



This document summarizes a proposed draft rule for the Florida Fish and Wildlife Conservation Commission's (FWC) tarpon rule 68B-32, Florida Administrative Code (FAC). At the April 2013 Commission meeting, staff was directed to present a draft rule amendment to address the types of gear used within Boca Grande Pass. The proposed draft rule would modify the existing snagging definition for tarpon statewide and prohibit anglers from attaching a weight to the bottom of a hook while fishing within the boundaries of the Pass.

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Tarpon in Boca Grande Pass

- Boca Grande Pass is known worldwide for tarpon fishing, especially April through June when tarpon gather in the Pass
- Two popular fishing methods: live bait and jigs
- Concern over jig fishing and snagging



The Boca Grande Pass is a world-renowned destination for tarpon fishing, particularly during the months of April, May, and June when large numbers of tarpon aggregate within the Pass. Anglers fishing in this area target tarpon via two main methods: with live bait or using artificial jigs. Some stakeholders have raised concerns regarding the practice of jig fishing for tarpon in the Boca Grande Pass. Among the concerns expressed was that tarpon do not attempt to eat the jig, but are snagged instead.

Commission Direction in April

- Redefine the snagging definition for tarpon
- Prohibit weight attached to the bottom of the hook

Today's draft rule discusses these items



At the April meeting, the Commission directed staff to prepare a draft rule revising the current snagging definition for tarpon and apply the definition to tarpon statewide. Commission direction also included prohibiting anglers from attaching a weight to the bottom of a hook when fishing within the boundaries of Boca Grande Pass.

Current Snagging Definition

From the current tarpon rule:

- “Snagging” or “snatch hooking” means the intentional catch of a fish by any device intended to impale or hook the fish by any part of its body other than the mouth.
- The current definition does not address whether the gear is enticing the fish



Currently, the definition in the tarpon rule chapter for “snagging” or “snatch hooking” is the intentional catch of a fish by any device intended to impale or hook the fish by any part of its body other than the mouth. This definition is currently applied broadly and will be moved into the proposed new General chapter, applying it uniformly to all saltwater fishing. While this definition is appropriate for most fisheries, it does not address whether the gear is enticing tarpon to strike.

Definition of Snagging in Other States



Oregon

- Taking or attempting to take a fish with a hook and line in a way or manner where the fish is not enticed to voluntarily take the hook(s) in its mouth. Gamefish which are hooked other than inside of its mouth must be released immediately unharmed.

Idaho

- Taking or attempting to take a fish by use of a hook or lure in any manner or method other than enticing or attracting a fish to strike with, and become hooked in, its mouth or jaw.

Washington

- Attempting to take fish with a hook and line in such a way that the fish does not voluntarily take the hook(s) in its mouth. In freshwater, it is illegal to possess any fish hooked anywhere other than inside the mouth or on the head.



At the April Commission meeting, staff was also directed to research the current snagging definitions found in other state's regulations. Several other states have definitions of snagging that are relevant to this discussion. Oregon's definition listed above was used to solve an issue that arose for salmon and steelhead. Anglers congregate near the hatcheries to target these species which only feed for short periods of time. Oregon's definition was modeled after definitions for Washington and Idaho and attempted to determine whether the fish was chasing the gear or the gear was being used to chase the fish. This specific definition helped law enforcement who were previously finding anglers in possession of fish that were hooked in an area other than the mouth and told the officer that their intent was to hook in the mouth.

However, the state of Oregon also determined that adopting this definition of snagging was insufficient to fully eliminate the undesirable activities. Therefore, the state also made regulations specific to certain water bodies that regulated the use of certain fishing gear.

Proposed Draft Rule – Snagging

- Proposed definition would apply statewide for tarpon

68B-32.002 Definitions

- *Define “snagging” or “snatch hooking” as the intentional catch of a tarpon by any device intended to impale or hook the tarpon by any part of its body other than the mouth, or catching or attempting to catch a tarpon in any manner or method other than enticing or attracting a tarpon to strike with, and become hooked in, its mouth*



The proposed draft rule will revise 68B-32.002, FAC, (Definitions) of the tarpon chapter to redefine “snagging” or “snatch hooking” in relation to tarpon. The draft rule language will build upon the current definition by adding language that would prohibit catching or attempting to catch a tarpon that has not been attracted or enticed by the angler’s gear. The proposed definition would apply to tarpon statewide.

Two-Part Approach

Implement both measures

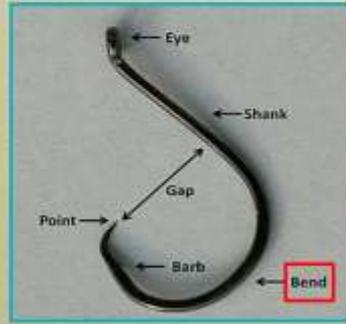
- 1) Modify the current snagging definition
- 2) Prohibit weight attached to the bottom of a hook



Other states, such as Oregon, have determined that defining the act of snagging is not sufficient to curtail the undesirable activities. Therefore, the proposed draft rule implements a two-part approach to the issue. The first part, that was just described, includes modifying the current tarpon snagging definition. The second part prohibits the attachment of a weight to the bottom of any hook used in the Pass.

Boca Grande Pass: Bottom-weighted Jig

Weight attached to the bend of the hook



Jigs are commonly used to target tarpon in Boca Grande Pass. One particular jig often used consists of a soft plastic bait attached directly to a jig head. The resulting lure is affixed to the bend of a hook, or the lowest area of a hook when held in a vertical fashion, via a non-breakaway attachment. The jig is designed to hang below the hook when the line is suspended vertically from the tip of the rod.



The boundaries of Boca Grande Pass are defined by the red lines in the figure and in 68B-4.018, Boca Grande Pass Gear Restrictions.

Other Bottom-Weighted Tarpon Fisheries

Louisiana

- “Coon Pop” jig
- Jig is attached to a circle hook via a breakaway connection
- Lure is trolled or casted
- Fished in the “Tarpon Triangle” off the Mississippi River delta



Jig fishing for tarpon is not exclusive to Boca Grande Pass. Jig fishing with breakaway gear for tarpon reportedly originated in Louisiana. One such jig, termed a “Coon Pop,” was created by Lance “Coon Pop” Shouest. The rig consists of a large circle hook attached to weighted lure via a piece of wire meant to break off when a tarpon is hooked. This type of breakaway gear was employed to prevent a tarpon from using the heavy lure to gain additional leverage to throw the hook during the fight. The lures are trolled (fishing five rods or more) using heavy conventional fishing gear. Another method is that when a school of tarpon is spotted, the boat is allowed to drift while anglers cast the lures at the school. Other fishermen that fish in the area have created their own jigs (e.g., the Argo Pop by Capt. Ross Barkhurst), or make their own.

Louisiana tarpon anglers usually fish an area of open water called the “Tarpon Triangle,” which is bounded by the Southwest Pass, Empire Canal, and Grand Bayou in 20-100 feet of water. The “triangle” is formed by the West Delta Oil Platforms 27, 58, and 61. Fish are also found around the mud lumps off Southwest Pass.

Other Bottom-Weighted Tarpon Fisheries

Texas

- “Coon Pop” style lures used, along with other lures (also termed “Texas Pop”)
- Jig is attached to a circle hook via a breakaway connection
- Lure is trolled or casted
- Typically fished in open water off the Texas coast



Texas anglers also use the same “Coon Pop” style lures used in Louisiana to target tarpon. Locally, similar lures are sometimes termed “Texas Pop”. Similar to the Louisiana fishery, these lures are also cast or trolled (sometimes in conjunction with other lures) in areas of open water. However, they can reportedly be jigged in deeper water as well. Similar to Louisiana, these lures are also attached to the hook via a connection designed to break away upon catching a fish.

Regional Differences in Fishing Methods

Boca Grande Pass

- Tarpon heavily concentrated in Boca Grande Pass
- Jigs are fished in a vertical fashion
- Breakaway gear prohibited (April, May, June)

Louisiana and Texas

- Tarpon not heavily concentrated in open water
- Jigs are trolled, drifted, or casted
- Breakaway gear allowed



Though anglers in Boca Grande Pass and Louisiana and Texas use a very similar style of jig to target tarpon, the techniques used are different between the two regions. In Boca Grande Pass, tarpon are heavily concentrated in a relatively small area. Therefore, the jigs are usually fished in a vertical fashion directly below the boat. Conversely, in Louisiana and Texas, tarpon are usually caught in open water and may be spread out. Therefore, fishermen usually troll or cast the jigs. In addition, Louisiana and Texas anglers typically fish gear that is designed to break away. Current tarpon regulations in Boca Grande Pass prohibit fishermen from using breakaway gear within the area during the months of April, May, and June.

Current Boca Grande Pass Gear Restrictions



- Established in 2004
- **Breakaway gear** means any bob, float, weight, lure, or spoon that is affixed to a fishing line or hook with wire, line, rubber bands, plastic ties, or other fasteners designed to break off when a fish is caught
- In Boca Grande Pass, during April, May, and June each year
 - A maximum of three fishing lines may be deployed from a vessel at any one time
 - No person shall use, fish with, or place in the water any breakaway gear
- Rules apply to fishing for all species in the Pass



In 2004, breakaway gear was prohibited within the boundaries of Boca Grande Pass during the months of April, May, and June. Breakaway gear refers to fishing tackle that is designed to break free from the fishing rig when a fish is caught. This particular gear was prohibited in response to concerns regarding the buildup of debris along the bottom of the Pass, with past cleanup efforts retrieving substantial amounts of litter. These regulations were extended to all species in Boca Grande Pass during the specified time period, and are not exclusive to tarpon.

Proposed Gear Restrictions

- Prohibit weight attached to the bottom of the hook
 - Only in Boca Grande Pass
 - Apply year-round, to all species
 - Such gear must not be readily fishable on a vessel in Boca Grande Pass
- Allow artificial fly or lure with weight molded to the shank of the hook



The proposed gear restrictions would further limit the fishing gear allowed for use in Boca Grande Pass. These restrictions would prohibit a weight from being attached to the bottom of a hook. Prohibitions would be exclusive to Boca Grande Pass, and would apply to all species on a year-round basis. Any gear that includes a weight being directly attached to the bottom of a hook would be required to be stowed in a manner that it is not readily fishable when the vessel is within the boundaries of the Pass. This will allow anglers to use the gear legally in areas outside of Boca Grande Pass, and still conduct activities from their vessel in the Pass during the same trip without being in violation of the proposed draft rules.

In addition, artificial flies or lures with weight molded around the shank of the hook would still be permitted in Boca Grande Pass. Many commonly used fishing jigs and lures contain weights molded to the hook shank, and it is not the intention of the proposed restrictions to prohibit those types of fishing gear.

Proposed Draft Rule

68B-4.018 Boca Grande Pass Gear Restrictions

- *In Boca Grande Pass, weight shall not be attached to any hook, artificial fly or lure in a manner such that the weight hangs lower than the hook when the line or leader is suspended vertically from the rod. Such gear may not be attached to any rod, line, or leader and must be stowed as to make its immediate use as a fishing implement impracticable.*
- This proposed draft rule would apply when fishing for any species year-round



The proposed draft rule would modify 68B-4.018, FAC, (Boca Grand Pass Gear Restrictions) to prohibit the use of any gear in which a weight directly attached to a hook, artificial fly, or lure hangs lower than the hook when the line or leader is suspended vertically from the rod. In addition, such gear possessed onboard a fishing vessel while inside the boundaries of the Pass would have to be stowed in such a manner that its immediate use as a fishing implement is impracticable.

This proposed draft rule would apply year-round when fishing for any species within the Pass.

Staff Recommendation

Approve the proposed draft rules implementing a two part approach

- Modify the current tarpon snagging definition
 - Incorporate provision for enticing tarpon to strike
- Prohibit the attachment of a weight to any hook, artificial fly, or lure in a manner such that the weight hangs lower than the hook when the line or leader is suspended vertically from the rod
 - Such gear must be stowed while in the Pass
 - Apply year-round when fishing for any species

If directed, return for a Final Public Hearing at the September 2013 Commission meeting



Staff recommends approving the proposed draft rule amendments to amend the current tarpon snagging definition statewide to include a provision that prohibits catching or attempting to catch a tarpon that has not been enticed to strike an angler's gear; to prohibit the attachment of a weight directly to a hook, artificial fly or lure in a manner such that the weight hangs lower than the hook when the line or leader is suspended vertically from the rod when fishing in Boca Grande Pass; and to mandate that prohibited gear must be stowed in a manner that makes it's immediate use impracticable while in the Pass. This prohibition would apply year-round when fishing for any species.

If approved, staff recommends proceeding to a final public hearing at the September Commission Meeting.