



Tarpon and Bonefish
Draft Rule
April 17, 2013
Florida Fish and Wildlife Conservation Commission
Division of Marine Fisheries Management

Version 2

At the February 2013 Commission meeting, the Commission directed staff to return with a draft rule hearing with proposed rule changes for the Florida Fish and Wildlife Conservation Commission's (FWC) tarpon rules, Chapter 68B-32, Florida Administrative Code (FAC), and bonefish rules, Chapter 68B-34, FAC. These proposed rule amendments would make tarpon and bonefish catch-and-release-only species in recognition of the fact that their economic and fishing value as catch and release fisheries greatly exceeds their value as food fishes.

Update: This document was updated to include a summary of the public comment that was collected at public workshops. Tarpon greater than 40 inches fork length must be kept in the water while temporarily possessed.

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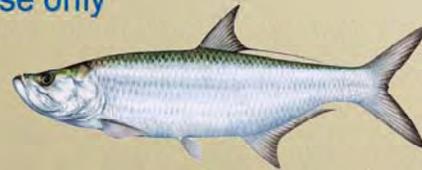
Report date: April 15, 2013

Tarpon and Bonefish



- Premier recreational species
- Important part of Florida’s cultural heritage and reputation as the “Fishing Capital of the World”
- Highly valued as catch and release fisheries
- Low value as food fish

Commission directed staff to develop a plan to make these species catch and release only



Targeting tarpon and bonefish in the waters off Florida offers anglers premier and unique recreational fishing opportunities. Recreational fishing for tarpon and bonefish in Florida is an important part of Florida’s cultural heritage and its reputation as the “Fishing Capital of the World.” These species are highly valued in Florida as catch-and-release fisheries but have low value as food fish. Based on these qualities, the Commission directed staff at the February 2013 Commission meeting to develop a plan to make tarpon and bonefish catch and release only.

Current Bonefish Regulations

All harvest prohibited

- Hook and line only
- Temporary possession of a single bonefish allowed
- Immediate release at the fishing site required
- Tournament exemption permit allows for transport of a single bonefish to the tournament scale prior to release
- Regulations apply in state and federal waters



All harvest and sale of bonefish is prohibited. Bonefish may be targeted using hook and line only. Bonefish may be temporarily possessed only for the purposes of photographing, measuring, and weighing with a hand-held scale at the site of capture. No more than one bonefish may be possessed at a time. All bonefish must be released to the water free, alive, and unharmed in the vicinity of where they were caught immediately after photographing, measuring, or weighing. However, there is a bonefish tournament exemption permit available that allows for temporary possession and transport of a single bonefish for anglers participating in tournaments that require the fish to be weighed in on a shore-based scale. All bonefish from the permitted tournaments must be released following weigh-in. These regulations apply in state and federal waters off Florida.

Bonefish Proposal: Catch and Release Only

- Eliminate the tournament exemption permit
 - National Parks have stated they will no longer honor the permit
 - No longer allow transport of bonefish away from the capture site during bonefish tournaments
 - Require that all bonefish be released free, alive, and unharmed immediately after capture
- Continue to allow temporary possession for measurement, weighing, and photography



Based on Commission direction, staff is exploring the following management changes in order to make Florida's bonefish fishery catch and release only. The tournament exemption permit could be eliminated. Currently, National Parks in south Florida have stated that they will no longer honor the permit. If the permit was eliminated, transport of bonefish away from the capture site during tournaments would no longer be allowed, and all bonefish would be required to be released free, alive, and unharmed immediately after capture. Temporary possession for measuring, weighing, and photographing bonefish could still be allowed.

Current Tarpon Regulations

Commercial harvest prohibited

Limited recreational harvest

- Bag limit: 2 tarpon
- Tarpon tag required for harvest or possession
- Spearing and snagging prohibited
- Seasonal gear restrictions in Boca Grande Pass
- Allowance for transport or shipping of two tarpon per person
- Regulations apply in state waters only
- No regulations in federal waters



Photo courtesy of Michael Badarach

Commercial harvest of tarpon is prohibited. Recreational fishers may harvest up to two tarpon per day, but a tarpon tag is required for each tarpon harvested or possessed.

Spearing and snagging (or snatch hooking) tarpon is prohibited, but all other legal recreational gears are allowed when targeting or harvesting tarpon. However, seasonal gear restrictions apply to all fishing in Boca Grande Pass, including fishing for tarpon, during April, May, and June of each year. During these months vessels are limited to no more than three fishing lines and the use of breakaway gear is prohibited.

No more than two tarpon may be transported or shipped by a single individual at any given time, except those possessed or shipped by a taxidermist with proper documentation. Currently, the Commission's tarpon rules apply only in state waters of Florida, and there are no regulations for tarpon in adjacent federal waters.

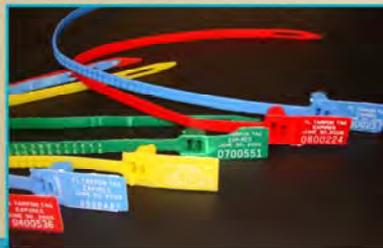
Current Tarpon Tag Program

Established by the Legislature

- Fee: \$50
- Sold by Tax Collectors
- Non-transferable except for tags issued to guides
- Tags valid July 1 – June 30
- Tag must be attached through the lower jaw
- Angler reporting requirement: within 5 days of tag use
 - Future tags may be denied for noncompliance
- Proceeds go to tarpon research

Additional FWC rules

- No more than 2,500 tags issued
- No more than 1,250 for guides



The current tarpon tag program in Florida was established by the Legislature in 1988 and is administered by the FWC. Each tag costs \$50 and tags are sold by Tax Collectors. The tags are non-transferrable except for those issued to guides who can transfer their tags to individual customers. The tags are valid from July 1 through June 30 each year. To possess or harvest a tarpon, the tag must be securely attached through the lower jaw of the fish. Within five days after landing a tagged tarpon, the person who possessed it must submit a form to the FWC indicating length, weight, and physical condition of the tarpon and the date and location where it was caught. Additional tags may be denied to any person or guide who fails to provide the required information for any tag used to possess a tarpon. All proceeds from tarpon tags go toward tarpon research. The Commission's tarpon rules allow for up to 2,500 tags to be issued annually, with no more than 1,250 issued to guides. However, FWC has not issued more than 600 tags in a single year any time in recent history, and annual sales typically fall below 400 tags per year.

Tarpon Proposal: Catch and Release Only

Proposed changes for FWC rule

- Limit allowable gear to hook and line only
- Remove provisions that allow for a bag limit
- Extend all state regulations into federal waters



Based on Commission direction, staff is proposing multiple regulatory changes to make tarpon a catch and release only fishery. The proposed changes on this slide would be made in FWC rule. The proposal includes narrowing the allowable gear for targeting tarpon to hook and line only and removing provisions that allow for a bag limit (i.e. reducing the bag limit from two tarpon to zero tarpon). The proposed and current tarpon regulations would be extended into federal waters in order to make tarpon a catch-and-release-only fishery in all waters off Florida.

Tarpon Proposal: Catch and Release Only

Temporary possession



- Does not require a tarpon tag
- Temporary possession only allowed for
 - Photography
 - Measurement for length or girth
 - Taking a scientific sample
- Tarpon greater than 40 inches fork length must be kept in the water
- Tarpon must be released
 - Immediately after photography, measuring, science
 - In the immediate area where the tarpon was caught



The proposal would make an allowance for temporary possession of tarpon. This temporary possession would not require a tarpon tag and would be allowed only for photography, measurement for length or girth, and taking a scientific sample. The tarpon would then have to be released immediately after those activities in the immediate area where it was caught.

In addition, tarpon that are greater than 40 inches fork length must be kept completely in the water while conducting these activities. Fish 40 inches and under may be taken out of the water, but still must be placed back in the water immediately after the activities are finished. Tarpon under 40 inches generally sustain less long-term damage from being handled out of the water due to their weight. Tarpon greater than 40 inches generally weigh enough to make boating the fish difficult and more damaging to the fish. Having a clear length limit for boating tarpon for temporary possession increases enforceability of the tarpon rule and gives anglers clear guidelines for when a tag is necessary. Under this proposal, a tarpon tag would be required to boat a tarpon greater than 40 inches and it would only be under the circumstances described on the next slide.

Tarpon Proposal: Catch and Release Only

Possession with a tarpon tag

- Tarpon tag required for possession
 - Possession of tarpon only allowed when in pursuit of an IGFA world record or Florida state record
 - Tarpon may only be weighed when pursuing an IGFA record
- Physical tag attached through the lower jaw
- Possession limited to 1 tarpon per person per day, with a maximum of 1 per vessel



Photo courtesy of Jerry McBride

To harvest a tarpon or possess a tarpon beyond temporary possession, a tarpon tag would be required. The current tarpon tag program would be modified to state that the only allowable reason to possess or harvest a tarpon would be to pursue an International Game Fish Association (IGFA) record (world or Florida state record). In addition, a tarpon tag would be required for an angler to weigh a tarpon. If the tarpon fishery is catch and release only, there would be no reason to weigh a fish without intent to submit it for an IGFA record. Therefore, weighing a tarpon would only be allowed if in pursuit of an IGFA record, and the tarpon was properly tagged.

The tag would remain the same physical tag as the current tag, and would still be required to be attached through the lower jaw of the fish. Possession with a tarpon tag would be limited to one tarpon per person per day with a maximum of one tarpon per vessel.

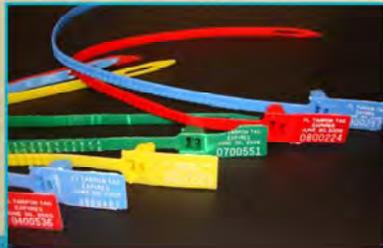
Tarpon: Possible Tag Modifications

FWC rule changes

- Tarpon tag intended only for harvest or possession in pursuit of an IGFA record
- Reduce the number of tags available annually
- Eliminate reporting requirements
- Valid Jan - Dec each year

Florida Statute proposed changes for 2014

- Increase the price of the tag
- Eliminate reporting requirements
- Valid Jan - Dec each year



If this proposal is approved and moves forward, changes would need to be made to both FWC rule and Florida Statute. In FWC's rule, changes could include allowing possession or harvest with the tag only in pursuit of an IGFA world record; reducing the number of tags available annually; eliminating reporting requirements; and changing the tag validity period to January through December. The current tag year ends in the middle of the tarpon season, often requiring anglers to purchase additional tags for a single fishing season. Other changes to the tarpon tag program would require modifying Florida Statute (F.S.). Changes to F.S. could include increasing the price, eliminating reporting requirements, and changing the tag validity period to a calendar year. The reporting requirements and the year of validity for tags are in both FWC rule and Florida Statute, so would need to be changed in both places.

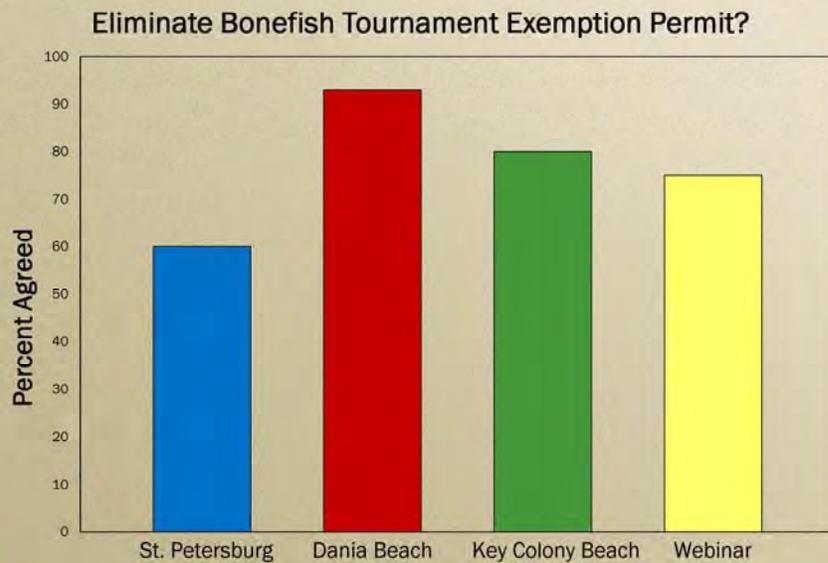
Public Workshops – April 2013

- Workshops held in south and southwest Florida
 - St. Petersburg: 28 participants
 - Dania Beach: 18 participants
 - Key Colony Beach: 20 participants
- Statewide webinar and phone conference: 9 participants
- Summary of public input on next slides



Public workshops were held in early April in St. Petersburg, Dania Beach, and Key Colony Beach. A statewide webinar and phone conference was held after the in-person workshops. A total of 75 people participated. Staff collected public comment and the next slides summarize the input received.

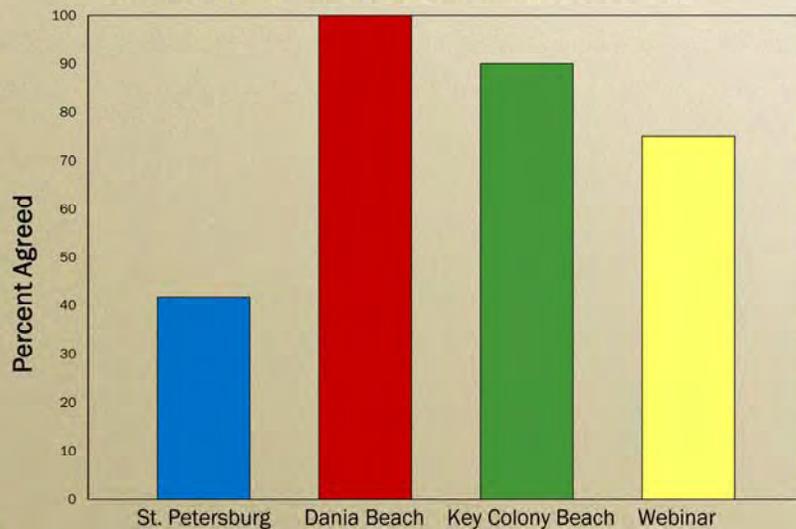
Public Workshop Feedback



This slide shows the percent of workshop participants that answered “Yes” to the question, “Do you agree with eliminating the bonefish tournament exemption permit?” About 60% of participants in St. Petersburg agreed, 90% in Dania Beach, 80% in Key Colony Beach, and 75% from the webinar.

Public Workshop Feedback

Make Tarpon Fishery Catch and Release Only?



This slide shows the percent of workshop participants that answered “Yes” to the question, “Do you agree with making tarpon a catch and release only fishery?” About 40% of participants in St. Petersburg agreed, 100% in Dania Beach, 90% in Key Colony Beach, and 75% from the webinar.

Public Workshop Feedback



- Support:
 - Tarpon fishery responding well to the Commission's current regulations
 - Protecting the tarpon fishery is perceived as beneficial for sportfishing and Florida's economy
- Concerns:
 - New management measures for tarpon are unnecessary since no biological need has been demonstrated
 - Some felt that \$1,000 is too expensive for a tarpon tag



At the workshops, staff heard input from the public that both supported and showed concern for the proposals. This slide summarizes the most common input from workshop participants. Some participants feel that the tarpon fishery is responding well to the Commission's current tarpon regulations. Some participants think that protecting the tarpon fishery will benefit sportfishing in Florida and Florida's economy. There were also concerns about the proposals voiced by workshop participants. One common concern was that additional management measures for tarpon are unnecessary because no biological need has been demonstrated at this time. Some workshop participants felt like \$1000 is too expensive for a tarpon tag.

In addition, there was extensive discussion at workshops on the topic of taking a tarpon out of the water for purposes proposed to be allowed under temporary possession or for weighing the fish.

Proposed Draft Rule – Bonefish

68B-34.001 Purpose and Intent (NEW)

- *Convey that bonefish will be managed as catch and release only*

68B-34.002 Definitions

- *Remove the definition of “organized tournament”*

68B-34.004 Temporary Possession of Bonefish

- *Remove references to the tournament exemption permit for bonefish tournaments*

68B-34.005 Bonefish Tournaments, Exceptions

- *Remove entire subsection and eliminate the tournament exemption permit*

Reformat 68B-34 to conform to new rule cleanup style



The proposed draft rule amendments would create new rule language within the bonefish chapter, 68B-34.001, FAC, Purpose and Intent, in order to convey that bonefish would be managed as a catch-and-release-only fishery. The bonefish Definitions rule (68B-34.002, FAC) would be amended to remove “organized tournament” from the bonefish rules. This definition would no longer be needed if the tournament exemption permit is eliminated. References to the bonefish tournament exemption permits would be removed from 68B-34.004, FAC (Temporary Possession of Bonefish), and all of 68B-34.005, FAC (Bonefish Tournaments, Exceptions), would be removed to eliminate the tournament exemption permit altogether. Additionally the draft rule amendment would reorganize and reformat the bonefish rule chapter to conform to the style developed for 68B, FAC, during the marine fisheries rule cleanup process.

Proposed Draft Rule – Tarpon



68B-32.001 Purpose and Intent (NEW)

- Convey that tarpon will be managed as catch and release only

68B-32.003 Tarpon Tags

- Limit use of tarpon tags to pursuit of an IGFA record
- Reduce the number of tags available for purchase annually
- Eliminate reporting requirements

68B-32.004 Bag Limit and Gear Restriction

- Hook and line only and eliminate bag limit
- Allow temporary possession for photography, measurement, and scientific sampling
- Tarpon temporarily possessed must be kept in water unless <40in
- Allow possession with a tarpon tag for pursuit of IGFA record
- Limit possession with a tag to 1 per angler per day, and 1 per vessel

68B-32.006 Sale Prohibited, Transport Regulated

- Transport or shipment limited to 1 tarpon per person
- Extend all tarpon regulations into federal waters
Reformat 68B-32 to conform to new rule cleanup style



The proposed draft rule amendments would create new rule language within the tarpon chapter, 68B-32.001, FAC, Purpose and Intent, in order to convey that tarpon will be managed as a catch-and-release-only fishery. The Tarpon Tags rule (68B-32.003, FAC) would be amended to limit the use of tags to tarpon harvested or possessed in pursuit of an IGFA record, reduce the number of tags available for purchase annually, and eliminate reporting requirements. 68B-32.004, FAC, (Bag limit and Gear Restriction) would be amended to limit the gear to hook and line only; eliminate the tarpon bag limit; allow for temporary possession of tarpon for purposes of photography, measurement, or scientific sampling; limit possession and harvest with an affixed tarpon tag for anglers in pursuit of an IGFA record; and reduce possession with a tag to one tarpon per angler or per vessel per day (whichever is less). Rule 68B-32.006, FAC, (Sale Prohibited, Transport Regulated) would be amended to reduce the number of tarpon a person may transport or ship from two to one.

Additionally, all of the current and proposed tarpon regulations would also be extended into federal waters. The draft rule amendment would be published in the new style developed for 68B, FAC, during the marine fisheries rule cleanup process.

Potential statutory changes needed for tarpon tag program

- Potential changes to be discussed during 2014 Legislative session
 - Fee change
 - Eliminate reporting requirements
 - Change issue year to January through December

Interim plan before 2014

- Tarpon fishing will operate as catch and release only
- Continue to issue tags as normal
- Purpose of the tag would change to use for an IGFA record only
- Anticipate a reduced number of tags sold and used
- Outreach campaign about the modified tarpon tag program and 2014 statutory proposal



If the proposed draft rule and potential final public hearing are both passed this year, portions of the tarpon tag program modification would need to be done within Florida Statute. These potential changes include raising the fee for a tag, eliminating reporting requirements for tarpon tag use, and changing the issue year of the tag to January through December. These changes would be brought to the 2014 Legislature and would be made effective, if approved, sometime in 2014.

In the interim, between the time that new state rules are made effective and new statutes are made effective, tarpon fishing would still be able to operate as a catch and release only fishery. The FWC would continue to issue tarpon tags as normal, but the purpose of the tarpon tags would change to be used only for the pursuit of an IGFA record. Historically, a low number of tags are sold and used annually (384 sold and 81 used in 2011), and staff anticipates this low number decreasing after the proposed changes are made to the tag program. During this time, an outreach campaign would be administered to notify the general public and tarpon tag holders about the purpose of the new tarpon tag program and the 2014 statutory proposal. These proposed changes to the tarpon tag program in rule are not contradictory with statute according to FWC's jurisdiction.

Staff Recommendation



Approve the proposed draft rules

- Make tarpon and bonefish catch-and-release-only fisheries
- Allow temporary possession of tarpon for photography, measurement, and scientific sampling (>40in kept in water)
- Allow for harvest and possession of 1 properly tagged tarpon per person per day when in pursuit of an IGFA record
- Reduce number of tags available for sale annually
- Limit gear for tarpon to hook and line only
- Extend tarpon regulations into federal waters
- Eliminate tournament exemption permit for bonefish
- Advertise the rules in the rule cleanup format

Work with the Legislature to modify the tarpon tag program



Final Public Hearing in June 2013



Staff recommends approving the draft rule to make tarpon and bonefish catch-and-release-only fisheries; allow temporary possession of tarpon for photography, measurement, and scientific sampling; allow harvest and possession of one properly tagged tarpon per person per day when in pursuit of an IGFA record; reduce the number of tags available for sale annually; limit fishing gear for tarpon to hook and line only; extend tarpon regulations into federal waters; and eliminate the tournament exemption permit for bonefish. Staff recommends the Commission also grant staff permission to advertise the rule in the new format developed for Division 68B, FAC, under the rule cleanup process.

In addition, staff recommends working with the Florida Legislature to modify parts of the tarpon tag program.

If directed, staff recommends returning for a final public hearing at the June 2013 Commission meeting.

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



Tarpon Management Review

March 28, 2004

- Prohibited snagging or snatch hooking
- Limited fishing lines to 3 per vessel in Boca Grande Pass
April - June

July 1, 2004

- Extended the three-lines-per vessel provision to all species in Boca Grande Pass during April - June
- Prohibited harvest of all fish when using breakaway gear in Boca Grande Pass during April - June

February 2013

- Staff directed to create a catch-and-release fishery



Bonefish Management Review

July 1, 2010

- Extended state regulations into federal waters
- Applied regulations to all bonefish species
- Required landing in whole condition

July 1, 2011

- Eliminated bag limit
- Allowed temporary possession
- Created a tournament exemption permit

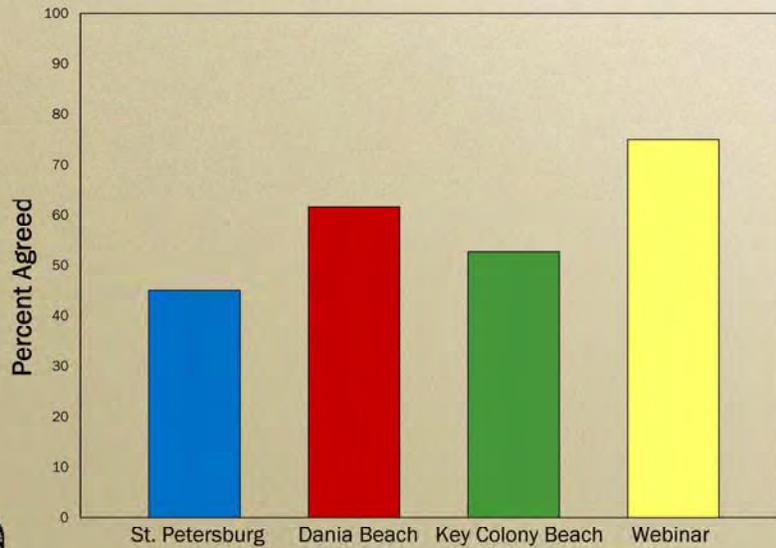
February 2013

- Staff directed to explore options for a catch-and-release-only fishery



Public Workshops – April

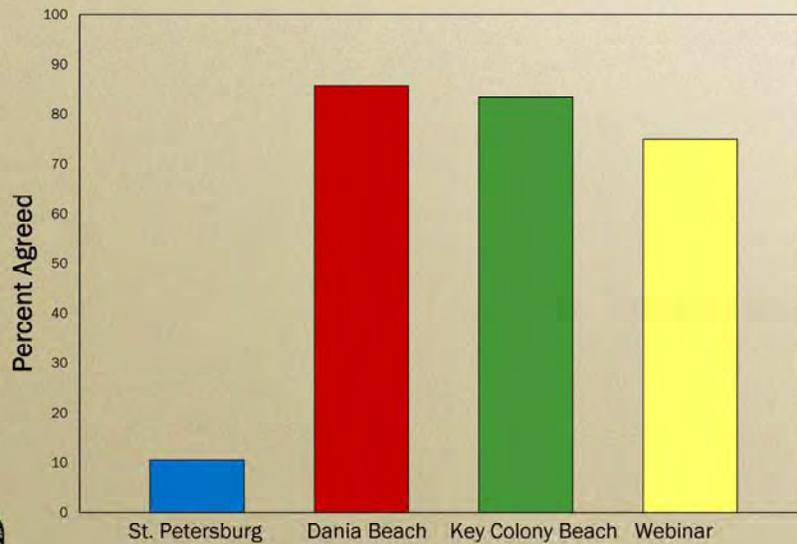
Allow Tarpon Tag For IGFA Records Only?



This slide shows the percent of workshop participants that answered “Yes” to the question, “Do you agree with allowing a tarpon tag only for pursuing an IGFA record?” About 45% of participants in St. Petersburg agreed, 62% in Dania Beach, 53% in Key Colony Beach, and 75% from the webinar.

Public Workshops – April

Raise Tarpon Tag Fee?



This slide shows the percent of workshop participants that answered “Yes” to the question, “Do you agree with raising the tarpon tag fee?” About 11% of participants in St. Petersburg agreed, 86% in Dania Beach, 83% in Key Colony Beach, and 75% from the webinar.

Public Workshops – April

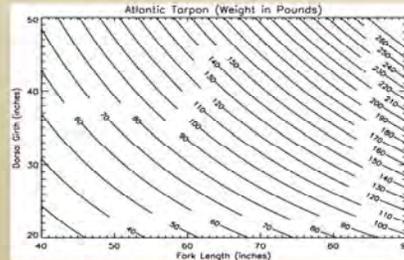
How Much Should a Tarpon Tag Cost?



This slide illustrates the suggested tarpon tag prices chosen by the survey respondents. Participants who chose “other” listed \$100.00 (n=2), \$250.00 for guides, \$500.00 for the general public (n=1), greater than or equal to \$500.00 (n=1), greater than \$1,000.00 (n=1), \$2,000.00 (n=1), \$1,000,000 (n=1), or to eliminate the tag altogether (n=3). One respondent also listed “I don’t care” as a response.

Tarpon Weight Estimation

- Formulas can estimate weight based on length/girth
- Length/girth can be measured without removing the fish from the water
- Original formula:
 - $\text{Weight} = (\text{Girth}^2 \times \text{Length}) / 800$
- Dr. Ault developed a more accurate formula for estimating weight also using length and girth
- Anglers can use Dr. Ault's chart to estimate the weight of their tarpon



The weight of a fish can be estimated by anglers without removing a tarpon from the water. Formulas can be used to estimate the weight of a tarpon based on length and girth measurements. The original formula, developed by William W. Wood, estimates weight via the equation: $\text{Weight} = (\text{Girth}^2 \times \text{Length}) / 800$. Recent research from Dr. Jerald Ault has developed a more accurate formula for estimating a tarpon's weight, also using length and girth measurements. Anglers can compare the length and girth of a tarpon to a chart created by Dr. Ault.