Lobster Bully Net Fishery
Consent Agenda Item #3 – Final Public Hearing
February 8, 2017

Florida Fish and Wildlife Conservation Commission
Division of Marine Fisheries Management
General Stakeholder Concerns

- Participation in the commercial bully net sector has increased in recent years
  - May reduce the financial viability of the bully net fishery for individual harvesters
- Potential use of the bully net fishery as a cover for illegal lobster harvest
- Conflicts between waterfront homeowners and bully netters

Staff received input from stakeholders at Commission meetings, bully net-specific workshops, statewide marine fisheries workshops, and other public meetings
Proposed Commercial Bully Net Endorsement

Options
1. Status quo: harvester must possess an SPL, RS, and crawfish endorsement (C#)
2. Limited-entry bully net endorsement with qualification requirements
3. Open-access bully net endorsement (staff recommendation)

Stakeholder Input
- A bully net-specific endorsement is generally supported by commercial fishery
  - Many support a limited-entry endorsement

Staff recommend creating an open-access, bully net-specific lobster endorsement (option 3)
Additional Proposed Management Measures

**Regulatory measures**

- Require bully net-specific commercial vessel marking
- Prohibit trap pullers on bully net vessels
- Prohibit the simultaneous possession of a bully net and any underwater breathing apparatus aboard a vessel used to harvest lobster for commercial purposes or to transport lobster for commercial purposes

**Stakeholder input:** Moderate support for the proposed regulatory measures

**Outreach effort**

- “Respectful Bully Netting” outreach campaign
Benefits of Proposed Management Measures

**Open-access bully net endorsement**
- Continue to allow opportunities for new participants in the commercial lobster fishery
- Obtain better information about fishery participation

**Limit the potential for the bully net fishery to be used as a cover by individuals who are violating existing regulations**
- Prohibit trap pullers on bully net vessels
- Prohibit the simultaneous possession of a bully net and any underwater breathing apparatus aboard a vessel commercially harvesting lobster

**Address waterfront homeowner/fishery participant conflicts**
- Require commercial bully net vessels to be marked
- Launch a “Respectful Bully Netting” outreach campaign
Proposed Final Rules

**68B-24.002 Definitions**
- Update the definition of “commercial harvester” to include a reference to a bully net-specific commercial endorsement

**68B-24.0055 Commercial Requirements**
- Create an open-access, bully net-specific commercial endorsement
- Incorporate a reference to the appropriate license application form

**68B-24.006 Gear: Traps, Buoys, Identification Requirements, Prohibited Devices**
- Require commercial bully net vessels be marked with the harvester’s bully net endorsement number
- Prohibit trap pullers on any vessel required to be marked with a commercial bully net endorsement

**68B-24.007 Other Prohibitions**
- Prohibit the simultaneous possession of a bully net and any underwater breathing apparatus aboard a vessel used in the harvest or transport of lobster for commercial purposes
Staff Recommendation

Approve the proposed final rules to

- Create an open-access commercial bully net lobster endorsement
- Require commercial bully net vessels be marked with the harvester’s bully net endorsement number
- Prohibit trap pullers on commercial bully net vessels
- Prohibit the simultaneous possession of a bully net and any underwater breathing apparatus aboard a vessel used to harvest or transport lobster for commercial purposes
- Update the definition of “commercial harvester” to include the bully net endorsement

Staff also recommend launching a “Respectful Bully Netting” outreach campaign, and delaying the Final Public Hearing for final approval of previously proposed changes in 68B-4.019, FAC, related to trap pullers and other cleanup measures until the April Commission meeting.

Approve filing the necessary Notice of Change and make the rules effective May 1, 2017
The following slides are considered backup material and are not anticipated to be part of the actual presentation.
Background – Bully Net Fishery

- Nighttime operation requiring clear skies and clear, calm water
- Harvest occurs in shallow water, often near to shore
- Primarily executed in the early months of the season
  - Conditions in winter months generally unfavorable
- Relatively minor but viable component of the commercial lobster fishery
  - Financially feasible means of entering commercial fishery
  - Provides lobsters in best condition for live market
- Also popular with recreational fishers
  - Family-friendly alternative to diving for lobster

Photo courtesy of Ben Gutzler
Commercial Bully Net Participation

**Reminder:** Bully net is the only sector of the commercial lobster fishery that is open-access

- Influx of participants in recent years

![Number of Commercial Bully Net Participants by Fishing Season](chart)

*2015/2016 data are preliminary*
Current Regulations Applicable to Bully Net Fishery

- Minimum size limit: 3 inch carapace length
- Lobster must be landed whole
- Harvest of egg-bearing lobster is prohibited
- Bully nets cannot be larger than 3 feet in diameter

**Commercial**
- **License requirements:** SPL, RS, and crawfish endorsement (C#)
- **Season:** Aug. 6 – March 31
- **Daily bag and possession limit:** 250 lobster per person or vessel

**Recreational**
- **License requirements:** recreational license and a lobster permit
- **Season:** 2-day sport season and Aug. 6 – March 31
- **Daily bag limit**
  - Sport season: 6 or 12 lobster per person, depending on location
  - Regular season: 6 lobster per person
Factors to Consider for Bully Nets

- Self-limiting fishery
- Results in very little bycatch with minimal impact to habitat
- Provides a financially feasible entrance into the commercial lobster fishery
  - Allows opportunities for young and/or new fishers
  - Preserves the culture of participation in the Keys commercial lobster fishery
  - Allows commercial fishers that rely on harvesting a variety of species to include lobster in their diverse fishing portfolio

**Staff recommend pursuing minor changes to management at this time in order to better determine the scope of the fishery and improve enforceability**
Recent Timeline – Lobster Bully Net Fishery

Nov. 2014: Stakeholders expressed concerns about the bully net fishery at the November Commission meeting

Jan. 2015: Public meeting to hear concerns about conflicts between waterfront homeowners and bully netters

Feb. 2015: Public workshops on management of the commercial bully net fishery

July 2015: Statewide marine fisheries workshops

July/Sept. 2015, Aug. 2016: Staff ride-alongs with bully netters and Law Enforcement

Sept. 2016: Review and discussion of lobster fishery with focus on the bully net fishery

Nov. 2016: Commission approved proposed draft rules

Today: Final public hearing