



This document summarizes proposed rule changes that would create a new rule chapter in Florida Administrative Code (FAC) for blue runner (68B-61) in order to clarify blue runner regulations in state waters and extend them into federal waters. The South Atlantic Fishery Management Council (SAFMC) approved an amendment to remove blue runner (*Caranx crysos*) from the federal snapper grouper fishery management plan (FMP). The SAFMC approved this amendment, in part, because FWC requested to regulate blue runner harvest in federal waters of the Atlantic. A new species chapter for blue runner would establish state regulations in rule (taken from existing Florida Statutes) and extend them into adjacent federal waters statewide.

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Report date: October 14, 2013

Florida's Blue Runner Fishery

Recreational

- Targeted as live bait and for food
- Primarily a hook-and-line fishery

Commercial

- Targeted as live bait
- Primarily a hook-and-line fishery
- Common bycatch in Spanish mackerel fishery
- 85% of all harvest from state waters



Blue runner are commonly harvested for use as live bait and food. Known as one of the hardiest of live baits, it is a top choice among recreational anglers targeting large pelagics such as king mackerel, sailfish, and wahoo, and is also commonly used in bottom fishing for reef fish species. In the recreational sector, blue runner are primarily caught using hook and line, often in conjunction with a sabiki bait rig. Cast nets may also be used by recreational fishermen.

Commercially, blue runner are primarily caught for live bait or as bycatch in the Spanish mackerel fishery. In 2012, approximately 87% of commercially harvested blue runner were landed by hook and line, with cast nets, purse seines, and gill nets contributing approximately 9%, 2%, and 2% of the total landings, respectively.

Approximately 85% of all blue runner landings harvested off Florida (both recreational and commercial) are harvested from state waters.

Management Background



- Managed within the snapper grouper complex in Atlantic federal waters
 - Federal permit required for commercial harvest from Atlantic federal waters
 - Allowable gears: hook and line and spearfishing gear
 - **Issue: Commercial fishermen were not aware of these regulations**
- SAFMC voted to remove blue runner from federal management with understanding that FL will take over management
 - Pending approval by U.S. Secretary of Commerce
- FWC sent SAFMC a letter in May stating Florida's willingness to manage the species



Blue runner is not managed in federal waters of the Gulf, but the South Atlantic Fishery Management Council (SAFMC) manages this species as part of the snapper grouper complex. The SAFMC manages blue runner with snapper grouper because it is thought to occur with other more desirable snapper grouper species. Because of its inclusion in the snapper grouper fishery management plan (FMP), only commercial fishermen with a federal South Atlantic Snapper Grouper Permit are legally allowed to sell blue runner caught in federal waters of the Atlantic, and the only allowable gears for their harvest are hook and line and spearfishing gears. Fishermen in the Spanish mackerel fishery were not aware of these regulations and were harvesting blue runner as bycatch using gear that is not approved for the snapper grouper fishery and selling it without the proper federal permit.

The SAFMC was concerned that commercial mackerel fishermen would be unable to sell blue runner if the federal commercial permit requirements for this species were enforced, leading to some fishermen losing up to 30% of their income. To remedy this issue, Florida's representatives on the SAFMC requested that the state of Florida take over management of the species in federal waters off Florida. In March, the SAFMC took final action to remove blue runner from the snapper grouper FMP (Amendment 27), which would remove the species from federal management, pending approval by the U.S. Secretary of Commerce.

At the April 2013 Commission meeting, Commissioners expressed their willingness to assume management of blue runner in federal waters off Florida and the Commission sent a letter to the SAFMC in May stating Florida's willingness to manage the species. FWC rulemaking is now required to extend regulations into federal waters.

Purpose of Rulemaking

- Current recreational bag limit of 100 lbs is in Florida Statutes
- Need to provide regulations for blue runner in federal waters

The new rule chapter would:

- Establish recreational bag limit as 100 fish
 - Average recreational harvest: 39 fish per trip
 - Blue runner range from $\frac{1}{4}$ to 2 lbs.
- Clarify that a Saltwater Products License is required for commercial harvest
- Extend the regulations into federal waters



There are no state regulations specific to blue runner. However, statewide regulations such as fishing license requirements, gear restrictions, and the statewide definition of “commercial quantities,” apply to the harvest of blue runner. This definition designates harvest of greater than 100 pounds (lbs) as commercial quantities for any species without otherwise established limits, making the current recreational bag limit for blue runner in state waters 100 lbs. There is no commercial bag limit. Because the limited regulations for blue runner are in Florida Statutes, a new rule chapter is needed and will be a mechanism to extend regulations into federal waters.

The new rule chapter would establish the recreational daily bag limit in numbers of fish, instead of a weight, in order to improve rule compliance and understandability. Staff considers 100 fish per person per day to be reasonably similar to the current bag limit, while not hindering the current bait practices used by recreational fishermen. The average recreational landings for blue runner ranged from 30 to 60 fish per trip depending on the year, with an overall average of 39 fish per trip, from 2008 through 2012. Blue runner used for bait range from $\frac{1}{4}$ to 2 lbs, depending on use. In addition, live well systems and bait pens stored at docks are both limited in space, and cannot keep more than 100 blue runner alive and in good condition at any given time. Staff has spoken with charter captains from various parts of the state and they have confirmed that 100 fish is a reasonable recreational bag limit. The new rules would extend this bag limit into federal waters off Florida, and also require a Saltwater Products License (SPL) in order to harvest quantities of blue runner greater than the recreational bag limit or for commercial purposes from federal waters.

Benefits of State Management

- Federal snapper grouper permit no longer required
- Additional gears allowed in federal waters
 - All legal gear types will be allowed in state or federal waters, respectively
 - Would include many gears currently prohibited under snapper grouper rules when fishing in federal waters
- Increased income opportunities for commercial fishers allowed to sell blue runner bycatch from previously prohibited gears



Both commercial and recreational fishermen would benefit if Florida takes over management of blue runner in federal waters. If their removal from the federal FMP is approved by the U.S. Secretary of Commerce, the federal snapper grouper permit will no longer be required in federal waters and recreational and commercial fishermen will be allowed to use any otherwise legal gear to harvest blue runner. This would include gears currently used by commercial fishermen to harvest blue runner as bycatch that are prohibited under the SAFMC federal snapper grouper FMP. Removing the requirement for the federal permit and expanding the allowable gears will make it legal for commercial fishermen to continue to sell their blue runner bycatch and prevent the loss of income that would be created by enforcing the current Atlantic federal rules.

Proposed Rules

68B-61.002 Definitions

- Define “blue runner” as any fish, or part of a fish, of the species *Caranx crysos*

68B-61.004 Bag Limit

- Establish statewide recreational daily bag limit of 100 blue runner per person
- Extend recreational bag limit into federal waters
- Maintain no commercial bag limit

68B-61.009 License Requirements

- Require a commercial SPL in state and federal waters for commercial harvest



The proposed rules would define “blue runner” as any fish, or part of a fish, of the species *Caranx crysos*. The rules would also establish a daily recreational bag limit of 100 blue runner per person and extend the recreational bag limit into federal waters statewide. There would continue to be no commercial bag limit. The proposed rules would also clarify that a Saltwater Products License is required for commercial harvest of blue runner from both state and federal waters. If approved by the Commission, federal waters regulations would apply in Gulf federal waters upon implementation of the proposed rules, and in Atlantic federal waters as soon as the SAFMC proposal to remove blue runner from federal management is finalized (or upon implementation of the state rules, whichever is later).

Staff Recommendation

Approve the proposed rules as advertised

- Create a new rule chapter for blue runner
- Define blue runner
- Establish recreational daily bag limit of 100 fish
- Clarify commercial license requirements
- Extend regulations into federal waters

If approved, make rules effective Jan. 1, 2014



Staff recommends approving the proposed final rules to create Chapter 68B-61, FAC (Blue Runner), that were advertised in the Florida Administrative Register as authorized by the Commission at the September 2013 meeting. In the new chapter, staff recommends defining blue runner, establishing a recreational daily bag limit of 100 fish, clarifying commercial license requirements for the blue runner fishery, and extending these regulations into federal waters.

If approved, staff recommends making these rules effective January 1, 2014. Staff has evaluated the rules under the standards of 68-1.004, FAC, and found them to be in compliance.

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



Current Florida Blue Runner Regulations

Recreational – Statewide

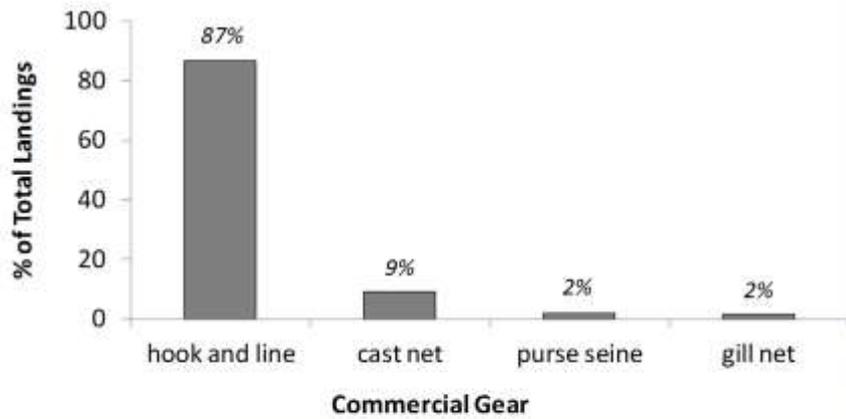
- No size limit
- 100-lb daily bag limit

Commercial – Statewide

- Saltwater Products License
- No size limit
- No trip limit



Commercial Gear Summary – 2012 Blue Runner Landings



The above graph depicts the relative proportion of blue runner harvested commercially from state and federal waters off Florida in 2012 according to gear type.