and Levy through Hernando counties season to July 1 – Sept 24 each year
- Modifying the scallop season for the remaining portion of Taylor County and Dixie County to June 15 through Labor Day (the 1st Monday in September), and implementing a harvest limit of 1 gallon whole/1 cup shucked scallops per person or 5 gallons whole/2 pints shucked scallops per vessel per day from June 15-30
- Extending the allowable harvest area through Pasco County and establishing a 10-day season that begins on the 3rd Friday in July
- Allowing direct transit of legally-harvested scallops across areas that are closed to harvest

If approved and directed, staff would advertise changes to the proposed end date in the Taylor/Dixie harvest area via a Notice of Change. Staff will return in future years, if necessary, for consideration of the Gulf County seasons.

Staff has evaluated the proposed final rules under the standards of 68-1.004, FAC, and found them to be in compliance.