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(850) 487-0554  
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*Managing fish and wildlife  
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620 South Meridian Street  
Tallahassee, Florida  
32399-1600  
Voice: (850) 488-4676

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(800) 955-8771 (T)  
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March 8, 2013

David Cupka  
South Atlantic Fishery Management Council  
4055 Faber Place Drive, Suite 201  
North Charleston, SC 29405

Re: Extension of state tarpon regulations into federal waters

Dear Chairman Cupka:


The Florida Fish and Wildlife Conservation Commission (FWC) is considering management changes in the tarpon (*Megalops atlanticus*) fishery, including extending state regulations into adjacent federal waters. Tarpon are managed in state waters by the FWC in Chapter 68B-32, Florida Administrative Code, and there are currently no regulations pertaining to tarpon in adjacent federal waters. The FWC is currently considering rules that would make tarpon a catch-and-release-only species in recognition of its economic and fishing value as a catch-and-release fishery, which we believe greatly exceeds its value as food fish.

According to the Magnuson Stevens Fishery Conservation and Management Act Title 16 U.S.C. Section 1856, a state has the ability to extend their regulations into adjacent federal waters if there is no fishery management plan or if there are no regulations for federal waters.

Staff will be presenting a draft rule amendment on tarpon management at the April 17, 2013, FWC meeting in Tallahassee. The draft rule will include the possibility of the extension of state regulations for tarpon into adjacent federal waters. This would aid in the enforcement of FWC's rules, and enhance the protection of Florida's tarpon fishery.

It is our understanding that the South Atlantic Fisheries Management Council has no imminent plans to consider managing tarpon in federal waters. The FWC is committed to preserving these resources for the future and is considering extending its regulatory authority into federal waters. Please contact me if you have questions or concerns about this proposal.

Sincerely,

  
Jessica McCawley  
Division Director

jm/cc/ab

cc: Colonel Jim Brown  
Bud Vielhauer