



 **Tarpon and Bonefish**
Final Public Hearing
June 12, 2013
Florida Fish and Wildlife Conservation Commission
Division of Marine Fisheries Management

Version 1

This document is a final public hearing summarizing amendments to 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.

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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

Proposed rule changes would 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 is also 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 proposed rules would make tarpon and bonefish catch-and-release-only.

Proposed Rules: Bonefish

68B-34.001 Purpose and Intent

- *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 the new rule cleanup style



In order to create a fully catch-and-release-only fishery for bonefish, the proposed rule amendments would eliminate the bonefish tournament exemption permit that allows anglers in permitted tournaments to possess a bonefish in order to transport it to the tournament scale. The proposed amendments would create a new rule (68B-34.001, FAC, Purpose and Intent) within the bonefish chapter in order to convey that bonefish would be managed as a catch-and-release-only fishery. 68B-34.002, FAC, (Definitions) 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 proposed rules 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 Rules: Tarpon Catch-and-Release-Only

68B-32.001 Purpose and Intent

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

68B-32.004 Restrictions on Possession of Tarpon; Commercial Harvest Prohibited

- *Remove provision that allows for a recreational bag limit of tarpon*

68B-32.006 Allowed and Prohibited Gear and Methods of Harvest

- *Hook and line only allowable gear for targeting or harvesting tarpon*
- *Extend rules into adjacent federal waters*

68B-32.007 Purchase and Sale Prohibited; Transport and Shipment

- *Limit transport or shipment to 1 tarpon per person*



In order to make tarpon a catch-and-release-only fishery, the following rule amendments are proposed. The proposed rule amendments would create a new rule (68B-32.001, FAC, Purpose and Intent) within the tarpon chapter, in order to convey that tarpon will be managed as a catch-and-release-only fishery. 68B-32.004, FAC, (Restrictions on Possession of Tarpon; Commercial Harvest Prohibited) would be amended to remove the provision that allows for a recreational bag limit for tarpon. 68B-32.006, FAC, (Allowed and Prohibited Gear and Methods of Harvest) would be modified to limit allowable gear to hook and line only and to extend the rules into adjacent federal waters. 68B-32.007, FAC, (Purchase and Sale Prohibited; Transport and Shipment) would be amended to reduce the number of tarpon a person may transport or ship from two to one.

The proposed rule amendments would be published in the new style developed for 68B, FAC, during the marine fisheries rule cleanup process.

Proposed Rule: Temporary Possession of Tarpon

68B-32.004 Restrictions on Possession of Tarpon; Commercial Harvest Prohibited

- *Allow temporary possession for photography, measurement of length and girth, and taking a scientific sample*
- *Tarpon temporarily possessed must be kept completely in the water if greater than 40 inches fork length*
- *Tarpon temporarily possessed must be immediately released in the vicinity where it was caught*
- *Extend rules into adjacent federal waters*

Reformat 68B-32 to conform to the new rule cleanup style



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 of length and girth, and taking a scientific sample. The tarpon would then have to be released in the immediate area where caught, immediately after the activities.

In addition, the proposed rule would require that all tarpon greater than 40 inches fork length must be kept in the water while conducting these activities. Tarpon 40 inches fork length and under could be taken out of the water, but must still be placed back in the water immediately after the authorized activities. 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 temporary possession would increase 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.

Proposed Rule: Possession with a Tarpon Tag

68B-32.009 Tarpon Tag Specifications

- Continue to allow possession only with a tarpon tag
- Limit use of tarpon tags only for pursuit of an IGFA record
- Create a vessel limit of 1 tagged tarpon per day
- Limit purchase of tarpon tags to 1 per person per year
- Exempt properly licensed charter boat captains from the limit of purchasing 1 tag per year
- Continue to allow guides to transfer tags to customers

Reformat 68B-32 to conform to the new rule cleanup style



Photo courtesy of Michael Badarach

The proposed rule would continue to require that anglers possess and properly affix a tarpon tag when possessing a tarpon. However, the proposed rule would modify 68B-32.009, FAC, (Tarpon Tags Specifications) to limit the use of the tags to tarpon harvested or possessed in pursuit of an IGFA record. It would also create a vessel limit of one tagged tarpon per vessel per day and limit each angler to purchasing or using no more than a single tarpon tag per tag year.

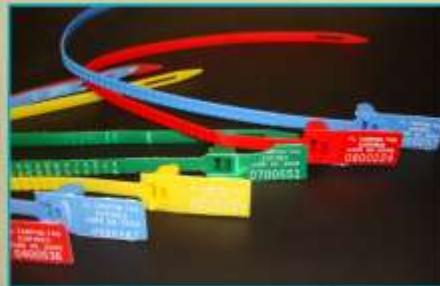
In addition, properly licensed charter boat captains would be exempt from the limit of purchasing one tag per person per year, and would continue to be allowed to transfer a single tarpon tag to any individual during a tag year.

Additionally, the proposed rules would reorganize and reformat the tarpon rule chapter to conform to the style developed for 68B, FAC, during the marine fisheries rule cleanup process.

Proposed Rule Changes in both FWC Rule and Florida Statute

NEW

- Proposed changes
 - Eliminate reporting requirements
 - Change issue year to calendar year
- Changes proposed for FWC rule now via Notice of Change
- These changes would be brought to the Florida Legislature during a future session



If this proposed rule is approved and moves forward, additional changes would need to be made to both FWC rules and Florida Statutes (F.S.) in order to fully implement the measures presented at the April draft rule hearing. The following provisions appear in both FWC rule and F.S. and would therefore need to be changed in both places. These changes could include eliminating reporting requirements and changing the tag validity period to January through December. Reporting requirements would no longer be relevant if there is only one reason to use a tarpon tag. The current tag year ends in the middle of the tarpon season, often requiring anglers to purchase additional tags for a single fishing season. The new language would be adopted via Notice of Change, if approved.

Staff proposes changing these provisions in rule before amending F.S. Therefore, these changes, if approved, would be made in FWC rule this year and would be brought to the Legislature in the future, possible the 2014 Legislature.

Proposed Rules: Placeholders for Possible Future Rulemaking



Tarpon:

- 68B-32.003 Size Limits for Recreational and Commercial Harvest; Whole Condition Requirements

Bonefish:

- 68B-34.003 Size Limits for Recreational and Commercial Harvest; Whole Condition Requirements
- 68B-32.005 Seasons
- *Placeholder rules within both chapters would be created to house any possible future regulations relating to*
- *New language would be adopted via Notice of Change*



In order to conform all the species rule chapters to the reorganized format, several existing rules will be moved to a different location within their existing chapter, effectively vacating the current rule number. At the draft rule hearing staff recommended repealing these vacated (empty) rules. However, once a rule number is repealed, it cannot be reused for future rulemaking. Therefore, the new proposed rules would create “placeholder” rules for some of these vacated rule numbers in order to retain the option to use that rule number in the future if the Commission chooses to adopt regulatory measures that should occupy that rule number in accordance with the standardized rule cleanup format for all species chapters.

For tarpon, under the reorganization, the regulations in the current rule 68B-32.003 (Tarpon Tags: Required for Possession; Report; Annual Issuance; Taxidermy; Limitation on Number of Tags Issued Annually; Limitation on Number of Tags Issued to Professional Fishing Guides) will be moved to a new rule, 68B-32.009 (Tarpon Tag Specifications). However, if 68B-32.003, FAC, is fully repealed, then any possible future size limits for harvest or whole condition requirements would have to be located in a different rule number. In order to preserve the integrity of the rule cleanup format for any potential future rulemaking, the proposed rule change would create a placeholder for rule 68B-32.003, by including language stating that there is no harvest of tarpon or a whole condition requirement. Similarly, placeholders would be created in the bonefish rule for 68B-34.003 (Size Limits for Recreational and Commercial Harvest; Whole Condition Requirements) and 68B-34.005 (Seasons).

If approved, staff would file the new language via a Notice of Change.

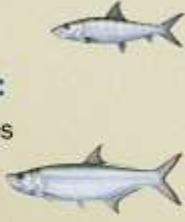
Staff Recommendation

Approve the proposed rules as advertised:

- Make tarpon and bonefish catch-and-release-only fisheries
- Eliminate tournament exemption permit for bonefish
- Limit gear for tarpon to hook and line only
- Limit transport or shipment of tarpon to 1 per person
- Allow temporary possession of tarpon for photography, measurement of length and girth, and scientific sampling (>40 inches kept in water)
- Allow for purchase of 1 tarpon tag per person per year (except charter boat captains) and use of tarpon tag only when in pursuit of an IGFA record
- Create vessel limit of 1 tarpon; extend tarpon regs into federal waters

Approve the notices of change to eliminate reporting requirements, change the tag issue year to a calendar year, and create placeholders

- **Effective date of September 1, 2013**
- **Direct staff to work with a future Legislature to modify the tarpon tag program**




Staff recommends approving the proposed rules to make tarpon and bonefish catch-and-release-only fisheries: eliminate the tournament exemption permit for bonefish; limit fishing gear for tarpon to hook and line only; limit transport or shipment of tarpon to one per person; allow temporary possession of tarpon for photography, measurement of length and girth, and scientific sampling; require temporarily possessed tarpon greater than 40 inches fork length be kept in the water; allow purchase of one tarpon tag per person per year; allow harvest and possession of properly tagged tarpon only when in pursuit of an IGFA record; create a vessel limit of one tarpon; and extend tarpon regulations into federal waters.

Staff recommends approving notices of change to eliminate reporting requirements, change the tag issue year to a calendar year, and create placeholders.

If approved, staff recommends making these rules effective September 1, 2013.

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

In addition, staff recommends working with the Florida Legislature in the future to modify the tarpon tag program by eliminating the reporting requirements and changing the issue year to a calendar year.

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



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



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.

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 3-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



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 2 tarpon per person
- Regulations apply in state waters only
- No regulations in federal waters



Photo courtesy of Michael Gattarachi

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.

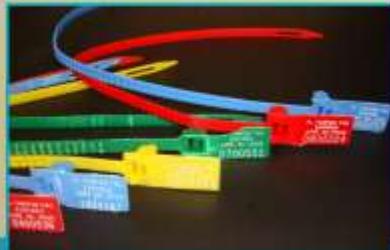
Current Tarpon Tag Program

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

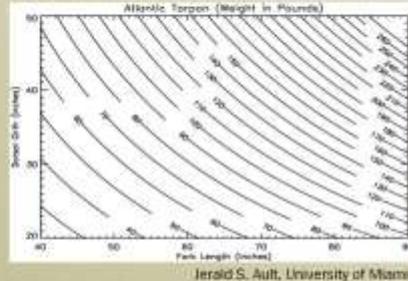
- No more than 2,500 tags issued
- No more than 1,250 for guides



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-transferable 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 Weight Estimation

- Formulas can estimate weight based on length and girth
- Length and girth can be measured without removing the fish from the water
- Original formula:
 - $Weight = (Girth^2 \times Length) / 800$
- 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: $Weight = (Girth^2 \times Length) / 800$. 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 the chart created by Dr. Ault.

Ault, J.S. and J. Luo. 2013. A reliable gamefish weight estimation model for Atlantic Tarpon (*Megalops atlanticus*).

Fisheries Research 139: 110-117.