



Lake Okeechobee: Commercial Haul Seine
Proposed Rule Amendments : 68A-23.012(4)
November 20, 2013

Florida Fish and Wildlife Conservation Commission
Division of Freshwater Fisheries Management

Version 2

Staff is presenting several proposed amendments to the rules relating to the management of commercial haul seine operations on Lake Okeechobee. These amendments would be to Florida Administrative Code Rule 68A-23.012(4).

Nov 12, 2013

Version 2: Additional information was provided on Slide 5

Summary of Changes

- Extend northern boundary to increase haul seine area.
- Remove outdated rule language and redundancy.
- Reduce rule confusion.
- Reduce user conflict between haul seine crews and recreational boaters in high traffic areas.

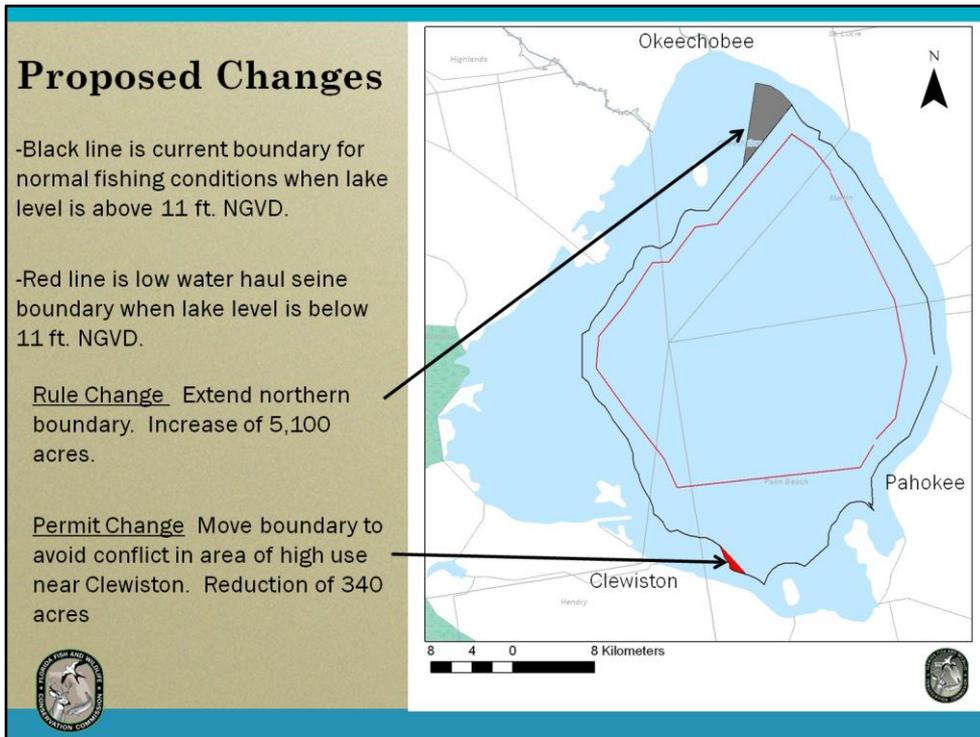


Increasing the haul seine area in the event that the other three available permits are filled would encourage spreading out the fishing effort. Currently, all five active permits fish south of the rock reef that runs from Clewiston to Pahokee.

The current rule uses outdated language when it describes a boundary established by buoys because there are no physical buoys on the boundary anymore. A different way to indicate the boundary is needed. The current rule also requires seines be “one statute mile from rooted, emergent vegetation” which was established to be a secondary boundary in addition to the buoy line. This language would no longer be needed if the boundary were to be defined in a better way. In the event that emergent vegetation were to expand into the boundary and haul seines were likely to damage the vegetated areas, the boundary could be re-evaluated and adjusted through the permits issued to commercial fishers.

Staff has worked with the State’s Attorney Office and haul seine operators to eliminate any confusion over the intent and the true meaning of the rule that regulates the timeframe within which haul seines can be operated.

Finally adjustments are needed in the rule because commercial nets have been hit several times by recreational boats. This is due to expanding vegetation from extended low water levels resulting in one area of the current boundary being very near the edge of emergent vegetation.



The south end of Lake Okeechobee is a very productive area for haul seiners. This is partially because this area is shallow once you get south of the remnant coral reef that runs approximately from Clewiston to Pahokee. This reef is the reason the low-water boundary on the south end of the lake is further north than the normal-water boundary. The low-water boundary is entirely north of the reef.

Proposed amendment to the rule would create additional fishing grounds in the north end of the lake to encourage the programs to spread out and to compensate for area lost in the boundary change along the south shoreline. Moving the boundary line further away from the emergent vegetation edge to reduce conflict in a high boat traffic area would be done through the permits issued to the commercial fishers. The vegetation expanded in this area due to extended low-water periods during 2008-present. This change in vegetation may be long-term because the lake regulation schedule, LORS2008, provides for a lower lake schedule to mimic the more natural, historic levels to benefit the ecology of Lake Okeechobee. This schedule also allows the U.S. Corps of Engineers to complete dike stabilization projects around the Herbert Hoover Dike, in an effort to prevent a breach.

Proposed Rule Change

68A-23.012(4)(a) 5. a.

- Extend northern boundary from Henry Creek to Nubbin Slough
- Modernize the rule language replacing outdated “buoys” with “Global Positioning System (GPS) coordinates”
- Remove phrase “one statute mile from emergent vegetation,” as it was default boundary when buoys broke free.



-This rule change was added to expand the fishing grounds for haul seines partially to compensate for grounds lost on the south end of the lake. GPS Coordinates would be established and included in the commercial fishing permits.

-Buoys have not been maintained for this line in over a decade. The location where the buoys were initially placed was marked with GPS coordinates. These coordinates are what law enforcement and the haul seiners are using as the defined boundary. Current technology should be used.

-The phrase “one statute mile from emergent vegetation” was the secondary boundary when buoys were missing. This is not necessary with GPS. If the vegetation line moves out to or near the boundary and is causing conflict, or damage to the vegetation, the boundary coordinates will be re-evaluated in that area.

Proposed Rule Change (continued)

68A-23.012 (4) a 7.

- Simplify the language of the rule to state that haul seines can begin fishing at midnight.
- Not changed:
 - Cannot remove fish from water until 30 minutes prior to sunrise.
 - Haul seine shall not be operated after sunset.



-As a result of Commission direction, the new language should make the rule more clear. The rule will now read “Haul seines may be fished beginning at midnight but no fish shall be taken from the waters prior to one-half hour before sunrise. No haul seines shall be operated after sunset.” The phrase “laid out and closed no earlier than three hours before sunrise” was removed completely.

Proposed Rule Changes

Commercial Wire Traps

68A-23.012(4) (c) 3.

- Update the rule language by removing the reference to “commercial fishing boundary buoys” and instead replacing it with an exact latitude and longitude.

Commercial Trotlines

68A-23.012(4) (d)

- Update the rule by removing outdated reference to “commercial fishing boundary buoys.”
- Require that when the lake elevation is below 11 feet NGVD, trotlines shall be marked with proper buoys and flagging during fishing.



-This change would maintain a current area that is off limits to fish traps. Because the commercial fishing buoys are no longer available a new boundary area has been designated using a fixed point and a legal description in the rule.

-This proposed change refers to commercial trotlines. This specific change is to remove outdated reference to buoys. This change will not affect where commercial trotlines are used. The rule will now require proper buoys and flagging when lake level is below 11 feet NGVD. This is due to trotlines and haul seines being more likely to be fished in same areas during low water. This also enhances the likelihood of recreational anglers avoiding commercial trotlines during low water periods.

Trotlines must be flagged every 1,000 yards. Buoys must be gallon sized, and placed every 500 yards between flags. These specific flagging and buoy requirements were already in the rule, but it applied to when the trotlines were fished inside of the haul seine boundary.

Requested Action

- Approve staff proposed amendments to 68A-23.012.

