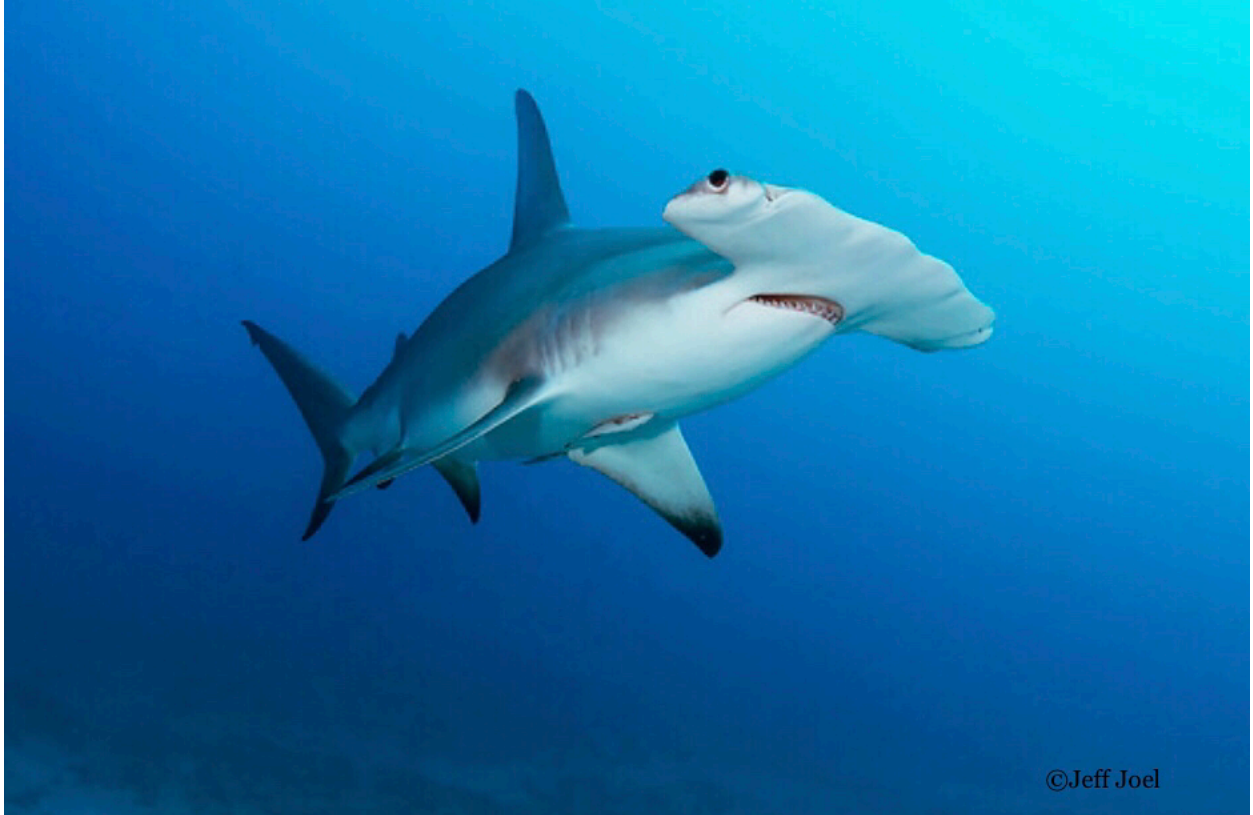


*A COLLECTION OF*  
POLICY RECOMMENDATIONS  
FOR  
LAND BASED SHARK FISHING  
AUGUST 9, 2018



Photo Credit: Jeff Joel



## *ACKNOWLEDGMENTS*

*“When great minds come together, anything is possible.”*

*- Bob Harris*

Special thanks to quite a few key individuals for not only supporting and contributing to this campaign effort, but also working towards a fair and reasonable solution.

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And a special thank you to the FWC Staff for working with us on this issue, specifically Captain Scott Pearce, Melissa Recks, Jessica McCawley, Tom Reinert, Eric Sutton and especially Commissioner Mike Sole. Thank you all for your dedication to the natural resources of the State of Florida.

Thank you Jeff Joel for permission to use your world class photography in this report.



"Miss Snooty" ©Jeff Joel

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Daytime shark fishing at a popular tourist and surf location, located directly behind the Marriott Resort. "The Pump House," Singer Island, FL

## ***Background***

Florida is the recreational fishing capital of the United States with more than 2 million saltwater anglers and an economic intake of approximately \$8 million. The long coastline and complex aquatic ecosystems support habitat and species diversity and abundance, including large charismatic species like great hammerhead and tiger sharks. These species of sharks, as well as others such as blacktip and spinner, are directly targeted by a sub-set of the recreational fishing community that fish from shore. There are currently no data on the extent or distribution of Florida's shore-based shark anglers efforts or the impact of their activities. However, there is rising concern over some of their practices that result in the mortality of prohibited species of sharks. Studies show that recreational fishing can have a significant impact on the probability of mortality, depending in part on the capture and handling methods. Despite having listed great hammerhead and tiger sharks as prohibited from landing in state waters, the FWC's current rules and regulations are not adequate for ensuring the survivability of these species during the catch and release activities of shore-based anglers.

In addition to general public concerns about about shore based shark fishing practices, there is also increasing concern regarding incompatible user groups. Public swim beaches are used by shark fishermen, while recreational users- including unsuspecting swimmers and surfers, often times share the same waters. The issue of blood-baiting for sharks while swimmers are in the water is what many consider to be a public safety concern.



“Miss Snooty”©Jeff Joel

## Recommended Policy Changes

### *Compliance with NOAA HMS Permit requirements*

**Issue** – The FWC and members of the shore-based shark fishing community admit that there is a need for more education and awareness building within their own members on proper shark handling techniques and current regulations. Fishermen who want to recreationally catch sharks in federal waters must obtain a Highly Migratory Species (HMS) Permit from NOAA for \$20. As of January 1, 2018, these permit holders must obtain a shark endorsement, which requires the completion of an online shark identification and regulation training course, implemented as part of NOAA Fisheries Amendment 5b to the 2006 Consolidated Atlantic HMS Fishery Management Plan

(<https://www.fisheries.noaa.gov/action/amendment-5b-2006-consolidated-hms-fishery-management-plan-atlantic-shark-management>). The FWC website states that HMS permit holders fishing in state waters must also have the endorsement (<http://myfwc.com/fishing/saltwater/recreational/sharks/>).

**Recommendation** – Require all recreational fishermen that catch any species of sharks in state waters to also have the shark endorsement. This may be the same as the federal endorsement or something developed specifically for Florida, but should include educational materials (online or in print) on species identification, proper handling techniques and clarify the relevant regulations and penalties for violations.

**Justification** – Highly migratory species of sharks remain vulnerable to post-release mortality whether they are in federal or state waters and some species are even more susceptible when caught from shore. Therefore, the shore-based component of the shark fishing community should also be included in this requirement, not just those that are boat-based. The objectives of this recommendation are to improve anglers’ awareness of best handling practices for catching and releasing sharks to minimize harm to the sharks and anglers; to simplify the requirements by including all members of the shark fishing community; to contribute to FWC’s mission of education; to gain access to fisheries data collection for the state or researchers.



***Shore-based shark fishing tournaments:***

**Issue** – Shore-based shark fishing tournaments such as the “Big Hammer Challenge” and “Halloween Hammer Hunt” reward targeting of prohibited species of sharks. The specific rules of these tournaments require tournament participants to violate established possession laws for prohibited species, laws that state prohibited sharks must be released “free, immediately, alive, and unharmed,” (Florida Administrative Code 68B-44). In order for catches to be considered for entry into these tournaments, participants must illegally retain prohibited shark species, delaying their immediate release in order to capture required photos that are submitted for awards. Typical tournament submissions require several specific types of photos and also require measuring, which delays the immediate release and directly violates even another law, (Florida Administrative Code 68B-2.002) that states the following:

*(2) Permissible Temporary Possession*

*(a) Unless possession is expressly prohibited for a particular species, a person may temporarily possess an organism for purposes of identifying the species, photographing, or determining compliance with applicable regulations.*

**Recommendation** – Exclude prohibited species of sharks from entry into any shore-based shark fishing tournaments for reward and enforce the established laws.

**Justification** – This is in compliance with established regulation.



***Mandatory gear:***

**Issue** – The use of large J-shaped hooks can be swallowed by a shark and cause damage to their internal organs. Hooks made of stainless steel do not rust and stay with the animal, causing continuous harm. Smaller hooks, lighter test monofilament line and small reels can result in extended fight times that increase the chances of stress-induced mortality of the sharks. Anglers can also unnecessarily and further delay the release of sharks if they do not have in their possession the correct equipment for release.

**Recommendation** – Require the use of non-stainless steel, non-offset circle hooks, high test line (weight TBD), bolt cutters and dehookers (size/type TBD) for anyone fishing for sharks in state waters.

**Justification** – The use of non-stainless steel circle hooks reduce the chances of gut-hooking a shark. Heavy monofilament and reels reduce fight times, the use of bolt cutters to cut hooks or leader wire or a dehooker to remove the hooks helps to reduce the delay of release. The recent federal HMS amendments mentioned above also require the use of non-stainless steel, non-offset circle hooks for HMS permit holders fishing for sharks from a boat. The same should be required of those fishing for sharks from shore (<https://www.fisheries.noaa.gov/action/amendment-5b-2006-consolidated-hms-fishery-management-plan-atlantic-shark-management>).





## **The Handling and Possession of Prohibited Species of Sharks**

### ***Best Handling Practices***

**Issue** – Current handling practices utilized by some in the shore-based shark fishing community are contributing to mortality of prohibited species of sharks. Long fight times and the removal of sharks from the water (extended air exposure) can cause stress-induced mortality to which many species are vulnerable. There is ample evidence of this online by the shore-based shark anglers posing with sharks out of the water (either on dry sand or wet sand but without the buoyancy of water beneath them).

**Recommendation** – Shore-based shark anglers should be restricted to fight times that are based on scientifically-determined limits. All prohibited species are required to remain in the water so that at least half their body is consistently in the water to maintain buoyancy. At no time shall a prohibited species of shark be removed from the water. If angler safety is of concern and the hook cannot be immediately released, the angler shall be required to immediately cut the leader line as close to the hook as safely possible to ensure the immediate release of the shark.

**Justification** – Prohibited shark species such as great hammerhead sharks are very vulnerable to the capture stress of different fisheries methods. Shore-based methods expose them to extreme parameters of the physiological stress of long fight times and air exposure.



## **Shark Smart Fishing Guidelines and Rule 68B2.002**

### ***Clarification of current rule Florida Administrative Code 68B-2.002 in relation to published “Shark Smart Fishing” Guidelines***

#### **Issue:**

Currently the published FWC Shark Smart Fishing Guidelines do not comply with or support current Florida law, specifically Florida Administrative Code 68B-2.002 (Return of Marine Organisms to Water), and as a result, this conflict creates “ambiguity” in the law and deems it impossible for law enforcement to enforce violations of this established rule because their recommended guidelines do not encourage legal practices.

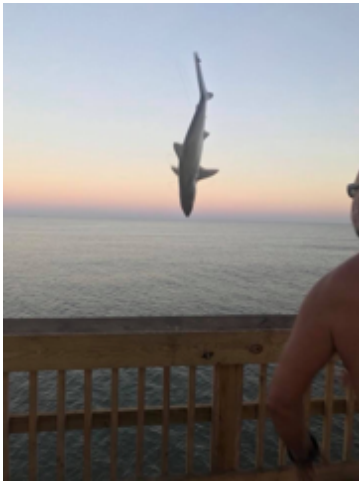
**Recommendation** – Amend the language of FAC 68B2.002 by adding additional language to establish other restrictions for prohibited species of sharks as permissible in *(c) A person must also comply with other restrictions on temporary possession that may be established for a particular species.*

An example of these “other restrictions” could read as follows:

*“It is illegal to remove a prohibited species of shark from the water. If it is impossible to remove the hook from a prohibited species of shark while maintaining the safety of the angler and ensuring the health of the prohibited shark, **it is required by law that the leader be immediately cut as close to the hook as the situation safely allows.** There are no exceptions to this rule. In addition, it is illegal to sit on a prohibited species of shark and pull back the snout to reveal the teeth. It is required by law to minimize the handling of prohibited species of sharks at all times.”*

In addition, on the FWC shark page and other literature, specific violations for illegal possession or handling of prohibited sharks should be clearly published to educate the general public of the laws.

**Justification** – Historically, the land based shark anglers have proven to be a group that is difficult to self-regulate through community outreach and education, and as a result, further regulation is necessary to ensure the health of the prohibited species of sharks.



**FWC SHARK SMART FISHING**  
FWC does not recommend shark fishing from a pier or bridge because of the difficulties associated with this activity.

**Fish Shark-Smart from a pier:**

- Most piers and bridges are high above the water, making handling and release difficult. Catch-and-release shark fishing is not recommended from these locations.
- Do NOT bring a large shark onto a pier or bridge. Instead, walk the shark to the base of the bridge/pier before removing the hook or cutting the line.



***Shark fishing from man-made structures:***

**Issue** – Shark fishing occurring from piers and other man-made structures is difficult and results in mishandling and mortality of sharks.

**Recommendation** – Prohibition of fishing for sharks from man-made structures.

**Justification** - Most piers, bridges and man-made structures are high above the water, making proper safe handling and release of sharks difficult, if not impossible, especially since the use of lifting gear such as pier nets does not always work for larger sharks and is not always readily available. Because of the architectural nature of many man-made structures, such as piers and bridges, it is often not impossible to walk the shark to the base of the pier/bridge to ensure immediate and safe release of sharks. The language of Rule 68B-2.002 (b), FAC, states that “a person who temporarily possesses an organism pursuant to paragraph (2)(a), must immediately return the organism to the water unharmed.” FWC Shark Smart Guidelines already do not recommend shark fishing from man made structures, and shark fishing is already prohibited at most fishing piers in the State of Florida.

\*\*At the FWC August 6<sup>th</sup> Panama City Shark workshop, a pier shark fisherman described his experience and method of landing a hammerhead shark at a pier, which ***reinforces the need to prohibit this activity.*** His description is as follows, describing three options:

1. “Turn him loose with a 30’ leader. Death Sentence.”
2. “Take him all the way to the beach, which is 1500’ and god knows how many pilings and he’s beating his head on every single one of them all the way up there. That is a death sentence. I’ve seen it happen.”
3. “A lariat rope down around his head, pick him straight up and bring him over the rail.”

**In other words, the hammerhead is “head roped!”**

Based on existing research *Physiological stress response, reflex impairment and survival of five sympatric shark species following experimental capture and release* (Gallagher et al.2014), the susceptibility of large shark species, specifically the hammerhead to stress-induced mortality due to capture is well documented and well known. “Head roping” a hammerhead, hoisting the dead weight up 30-40 feet, dragging its dead weight over pier rail, “cleaning it up,” dragging the hammer back over the rail and lowering it back down, again with a rope around its head, contradicts what would be considered responsible, ethical and legal handling of a prohibited species of shark. -7-

# TAKE OR POSSESSION OF THESE SHARK SPECIES



## IS PROHIBITED

- Do not fish for or target prohibited sharks.
- Violations are punishable by fine or imprisonment.
- Report violations toll free to **1-888-404-3922**

### IF YOU CATCH A PROHIBITED SHARK SPECIES...

- Do not remove the shark from the water.
- Do not delay the immediate release of the shark for the purpose of taking photos or measuring. **THIS IS ILLEGAL!**
- Cut the line and free the shark immediately without harm.



GREAT HAMMERHEAD



TIGER SHARK



LEMON SHARK



SANDBAR SHARK

Learn more about shark fishing regulations at:

\*IN ADDITION TO OTHER SPECIES. IF YOU DON'T KNOW, LET IT GO!

[MyFWC.com/Fishing/Saltwater/Recreational/Sharks](http://MyFWC.com/Fishing/Saltwater/Recreational/Sharks)

# TAKE OR POSSESSION OF THESE SHARK SPECIES



## IS PROHIBITED

- Do not fish for or target prohibited sharks.
- Violations are punishable by fine or imprisonment.
- Report violations toll free to 1-844-332-3267.

### IF YOU CATCH A PROHIBITED SHARK SPECIES...

- Return the shark to the water at once.
- Do not injure the shark.



Sandbar / "Brown"



Dusky



Sand Tiger

New York State Department of Environmental Conservation  
Division of Marine Resources  
East Setauket, NY 11733

This sign is posted pursuant to Sections 13-0337 & 13-0338 of Environmental Conservation Law.

For full saltwater fishing regulations, see <http://bit.ly/saltwaterfishregs>

## *Public Education and FWC Outreach to Communities and Municipalities*

**Issue** – The majority of the public are unaware of the rules and regulations regarding shore-based shark angling and yet they frequently share the beaches with those that take part in the activity on public beaches. In addition, local community leaders that recognize the safety issues associated with blood baiting on public beaches often times do not know what can be done within their communities to regulate this practice. Some communities have successfully established ordinances prohibiting shark fishing and blood baiting.

**Recommendation** – The FWC shall partner with outreach organizations to create, promote and physically post awareness materials such as the sample poster above that demonstrates clear language regarding the rules and penalties. This can also include the inclusion of specific rules and regulations and penalties for violations of these laws to be posted clearly on the myFWC website, specifically in the “Sharks” section of the myFWC.com page.

In addition, the FWC shall establish a liaison person within FWC Staff and have specific plan to directly work with local government leaders to assist and offer direction and guidance with shark fishing issues within local government’s jurisdiction.

**Justification** – Outreach and awareness has been shown to encourage compliance among stakeholders. There is an obvious need for towns and counties to have direction in dealing with shark fishing and blood baiting issues within their towns. If a local government desires to establish shark fishing regulations on their shores, FWC should easily be able to offer guidance with this issue.

The sample poster is modeled after one created by New York State.



*Jupiter, FL “Kite Beach” Memorial Day weekend, May 26, 2018*

**Bloodbaiting / Chumming Restrictions**

**Proposed Regulation** - No bloodbaiting / chumming within 1000 yards of shore

**Description** - FWC to prohibit blood baiting and/or chumming within 1000 yards of shore

**Justification**

1. Blood baiting and chumming are intended to attract sharks to an area (usually low-visibility surf zone) and to provoke feeding within that area. As such, these activities are incompatible with other water activities in which humans are engaged (e.g., swimming and surfing)
2. Additional factors
  - a. Per International Shark Attack File, University of Florida (<https://www.floridamuseum.ufl.edu/shark-attacks/reduce-risk/>)
    - i. (Advice to Swimmers) “Do not enter the water if bleeding from an open wound, and enter with caution if menstruating — a shark’s olfactory ability is acute (*italics added*)”
    - ii. (Menstruation and Sharks) “Any bodily fluid probably is attractive to sharks. Blood, in any form, may be at the top of the list. The sharks’ ability to detect even minute amounts of blood and scents of other organic material is amazing.”
  - b. Should be no reasonable objections from shark fishers
    - i. “It is ineffective” - FWC staff has stated bloodbaiting and chumming is ineffective near shore (too much water movement to concentrate the blood/chum) (If it is not effective, there should be no objection to prohibiting it.)
    - ii. “Shark fishers do not chum” - At Sept 11, 2014 FWC quarterly meeting, (former) Vice Chairman Yablonski stated that speakers on Sept 10 said shark fishers do not chum, so he believed there should be no reasonable opposition to restrictions.

**Potential Challenge(s)**

1. Enforcement – FWC is unable to effectively enforce current restrictions; additional restrictions will provide additional enforcement challenges.
2. Inability to tailor regulations – In discussions, FWC Staff has stated that, if blood baiting/chumming is prohibited for shark fishing from the beach, it would also have to be prohibited in areas where it is effective (eg, the IRL).

**Proposed Mitigation(s)**

1. Enforcement – FWC to develop mutual aid agreements with other State and local law enforcement agencies (Sheriffs’ Departments, Town/City Police and Code Enforcement departments, etc) for enforcement of shark fishing regulations.
2. Inability to tailor regulations - FWC has numerous regulations that are specific to areas, seasons, time of day and methods. Regulation of blood baiting / chumming in specific areas would be consistent with current FWC enforcement methodologies.



## Establish Designated Shark Fishing Areas

### Proposed Regulation –

1. FWC to establish designated shark fishing areas outside of municipalities and to post signs.
2. FWC to authorize municipalities to designate prohibited shark fishing areas within municipal boundaries.

### Description

1. Designation would be based on allowable equipment rather than “shark fishing” allowed/not allowed
2. Signage Management
  - a. FWC to post and maintain signage on permitted areas
  - b. Municipalities to post and maintain signage on prohibited areas

### Justification

1. Currently, shark fishing is allowed on all beaches at all times which is incompatible with other water activities (surfing, swimming, etc).
2. Per the International Shark Attack File, University of Florida (<https://www.floridamuseum.ufl.edu/shark-attacks/reduce-risk/>)
  - a. “The number of shark attacks in any given year or region is highly influenced by the number of people entering the water.”
  - b. “Avoid waters...being used by sport or commercial fisherman, especially if there are signs of bait fishes or feeding activity.”
3. Florida’s population has increased more than threefold since 1960 necessitating compromise to ensure safe interactions between shark fishing and other water activities. The 1960 census was 4,951,560, while the 2010 census is 15,982,378.
4. Designated areas with sign postings would
  - a. allow swimmers/surfers to make an informed choice before entering the water, and
  - b. ensure continued access for shark fishers

### Potential Challenge(s)

1. Custom/Heritage – shark fishers have always had primacy over all other beach activities.
2. Equipment - Difficult to define prohibited equipment (i.e., equipment unique to shark fishing)
3. Enforcement – FWC is unable to effectively enforce current restrictions; additional restrictions will provide additional enforcement challenges.

### Designated shark fishing area - Proposed Mitigation(s)

1. Custom/Heritage - unless compromise is achieved, all land-based shark fishing activities are at risk
2. Equipment - Prohibited equipment list to be based on equipment *most likely* to be used for shark fishing –
  - a. Reel size – greater than 5000
  - b. Rod size – to be determined
  - c. Line weight – greater than or equal to 80 lb test
  - d. Leader weight – greater than or equal to 120 lb test
  - e. Hook size – to be determined
3. Enforcement – FWC to develop mutual aid agreements with other State and local law enforcement agencies (Sheriffs’ Departments, Town/City Police and Code Enforcement departments, etc.) for enforcement of shark fishing regulations.



Photo: Kim Knobbe

## Shore Based Shark Fishing Regulations (Proposed) by DD Halpern

### **REGULATION PROPOSED: SEPARATION OF USER GROUPS**

**Issue:** All beach users are currently allowed to simultaneously utilize the same beach and ocean areas for any and all activities, with no consideration to the potential hazards that one user group may introduce or cause to the other user group(s).

**Recommendation:**

1. **Allow Counties, Towns and Municipalities to create shark fishing zones** and/or regulations by which to exclude the practice of shore-based shark fishing at certain parts of their beach, as-needed, to meet health and safety standards.
2. **Adopt policy wording from the ordinance passed by Martin County.** Example: It is unlawful for any person to intentionally shark fish or attempt to shark fish within a minimum of 100 feet of the boundaries of a full service beach park; or to intentionally shark fish or attempt to shark fish from County-owned property within a minimum of 1,000 yards of the boundaries of a full service beach park at any time.
3. **Redefine “Swimming Beach.”** Currently, a swimming beach is defined as one that has a lifeguard. Swimming beaches should be defined as those with a “known consistent and significant population of recreational uses, including swimming, wading, surfing, body-boarding, kite-boarding.”

**Justification:**

1. The “User Group Conflicts” mentioned in the April 2018 FWC Shark Presentation is likely a result of the public’s recognition that shore-based shark fishing is not compatible with usual popular recreational uses including swimming, wading, body-boarding, surfing, kite-boarding. The existence of conflict is a “red flag” that regulations need to be put in place to ensure that recreational beach user groups are provided with a safe, healthy and hazard-free environment.
2. Boundaries should be established and areas/zones where shark fishing is allowed can be created at the will of each County, Town, Municipality as it sees fit to ensure safety at its beaches.
3. Statistics show that Florida state population is rapidly increasing, as is the number of seasonal residents, visitors and tourists. There is no valid justification to allow intentional shark fishing to take place at known, well-established and highly populated swimming beaches in high-density residential neighborhoods.

## REGULATION PROPOSED: MEANS OF TAKE

**Issue:** Today's shark fishing methods and technology give an unfair advantage to the angler and create potential hazards to swimmers, sea life and boaters.

### Recommendation:

1. Make unlawful the practice of chumming/bloodbaiting from the beach. It is unlawful for any person in any beach park to intentionally fish for sharks, by those methods commonly known as "chumming" or "bloodbaiting."
2. Make unlawful the use of a boat, kayak or other flotation methods as a "means of take."
3. Create a "fair playing field" for sharks, using shark fishing using methods that don't create hazards for shore-based non-anglers, as well as boaters.

### Justification:

1. **Chumming is incompatible with swimming and public recreation.** The excessive fish blood creates a sanitary hazard and a life-safety hazard. Obviously, sharks do swim close to shore at times, but this baiting practice can behaviorally condition sharks to expect to find food closer to shore.
2. **FWC prohibits baiting when hunting bear, hogs and turkeys:** *"Taking turkeys when the hunter is within 100 yards of a game-feeding station when feed is present." "As of 1987, it is illegal to use bait in the hunting of black bear. "Placing, offering or allowing the placement of feed or garbage that is likely to create or creates a public nuisance by attracting bears is prohibited." "Hogs can be baited on private land; not public land."*
3. **Use of a boat, kayak or other flotation methods as a "means of take" gives an "unfair" advantage to the angler.** Anglers often paddle their baits out into boating areas and there is anecdotal evidence that boat props have been ensnared and disabled by fishing line.

## REGULATION PROPOSED: CREATE A LICENSE EXCLUSIVELY FOR SHORE-BASED SHARK FISHING

**Issue:** There is no means by which to identify shark anglers.

### Recommendation

1. Create a yearly license for resident shark anglers.
2. Minimum age to receive a license is 18 years.
3. The FWC's free shoreline license can be held in addition to, but not instead of, the new shore-based shark fishing license.
4. Establish fees for Residents and Non-residents:

#### Example:

Resident: (Yearly): \$50

Non-Resident: Three-day: \$45; Seven-day: \$75; One year: \$100

5. **Create License Qualifications:** Create an online exam that must be passed in order to receive the license. Exam questions will be based on the knowledge of the new shark fishing regulations, as well as the shark smart fishing guidelines.
6. **Create a "shark conservation fund.** A portion of all collected license fees and revenue collected as a result of law enforcement/ticket violations will be assigned to a newly established "shark conservation fund," and be used for:
  - A) The further conservation of prohibited and protected species.
  - B) The administration of the licensing program.



**Justification:**

1. At the April 2018 FWC meeting Commissioner Joshua Kellam stated that he would like to see an licensing element added so that shark fishers could be tracked and held accountable for their actions.
2. Licensing creates a revenue stream that can be used to further protect sharks and pay for administration and enforcement of the program.

**REGULATION PROPOSED: SEA TURTLE NESTING SEASON EXCLUSION**

**Issue:** Shark fishing activity with the bright lights and fishing lines all have been known to endanger turtles and disturb nesting behavior.

**Recommendation:** Create a Sea Turtle Nesting Season Exclusion.

Create a state-wide prohibition of shore-based shark fishing during sea turtle nesting season, March 1 – October 31. This would protect nesting sea turtles from reported ensnarement in fishing line and the land-based human disturbances (camping, movement, light, human activity).

**Justification:**

1. **FWC website states**, “Wherever you are in the state, what you do on the beach can make a significant difference on whether sea turtles nest successfully.”
2. **Loggerhead Marine Life Center in Juno Beach has asked the town of Juno Beach to prohibit shark fishing during nesting season.** However, the town is helpless, because there aren't any regulations for the town to enforce.





Photo credit: Jeff Joel

## APPENDIX

### **A. Examples of Existing Ordinances in Florida Communities**

- 1. Palm Beach Shores, Florida**
- 2. Martin County, Florida**
- 3. Delray Beach, Florida**
- 4. Indian River Shores, Florida**
- 5. Volusia County, Florida**
- 6. Lovers Key State Park, State of Florida**

# **1. Code of Ordinances Town of Palm Beach Shores, Florida**

## **Chapter 48 - PARKS AND RECREATION**

### **Sec. 48-1. - Definitions.**

For the purposes of this chapter, the following terms, phrases, words, and their derivations shall have the meaning given herein:

**Community Center and/or Beach Park means Lot M and Private Road No. 1 as depicted and described on the Plat of Palm Beach Shores.**

**Park means any area owned or used by the town and devoted to active or passive recreation, and includes the Community Center, Beach Park, Inlet Park, Town Hall and Town Parkway.**

**Town Hall means the reserved lot between Cascade Lane and Edwards Lane as depicted and described on the Plat of Palm Beach Shores.**

**Town Parkway means Lots A, B, C, E, F, G, H and J, and the private walkway between Lots 575 and 576 as depicted and described on the Plat of Palm Beach Shores.**

**U.S. government easement on north side of the Lake Worth Inlet means the Inlet Park. (Ord. No. O-5-12, § 1, 4-16-12)**

### **Sec. 48-2. - Park property.**

**(1) Hunting. No person in a park shall hunt, molest, harm, frighten, kill, trap, chase, tease, or throw missiles at any animal, reptile or bird; nor shall any person remove or have in their possession the young of any wild animal, or the eggs or nest, or young of any reptile or bird. Exception to the foregoing is made in that snakes known to be deadly poisonous, such as rattlesnakes, moccasins, coral snakes or other deadly reptiles, may be killed on sight.**

**(2) Feeding. No person in a park shall give or offer, or attempt to give to any animal or bird any tobacco, alcohol or other known noxious substances.**

**(3) Fishing. No fishing shall be permitted in the Inlet Park gazebos or within 75 feet thereof, at any time. In addition, no fishing shall be permitted anywhere in the Inlet Park between the hours of dusk and dawn. For reasons of public health, safety, and welfare, fishing is prohibited at the town's public beach at any time in instances that endanger the health and safety of swimmers, and law enforcement officers are authorized to issue warnings and civil citations to persons fishing at the town's public beach in instances that lead a reasonable person to believe fishing will endanger the health and safety of swimmers at the town's public beach. No person may perform acts that attract **sharks**, e.g., chumming and "bloodbaiting," and endanger the health and safety of swimmers at the town's public beach. (Ord. No. O-5-12, § 1, 4-16-12; Ord. No. O-4-15, § 2, 8-17-15)**

## **2. Code of Ordinances Martin County, Florida**

17.9.A. The rules and regulations for Martin County parks are established as follows:

1. All beaches, public beach access strips, causeway parks, fishing piers, canoe/kayak launches, and boardwalks, shall be open at all times every day, except when the County determines that closure is necessary for the public health, safety or welfare. Any gates at entrances to any beach, public beach access strip, causeway or fishing pier may only be closed when necessary for the public health, safety or welfare. All other County parks shall be open from 7:00 a.m. until 11:00 p.m., unless otherwise posted or permitted by the County.

**2. It is unlawful for any person in any County park:**

**v. To fish or attempt to fish in the ocean after having been warned by a lifeguard or any law enforcement officer that such activity is endangering the health and safety of the public.**

**w. While on the County owned beaches or causeway parks to intentionally fish, including fishing for sharks, by those methods commonly known as "chumming" or "bloodbaiting".**

**x. To fish or attempt to fish from County owned property within a minimum of 50 feet of the boundaries of a full service beach park, or to intentionally shark fish or attempt to shark fish from County owned property within a minimum of 1,000 yards of the boundaries of a full service beach park at any time. ee. To use the County property, including but not limited to ingress and egress, as an instrumentality:**

**1) For any activity prohibited by this section;**

**2) To fish or attempt to fish in the ocean after having been warned by a lifeguard or any law enforcement officer that such activity is endangering the health and safety of the public;**

**3) While on the beaches or causeway parks to intentionally fish, including fishing for sharks, by those methods commonly known as "chumming" or "bloodbaiting"; and**

**4) To fish or attempt to fish within a minimum of 50 feet of the boundaries of a full service beach park or to intentionally shark fish or attempt to shark fish within a minimum of 1,000 yards of the boundaries of a full service beach park at any time.**

## **3. Code of Ordinances, Delray Beach, Florida**

**Sec. 101.37. - SHARK FISHING.**

**(A) No shark fishing shall be allowed within three hundred (300) feet north and south of the municipal beach and within three hundred (300) feet north and south of Atlantic Dunes;(B) No baiting or chumming shall be allowed on or within three hundred (300) feet north and south of the municipal beach and within three hundred (300) feet north and south of Atlantic Dunes. Baiting or chumming is defined as using cut up or ground up bait to put an attracting scent line on or below the surface of the water, or to visually attract other fish; this shall not prohibit someone from using a piece of cut bait on an individual line that is used for general fishing; (C) The use of shark lures and rigs shall be strictly prohibited within three hundred (300) feet north and south of the municipal beach and within three hundred (300) feet north and south of Atlantic Dunes; and (D) All accidental shark catches must be cut loose. (E) All shark carcasses and pieces shall be removed from the beach within the City limits.**

**(Ord. No. 37-09, § 1, passed 7/21/09; Ord. No. 14-14, § 1, passed 6/3/14 )**

#### **4. Code of Ordinances, Indian River Shores, Florida**

Chapter 102 - SHORELINE ACTIVITIES[12]

ARTICLE I. - UNLAWFUL BAITING

**Sec. 102.01. - Unlawful chumming or bloodbaiting.**

**It shall be unlawful for any person, while on the beach or within 600 feet from shore, to intentionally fish for sharks by using methods commonly known as "chumming" or "bloodbaiting." For the purpose of this section, "chumming" or "bloodbaiting" shall mean the placement of animal parts, fish parts, fish or animal blood, or baits or items for the purpose of attracting sharks.**

**Nothing in this section shall be construed to create a duty of any sort on the part of any municipal employee to prevent fishing, or to warn of the presence of sharks in the ocean.**

**(Ord. No. 500, § 1, 7-22-2010)**

**Sec. 102.02. - Penalty.**

**A violation of this [article] shall be punishable by a fine not exceeding \$500.00, or imprisonment for a term not exceeding six months, or by both. Each day that a violation exists shall constitute a separate violation. In addition, any violation shall be deemed a public nuisance, and may be abated as provided by law.**

**(Ord. No. 500, § 2, 7-22-2010)**

**Sec. 102.03. - Enforcement.**

**This article may be enforced by any public safety officer of the town, or any other law enforcement officer having jurisdiction in the town and Indian River County, Florida.**

**(Ord. No. 500, § 3, 7-22-2010)**

#### **5. Code of Ordinances, Volusia County, Florida**

**Sec. 20-116. - Fishing.**

**It shall be unlawful for any person:**

**(1) To fish in the ocean after having been warned by a member of the Beach Patrol or any law enforcement officer that the health and safety of swimmers is being endangered; or(2) While on the beach or within 600 feet from the water's edge to intentionally fish by those methods commonly known as "chumming" or "bloodbaiting."**

**Nothing in this section shall be construed to create a duty of any sort on the part of any county or municipal employee to prevent fishing or to warn of the presence of sharks in the ocean.**

**(Ord. No. 87-36, § 4.05, 11-16-87; Ord. No. 97-2, § I, 2-6-97; Ord. No. 2016-08, § II, 4-7-16)**

## 6. Lovers Key State Park

“With 1.2 million visitors using the beach for recreation including swimming, we no longer permit shark fishing during daylight hours from the beach.”

**Blood baiting or chumming for sharks is never permitted within this state park within 1,000 feet of the beach.**



# Florida State Parks

## Fishing



Display Name:  
Fishing

### Lovers Key - Fishing

Activity Type:

- Fishing

Description:

Trout, redfish, snook and tarpon are caught seasonally. Castnetting for mullet in the bay is a popular activity.

All fishing within the park must conform to regulations concerning size, number, method of capture and season. A fishing license may be required. More information is available at the [Florida Wildlife Commission's Fishing in Florida](#).

#### Shark fishing from the beach at Lovers Key/Carl E. Johnson State Park

With 1.2 million visitors using the beach for recreation including swimming, we no longer permit shark fishing during daylight hours from the beach. You are welcome to use your after-hours permit to fish for sharks during the hours: 1 hour after sunset to sunrise. No person shall use chumming or blood baiting for sharks on the beach or within 1,000 feet of the beach. All FWC rules regarding the catch and release of sharks will apply.

62d-20.14(1) Shark fishing is prohibited from sunrise to one hour after sunset from the beach.



“Miss Snooty” ©Jeff Joel

*Sharks are beautiful animals, and if you're lucky enough to see lots of them, that means that you're in a healthy ocean. You should be afraid if you are in the ocean and don't see sharks. -Sylvia Earle*

**Thank you to the State of Florida  
and the  
Florida Fish and Wildlife Conservation Commission  
for considering the enclosed,  
proposed policy recommendations.**

