



Saltwater and Freshwater License-Free Fishing Days
Consent Agenda Item 2 - Executive Order and Draft Rule
September 5, 2013
Florida Fish and Wildlife Conservation Commission
Division of Marine Fisheries Management



Version 1

This document summarizes a proposal to provide additional license-free fishing days in 2013, during which a recreational fishing license would not be required. Based on the 2013 Legislature’s approval of two additional license-free fishing days each for saltwater and freshwater (bringing the total number to four days for each), a new rule would be created to house all four dates for the saltwater license-free fishing days, 68B-4.009, Florida Administrative Code (FAC), while the two new freshwater days would be added to the existing rule, 68A-5.006, FAC (Designation of Free-Freshwater Fishing Days; License Requirements and Regulation Compliance).

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2013 Legislative Changes

- In 2012, the Commission submitted a legislative proposal to increase the number of license-free fishing days
- The 2013 Legislature approved
 - Increasing saltwater license-free recreational fishing days from 2 to 4
 - Increasing freshwater license-free recreational fishing days from 2 to 4
 - Effective July 1, 2013



In 2012, the Florida Fish and Wildlife Conservation Commission (Commission) voted to request the Florida Legislature increase the total number of license-free recreational fishing days from two to four annually for both saltwater and freshwater fishing. The Legislature has approved the increase, giving the Commission an additional four license-free fishing days in 2013 and a total of eight license-free fishing days annually: four days for freshwater and four days for saltwater.

Background – License-Free Fishing Days

- As of July 2013, the Commission may designate 4 freshwater and 4 saltwater license-free fishing days each calendar year
- Applies to residents and non-residents
- Applies to recreational fishing only (not commercial)
- All other rules apply (e.g., seasons, bag and size limits)



Under 379.354(15) Florida Statutes (F.S.), the Commission now has the ability to offer four license-free freshwater fishing days and four license-free saltwater fishing days each calendar year. On these days, the Commission waives the fishing license requirement. These license-free fishing days apply to residents and non-residents and only apply to the recreational sector. All other rules such as seasons, bag limits, and size limits still apply on these days.

Impact of License-Free Fishing Days

- Emphasizes the importance of outdoor recreation and conservation
- Positive economic impact
 - Draws visitors
 - Increases fishing related purchases (tackle, fuel, hotels, etc.)
 - Introduces new participants to the sport



Recreational license-free fishing days are a great way to emphasize the importance of outdoor recreation, conservation, and the economic benefits of recreational fishing in Florida, the Fishing Capital of the World.

They are also an excellent opportunity for Florida's residents and visitors to be introduced to the lifetime sport of saltwater and freshwater fishing. They provide an opportunity for parents who do not yet have licenses to take youth fishing, or avid anglers to introduce a friend to fishing without having to purchase a license.

They create an immediate positive economic impact in the state by drawing tourists to Florida and by getting residents and visitors alike out on the water, traveling, purchasing fuel, staying in hotels, and buying fishing gear. License-free fishing days also create a long-term economic impact by introducing new participants to the sport of fishing who may later buy a fishing license, fishing gear, and boats and repeatedly travel to their favorite fishing spots.

2013 License-Free Fishing Days

- 4 license-free fishing days set by the Commission in February 2013
 - Saltwater: June 1 and Sept. 1
 - Freshwater: April 6 and June 8
- FWC is allowed 4 additional license-free fishing days for 2013, due to legislative increase

Additional proposed dates for 2013

- Saltwater: Oct. 12 and Nov. 30
- Freshwater: Nov. 29 and Dec. 28



The 2013 Legislature approved four additional license-free fishing days. At the February 2013 Commission meeting, the dates for four license-free fishing days were set for the year. The approved saltwater dates were June 1 and Sept. 1 and the freshwater dates were April 6 and June 8. However, with the Legislature's approval to increase the number of license-free recreational fishing days, the Commission may now create two additional license-free fishing days for saltwater and two additional license-free fishing days for freshwater.

To adopt the additional license-free fishing days for 2013, staff recommends waiving the recreational saltwater fishing license requirement for Saturday, Oct. 12 and Sunday, Nov. 30 and the recreational freshwater fishing license requirements for Saturday, Nov. 29 and Saturday, Dec. 28 via Executive Order. The Oct. 12 license-free saltwater fishing day was chosen due to the possibility of the additional red snapper season. The November dates for freshwater and saltwater were chosen because they coincide with Thanksgiving holiday weekend and with the expectation that people would be vacationing with their families during that time. The last freshwater fishing date, Dec. 28, was also chosen because it coincides with a time of year when people are likely to be vacationing with their families.

Future License-Free Fishing Days

- All 8 license-free fishing days will be in FWC rule
 - Saltwater:
 - First Saturday and Sunday in June
 - First Saturday in September
 - Saturday following Thanksgiving
 - Freshwater:
 - First Saturday in April (existing)
 - First Sunday in April
 - Second Saturday in June (existing)
 - Second Sunday in June



In 2012, the Commission modified the annual license-free fishing days for freshwater to be the first Saturday of April and the second Saturday of June by amending rule 68A-5.006, FAC, *Designation of Free-Freshwater Fishing Weekend; License Requirements and Regulation Compliance*. Saltwater license-free fishing days were usually chosen on an annual basis. To provide consistent, predictable license-free days, staff is proposing that the additional two license-free recreational freshwater fishing days and all four recreational saltwater fishing days be permanently placed in the FAC.

For 2014 and beyond, the first two license-free recreational saltwater fishing days were chosen as the first Saturday and Sunday in June to coincide with National Fishing and Boating Week. The first Saturday in September was chosen to coincide with Labor Day. The Saturday following Thanksgiving was chosen because it is a time when families are traditionally gathered and enjoying vacation.

Two of the license-free freshwater fishing days are already established in rule 68A-5.006, FAC, and are set for the first Saturday of April and the second Saturday of June. The additional license-free recreational freshwater fishing dates have been chosen as the first Sunday in April and the second Sunday in June to create two license-free freshwater fishing weekends. The June weekend also coincides with National Fishing and Boating Week.

Proposed Rules

68A-5.006 Designation of Free-Freshwater Fishing Days; License Requirements and Regulation Compliance

*Designate first Sunday in April and the second Sunday in June
as additional annual license-free freshwater fishing days*

68B -2.009 Designation of License-Free Saltwater Fishing Days

*Designate the first Saturday and Sunday in June, the first
Saturday in September and the Saturday following
Thanksgiving as annual license-free saltwater fishing days*



The proposed amendments would establish dates for the remaining license-free fishing days that are not currently found in FAC. This rule would make all license-free fishing days the same annually.

Staff Recommendation

Approve the 4 additional dates for 2013

- Saltwater: Oct. 12 and Nov. 30
- Freshwater: Nov. 29 and Dec. 28

If approved, the license waiver would occur via an Executive Order

Approve the proposed rule amendments

- Place remaining license-free recreational saltwater and freshwater fishing days in FWC rule
- Saltwater
 - First Saturday and Sunday in June
 - First Saturday in September
 - Saturday following Thanksgiving
- Freshwater
 - First Sunday in April
 - Second Sunday in June



If approved, the rule will be noticed and filed without further hearing unless requested



To adopt the four additional license-free fishing days for 2013, staff is recommending the Commission give the Executive Director authority to waive the recreational saltwater fishing license requirement for Oct. 12 and Nov. 30 and the recreational freshwater fishing license on Nov. 29 and Dec. 28.

Staff also recommends approving the rule amendments designating two additional license-free recreational freshwater fishing days and all four of the license-free recreational saltwater fishing days in the FAC. For freshwater, the first Sunday in April and the second Sunday in June would be designated in addition to the existing dates, the first Saturday in April and the second Saturday in June. The four saltwater days would be the first weekend in June, the first Saturday in September, and the Saturday following Thanksgiving.

FWC outreach events as well as local events, national media, and public service announcements will promote the license-free fishing days at the beginning and ending of National Fishing and Boating Week. Staff believes this is a great way to emphasize the Commissions core educational messages about the importance of conservation, funding sources, youth outreach programs, and the economic benefits of recreational fishing in the Fishing Capital of the World.

If approved, staff recommends noticing and filing the rule without further hearing unless requested. Staff has evaluated the rule under the standards of 68-1.004, FAC, and found them to be in compliance.