

Northeast Florida Shrimp



Final Public Hearing – Consent Agenda Item 4
October 2, 2019



Florida Fish and Wildlife Conservation Commission

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

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Unless otherwise noted, images throughout the presentation are by FWC.

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



Photo courtesy of Gracie Kennedy

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

The shrimp industry has changed over time and there is considerable regional variability in both the operation of the fishery and regulations that apply. 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 Statute. Although some statutory regulations have been incorporated into FWC rule, others remain only in Statutes. However, FWC has authority to regulate the shrimp fishery and would intend to clean up statutes following completion of the long-term management project.

Long-term Management Project

Effort to modernize and streamline shrimp regulations

- Re-assessing allowable harvest days
- Evaluating seasons
- Revisiting spatial closures
- Addressing conflicts with other fisheries
- Cleanup of outdated regulations



Photo courtesy of Florida Sea Grant

Sept. 2018: Phase 1 completed – live food fishery

Today: Phase 2 final rule hearing – Northeast Florida, inland waters

- Addressing industry requests
- Expanding opportunity while maintaining sustainability



Future phases will address other regions and statewide topics

In order to address 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 and re-organize the shrimp regulations to make them more streamlined and easier to understand.

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

Phase 2, presented today for Final Public Hearing, addresses a variety of industry requests for updates to shrimp rules applying to the commercial harvest of food shrimp from inland waters of Northeast Florida. These final rules will provide additional flexibility and opportunity for the fishery while ensuring fishery sustainability.

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

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 Florida inland shrimp fishery consists of all state waters in Clay, Duval, Nassau, Putnam, Flagler, and St. Johns counties, including the St. Johns River. The inland fishery is divided into recreational and commercial components that harvest shrimp for food and bait.

The 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 available for use.

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

The industry requests that will be addressed as part of Phase 2 are related to transferability of the Food Shrimp Production license and allowable harvest days.

Considerations

- Food Shrimp Production license originally created to phase out fishery
 - Transfer to family members allowed since 1988
 - 41 of original 800 licenses remain
 - Fishery is sustainable at current level of participation
 - Request to allow transfer outside the family (fair market value)
- Request to allow harvest on Mondays: expected to be sustainable
- Request to allow harvest Friday after Thanksgiving: not originally a state holiday
- Regulatory changes are within FWC's authority but will create inconsistencies between FWC rules and Statutes



The Food Shrimp Production license was originally created by the Legislature as a non-transferable license in order to phase out the fishery. This is because the area the fishery operates in is a nursery habitat for shrimp and a variety of other species, and the high level of fishing pressure in inland waters prevented shrimp from reaching the larger, more valuable size 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. 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 the immediate family. If licenses were fully transferable (including outside the license-holder's family), 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. Also, 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 today are within FWC's authority but are currently found either in FWC rule and Florida Statutes or exclusively in Florida Statutes. These changes, if approved, will create inconsistency between FWC rule and Florida Statutes. 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 Final 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



Photo courtesy of Palmer Philyaw

The proposed final 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 final rules would also allow trawling for food shrimp in inland waters of the Northeast Florida on Mondays that are not state holidays and on the Friday after Thanksgiving.

Industry has also requested additional changes for this fishery; however, staff is not recommending moving forward with other changes at this time.

Staff Recommendation

Approve the final 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

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



If approved and directed, make rule effective Nov. 15, 2019

Staff recommends approving the final 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.

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

If approved and directed, staff recommends making the rules effective Nov. 15, 2019.

Staff have evaluated these rules under 68-1.004, FAC, and found them to be in compliance.