This presentation provides a summary of proposed draft rules to amend the Florida Fish and Wildlife Conservation Commission’s (FWC) shrimp rules [68B-31, Florida Administrative Code (FAC)] specific to the Northeast region inland commercial food shrimp fishery.

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Florida’s Commercial Shrimp Fishery

One of the oldest and most valuable fisheries

- Value of $47 million annually
- Bait and food fishery components
- Industry has evolved over time
- Considerable regional variability in both the fishery and regulations
- Many regulations originally established in Florida Statutes
  - Some incorporated into FWC rules
  - Others remain only in Statutes

Florida’s shrimp fishery is one of the oldest and most valuable commercial fisheries in the state, with an average estimated annual dockside value of $47 million during the last 10 years. The commercial fishery harvests shrimp as both bait and food.

The industry has changed over time and there is considerable regional variability in both the operation of the fishery and regulations. FWC’s shrimp regulations are a combination of rules with different origins, including local laws dating back to the 1920s. Many of Florida’s current shrimp regulations were originally established in Florida Statue. Although some statutory regulations have been incorporated into FWC rules, others remain only in statute.
In order to address the changes in this fishery over time, staff has embarked on a long-term management project to modernize and streamline the agency’s shrimp regulations. As part of this project, staff will consider a variety of statewide and regional updates to the regulations in addition to what is proposed today. These updates will include re-evaluating when shrimpers are allowed to harvest, both annual open/closed seasons as well as other days on which harvest is currently not allowed during the open season, such as weekends or holidays.

In the past, area closures were implemented to conserve small shrimp in nursery habitats or to reduce conflicts with other fisheries and non-fishing user groups. Staff will be re-assessing the locations of current closures to determine whether they are still serving the intended purpose. Staff will also be working to address emerging or changing conflicts between different fisheries, such as between shrimp and trap fisheries. Finally, staff will be working to clean up other outdated shrimp rules as well as re-organize the shrimp regulations to make them more streamlined and understandable.

Phase 1 of the long-term project addressed the emerging live food shrimp fishery and was completed in September 2018.

Phase 2 addresses a variety of industry requests for updates to shrimp rules effecting commercial harvest of food shrimp from inland waters of Northeast Florida.

Future phases will address other regions and statewide topics.
Northeast Inland Shrimp Fishery

- Includes waters of 6 counties, and the St. Johns River
- Recreational and commercial components
- Many provisions addressed in Statute but are under FWC authority

**Commercial food shrimping**

- Food Shrimp Production license required
  - Established in 1976 with 800 participants
  - Only transferable to an immediate family member
  - Today: 41 licenses
- Harvest allowed during daylight hours Tues. – Fri.
- No harvest on state holidays
- Seasonal closure: April – May

The Northeast shrimp management region consists of all state waters in Nassau, Duval, St. Johns, Flagler, Volusia, and Brevard counties, including the St. Johns River. The inland fishery is divided into recreational and commercial components that harvest shrimp for food and live bait. Many shrimp regulations are addressed in Statute but are under FWC’s regulatory authority.

Commercial harvest of food shrimp in this area, both offshore and inshore, requires a Saltwater Products License (SPL) and a Restricted Species Endorsement (RS). Additionally, harvesting food shrimp from inland waters requires a limited-entry Food Shrimp Production license.

The Food Shrimp Production license was created by the Florida Legislature in 1976. The fishery included around 800 participants at that time. Beginning in 1988, transfer of the license to immediate family members became allowable. There are 41 Food Shrimp Production licenses remaining in the fishery.

Commercial food shrimping in inland waters of the Northeast region is allowed during daylight hours Tuesdays through Fridays, except on state holidays. There is also a seasonal closure in the Northeast region from April through May.

The industry requests that will be addressed today are related to transferability of the Food Shrimp Production license and allowable harvest days.
The Food Shrimp Production license was originally created by the Legislature as a non-transferable license in order to phase out the fishery because the area the fishery operates in is nursery habitat for shrimp and a variety of other species, and because of concerns that the high level of fishing pressure in inland waters prevented shrimp from reaching the larger, more valuable sized desired by the food market. Transfer of the license to immediate family members became allowable in 1988. The number of licensed participants has decreased by almost 95%, from about 800 to 41 licenses currently. The reduction in the number of licenses has eliminated considerable effort in the fishery and staff believes the current level of participation is sustainable. Industry has requested the ability to transfer this license outside of immediate family. If licenses were fully transferable (including outside the license-holder’s families), they could be transferred at fair market value allowing for long-term continuance of the fishery.

Industry has requested the ability to harvest on Mondays and the Friday after Thanksgiving. Based on the decreased participation in the fishery over time, staff believes that allowing the fishery to operate on Mondays is sustainable and provides additional flexibility for harvesters if conditions are not favorable later in the week. Related to the Friday after Thanksgiving, when the Statute prohibiting harvest in this fishery on legal state holidays was originally implemented, the Friday after Thanksgiving was not a state holiday. When the Friday after Thanksgiving became a state holiday in the 1990s, the fishery lost a day of allowable harvest.

The changes that staff is proposing as part of Phase 2 of the long-term shrimp management project are within FWC’s authority but are currently found either also in or exclusively in Florida Statutes. These changes, if approved, will create inconsistency between FWC rule and Statute and could cause confusion for the public. To alleviate this problem, staff will work with the Legislature to update these and other shrimp related statutory provisions once all the changes associated with the long-term management project are completed.
Proposed Draft Rules

- Make Food Shrimp Production license fully transferable
- Allow harvest of food shrimp from inland waters of Northeast Florida on
  - Mondays when not a state holiday
  - Friday after Thanksgiving

Industry has requested additional rule changes that staff is not recommending at this time

The proposed draft rules would modify 68B-31, FAC, to make the Food Shrimp Production license, which is required for inland waters of Northeast Florida, fully transferable to other commercial harvesters. The proposed draft rules would also allow trawling for food shrimp in inland waters of the Northeast shrimp region on Mondays that are not state holidays and on the Friday after Thanksgiving.

Industry has also requested additional changes for this fishery but staff is not recommending moving forward with other changes at this time.
Staff Recommendation

Approve the proposed draft rules to modify food shrimp regulations for inland waters of Northeast Florida

- Allow Food Shrimp Production license to be fully transferable
- Allow harvest of food shrimp on Mondays that are not state holidays and on the Friday after Thanksgiving

If approved and directed, return for a final public hearing at the October Commission meeting

Staff will work with Legislature to update Florida Statutes when long-term management project is completed

Staff recommends approving the proposed draft rules to allow the Food Shrimp Production license to be fully transferable, and allow trawling for food shrimp in inland waters on Mondays that are not state holidays and the Friday after Thanksgiving.

If approved and directed, staff will return for a final public hearing at the October 2019 Commission meeting.

Staff will work with the Legislature to update Florida Statutes as necessary when the entire long-term shrimp management project is completed.