



Bay Scallop Season Extension
Consent Agenda Item 2- Draft Rule
September 10, 2014
Florida Fish and Wildlife Conservation Commission
Division of Marine Fisheries Management

Version 1

This document summarizes a draft rule amendment for the Florida Fish and Wildlife Conservation Commission's (FWC) bay scallop rule 68B-18, Florida Administrative Code (FAC). The purpose of this draft rule amendment is to modify the opening day of the bay scallop recreational harvest season.

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Background

- Recreational bay scallop season is an important economic driver for coastal communities in the Big Bend and eastern Panhandle regions
- To provide additional harvest opportunities, recent bay scallop seasons were extended
 - 2010** - Opened 12 days early by Executive Order (EO)
 - 2011** - Opened 7 days early and extended 14 days at the end of the season by EO
 - 2012** - End of season permanently extended 14 days by rule change
 - 2013** - Opened 2 days early by EO
 - 2014** - Opened 3 days early by EO



Recreational bay scallop season is a popular family-friendly event and an important economic driver for coastal communities in the Big Bend and eastern Panhandle regions. In recent years, the FWC has received requests from the Governor's office to extend the bay scallop season to maximize the economic benefit to local communities. In response to this request, FWC has extended the season each year by either Executive Order (EO) or rule change. Seasonal modification accomplished by EOs applied for a single year, while rule changes apply to all future seasons.

In 2010 and 2011, the season was modified to alleviate economic hardships after the 2010 Deepwater Horizon oil spill. The season was opened 12 days early by EO in 2010 and ran from June 19 through September 10. In 2011, an EO was issued to open the season a week early on June 25 and extend it through September 24. In 2012, the FWC amended the bay scallop rule to extend harvest for all future seasons by two weeks (closing the season on September 24) in order to increase business opportunities during a time when other fisheries are closed and the numbers of visitors to Florida decreases. In 2013 and 2014, the season was again modified by EO to open the Saturday before July 1 in order to provide additional harvest opportunities and economic benefits for the coastal communities where harvest is allowed.

Current Regulations

- Season: July 1 – Sept. 24
- Bag limit: 2 gallon whole or 1 pint meat
- Vessel limit: 10 gallon whole or ½ gallon meat
- Harvest area:
Mexico Beach Canal in Bay County to the Pasco-Hernando County line
- Recreational harvest only



Unless modified by EO, the current recreational bay scallop season begins July 1 and goes through September 24. During this open season, a harvester may collect up to two gallons of whole scallops, or a pint of meat, per day. However, no more than 10 gallons of whole scallops or a half gallon of meat may be possessed aboard a single vessel on any day. Harvest of bay scallops is allowed only in the Gulf of Mexico from the west bank of the Mexico Beach Canal in Bay County to the Pasco-Hernando County line. Commercial harvest of bay scallops has been prohibited since 1994.

Proposed Season Modification

Amend the bay scallop rules to open the season on the Saturday before July 1, unless July 1 falls on Saturday, in which case the season would open on July 1

- Opening the season on a Saturday increases business and economic opportunities in the counties where harvest is allowed
- A predictable season opening date is better for harvesters and businesses
- An earlier opening is not expected to have an adverse effect on the population



The recent practice of using EOs to set the opening day of scallop season has provided additional opportunities for business and harvesters, but it has also led to a less predictable opening date. The proposed draft rule would modify the recreational bay scallop season in FWC rules so that the season opens each year on the Saturday before July 1 for years when July 1 falls on any day other than Saturday. When July 1 falls on a Saturday, the season would continue to open July 1. Creating this change in rule would provide for the continued increase in business and economic opportunities in counties where harvest is allowed, while also providing for a predictable opening date. Harvesters and businesses alike will benefit from a predictable season start date because they will be better able to plan their scallop-related activities.

Opening the season a few days earlier than was previously allowed is not expected to have an adverse effect on the scallop population.

Proposed Draft Rule

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

- *Modify the recreational bay scallop season to begin the Saturday before July 1*
- *If July 1 falls on a Saturday, then the opening date would be July 1*



The proposed draft rule would amend 68B-18.005, FAC, (Closed Seasons for Harvest of Bay Scallops) to open the recreational bay scallop season on the Saturday before July 1, unless July 1 falls on Saturday, in which case the opening date would remain July 1.

Staff Recommendation

Approve the proposed draft rule amendment

- Modify the recreational bay scallop season to begin the Saturday before July 1
- Season would open on July 1 when July 1 falls on Saturday
- Make the rule effective as soon as possible

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



Staff recommends approving the proposed draft rule amendment, which opens the recreational bay scallop season on the Saturday before July 1. If July 1 falls on a Saturday, the opening date would be July 1. If approved and directed, staff recommends noticing and filing the rule without further hearing unless requested.

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

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



Bay Scallop Biology

- Bivalve mollusk with many tiny, blue eyes
- Life span of about 1 year
- Environmental conditions and harvesting cause annual fluctuations in local population sizes
- Areas with healthy populations have the potential to seed areas with smaller populations



The bay scallop is a bivalve mollusk, meaning it has two shells joined by a hinge. Bay scallops are unique in that they have many tiny, blue eyes that detect movement, which helps them avoid predators. When threatened, a scallop can swim away from the danger by quickly opening and closing its shell. Bay scallops in Florida have a life cycle of about one year, though some may live longer. They reproduce in the fall and grow rapidly from spring into late summer, when they attain their largest size. Bay scallops can reach a maximum size of about three inches. Since bay scallops typically only live for a year, environmental conditions and harvesting cause fluctuations in local population sizes from year to year; these fluctuations can be extreme. For a local population to remain healthy from year to year, bay scallops must produce enough offspring to replace themselves and those removed by harvest. Only about one out of every 12 million eggs survive to adulthood. If enough offspring are not produced, the population needs to be seeded by a neighboring area that has a healthy stock.

Research and Monitoring

Population Surveys

- Conducted annually in June along the Gulf coast
- 10 sites are monitored from Pine Island Sound to St. Andrews Bay
- Standardized method of counting and measuring scallops



Juvenile Monitoring

- Collect juveniles off citrus bags stuffed with black mesh anchored to blocks that they settle onto
- Collectors deployed monthly in nearshore, grassy habitats along the Gulf coast
- Bags are retrieved after 8 weeks and all scallops are counted

Restoration

- Scallops spawned and raised in an aquaculture facility in Palmetto
- After 10-14 days larvae are released



Annual reports available at MyFWC.com

The Fish and Wildlife Research Institute (FWRI) conducts research on bay scallops along the Gulf coast of Florida. Since 1994, FWRI staff has been conducting annual population surveys in June, with fall surveys also conducted in some years. Ten sites are monitored from Pine Island Sound to St. Andrews Bay. At these sites, survey stations are located in seagrass beds of depths up to 10 feet. All scallops within a 600 square meter area are counted and the first 30 scallops at each station are measured to determine the average size of scallops in the population.

Researchers also monitor juvenile bay scallops as they recruit into the population. This is accomplished by anchoring citrus bags stuffed with black mesh to a block to collect juveniles as they settle out of the water column. Collectors are deployed monthly in nearshore, grassy habitats along the Gulf coast. After eight weeks, the bags are collected and all scallops are counted.

Restoration efforts are also underway along the Gulf coast. Since 2005, restoration programs have relied on an aquaculture facility in Palmetto, FL, to spawn and raise scallops through their early developmental stages. Within 10-14 days, the larvae are ready to settle out of the water column and attach to seagrass blades. At this stage, the scallops are released into seagrass beds. Released scallops that survive to adulthood will increase the number of spawning scallops in the population, which in turn will produce a higher number of larvae and help boost the number of scallops in future generations.

Annual reports detailing the results of bay scallop research and monitoring can be found at MyFWC.com.