



**Restricted Species Endorsement  
Exemption for Florida Veterans**

Draft Rule  
September 6, 2012

Florida Fish and Wildlife Conservation Commission  
Division of Marine Fisheries Management



This document summarizes a draft rule amendment that would create three exemptions to the Saltwater Products License Restricted Species Endorsement requirements aimed at assisting Florida's veterans wishing to enter the commercial fishing industry. The exemptions would be placed in a new rule 68B-2.006 Florida Administrative Code (F.A.C.).

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Photographs: Florida Department of Veterans' Affairs and National Marine Fisheries Service

## History and Purpose

- Restricted Species Endorsement (RS) was created to protect certain commercially important fish species by limiting their harvest
- FWC has received many requests from veterans asking for assistance entering into commercial fishing
- Temporarily waiving the income requirements for the RS endorsement would aid veterans wishing to enter commercial fishing



The Restricted Species endorsement (RS) was created by the 1987 Florida Legislature to further protect certain commercially important fish by limiting their harvest. Spanish mackerel, king mackerel, black drum, spotted seatrout, grouper, snapper, red porgy, gray triggerfish, banded rudderfish, almaco jack, golden tilefish, amberjack, sea bass, tropical/ornamental "marine life", black mullet, silver mullet, bluefish, hogfish, blue crab, stone crab, spiny lobster, African pompano, Florida pompano, permit, sheepshead, tripletail, clams (Brevard County only), shrimp, flounder, cobia, wahoo and dolphin are currently designated as restricted species.

The FWC's Office of Licensing and Permitting has received many requests from veterans wishing to enter the commercial fishing industry asking for assistance. Temporarily waiving the income requirements for the RS endorsement would assist veterans wishing to enter into commercial fishing.

Photograph: Florida Department of Veterans' Affairs

## Current Restricted Species Requirements

- Florida Saltwater Products License (SPL) required
- To qualify for an RS: \$5,000 or 25% of total annual income during one of the past three years must be attributable to reported landings and sales of saltwater products to a Florida wholesale dealer
- Current exemptions for age, disabled individuals and active duty military
- RS is free



As stated on the previous slide, the Restricted Species endorsement allows commercial harvesters to harvest and sell species that are designated as restricted.

To obtain an RS, a person must hold a Saltwater Products License or SPL, which is Florida's commercial fishing license. This license has no restrictions and is available to any one, but there is a fee for the license, which is \$50 for a resident individual SPL. There is no cost for the RS, however, to qualify for the RS, \$5,000 or 25% of an applicant's total annual income during one of the past three years must be attributable to landings and sales of saltwater products to a Florida wholesale dealer and these landings must have been reported to the Florida Fish and Wildlife Conservation Commission.

There are currently RS income requirement exemptions for age, individuals with disabilities, and active duty military.

Photograph: Employ Florida Marketplace

## Proposed Draft Rule

### 68B- 2.006 Restricted Species License Exemption

- Waive the income requirements for the first full license year for:
  - Resident veterans honorably discharged from September 11, 2001, through June 30, 2014, who apply by June 30, 2014
  - Resident veterans who apply within 4 years following an honorable discharge
  - Veterans with service-connected disabilities ( $\geq 10\%$ )
- Reduce income requirement for veterans with service-related disabilities to \$2,500 in subsequent years



The draft rule would create subsection 68B-2.006, F.A.C., Restricted Species License Exemption. The income requirements for the RS would be waived for one full license year for all resident military veterans honorably discharged after September 11, 2001, and until June 30, 2014, who apply for an SPL and an RS between the implementation of the rule and June 30, 2014. Staff estimates that there would be around 223 veterans that would take advantage of this exemption the first year of the program. The draft rule would provide a one year waiver of the income requirement for resident veterans who apply for an SPL and a RS within four years of an honorable discharge. Staff estimates that around 112 veterans would take advantage of this exemption. The draft rule would also waive the income requirements for one year for any honorably discharged military veteran certified to be at least 10% permanently service-connected disabled. In all subsequent years, the veteran with disabilities would only be required to provide proof of \$2,500 in income from the sale of saltwater products instead of the current requirement of \$5,000 or 25% of annual income. Staff estimates there would be around 249 veterans that would take advantage of the exemption for veterans with service-connected disabilities. There are currently 8,909 RS endorsements in Florida.

The waived RS endorsements would only be allowed on an individual SPL, not a vessel or crew license. This will allow them to enter the commercial fishing industry where they can expand their business in the future.

Photograph: Employ Florida Marketplace

## Consistency with Florida Statutes

- Staff is proposing adding the RS exemptions to rule 68B-2 F.A.C. at this time to assist Florida's veterans as soon as possible
- Staff is also proposing adding the RS exemptions in statute, as part of the Commission's legislative package for the 2013 Session



Staff is proposing adding the RS exemptions to rule at this time to implement the exemptions as soon as possible to assist Florida's veterans. Concurrent with this proposal, and for consistency, staff is also proposing to add the RS exemptions in statute, as part of the Commission's legislative package for 2013 Session – this proposal is included with the legislative presentation later in the agenda.

Staff has worked with the Florida Department of Veterans' Affairs, and the Organized Fishermen of Florida, who support this proposal.

Photograph: Florida Department of Veterans' Affairs

## Staff Recommendation

### Approve draft rule:

- Waiving the income requirements for the first full license year for:
    - Resident veterans honorably discharged from September 11, 2001, through June 30, 2014, who apply by June 30, 2014
    - Resident veterans who apply within 4 years following an honorable discharge
    - Veterans with service-connected disabilities ( $\geq 10\%$ )
  - Reducing income requirement for veterans with service-related disabilities to \$2,500 in subsequent years
- \* Staff will publish a notice that the rule will become final with no further public hearing unless requested*



Staff recommends approving the proposed draft rule amendment, which waives the income requirements for the RS endorsement for one license year for resident veterans honorably discharged between September 11, 2001, and June 30, 2014, who apply by June 30, 2014; resident veterans within 4 years of an honorable discharge; and veterans with disabilities. The draft rule also reduces the income requirement for veterans certified to be at least 10% permanently disabled from service-connected disabilities to \$2,500 in subsequent years. The waived RS endorsements would only be allowed on an individual SPL.

Staff also recommends making the rule effecting on Veterans Day, November 11, 2012 and approving the draft rule without further hearing planned prior to adoption, unless requested, as allowed by Section 120.53, F.S.

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

Photograph: National Marine Fisheries Service