

Atlantic Blueline Tilefish



Federal Consistency
October 7, 2020



Florida Fish and Wildlife Conservation Commission

Version 1

This presentation provides a summary of the blueline tilefish fishery in Atlantic waters off Florida, the current status of the fishery, and a proposed federal consistency action to establish recreational regulations for blueline tilefish in Atlantic state waters that are consistent with adjacent federal waters.

Division: Marine Fisheries Management
Authors: Erika Burgess and Hannah Hart
Contact Phone Number: (850) 487-0554
Report date: Aug. 28, 2020

Photo courtesy of NOAA Fisheries.
The blueline tilefish illustration throughout this presentation is courtesy of Duane Raver and the South Atlantic Fishery Management Council.

Blueline Tilefish Fishery

- Distributed from U.S. mid-Atlantic through eastern Gulf of Mexico
- Non-migratory, deepwater bottom-dweller
 - Depths of 240-780 feet
- Atlantic federal-waters, multi-species fishery, except off southeast Florida
 - Council manages fishery in federal waters
 - FWC has commercial regulations, but no specific blueline tilefish recreational regulations



Photo courtesy of NOAA Fisheries



Blueline tilefish, also known as gray tilefish, is distributed from the U.S. mid-Atlantic through the eastern Gulf of Mexico. Harvest of blueline tilefish in U.S. South Atlantic waters predominantly occurs off southeast Florida, the Florida Keys, and North Carolina.

It is a non-migratory bottom-dwelling fish, residing at depths between 240 to 780 feet. Due to the depths of blueline tilefish habitat, this is primarily a federal fishery everywhere except off southeast Florida where state waters reach depths exceeding 240 feet.

Blueline tilefish is part of a South Atlantic multi-species fishery for deepwater grouper, snapper, and tilefish. Participants in this fishery often use specialized gear, like electric fishing reels, to rapidly bring these deepwater fish to the surface. As a result, blueline tilefish are subject to barotrauma and release mortality rates that range from 82 to 95 percent.

The South Atlantic Fishery Management Council (Council) manages blueline tilefish in South Atlantic federal waters. They require commercial harvesters and for-hire operators to have a federal permit to target blueline tilefish in federal waters and to abide by federal regulations whether they operate in federal or state waters.

FWC has required commercial harvesters to have a federal commercial permit and follow federal vessel limits and seasons to operate in state waters since July 2019. There are currently no recreational regulations specific to blueline tilefish for Atlantic state waters off Florida.

Atlantic Recreational Regulations

Federal waters

- 3-fish bag limit within the 3-fish aggregate bag limit for grouper and tilefish
- Open season: May – August
- For-hire: federal vessel permit required

State waters

- No species-specific regulations
- “Default” bag limit of 100 pounds per day



In Atlantic federal waters off Florida, the recreational bag limit is three blue line tilefish within the three-fish aggregate bag limit for Atlantic grouper and tilefish. The blue line tilefish season is open from May through August.

For passengers aboard a for-hire vessel to harvest or possess blue line tilefish in Atlantic federal waters, the vessel must possess a federal Snapper Grouper charter/headboat permit. Anglers aboard federally-permitted for-hire vessels must follow the federal bag limit and season whether they fish for blue line tilefish in state or federal waters, as a condition of the federal permit.

As previously mentioned, there are no regulations specific to recreational harvest of blue line tilefish in Atlantic state waters. However, Florida Statutes provides a default recreational bag limit of 100 pounds for any species without specific regulations. Harvest over 100 pounds per day is considered a commercial amount and would require the appropriate commercial licenses.

Status of Fishery

- Not overfished or currently undergoing overfishing
 - Overfishing occurred in 2013 and 2017
- Quota is small and regularly exceeded
 - In-season closures can occur
 - Recreational season and bag limit used to control harvest from federal waters
 - Absence of recreational regulations in state waters contributes to overages
 - Federal partners requested FWC adopt regulations



Based on the most recent stock assessment, blue line tilefish in the South Atlantic is not overfished and is not currently undergoing overfishing. However, overfishing occurred in the past, most recently in 2013 and 2017.

To prevent overfishing, the Council and NOAA Fisheries manage blue line tilefish with a quota that is set well below the overfishing limit. The small federal quota, which has ranged between 35,600 to 234,000 pounds, has been exceeded each year since it was established. Harvest from Florida's Atlantic state waters counts against the federal quota and has contributed to past quota overages.

The quota is divided almost equally between recreational (49.93%) and commercial (50.07%) sectors. To prevent or minimize a quota overage, NOAA Fisheries can close harvest early when a sector's share of quota is met. For the commercial sector, this occurs every year. Recreational harvest is not tracked in real time, thus in-season recreational closures for blue line tilefish are less common but occurred in 2015.

The Council uses the federal recreational season and bag limit to keep recreational harvest within its quota. These types of regulations are more effective than an in-season closure for preventing a recreational fishery from exceeding its quota. However, the absence of recreational blue line tilefish regulations in Florida state waters contributes to ongoing quota overages, because federal regulations alone have been insufficient. Thus, the Council and NOAA Fisheries have requested FWC adopt blue line tilefish regulations for Atlantic state waters that are consistent with regulations in federal waters. This could help prevent both recreational quota overages and overfishing.

Proposed Rules

- *Establish a 3-fish recreational bag limit within the 3-fish aggregate bag limit for grouper and tilefish in Atlantic state waters*
- *Set the Atlantic state waters recreational season to be May 1 – Aug. 31*

These changes are consistent with recreational regulations in adjacent Atlantic federal waters



The proposed federal consistency action would modify 68B-14.0036, FAC, by establishing a three-fish recreational bag limit for blue line tilefish within the existing three-fish aggregate bag limit for grouper and tilefish in Atlantic state waters.

It would also modify 68B-14.0039, FAC, to create a recreational open season of May 1 through August 31, each year, for harvest of blue line tilefish from Atlantic state waters.

The proposed changes are consistent with existing regulations in adjacent federal waters.

Public Feedback

- Staff contacted blueline tilefish anglers for input
- Majority supported consistent regulations for state and federal waters

Bag Limit

- Consensus that bag limit is needed
- Majority supported 3-fish bag limit within aggregate
- Some state-waters anglers want a different bag limit

Season

- Many supported a May – August season

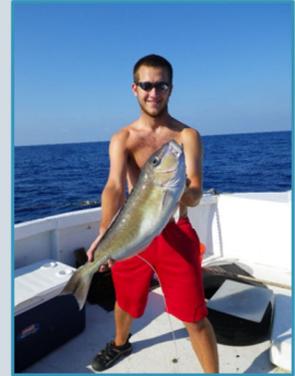


Photo courtesy Alex Fogg



Participation in this and other deepwater recreational fisheries is limited to a unique group of anglers and for-hire operations who often use specialized gear like electric reels. Prior to preparing a proposal for federal consistency, staff sought out members of this distinct group of anglers and charter captains to gather input on management of this fishery in Atlantic state waters.

Almost unanimously, these recreational anglers and charter captains who target blueline tilefish support consistent regulations between state and federal waters. Some indicated that consistent regulations make it easier to know and comply with regulations. Others believe that consistent regulations create a level playing field for all participants.

There was consensus that a recreational bag limit is needed for blueline tilefish in Florida state waters. The majority of these stakeholders supported a three-fish bag limit for blueline tilefish within the three-fish aggregate bag limit for grouper and tilefish in Atlantic state waters. Some who target blueline tilefish in state waters offered suggestions for a bag limit ranging from four to 10 fish.

Many of these blueline tilefish anglers and charter captains also supported a May through August season. Some noted this season aligns with the times of year they are active in the fishery. A subset of fishermen who only target blueline tilefish in state waters were opposed to a closed season.

Considerations for Federal Consistency

- Small area off Florida is only place where state-waters fishery exists
 - Harvest from this area can account for significant landings
- Could help keep harvest below quota and avoid overfishing
 - Federal partners requested FWC adopt regulations for state waters
- Inconsistent regulations can limit opportunities for others
 - State waters harvest can contribute to in-season closures
 - All harvest outside southeast Florida occurs in federal waters
 - Federally-permitted for-hire vessels must follow federal rules, even in state waters



In addition to the public feedback, there are other considerations for federal consistency.

Changing regulations for Atlantic state waters would affect people fishing in a small area off southeast Florida where state waters are deep enough for blue line tilefish. Though the area is small, harvest from state waters can contribute significant landings. For example, in 2017 when overfishing occurred, blue line tilefish harvested from state waters off southeast Florida accounted for 87% (150,267 pounds) of the state's Atlantic recreational landings and 172% of the South Atlantic recreational quota.

Harvest from state waters counts against the federal quota, which has been exceeded for the last six years. Establishing a recreational bag limit and setting an open season for blue line tilefish in state waters could help keep harvest to the quota and avoid overfishing in the future. Though the quota is set well below the overfishing limit, chronically exceeding the quota increases the risk of overfishing. The Council and NOAA Fisheries have requested FWC, as their partner in managing blue line tilefish, adopt the federal recreational regulations for state waters.

Finally, if an inconsistent recreational bag limit and season in state waters contributed to a future in-season closure in federal waters, it would limit opportunities for many Florida anglers. Anglers who fish outside southeast Florida can only harvest blue line tilefish from federal waters. Also, federally-permitted for-hire vessels must follow the federal bag limit and season in state waters, so an in-season closure for federal waters would limit opportunities for tourists and anglers fishing from these vessels.

Staff Recommendation

Adopt regulations for recreational harvest of blueline tilefish that are consistent with adjacent federal waters

- Establish a 3-fish recreational bag limit within the 3-fish aggregate bag limit for grouper and tilefish in Atlantic state waters
- Set the Atlantic state waters recreational season to be May 1 – Aug. 31

If approved, the rule will be noticed and filed without further hearing as allowed under the adopting federal standards provision of section 120.54(6), Florida Statutes



Staff recommends the Commission establish recreational regulations for the harvest of blueline tilefish in Atlantic state waters that are consistent with regulations in adjacent federal waters:

- Establish a three-fish recreational bag limit for blueline tilefish within the existing three-fish aggregate bag limit for grouper and tilefish.
- Set the open season for harvest of blueline tilefish to be May 1 through August 31 each year.

If approved, the rules will be noticed and filed without further hearing as allowed under the adopting federal standards provision of section 120.54(6), Florida Statutes.

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