

## Bay Scallops



Final Public Hearing  
February 8, 2018



Florida Fish and Wildlife Conservation Commission

Version 2

This presentation summarizes proposed short-term management changes for the bay scallop fishery to be made by Executive Order for Gulf and Pasco counties, and proposed final rules to amend the Florida Fish and Wildlife Conservation Commission's (FWC) bay scallop regulations, 68B-18, Florida Administrative Code (FAC), for the remaining allowable harvest area.

Staff is continuing to receive and consider public comment on these proposed changes. The presentation will be updated prior to the Commission meeting with any changes to the proposal.

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Report date: January 24, 2018

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

## Timeline

- **Fall 2015:** Red tide negatively impacted scallops in St. Joseph Bay
- **June 2016:** Commission modified regulations for 2016 St. Joseph Bay scallop season and directed staff to review statewide scallop management
- **Nov. 2016:** Pasco County requested FWC consider season opening
- **Dec. 2016 – Jan. 2017:** Staff held a series of informal meetings with community leaders to gather feedback on scallop management
- **Feb. 2017:** Commission approved regionally-specific changes to 2017 season
- **Oct. 2017:** Staff held series of public workshops to gather feedback on 2017 season changes
- **Dec. 2017:** Commission approved proposed draft rules for most of the harvest area and proposed 2018-only management changes for Gulf and Pasco counties
- **Today:** Final public hearing



In the fall of 2015, a prolonged red tide event occurred off Gulf County and the western Panhandle. This red tide event was more intense and more prolonged than this area typically experiences. Unfortunately, this event also coincided with the peak spawning season and peak juvenile settlement period for bay scallops. Monitoring data collected by FWC's Fish and Wildlife Research Institute (FWRI) indicated that this event negatively impacted both adult scallops and newly settled juveniles in St. Joseph Bay, prompting FWC to work with the public to implement local management changes for the 2016 season. This brought additional attention to stakeholder requests to consider long-term changes to management of the scallop fishery in various portions of the area open to harvest.

At the June 2016 Commission meeting, Commissioners directed staff to modify 2016 scallop regulations for St. Joseph Bay and review management of the scallop fishery statewide.

At the November 2016 FWC Commission meeting, a Pasco County Commissioner requested FWC consider extending the open harvest area to include Pasco County.

During December 2016 and January 2017, staff held a series of meetings with community leaders from the eastern Panhandle and Big Bend to gather feedback on scallop management. Based on that feedback, the Commission approved regionally-specific changes to season dates on a trial basis for the 2017 season, at the February 2017 meeting.

In October 2017, staff held a series of public workshops throughout the open harvest area and Pasco County to gather stakeholder feedback on the 2017 regionally-specific season structure and stakeholder desires for long-term management of the scallop fishery.

At the December 2017 Commission meeting, Commissioners approved proposed draft rules to create regionally-specific season dates for most of the allowable harvest area and approved proposed short-term management changes for the 2018 season in Gulf and Pasco counties.

Today is a final public hearing to amend bay scallop regulations to create regionally-specific season dates.

## Scallop Management

- Allowable harvest zone: Mexico Beach Canal through Hernando – Pasco county line
  - Recreational harvest only
- Season: Saturday before July 1 (or July 1 when it falls on Saturday) through Sept. 24
  - Regionally-specific season dates implemented as a trial in 2017
- Daily bag limit:
  - 2 gallons whole scallops in shell, or
  - 1 pint scallop meat (shucked)
- Daily vessel limit:
  - 10 gallons whole scallops in shell, or
  - ½ gallon scallop meat (shucked)



Prior to 1994, the commercial and recreational harvest of bay scallops was allowed throughout the state. In 1994, management changes were implemented to make the fishery recreational harvest only and to prohibit all harvest in portions of the state in response to fishery declines and concerns that the scallop population could not sustain the high fishing pressure the fishery was exerting. The allowable harvest zone was subsequently modified in 2002 due to further declines in the western panhandle and increasing densities in the Crystal River and Homosassa areas. Since 2002, the allowable harvest zone has included all state waters from the west bank of the Mexico Beach Canal in Bay County to the Hernando – Pasco county line, with only recreational harvest allowed.

Currently, the recreational harvest season opens each year on the Saturday before July 1 (or July 1 if it falls on a Saturday) and continues through Sept. 24. This season structure was implemented in late 2014 and was intended to ensure that the season always opened on a weekend, maximizing recreational harvest opportunities. Because the season is set to open on a Saturday, the opening date changes each year. For example, in 2015, the season opened on June 27. In 2016, the season opened on June 25. The season was scheduled to open on July 1 in 2017, which would have resulted in a season that would have been a week shorter than the year before. However, instead of maintaining the current season structure, which applies throughout the allowable harvest zone, the Commission implemented a regionally-specific season structure on a trial basis in 2017.

The daily bag limit for scallops throughout the allowable harvest zone has been two gallons of whole scallops (in the shell) or one pint of scallop meat (shucked) per person since 1995. In addition, no more than 10 gallons of whole scallops, or half gallon of scallop meat may be possessed on any vessel, regardless of the number of harvesters aboard.

## 2017 Staggered Scallop Seasons



Prior to the 2017 bay scallop season, staff hosted a series of informal meetings with community leaders in Gulf through Pasco counties to gather feedback and suggestions for potential scallop management changes across the eastern Panhandle and Big Bend regions. Based on the outcome of these discussions, the Commission approved the following regionally-specific scallop season dates on a trial basis for the 2017 season:

**Zone 1 (Gulf County, including St. Joseph Bay):** Included all state waters from the west bank of the Mexico Beach Canal in Bay County through the western-most point of St. Vincent Island in Franklin County. The season in this area was scheduled to begin July 25 and end Sept. 10. However, the season was delayed because of an algae bloom and was ultimately held from Sept. 23 through Oct. 8, 2017.

**Zone 2 (Fenholloway River to Suwannee River, including a portion of Taylor County and all of Dixie County. This includes the communities of Dekle Beach, Keaton Beach and Steinhatchee):** Included all state waters south and east of Rock Island, near the mouth of the Fenholloway River in Taylor County and north of the Suwannee River Alligator Pass Daybeacon 4 in Levy County. The 2017 season for this area was June 16 through Sept. 10.

**Zone 3 (all other areas open to the harvest of bay scallops):** Included all state waters from the westernmost point of St. Vincent Island in Franklin County to Rock Island near the mouth of the Fenholloway River in Taylor County and from the Suwannee River Alligator Pass Daybeacon 4 in Levy County to the Hernando-Pasco county line. The 2017 open season for these parts of the state was July 1 through Sept. 24.

## Stakeholder Feedback

Staff held a series of public workshops in October 2017 to gather feedback on the 2017 season structure and long-term management of the scallop fishery

- **Bag and vessel limits:** stakeholders generally opposed to changes to bag or vessel limits
- **Seasons:** broad support for regionally-specific season structure
  - **Early summer opening:** mixed feedback for opening seasons in June and early July due to scallops being small
  - **Late September season dates:** outside of Gulf County, participants felt there was little benefit to keeping the season open into late September
  - **Gulf County:** strong support for mid-August through September or early October season
  - **Pasco County:** strong support for a limited trial season in 2018



This presentation will be updated prior to the Commission meeting with feedback received since December

In October 2017, staff held a series of public workshops throughout the open harvest area and in Pasco County to gather stakeholder feedback on the 2017 regionally-specific season structure and long-term management of the scallop fishery. Stakeholders were generally opposed to long-term changes to bag or vessel limits, but expressed broad support for continuing with a regionally-specific season structure.

Staff received mixed feedback regarding seasons opening in June and early July. The current bag limit equates to 50-200 scallops, depending on their size. Stakeholders who were opposed to opening early believe that scallops during this time of the year are too small and would result in a higher number of dead discards (due to the amount of scallop meat obtained relative to the effort required to clean small scallops). Conversely, other stakeholders stated that they harvest larger scallops and often return smaller ones to the water alive and did not believe opening earlier would negatively impact scallop populations. Additionally, Crystal River workshop participants spoke in favor of delaying the season until after the July 4<sup>th</sup> holiday weekend to reduce congestion and improve safety on the water.

Outside of Gulf County, participants felt there was little benefit to keeping the season open into late September. Participation in the fishery wanes as the summer tourism season comes to an end and stakeholders felt the late September season dates provide little economic benefit to their region.

Stakeholders from Gulf County, however, supported delaying their season start until mid-August and extending through September or early October. A delayed season in 2017 resulted in larger, and presumably fewer scallops being harvested from St. Joseph Bay. Additionally, they felt an open scallop season was not needed during the summer, when tourism levels are already high. Instead, extending the season into the fall was more economically beneficial for Gulf County.

Staff received strong support for holding a limited trial season in Pasco County. Suggestions included limiting the number of season days, and/or delaying the season start date until later in the summer in an effort to reduce harvest pressure. A delayed season start would also provide for a smoother transition into a trial season by minimizing the negative impacts associated with the early-season rush.

This presentation will be updated prior to the Commission meeting with any additional feedback received since the December 2017 Draft Rule Hearing.

## Proposed Long-term Management Actions

*Implement regionally-specific season dates on a long-term basis via final rule*

### Franklin County through northwestern Taylor County

- Establish a consistent start date
- *Proposed season:* July 1 through Sept. 24 each year

### The remaining portion of Taylor County through Dixie County

- Earlier, more predictable start date
- *Proposed season:* to begin on the 3<sup>rd</sup> Saturday in June each year through Sept. 10

### Levy, Citrus, and Hernando counties

- Postpone start until after July 4<sup>th</sup> weekend and end the season earlier
- *Proposed season:* July 10 through Sept. 10 each year



This presentation will be updated prior to the Commission meeting with any changes based on public feedback received since December

Based on public feedback received prior to the December 2017 Commission meeting, staff are proposing to implement regionally-specific season dates for the bay scallop fishery on a long-term basis. Staff are not proposing changes to existing bag or vessel limits. Staff propose the following long-term management actions be implemented via final rule:

For Franklin, Wakulla, Jefferson, and northwestern Taylor County, staff propose maintaining similar season dates but reducing potential confusion by creating a consistent start date. The proposed season for the area would begin on July 1 and end on Sept. 24 each year. This region would include all waters from the western tip of St. Vincent Island in Franklin County to Rock Island near the mouth of the Fenholloway River in Taylor County.

For the remaining portion of Taylor County and all of Dixie County, including Dekle Beach, Keaton Beach, and the entire Steinhatchee area, staff propose to shift the season earlier, similar to the structure of the 2017 season, beginning on the third Saturday in June each year, and ending on Sept. 10. This region would include all waters from Rock Island near the mouth of the Fenholloway River in Taylor County south to the Suwannee River.

For Levy, Citrus, and Hernando counties, including Cedar Key and the entire Crystal River/Homosassa area, staff propose starting the season after the Independence Day holiday, beginning July 10 and ending on Sept. 10 each year.

The season dates in rule for the remaining portion of the open harvest area (including Gulf County) would be consistent with the adjacent waters of Franklin through northwestern Taylor County. However, these season dates would be modified each year by Executive Order for the immediate future, as described on the following slide, until a long-term season is established for that area.

## Proposed Short-term Management Actions

### *Modify bay scallop regulations in Pasco and Gulf counties by Executive Order for the 2018 season only*

- Allows flexibility to re-evaluate any potential changes needed for 2019 and subsequent seasons

**St. Joseph Bay and Gulf County:** Set scallop season by Executive Order for the immediate future while the population continues to recover

- *Proposed 2018 season:* Aug. 17 – Sept. 30, 2018

**Pasco County:** Establish 10-day trial season for 2018 only

- Include all waters of the Anclote River
- *Proposed 2018 season:* July 20-29, 2018

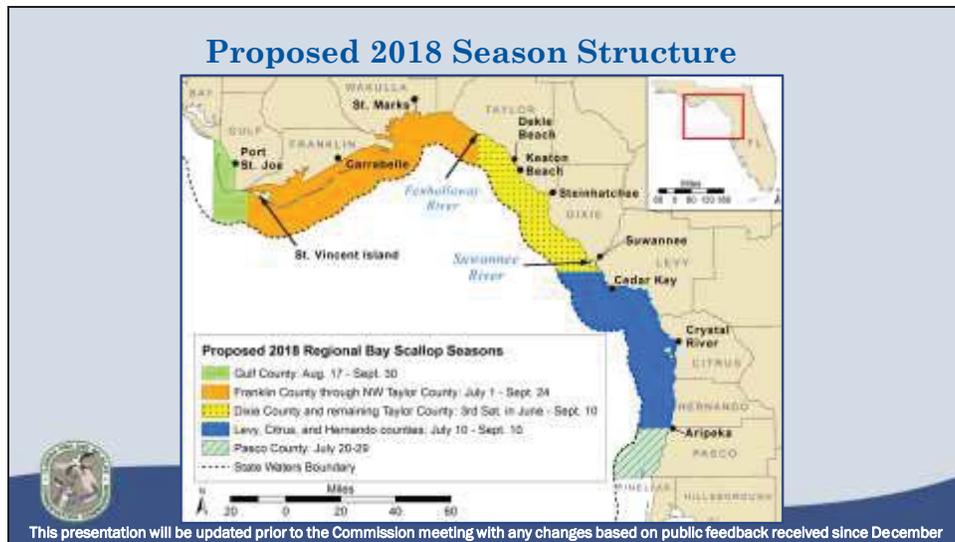


Staff are proposing short-term modifications to bay scallop regulations for Gulf and Pasco counties via Executive Orders for the 2018 season only. Short-term modifications allow the Commission the flexibility to re-evaluate any potential changes needed for 2019 and subsequent seasons. Staff propose the following short-term management actions be implemented via Executive Order for 2018-only:

For St. Joseph Bay and Gulf County, staff propose setting a 45-day season in 2018 to allow for ample harvest opportunities while still allowing the local scallop population to continue to recover. The proposed 2018 season would begin Aug. 17 and end Sept. 30, 2018.

For Pasco County, staff propose establishing a 10-day trial season for 2018-only. The season would begin July 20 and end July 29, 2018 and include waters north of the Pasco – Pinellas County line and all waters of the Anclote River. Staff propose applying the existing statewide bag and vessel limits during this trial season.

Staff is continuing to receive and consider public comment on these proposed changes. The presentation will be updated prior to the Commission meeting with any changes to the proposal.



Staff is continuing to receive and consider public comment on these proposed changes. The presentation will be updated prior to the Commission meeting with any changes to the proposal. However, the current proposed regionally-specific season structure is:

**Gulf County, including St. Joseph Bay:** Aug. 17 through Sept. 30, 2018

- Includes all state waters from the west bank of the Mexico Beach Canal in Bay County through the western-most point of St. Vincent Island in Franklin County.

**Franklin County through northwestern Taylor County:** July 1 through Sept. 24 each year

- Includes all state waters from the westernmost point of St. Vincent Island in Franklin County to north and west of Rock Island near the mouth of the Fenholloway River in Taylor County.

**The remaining portion of Taylor County through all of Dixie County, including the communities of Dekle Beach, Keaton Beach and Steinhatchee:** The third Saturday in June through Sept. 10 each year

- Includes all state waters east of Rock Island, near the mouth of the Fenholloway River in Taylor County and north of the Suwannee River Alligator Pass Daybeacon 4 in Levy County.

**Levy, Citrus, Hernando counties:** July 10 through Sept. 10 each year

- Includes all state waters south of the Suwannee River Alligator Pass Daybeacon 4 in Levy County to the Hernando – Pasco county line.

**Pasco County (and the Anclote River):** July 20 through July 29, 2018

- Includes all state waters south of the Hernando – Pasco county line to the Pasco – Pinellas county line and all waters of the Anclote River.

**Staff Recommendation**

**Approve the proposed final rules to create the following regionally-specific open seasons for 2018 and beyond**

- Franklin County through northwestern Taylor County: July 1 – Sept. 24
- The remaining portion of Taylor County and all of Dixie County: 3<sup>rd</sup> Saturday in June – Sept. 10
- Levy, Citrus, and Hernando counties: July 10 – Sept. 10

**Establish 2018 scallop regulations for Pasco and Gulf counties by Executive Order**

- St. Joseph Bay and Gulf County: Set 2018 open season Aug. 17 – Sept. 30, 2018
- Pasco County (and Anclote River): Establish a 10-day open season July 20–29, 2018

***Make the rules effective June 1, 2018.***  
***If approved and directed, the short-term management changes for Pasco and Gulf counties would be made via Executive Orders***

This presentation will be updated prior to the Commission meeting with any changes based on public feedback received since December

Staff recommend approving the proposed final rule to create the following long-term regionally-specific open seasons for bay scallops:

- Franklin County through northwestern Taylor County: July 1 through Sept. 24 (with these dates also applying in all waters of the open area west of Franklin County, but modified annually as described below by Executive Order)
- The remaining portion of Taylor County and all of Dixie County: 3<sup>rd</sup> Saturday in June through Sept. 10
- Levy, Citrus, and Hernando counties: July 10 through Sept. 10

Staff also recommend the Commission establish the following 2018 scallop regulations for Gulf and Pasco counties by Executive Order:

- St. Joseph Bay and Gulf County: Set 2018 open season to be Aug. 17 through Sept. 30, 2018
- Pasco County and the Anclote River: Establish and 10-day open season for 2018 to run July 20 through 29, 2018

If approved, staff recommend making these rules effective June 1, 2018. Staff have evaluated the proposed final rules under the standards of 68-1.004, FAC, and found them to be in compliance.

If approved and directed, staff will implement the proposed short-term 2018 management changes for Pasco and Gulf counties via Executive Orders.

This presentation will be updated prior to the Commission meeting if there are any changes to the proposal.

The following slides are considered backup material  
and are not anticipated to be part of the actual  
presentation



## Proposed Final Rule

### 68B-18.005 Closed Seasons for Harvest of Bay Scallops

Create regionally-specific closed seasons for the harvest of bay scallops

- Franklin, Wakulla, Jefferson, and northwestern Taylor County
- The remaining portion of Taylor County and all of Dixie County
- Levy, Citrus, and Hernando counties



Photo courtesy: Dawn McKinstry, UF/IFAS Florida Sea Grant



The proposed final rule would modify 68B-18.005 to establish regionally-specific harvest seasons for bay scallops as follows:

**Franklin, Wakulla, Jefferson, and northwestern Taylor County:** For all state waters from the westernmost point of St. Vincent Island in Franklin County and west of a line running through Rock Island near the mouth of the Fenholloway River in Taylor County (83° 49.760' West Longitude), modify the regulations to create an open season that begins on July 1 and continues through Sept. 24 each year. The proposed final rule would also apply these season dates to all allowable harvest areas west of St. Vincent Island until the scallop population in that region rebuilds to the point that the Commission chooses to set a different long-term season. In the meantime, the season for open areas west of St. Vincent Island would be modified annually via Executive Order.

**The remaining portion of Taylor County and all of Dixie County:** (including Dekle Beach, Keaton Beach, and the entire Steinhatchee area): For all state waters east of a line running through Rock Island near the mouth of the Fenholloway River in Taylor County (83° 49.760' West Longitude) and north of Suwannee River Alligator Pass Daybeacon # 4 in northern Levy County (29° 15.350' North Latitude), modify the regulations to create an open season that begins on the third Saturday in June and continues through Sept. 10 each year.

**Levy, Citrus, and Hernando counties:** For all state waters south of Suwannee River Alligator Pass Daybeacon # 4 in northern Levy County (29° 15.350' North Latitude) to the Hernando – Pasco county line, modify the regulations to create an open season that begins July 10 and continues through Sept. 10 each year.