



Southwest Region and Lake Okeechobee Commercial Haul Seines

Proposed Rule Amendments :

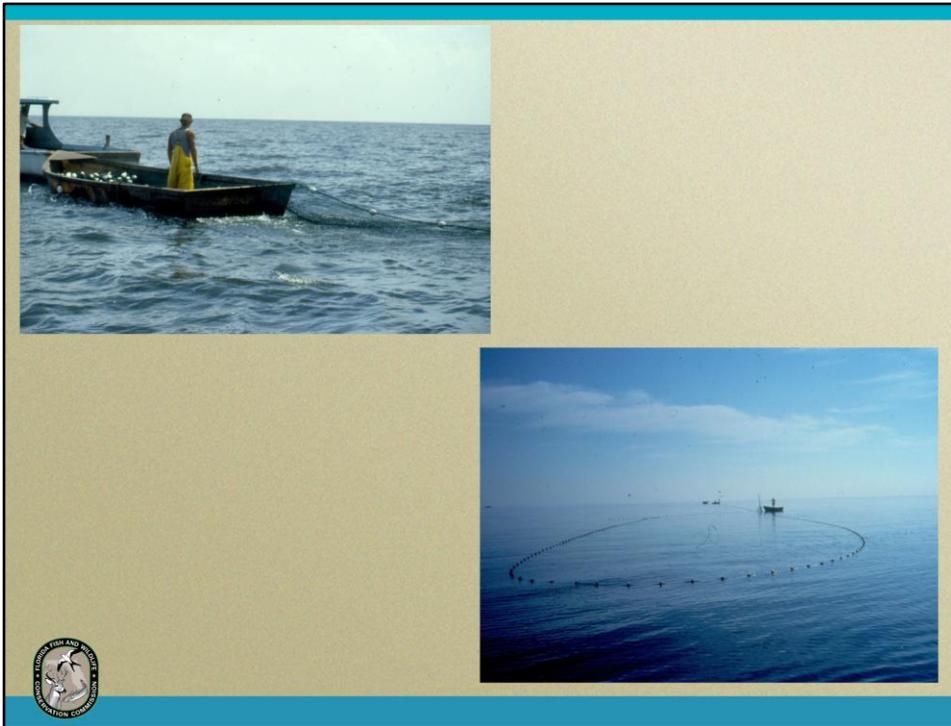
68A-23.003 and 68A-23.012

June 18, 2014



Florida Fish and Wildlife Conservation Commission
Division of Freshwater Fisheries Management

Staff is recommending to amend the rules relating to the management of commercial haul seine operations on Lake Okeechobee and on lakes in the Southwest Region. These amendments would apply to Florida Administrative Code Rules 68A-23.003 and 68A-23.012.



Haul seines on Lake Okeechobee can be anywhere from 500 to 1600 yards long with a minimum depth of ten feet.

Haul seines in permitted Southwest Region lakes must be less than 1800 yards with a minimum depth of eight feet.

Nets are deployed to encircle a defined area or pulled by boats. The minimum size mesh is no more than 250 yards of 2.5" stretched mesh to prevent entanglement. Largest mesh that can be in the net is 4.5" stretch mesh. Once the net is set and closed, fish are removed by dipping nets or baskets into the encircled area.

Southwest Regional haul seine operations target non-native blue tilapia and native catfish species. Okeechobee operations target catfish, bluegill and redear sunfish. Once harvested, all bluegill and redear sunfish must be tagged with FWC issued tags before being transported. The Southwest Regional program began during the 1970's and the current haul seine program at Okeechobee was implemented in 1983.

Summary of Changes

- Allow for permits to be transferred to immediate family members in the event of death or disability of the permit holder.
- Reduce the number of days permit holders are required to fish on Lake Okeechobee.
- Technical Changes:
 - Update forms referenced in rule.



Permits for commercial use of haul seines in freshwater lakes are limited to five for Southwest Region and ten for Lake Okeechobee. Permits may be renewed annually, but are not transferable. Currently, when a permit becomes available, FWC staff contacts applicants on the maintained waiting list to notify them of permit availability.

Many permitted operations are family businesses and when a permit holder dies or becomes permanently disabled, the family business could lose the ability to operate the haul seine. To address the hardship that this non-transferability could create, staff proposes to allow transfer of permits, to a member of the immediate family, in the event of death or permanent disability of the permit holder. FWC regulations currently provide for this in certain commercial marine fisheries. Immediate family member would be defined as Grandchildren, Parents, Siblings, Children, Spouse.

Additional changes are also being proposed to reduce the number of days that haul seine permit holders are required to fish on Lake Okeechobee.

Both rules require technical edits to update program forms.

Proposed Rule Change: Southwest

68A-23.003 (9) (a)

- Allow for transfer of permit to immediate family member in the event of death or permanent disability.
- Technical Changes
 - Update form referenced in rule.



The proposed draft rule amendment for Haul Seine Program in Southwest Regional lakes would create provisions to allow for the transfer of a haul seine permit to a member of the permit holder's immediate family in the event of death or permanent disability and update form names and references.

Technical Change: Update the Haul Seine Application form.

Proposed Rule Change: Okeechobee

68A-23.012

- Allow for transfer of permit to immediate family member in the event of death or permanent disability.
- Reduce number of days required to fish during a year from the current 104 days to 70 days.
- Technical Changes
 - Update form referenced in rule.



Similarly for Lake Okeechobee, the proposed draft rule amendment would create provisions to allow for the transfer of a haul seine permit to a member of the permit holder's immediate family in the event of death or permanent disability, clarify new permit recipient requirements and update form names and references.

The proposed changes would also reduce the minimum required days operators must fish to be able to renew their permit. The existing rule requires operators to fish 104 times per year and if fished less, the FWC may not renew the permit. This is to ensure that permit holders actively fish and not tie up permits. A review of haul seine activity on Lake Okeechobee indicates that 104 days was an excessive requirement and 70 days would be more consistent with market demand and other factors.

Technical Change: Update the Haul Seine Application form.

Requested Action

- Approve staff proposed amendments to 68A-23.003 and 68A-23.012.
 - *If approved, staff proposes to publish the rules and file for adoption as soon as possible if no additional hearing is requested.*



Staff is requesting Commission approval to advertise the proposed amendment with no hearing unless requested and file for adoption as soon as possible. Staff has evaluated the rules under the standards of 68-1.004, FAC and found them to be in compliance.