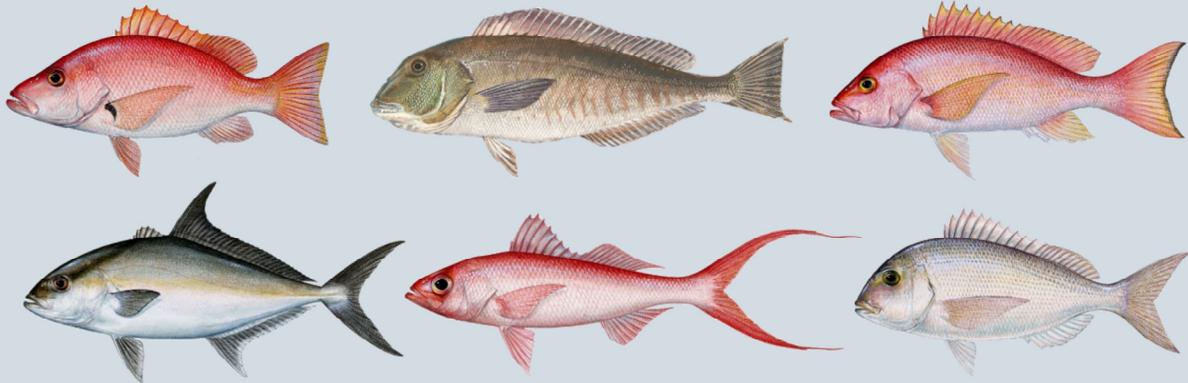


Reef Fish Management Updates



Draft Rule
May 1, 2019



Florida Fish and Wildlife Conservation Commission

Version 1

This document summarizes proposed draft rules that would make several changes to Florida Fish and Wildlife Conservation Commission's (FWC's) reef fish regulations, 68B-14, Florida Administrative Code (F.A.C.). Proposed changes include: designating blueline tilefish as a restricted species; setting a minimum size limit for commercial harvest of almaco jack in the Atlantic; removing minimum size limits for blackfin, queen, and silk snapper; and clarifying vessel limits for red porgy, as well as other technical changes and corrections.

Division: Marine Fisheries Management

Author: Martha Guyas, Erika Burgess, Jessica McCawley

Contact Phone Number: 850-487-0554

Report date: March 28, 2019

Blueline tilefish artwork by Duane Raver. All other fish illustrations by Diane Rome Peebles.

Overview

Proposed changes would update various reef fish regulations considering:

- Stakeholder feedback obtained by South Atlantic Council
 - Consider seasonality
 - Lengthen seasons
 - Reduce discards
- Consistency with federal rules
- Needed clarifications and technical updates



This presentation outlines a suite of management changes for various species in FWC's reef fish regulations, 68B-14, F.A.C. These proposed rules were drafted considering several factors.

In 2014, the South Atlantic Fishery Management Council (South Atlantic Council) held meetings with fishermen and other stakeholders regarding future management of the snapper grouper fishery in the Atlantic from North Carolina to Florida. The South Atlantic Council recently approved several management changes to Atlantic federal regulations for the commercial and recreational snapper grouper fishery based on these meetings, and will be considering additional changes to federal recreational regulations in response to this feedback. Several of the management changes recommended in this presentation for state waters are also based on this stakeholder feedback, and center around stakeholder requests for fishing regulations that account for the seasonality of fisheries, promote longer fishing seasons, and reduce discards.

Several of the changes recommended in this presentation are also consistent with existing or pending regulations in Gulf and/or Atlantic federal waters off Florida.

Lastly, the proposed draft rules include several clarifications and technical updates.

Proposed management changes are outlined on the following slides.

Blueline Tilefish

Designate as a Restricted Species

- Would require commercial harvesters to hold a federal permit and follow federal rules
 - Gulf commercial harvesters already required to follow federal rules
- Could help extend Atlantic federal commercial fishing seasons



The first recommended change to FWC's reef fish rule is to designate blueline tilefish, sometime called gray tilefish, as a restricted species. Blueline tilefish is a deep-water reef fish. Most harvest occurs in federal waters; however, there are areas of state waters off southeast Florida where blueline tilefish are harvested. Currently, commercial harvesters fishing in state waters of the Atlantic are only required to have a saltwater products license (SPL) to harvest blueline tilefish. FWC rules require that fishermen commercially harvesting blueline tilefish in Gulf state waters have an SPL, as well as tilefish allocation from the federal Gulf grouper tilefish individual fishing quota (IFQ) program. Because these fishermen must be participants in the grouper tilefish IFQ program, they are also required by FWC to follow federal rules in Gulf state waters.

For reef fish that are designated as a restricted species (e.g., groupers, snappers, and amberjacks), FWC rule requires harvesters to possess an SPL and a Restricted Species Endorsement (RS) along with an applicable federal commercial permit. Thus, designating blueline tilefish as a restricted species would mean that an RS would also be required for commercial harvest and sale. Gulf fishermen that participate in the grouper tilefish IFQ would already have an RS as part of their participation in the fishery, and most Atlantic fishermen that fish commercially for blueline tilefish in state waters already have the RS based on their harvest of other reef fish.

The effect of requiring the RS would be that all commercial harvesters fishing in state waters for blueline tilefish would be required to hold a federal permit, which means that commercial harvesters must follow federal rules even when fishing in state waters. This change could help extend commercial fishing seasons in Atlantic federal waters, which have closed early in recent years due to the commercial quota being reached.

Almaco Jack

Set 20-inch fork length minimum size limit for Atlantic commercial harvest

- Requested by fishermen
- Expected to increase reproductive potential
- Discards expected to be minimal
- May lengthen fishing seasons
- Consistent with pending Atlantic federal regulations



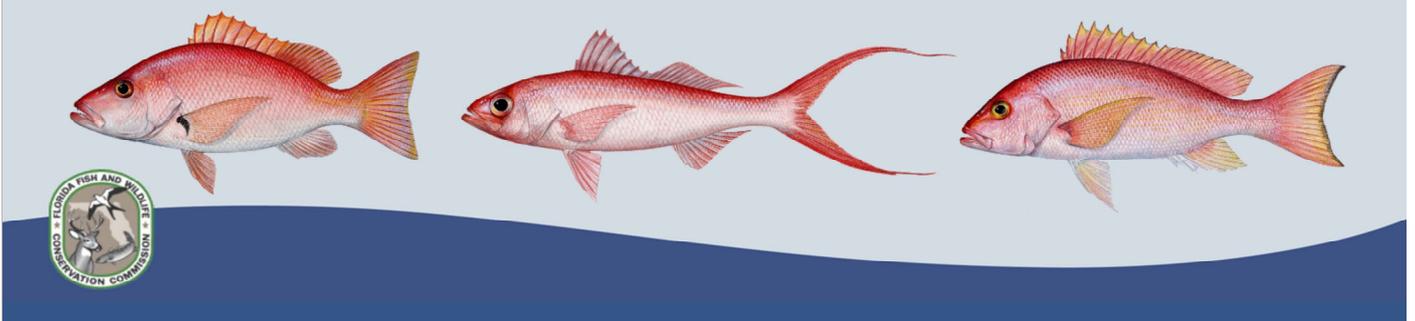
Photo credit: Carol Cox

The next suggested change is to set the minimum size limit for commercial harvest of almaco jack in the Atlantic to be 20 inches fork length. Through South Atlantic Council public meetings, Atlantic commercial harvesters requested a minimum size limit to end the harvest of small almaco jack. Currently, there is no minimum size limit for commercial harvest of almaco jack in state waters. Implementing this minimum size limit is expected to increase reproductive potential for the Atlantic stock, and is expected to result in minimal dead discards because release survival rates are high. Additionally, a minimum size limit may lengthen the almaco jack fishing season, which commonly closes four to six months early when the federal quota is met. This change is consistent with pending Atlantic federal regulations that were recently approved by the South Atlantic Council.

Blackfin, Queen and Silk Snapper

Remove statewide 12-inch minimum size limits for all harvesters

- Deep-water species
- Will reduce discards
- Consistent with Gulf and pending Atlantic federal regulations



Staff recommends removing the 12-inch minimum size limits for blackfin, queen, and silk snapper. This change would apply to both commercial and recreational harvesters. These snappers are typically found in deep, offshore waters, which means they are rarely encountered by anglers fishing in state waters, except off southeast Florida, and are likely to be impacted by barotrauma when caught. Because barotrauma injuries to these fish are likely lethal, removing the minimum size limit will reduce regulatory discards by allowing harvesters to keep any fish they catch.

This change would be consistent with current and pending federal regulations. There are no minimum size limits for blackfin, queen, or silk snapper in Gulf federal waters. The South Atlantic Council recently approved removing the 12-inch minimum size limit for harvest in Atlantic federal waters, and this change is now pending approval by the U.S. Secretary of Commerce.

Clarifications

Remove outdated vessel limit and season language for Atlantic red porgy

- Atlantic commercial harvesters must follow vessel limit and season for adjacent federal waters

Technical updates and corrections

- Update outdated references to federal rules
- Streamline gag and black grouper minimum size limit language
- Clarify gag grouper import size limit



The proposed draft rules would also make a number of clarifications and updates to FWC's reef fish regulations. The first clarification would be to remove outdated commercial vessel limit and season language for Atlantic red porgy. Currently, FWC rule specifies the commercial vessel limit for Atlantic red porgy is 50 pounds and harvest is closed from January through April each year. These regulations were consistent with federal rules when they were approved for state waters. Since that time, the federal vessel limit was increased, and now additional changes to the federal vessel limit and the federal season structure for red porgy are pending approval by the U.S. Secretary of Commerce. Because other provisions in FWC's reef fish regulations and federal rules require commercial harvesters fishing for red porgy in Atlantic state waters to follow vessel limits and seasons for adjacent federal waters, removing the outdated red porgy vessel limit and season language would reduce confusion about which vessel limit and season applies.

The proposed draft rule would also update several outdated references to federal rules and streamline gag and black grouper minimum size limit language. Neither of these change the substance of FWC rule, but should help make these rules more straightforward. Lastly, the proposed draft rule would clarify that the import size limit for gag grouper is 24 inches total length, which is the same as the minimum size limit for all harvesters statewide.

Staff Recommendation



Approve the proposed draft rules to:

- Designate blueline tilefish as a restricted species
- Set 20-inch minimum size limit for Atlantic commercial harvest of almaco jack
- Remove minimum size limits for blackfin, queen and silk snapper
- Remove outdated commercial vessel limit and season for Atlantic red porgy
- Clarify and streamline rules

If approved, the draft rule will be noticed and filed without further hearing unless requested and will be effective July 1



In summary, staff recommends approving the proposed draft rule that would:

- Designate blueline tilefish as a restricted species;
- Set a 20-inch minimum size limit for Atlantic commercial harvest of almaco jack;
- Remove minimum size limits for blackfin, queen, and silk snapper;
- Remove the outdated commercial vessel limit and season for Atlantic red porgy; and
- Make updates that clarify and streamline FWC's reef fish rule.

If approved, staff recommends the proposed changes be advertised and filed for adoption as soon as possible with no further hearing, so that such commercial regulations may be effective July 1, unless a hearing is requested by a member of the public.

Staff has evaluated the proposed draft rule under the standards of 68-1.004, F.A.C., and found it to be in compliance.