**Tier 1 Information:**

1. **Management Action**

   N-64: Require registration and tagging of lead line for all cast nets over six feet and traps, as well as reporting the coordinates of any lost nets to FWC for retrieval, for commercial and recreational fisherman, within St. Lucie Inlet Preserve State Park to prevent and track lost gear (ghost nets).

   This revised RMA is a combination of the following original RMAs:
   - N-64: Require registration for all nets and traps for commercial fisherman to prevent and track lost gear (ghost nets). (original title)
   - N-53: Prohibit the use of commercial nets that indiscriminately remove fish and damage reef resources in designated areas to prevent adverse impacts.
   - N-63: Maintain legislature that bans net fishing in shallow water to eliminate the fishing equipment that end up on the reefs.

2. **Intended Result (Output/Outcome)**

   **What is the end product/result of this management action?**
   - To prevent and track lost gear, reduce impacts to coral reefs from lost gear, identify responsible parties for marine debris and resource impacts, and to promote greater responsibility and stewardship. Updates to title will address fully implementing gill net ban and reducing net debris on the reef that causes continued damage to the reef and fisheries.
   - Close areas to net fishing. (Comment Added 11/10/14): It should be noted that the net ban passed in 1995 eliminated all commercial netting with the exception of hand-thrown cast nets, which are also used heavily by recreational fishermen. Cast netting is a discriminating fishery virtually without bycatch because unwanted species are returned.
   - Economic hardship on the recreational & commercial fishing industry
   - **March/April 2015 Updates:** CWGs have addressed the concerns of the SEFCRI Team and TAC
     - The NCWG worked extensively on this RMA to amend the title and intent: RMA was originally written to target loophole in Spanish mackerel fishery in St Lucie preserve
     - Modified cast net actually gill nets Spanish mackerel but then gets caught on reef and causes damage (modified to a “non-purse” version of cast net)
     - FWC rule must be amended to include banning this loophole
     - FWC GEAR RULE expands gill net prohibition to all state waters, therefore we are targeting the FWC rule
     - If implementing region wide is a challenge, we would recommend an initial focus on the St. Lucie Preserve Region. We understand that currently the use of modified cast nets to catch Spanish mackerel are being thrown out and lost. Right now, it is primarily a problem here. Cast nets throughout the rest of the region are not a problem currently.
     - This has not proven to be a problem in other areas of the SEFCRI Region, hence, the CWGs are including only St. Lucie Inlet Preserve to the “Location and Extent” because it would be more difficult to implement throughout the entire region.
   - **Updates from Sept 2015 CWG Meetings:**
     - Consider putting tags on a float so that abandoned/lost nets and traps are identifiable on the surface
     - Tag would include traceable info for licensed fishers in park
     - Suggestion for how to ensure reporting of lost nets would be to either ensure that retrieved, reported
nets would be returned or to establish a penalty for retrieved, unreported nets which is more challenging to establish legislatively.

- FWC could establish a rule requiring that all fishers using cast nets and traps in the St. Lucie Inlet State Park, register those nets and traps with the park, tag their nets and traps and immediately report GPS coordinates for any lost nets and traps.

- An example of simple language requiring gear to be labeled is found for seine nets:
  - 68B-4.008 Statewide Seine Tending and Marking Requirements; Repeal of Section 370.082, Florida Statutes.
    - (1) Each seine fished with, set, or placed in the water shall be tended.
    - (2)(a) Each seine fished with, set, or placed in the water shall be legibly marked at each end with the saltwater products license number of the person in possession of the seine or of the vessel on which the seine is possessed or the name and address of the person possessing the seine if such person is a recreational harvester.

- An example of rule language for reporting lost traps is in the replacement of trap tags for blue crabs:
  - 68B-45.007 Blue Crab Effort Management Program.
    - (g) Lost or damaged tags may be replaced using Commission Form DMF-SL4530 (05-05), Blue Crab Trap Tag Replacement Application, incorporated herein by reference, and upon proper verification of loss as provided in paragraph (i). Damaged tags must be immediately returned to the Commission.
    - (h) As part of the Blue Crab Trap Tag Replacement Application (DMF-SL 4530 (05-05)), the applicant shall provide the tag holder’s name, saltwater products license number, blue crab effort management endorsement number, the number of tags that were lost, location or area where the tags were lost, and circumstances under which the tags were lost.

3. Duration of Activity

*Is this a discrete action or a recurring activity? Explain.*

- This is a discrete action to require registration and identification. Crab pots are identified with registration number but nets are not identified per a net ID.
- This could be ongoing yearly as new people register their gear.

4. Justification

*What issue or problem will this management action address? Explain.*

- Currently, there is a presence of commercial fishing gear with no way to track the source. A lack of stewardship and awareness of impacts of abandoned fishing gear is a problem. This provides a way to identify a responsible party for abandoned or lost gear and identify a partner in the removal process.
- Reduction of marine debris would result.
- This RMA would also reduce fishing pressure and bycatch in sensitive or important areas.

5. Potential Pros

*What are the potential advantages associated with this management action?*

- This RMA would reduce direct impacts to coral reefs and associated marine life, reduce marine debris and facilitate marine debris removal, engage stakeholders in good stewardship practices, identify potential problem areas of concentrations of lost gear and identify the owner for recovery and reuse.
- There would be a minimal cost to implement this action.
- This RMA would reduce the amount of ghost nets in sensitive areas, and reduce indiscriminate fishing pressure.

6. Potential Cons

*What are the potential disadvantages associated with this management action?*

- Determining and appropriate entity/agency to enforce identification requirements and removal could be difficult.
- This RMA may be difficult to enforce. There are current restricted areas where nets are being found. There may be high opposition by commercial fishing interests, which may translate to decreased political will.
7. Location
   County/Counties: Miami-Dade, Broward, Palm Beach, Martin, Other?
   • St. Lucie Inlet Preserve State Park.

   Relevant Habitats: Coral reef, seagrass, watershed, etc.?
   • All habitats including nearshore Hardbottom, coral reefs, and seagrass beds would be included.

   Specific Location: City, site name, coordinates, etc.?
   • St. Lucie Inlet Preserve State Park.

8. Extent
   Area, number, etc.
   • St. Lucie State Park.

9. Is this action spatial in nature?
   • No.

Do you believe this management action could be informed by the Our Florida Reefs Marine Planner Decision Support Tool?
   If yes, you will proceed to the next section on Marine Planner Information.
   • Yes.

Marine Planner Information:

Marine Planner Information
The Decision Support function of the OFR Marine Planner assists in providing spatial options for management recommendations. If the management action is spatial in nature, and it is believed that data layers in the OFR Marine Planner can be used to help provide spatial options for that management recommendation, please fill out the following to help us develop the tool to address your needs.

The Decision Support Tool provides spatial options based on features in the OFR Marine Planner that you select as being relevant. The critical information you need to provide for your recommendation are:

   Feature - These are the data layers in the marine planner relevant to your management recommendation. For example:
   • Depth
   • Habitat types to avoid or target
   • Proximity to other features (inlets, outfalls, artificial reefs)
   • Types of reef-use to include or exclude
   • Intensity of use
   • Fish/coral density
   • Fish/coral diversity
   • Etc.

   (Feature) Value - How much? This will be a unit of measure, e.g. #, %, distance, area, amount. If you are unsure you can state “high, medium, low” and allow input from advisors on how much is high, medium or low for our
region. Also, you can make a statement like “far enough away to allow for ___” or “has enough of x to accomplish y,” again allowing reviewers to help provide necessary input.

<table>
<thead>
<tr>
<th>FEATURE</th>
<th>VALUE</th>
</tr>
</thead>
<tbody>
<tr>
<td>locations of ghost nets</td>
<td>high</td>
</tr>
<tr>
<td>coral locations</td>
<td>high</td>
</tr>
<tr>
<td>commercial fishing activity</td>
<td>high</td>
</tr>
<tr>
<td>fish diversity and abundance</td>
<td>high</td>
</tr>
<tr>
<td>(Added comments on 11/10/14 by CWG)</td>
<td></td>
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<tr>
<td>After further review, there was consensus that no spatial analysis is needed. Furthermore, the data for this is not available.</td>
<td></td>
</tr>
</tbody>
</table>

Tier 2 Information: No Tier 2 info filled out by CWGs for N-53 and N-64

WHY?
1. Strategic Goals & Objectives to Be Achieved
   Refer to the SEFCRI Coral Reef Management Goals and Objectives Reference Guide.
   - FL Priorities Goal D2 - Reduce physical marine benthic impacts from recreational and commercial activities and marine debris.
   - FL Priorities Goal D2 Obj 2 - Reduce misuse of recreational and commercial fishing gear by: • Establishing gear-restrictive zones in areas with sensitive benthic resources. • Requiring education programs regarding natural resources to obtain commercial and recreational fishing license. • Enforcing existing standards for illegal gear. • Reviewing and establishing BMPs for commercial activities. • Reviewing rules and guidelines for activities on or around coral reefs.

2. Current Status
   Is this activity currently underway, or are there planned actions related to this recommendation in southeast Florida? If so, what are they, and what is their status.
   - In 2014, Florida began working on developing a Marine Debris Action Plan for the state, which includes guidance and input from NOAA, DEP, FWC, county representatives, non-profit organizations etc. Derelict fishing gear was one of the priority marine debris issues identified by the group, who will be working to develop goals and strategies to improve prevention in the amount of gear lost and removal efforts.
   - Currently the maximum net size allowed is 500 square feet. Cast nets are limited to a maximum of 14 feet in diameter. All large nets were outlawed in state waters in the 1995 Net Ban.
   - Fishermen are allowed to fish two cast nets at one time.

3. Intended Benefits (Outcomes)
   What potential environmental benefits or positive impacts might this management action have?
   - Potentially decreased reef damage within the park boundary.
What potential social/economic benefits or positive impacts might this management action have?
• Could potentially reduce user conflict between commercial and recreational interests, given that identification of the source of the net would give assurance to both parties.

What is the likely duration of these benefits - short term or long-lasting? Explain.
•

4. Indirect Costs (Outcomes)
What potential negative environmental impacts might this action have?
•

What potential negative social/economic impacts might this action have?
• Major loss of jobs in the commercial fishing industry and another huge loss to the recreational fishing industry could result. Both industries have struggled deeply through these economic times and have taken on the majority of the responsibility in caring for our coral reefs.

What is the likely duration of these negative impacts - short term or long-lasting? Explain.
• Long lasting. It is proven that once these type of regulations are put in to place, there is a long-lasting result.

5. Risk
What is the threat of adverse environmental, social, or economic effects arising from not implementing this action?
• Potential future reef damage without knowing the source of the net material.
• Continued user conflict in the area during Spanish mackerel fishery aggregations.

6. Relevant Supporting Data
What existing science supports this recommendation? (Provide citations)
• None.

7. Information Gaps
What uncertainties or information gaps still exist?
• We do not know how costly gear labels would be for fishers.

WHEN?
8. Anticipated Timeframe for Implementation
How long will this recommendation take to implement?
• Conservatively, one year to allow public work-shopping and rulemaking.

9. Linkage to Other Proposed Management Actions
Is this activity linked to other proposed management recommendations?
If so, which ones, and how are they linked? (e.g., is this activity a necessary step for other management actions to be completed?)
•

Does this activity conflict with other existing or proposed management actions?
•

WHO?
10. Lead Agency or Organization for Implementation
What agency or organization currently has/would have authority? Refer to the Agencies and Actions Reference Guide.
- FWC.
- Reporting TO: SEAFAN marine debris reporting system is a collaborative effort. [http://www.dep.state.fl.us/coastal/programs/coral/debris1.htm](http://www.dep.state.fl.us/coastal/programs/coral/debris1.htm)
- RETRIEVAL BY: Would need to depend on funding and available efforts: SEAFAN, annual reef cleanup events, etc.

11. Other Agencies or Organizations
   Are there any other agencies or organizations that may also support implementation? Explain.
   - Florida State Parks (FDEP).

12. Key Stakeholders
    Identify those stakeholders most greatly impacted by this management action, including those from whom you might expect a high level of support or opposition. Explain.
    - Commercial Fishing Industry, Recreational Fishing Industry, and Marine Industries are the key stakeholders.

HOW?

13. Feasibility
    Is there appropriate political will to support this? Explain.
    - Feasibility is unknown until work-shopped to the public.

    What are the potential technical challenges to implementing this action? Has it been done elsewhere?
    - Unknown.

14. Legislative Considerations
    Does the recommendation conflict with or actively support existing local, state, or federal laws or regulations? Explain.
    - None.

15. Permitting Requirements
    Will any permits be required to implement this action? Explain.
    - Unknown.

16. Estimated Direct Costs
    Approximately how much will this action likely cost? (Consider one-time direct costs, annual costs, and staff time, including enforcement.)
    - 50K-100K.

    Will costs associated with this activity be one-time or recurring?
    - Ongoing.

    If recurring, approximately how long will staff time and annual costs be necessary to implement the management action?
    - As long as the management action is in place.

17. Enforcement
    Does this require enforcement effort?
    - Yes.

    Provide an explanation if available.
    -
18. Potential Funding Sources

*Identify potential funding organizations/grant opportunities, etc.*

- Unknown.

19. Measurable Outcomes/Success Criteria/Milestones

*How will the success of this recommendation be measured? How will you know when the intended result is achieved?*

- To sustain this, we would need to verify either reduction of ghost traps and nets, or verify the retention of harvest gear annually.

**SEFCRI/TAC Targeted Questions:**

1. **TAC - Is the recommendation likely to achieve the intended result? Explain.**
   
   **Tier 1 – #2 (Intended Result - Output/Outcome)**
   
   - Registration of commercial gear is already a requirement for some fisheries in Florida (e.g. lobster trap program). Ghost traps are still a problem. Requiring the fisher’s name on commercial gear is a requirement for some fisheries. The problem of cast nets on coral reefs, in particular, is more of a recreational/charter gear issue. Therefore, this recommendation is unlikely to achieve the intended result.
   - The recommendation to prohibit commercial fishing nets has already been implemented.

2. **TAC - Is the recommendation sufficient to address the identified issue or problem? Explain.**
   
   **Tier 1 – #4 (Justification)**
   
   - This recommendation is not sufficient to achieve the intended result. Lost gear occurs whether it is registered or has identification attached, or not.
   - The recommendation to prohibit commercial fishing nets has already been implemented.

3. **TAC - Is the recommendation technically achievable from a science or management perspective? Explain.**
   
   **Tier 2 – #8 (Anticipated Timeframe for Implementation) and Tier 2 - #13 (Feasibility)**
   
   - Registration of commercial fishing gear is technically achievable and is already occurring.

4. **SEFCRI Team, PPT & Other Advisors - Has this been done (by SEFCRI, other agencies or organizations in the SEFCRI region)? Explain.**
   
   **Tier 2 – #2 (Current Status)**
   
   - FWC has implemented gear registration and ID requirements for some fisheries.
   - Commercial netting has already been banned. I do not believe this is an issue. The recommendation has already been implemented.
   - FWC: this is already occurring.

5. **SEFCRI Team, PPT & Other Advisors - Is this recommendation a research or monitoring project? (Recommendations should be turn-dirt management actions, not the step you take before a management action). Explain.**
   
   - The recommendation is not research or monitoring.

6. **SEFCRI Team, PPT & Other Advisors - If either of the following applies to this management action, provide feedback on which information submitted by the Community Working Groups may be more appropriate, or if entries should be merged. Explain.**
   
   a. There are different viewpoints for an individual management action (i.e. two working group members provided separate information, as indicated by a ‘//’ marking between them).
   b. Information submitted for this and other draft management actions is sufficiently similar that they might be considered the same.
7. **SEFCRI Team, PPT & Other Advisors - Non-agency Question**: Is the recommendation technically achievable from your stakeholder perspective? If not, do you have suggestions that would allow this to become technically achievable from your stakeholder perspective? Explain.

Tier 1 - #5 (Potential Pros), Tier 1 - #6 (Potential Cons), Tier 2 - #3 (Intended Benefits), Tier 2 - #4 (Indirect Costs) and Tier 2 - #12 (Key Stakeholders)

- Yes.

8. **SEFCRI Team, PPT & Other Advisors - Agency Question**: Is the recommendation technically achievable from a management perspective? If not, do you have suggestions that would allow this to become technically achievable from your agency's management perspective? Explain.

Tier 2 – #10 (Lead Agency or Organization for Implementation) and Tier 2 - #11 (Other Agencies or Organizations)

- The recommendation is technically feasible from an agency perspective.
- FWC General Comments: This could benefit marine debris efforts, but would need to be considered very thoroughly as it may lead to additional costs to fishermen and become an unnecessary burden for many. This would need to be reviewed on a specific fishery basis. An alternative that would provide the same benefits is to require simple gear marking (i.e. name and address affixed to gear), similar to trap fisheries, but not an official "registry" that would require additional agency manpower to manage.
- FWC General Comments: The FWC already prohibits the use of indiscriminate gears such as gill nets and fish traps within state waters. (Cast nets exempt from 1995 amendment).
- FWC General Comments: Article X, Section 16 of the Florida Constitution (not the legislature) prohibits the use of gill nets in nearshore/inshore Florida waters, and the FWC Gear rule (68B-4, F.A.C.) expands the gill net prohibition to all state waters. The FWC believes these regulations are adequate.

**Comments from the Reviewers:**

- FWC Commercial Fishing Regulations are listed here: [http://myfwc.com/media/2617018/commercial_regulations_magazine.pdf](http://myfwc.com/media/2617018/commercial_regulations_magazine.pdf)
- The rules are written out in the Florida Administrative Register here: [https://www.flrules.org/gateway/ChapterHome.asp?Chapter=68B-4](https://www.flrules.org/gateway/ChapterHome.asp?Chapter=68B-4)
- Traps currently have name tag requirements. Nets larger than 500 square feet are prohibited in state waters, leaving cast nest as the most common net. Cast nets are used by both recreational and commercial fishers. Based on the current situation, this MA seems misguided.
- Such a program would have to be ongoing. Doing it once would not be effective.
- The SEFCRI Team and TAC agree with other comments that the current net regulations are adequate. This was done in 1995 with the statewide net ban. Commercial nets already are prohibited. No further management action is required.

**Questions from the Reviewers:**

<table>
<thead>
<tr>
<th>Questions/Information Needs Highlighted by the Reviewers</th>
<th>Addressed by CWG</th>
<th>Not Addressed by CWG Because</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Other than registration, what would result in tracking? GPS? Agency inspections? Who would do search &amp; recovery?</td>
<td>☐</td>
<td>☐ This does not apply. ☒ Need help addressing it.</td>
</tr>
<tr>
<td>2. Registration requirements already exist for commercial fishing gear - is there a change or addition to the existing rules being suggested with the management action?</td>
<td>☒</td>
<td>☐ This does not apply. ☒ Need help addressing it.</td>
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<td>3.</td>
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<td>Question</td>
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**Questions from the CWGs back to the Reviewers:**

- Questions to be addressed by Mason:
  - Can reported nets and traps retrieved by FWC or Park be returned?
    - Not likely.
  - Who would reports go to? Park or FWC?
    - This seems appropriate to go through SEAFAN marine debris reporting system – collaborative effort [http://www.dep.state.fl.us/coastal/programs/coral/debris1.htm](http://www.dep.state.fl.us/coastal/programs/coral/debris1.htm)
  - Who would retrieve reported nets and traps? Park or FWC?
    - Would need to depend on funding and available efforts: SEAFAN, annual reef cleanup events, etc.

POC for SEFCRI group 8 homework and follow up is Mason Smith, FWC.