

As of June 11, 2009

## Snook 68B-21 F.A.C.

Rule No	Rule Title	Effective Date
68B-21.0015	Definitions	7/12/2007
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### **68B-21.0015 Definitions.**

(1) “Atlantic Region” means all state waters of the Atlantic Ocean north and east of the Dade-Monroe County line, and all inland waters of the counties encompassed by the St. Johns Water Management District, and the South Florida Water Management District, except Charlotte County, Collier County, Glades County, Hendry County, Highlands County, Lee County, and Monroe County, but including all waters of Lake Okeechobee and the Kissimmee River.

(2) “Certified aquaculture facility” when used in conjunction with the culture of snook, means any aquaculture systems constructed and maintained in accordance with Aquaculture Best Management Practices, Rule 5L-3.004, F.A.C., that do not directly discharge production unit water to surface waters of the state.

(3) “Gulf Region” means all state waters of the Gulf of Mexico, the inland waters of Charlotte County, Collier County, Glades County, Hendry County, Highlands County, Lee County, Monroe County and all counties encompassed by the Southwest Florida Water Management District, the Suwannee River Water Management District, and the Northwest Florida Water Management District, and all waters of Everglades National Park, but excluding all waters of Lake Okeechobee and the Kissimmee River.

(4) “Harvest” means the catching or taking of a fish by any means whatsoever, followed by a reduction of such fish to possession. Fish that are caught but immediately returned to the water free, alive, and unharmed are not harvested. In addition, temporary possession of a fish for the purpose of measuring it to determine compliance with the minimum size requirement of this chapter shall not constitute harvesting such fish, provided that it is measured immediately after taking, and immediately returned to the water free, alive, and unharmed if undersize.

(5) “Land”, when used in connection with the harvest of a fish, means the physical act of bringing the harvested fish ashore.

(6) “Snook” means unless the context requires otherwise, any fish of the genus *Centropomus*, or any part thereof.

(7) “Snook Special Activity License” or “SSAL” is a permit that allows certified aquaculture facilities to collect, possess, and transport regional wild broodstock and possess, transport, and sell cultured broodstock progeny. A SSAL also allows certified aquaculture facilities, regional private pond owners, fully contained aquariums, and other fully contained exhibitional display facilities that are open to the public to possess broodstock progeny purchased from certified aquaculture facilities.

(8) “Spearing” means the catching or taking of a fish by bow hunting, gigging, spearfishing, or by any device used to capture a fish by piercing the body. Spearing does not include the catching or taking of a fish by a hook with hook and line gear or by snagging (snatch hooking).

(9) “Total length” means the straight line distance from the most forward point of the head with the mouth closed, to the farthest tip of the tail with the tail compressed or squeezed, while the fish is lying on its side.

*Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 7-9-87,*

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*Amended 1-1-98, Formerly 46-21.0015, Amended 1-1-02, 5-13-02, 7-1-06, 7-12-07.*

**68B-21.002 Designation of Snook as a Protected Species.**

The snook, species *Centropomus undecimalis*, is hereby declared and designated a protected species. The purposes of designation as a protected species are to increase public awareness of the need for extensive conservation action in order to prevent this resource from becoming endangered; and to encourage voluntary conservation practices, including catch-and-release practices for all snook caught unless they are needed for food.

*Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 7-23-85, Formerly 46-21.002.*

**68B-21.003 Prohibition of Sale of Snook.**

(1) It is unlawful for any person, firm or corporation to buy, sell, trade, barter or exchange snook in any form or manner, or to receive anything of value for any snook with or without changing possession thereof, except as provided in Rule 68B-8.012, F.A.C.

(2) It is unlawful for any wholesale or retail seafood dealer or restaurant to possess, buy, sell, or store any snook or part thereof, or permit any snook or part thereof to be possessed, bought, sold or stored on, in, or about the premises or vehicles where such wholesale or retail seafood business or restaurant is carried on or conducted; provided, however, that snook which have been lawfully harvested, or parts thereof, may be kept on the premises of a restaurant for the limited purpose of preparing such snook for consumption by the angler who harvested them, so long as such snook or parts thereof are packaged or on strings with tags bearing the name and address of the owner clearly written thereon.

*Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 7-23-85, Formerly 46-21.003, Amended 5-13-02, 7-12-07.*

**68B-21.004 Seasons.**

(1) No person, firm or corporation shall kill, harvest or have in its possession, regardless of where taken, any snook during the following closed periods, in the indicated areas:

(a) Statewide, during the period beginning December 15 of each year and continuing through January 31 of the following year.

(b) In the Atlantic Region, during the months of June, July or August.

(c) In the Gulf Region, during the first 14 days of the month of December, and during the months of February, May, June, July, or August.

(2) Exceptions to the closed seasons established by this rule shall only be granted by special permit issued by the Commission pursuant to Section 379.244(2), F.S., for experimental, scientific, or exhibitional purposes.

*Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 7-23-85, Amended 7-9-87, 3-1-94, Formerly 46-21.004, Amended 1-1-02, 7-12-07.*

**68B-21.005 Size Limits.**

(1) It is unlawful for any person, firm or corporation to kill, harvest or possess any snook that measures less than 28 inches or greater than 32 inches in total length in the Atlantic Region and less than 28 inches or greater than 33 inches in the Gulf Region.

(2) All snook harvested from Florida waters shall be landed in a whole condition. The possession, while on state waters, of snook that have been deheaded, sliced, divided, filleted, ground, skinned, scaled, or deboned is prohibited. Mere evisceration or “gutting” of snook, or mere removal of gills from snook, before landing is not prohibited. Preparation of snook for immediate consumption on board the vessel from which the fish were caught is not prohibited.

*Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 7-23-85, Amended 7-9-87, 3-1-94, 12-31-98, Formerly 46-21.005, Amended 7-1-06, 7-19-06, 7-12-07.*

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**68B-21.006 Bag and Possession Limits.**

(1) In the Atlantic Region, no person, firm or corporation shall kill or harvest more than one snook per day during the open season, nor possess more than one snook at any time during the open season.

(2) In the Gulf Region, no person, firm, or corporation shall kill or harvest more than one snook per day during the open season, nor possess more than one snook at any time during the open season.

(3) On any vessel licensed to carry customers wherein a fee is paid, either directly or indirectly, for the purpose of taking or attempting to take marine fish, the applicable bag and possession limit specified in this rule shall not extend to the operator of such vessel or any person employed as a crewman of such vessel.

(4) No person harvesting snook pursuant to subsection (1) shall possess or land such snook in the area specified in subsection (2).

*Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 7-23-85, Amended 3-1-94, 12-31-98, Formerly 46-21.006, Amended 1-1-02, 7-12-07.*

**68B-21.007 Restrictions on Gear and Methods Used to Take Snook.**

(1) The taking or attempted taking of snook within or without state waters is prohibited except by use of hook and line gear. For purposes of this chapter, the phrase “hook and line gear” includes any rod and reel or any pole to which such hook and line are attached, as well as any bob, float, weight, lure, plug, spoon and/or standard bait attached thereto. However, the harvest of snook within or without state waters by or with the use of any treble hook in conjunction with live or dead natural bait is prohibited.

(2) It is unlawful to take or attempt to take snook by use of any net, seine or trap, or by use of any gang hook, multiple hooks, snatch hooks, or by spearing, or by any device designed or intended to impale or hook the fish by any part of its body other than its mouth, or by use of any other device not specifically permitted in subsection (1) of this section. What is commonly called snook snatching is prohibited within or without the waters of this state.

(3) It is unlawful for any person, firm, or corporation while fishing, using, transporting or possessing any net, seine, trap or other fishing device not specifically permitted in subsection (1) of this rule to have in its possession any snook. This prohibition shall not apply to possession aboard a vessel of cast nets if they are secured and stored off the deck of the vessel. Any snook accidentally taken by any trap, net or seine shall not be deemed to be possessed in violation of this rule if such snook is immediately returned to the water free, alive and unharmed.

*Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 7-23-85, Amended 7-9-87, 3-1-94, 1-1-98, Formerly 46-21.007, Amended 6-29-00, 7-12-07.*