



Lionfish Aquaculture
Consent Agenda Item 1 - Draft Rule
September 10, 2014



Florida Fish and Wildlife Conservation Commission
Division of Marine Fisheries Management

Version 1

The image is a presentation slide with a light green background and a blue border. At the top center is a photograph of a lionfish with its characteristic red and white stripes and long, sharp spines. Below the photo is the title 'Lionfish Aquaculture' in a large, bold, black serif font. Underneath the title is the subtitle 'Consent Agenda Item 1 - Draft Rule' and the date 'September 10, 2014' in a smaller black font. To the left of the text is the circular logo of the Florida Fish and Wildlife Conservation Commission, which features a fish and a bird. Below the logo is the full name of the commission and its division, 'Florida Fish and Wildlife Conservation Commission' and 'Division of Marine Fisheries Management'. In the bottom right corner, there is a small text label 'Version 1'.

This document summarizes the Florida Fish and Wildlife Conservation Commission's (FWC) proposed rules to prohibit the intentional breeding of lionfish and the cultivation and retention of lionfish eggs and larvae.

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Report date: August 11, 2014

Background

Lionfish threaten Florida's native species and ecosystems

Recent Rulemaking

- Allowed persons diving with a rebreather to harvest lionfish
- Prohibited live imports
- Created a permit to allow for lionfish harvest using spearing gear in areas where spearfishing is prohibited

Commission directed staff to move forward with prohibiting aquaculture of lionfish

- Staff has been working with FDACS to coordinate a prohibition on lionfish aquaculture



Lionfish are exotic, invasive species native to the Indo-Pacific region. They compete with and prey upon native fish and invertebrates and therefore represent a significant threat to native species and ecosystems. Recent rulemaking, implemented following the June 2014 Commission meeting, was aimed at curtailing the introduction of new lionfish, facilitating the removal of existing lionfish, and encouraging localized population control. These recent actions included allowing persons diving in conjunction with a rebreather to harvest lionfish and prohibiting the import of any species of lionfish into the state of Florida. In addition, a new rule created an exception to FWC regulations in order to allow the Executive Director to issue permits for the harvest of lionfish and other non-native species using spearing gear in areas where spearfishing is prohibited.

At the June 2014 Commission meeting, staff was also directed to move forward with a prohibition of lionfish aquaculture. Since then, FWC staff has been working with the Division of Aquaculture at the Florida Department of Agriculture and Consumer Services (FDACS) to coordinate implementation of a prohibition on breeding lionfish and cultivating eggs or larvae in captivity.

Proposed Rules

68B-5.006 Lionfish

- *Prohibit the harvest and possession of lionfish eggs or larvae for any purpose other than destruction*
- *Reference the permitting system described below to allow possession for research purposes*

68-5.005 Lionfish

- *Prohibit captive breeding of lionfish*
- *Prohibit the cultivation and possession of lionfish eggs or larvae*
- *Authorize issuance of a research permit for cultivation of lionfish*



The proposed rules would modify 68B-5.006, FAC, the lionfish rule in FWC's Marine Fisheries rules, to prohibit the harvest and possession of lionfish eggs and larvae for any purpose other than destruction.

Rule 68-5.005, FAC, the lionfish rule in the regulations pertaining to non-native species would be amended to prohibit lionfish aquaculture by prohibiting the breeding of lionfish in captivity and prohibiting possession (for any reason other than destruction) or cultivation of lionfish eggs and larvae. The rule would also create a scientific research exception that would allow permitted research institutions to breed and cultivate lionfish for the purposes of researching population control and impact mitigation. Permits for research would be issued by FWC's Exotic Species Section.

The proposed rule language is provided in the background materials for this agenda item.

Staff Recommendation

Approve the proposed rules

- Prohibit the harvest and possession of lionfish eggs or larvae for any purpose other than destruction
- Prohibit breeding of lionfish and cultivation of eggs or larvae
- Create an exception for permitted research activities

If approved, the rules will be noticed and filed without further hearing unless requested



Staff recommends approving the proposed rules prohibiting the harvest and possession of lionfish eggs and larvae for any purpose other than destruction, prohibiting aquaculture of lionfish, and creating a research permit to authorize exceptions to these prohibitions for the purposes of researching lionfish control methods and impact mitigation. If approved, staff recommends the rules be noticed and filed without further hearing unless requested.

Staff has evaluated the rules under the standards of 68-1.004, FAC, and found them to be in compliance.