



This is a final public hearing that would remove recreationally caught roundscale spearfish from the list of prohibited billfish and create a minimum size limit. This action would also add recreationally caught roundscale spearfish to the state's billfish possession limit in the Billfish and Swordfish Rule 68B-33, Florida Administrative Code (F.A.C.), and include the possession limit exceptions for taxidermists mounting the fish for the harvester and for wholesale and retail seafood businesses and restaurants for the limited purpose of smoking the fish for the harvester. These changes make Florida's rules for roundscale spearfish compatible with federal Highly Migratory Species rules.

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Report date: March 19, 2012

Photo Credit: Ken Neill, III http://vbsf-hookedup.net/healthygrin/?page_id=310

Proposed State Recreational Rules

68B-33.003 Marlin and Sailfish Possession Limits; Prohibition of Harvest for Spearfish; Prohibition of Sale; Exception; Gear Restrictions

- *Remove roundscale spearfish from prohibited list*
- *Include in one fish aggregate bag and possession limit for marlin and sailfish*
- *Include in possession exceptions for taxidermists and for smoking fish by seafood businesses*

68B-33.004 Size Limits

- *Create a size limit of 66" LJFL*



To have compatible rules between Florida waters and adjacent federal waters, FWC rules should be modified to allow the harvest of roundscale spearfish, regulating them the same as white marlin. Allowing them to be harvested under the same bag and size limits as the white marlin will remove the identification issue and help fisheries managers better estimate both white marlin and roundscale spearfish populations because roundscale spearfish will not be incorrectly counted as white marlin and will be counted as roundscale spearfish.

Rule 68B-33.003, F.A.C. (Marlin and Sailfish Possession Limits; Prohibition of Harvest for Spearfish; Prohibition of Sale; Exception; Gear Restrictions), would be amended to remove the roundscale spearfish from the prohibited list and add it to the marlin and sailfish one fish recreational bag and possession limit of one blue marlin, white marlin, or sailfish, either individually or in combination at any time. It would also be amended to include roundscale spearfish in the possession limit exceptions for taxidermists mounting the fish for the harvester and for wholesale and retail seafood businesses and restaurants for the limited purpose of smoking the fish for the harvester.

Additionally, Rule 68B-33.004, F.A.C. (Size Limits), would be amended to create a size limit for roundscale spearfish of 66 inches lower jaw fork length (LJFL). This minimum size limit is would be the same as the white marlin's size limit.

Photo Credit: FISHING-NC.COM

Public Input

- FWC staff contacted billfish stakeholders
- All individuals and organizations contacted were in support of the proposed draft rule



In preparation of the draft rule, staff contacted many billfish groups and individual stakeholders to determine if there was support for removing roundscale spearfish from the prohibited list and adding them to the size and bag limits with white marlin. Staff contacted the Billfish Foundation, West Palm Beach Fishing, the International Game Fish Association, NOAA Fisheries Service Highly Migratory Species Division Advisory Panel members, charter boat captains and billfish tournament representatives. All of the individuals and organizations staff contacted were in support of the proposed draft rule. No objections or recommended changes have been received.

Photo credit: Beerkircher et al. 2008

Staff Recommendation

Approve the advertised rule:

Remove the roundscale spearfish from the prohibited list, add it to the marlin and sailfish one fish recreational bag and possession limit, include in the possession limit exceptions, and create a size limit of 66" LJFL

If approved, make the rule effective July 1, 2012



Staff recommends approving the proposed rule to remove the roundscale spearfish from the prohibited list, add it to the marlin and sailfish one fish bag and possession limit, include roundscale spearfish in possession limit exceptions, and create a size limit of 66 inches lower jaw fork length (LJFL).

Staff recommends that this rule become effective on July 1, 2012.

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

Photo credit: Jim Motsko <http://fishthepelican.com/fishingreport/?p=561>

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



Background

- Roundscale spearfish closely resembles white marlin
- Florida has regulated roundscale spearfish since 1999 when their harvest was prohibited
- NOAA Fisheries Highly Migratory Species Division (HMS) previously did not recognize roundscale spearfish, they were essentially managed as white marlin
- DNA testing has confirmed the taxonomic distinction between roundscale spearfish and white marlin
- Jan. 1, 2011, HMS began regulating roundscale spearfish as a separate species but with the same regulations as the white marlin

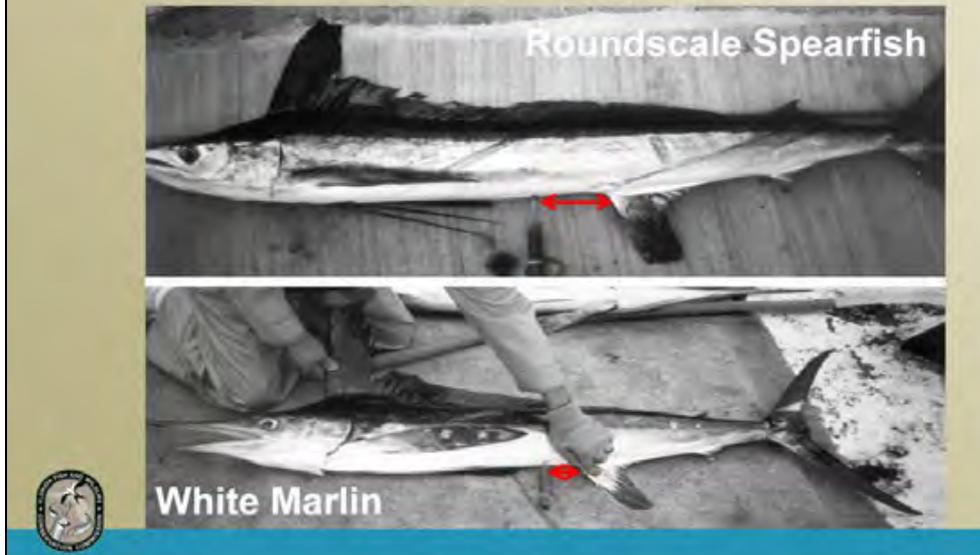


Roundscale spearfish are remarkably similar in appearance to the white marlin, including size, shape, and color. The similarity between the two fish led to scientific debate over the fish being separate species.

In 1999, the FWC recognized the roundscale spearfish as a separate species and prohibited their harvest due to their scarcity in Florida waters. Since Florida is on the population edge for this species they would likely remain at low levels off Florida. Roundscale spearfish was not recognized as a separate species by NOAA Fisheries Highly Migratory Species Division (HMS) and because of their similar appearance was essentially regulated the same as white marlin.

In 2006, scientific research showed roundscale spearfish to be a separate species and was recognized by NOAA Fisheries HMS as a “new” billfish species. DNA testing and other identifying factors have since further confirmed the taxonomic distinction between roundscale spearfish and white marlin. In light of these findings, HMS passed a rule that began January 1, 2011 recognizing roundscale spearfish as a separate species, but continued to manage them the same as white marlin.

Roundscale Spearfish vs. White Marlin



The photos above illustrate the similarity in appearance between roundscale spearfish and white marlin. The best way to distinguish between the two species is to compare the distance between the anal fin and the vent; however, the fish will most likely have to be boated. The distance on the roundscale spearfish is about 6 inches compared to about 2 inches on the white marlin.

The red arrows indicate the distance from the anal fin to the vent.

Photo credit: Beerkircher et al. 2008

Current Federal Regulations

- Added to the 250 fish Atlantic blue and white marlin recreational annual landings limit
- Require HMS Angling or Charter/Headboat permit
- 66" Lower Jaw Fork Length (LJFL) size limit
- May only be taken by rod and reel
- Must land in whole condition
- No commercial harvest

Current State Regulations

- Harvest prohibited



Federal regulations were modified in January 2011 to add the newly recognized roundscale spearfish to the Atlantic HMS regulations and implement the same regulations for the roundscale spearfish that are currently in place for the white marlin. This included adding the roundscale spearfish to the 250 Atlantic blue and white marlin annual landings limit, requiring an HMS Angling or Charter/Headboat permit, creating a size limit of 66 inches lower jaw fork length (LJFL), and requiring such fish to be taken only by rod and reel, landing in whole condition with head, fins, and bill intact through offloading, and no commercial harvest.

Current state regulations continue to prohibit the harvest of roundscale spearfish.

Photo credit: Ken Neill, III http://vbsf-hookedup.net/healthygrin/?page_id=310

