

Gear Regulations Cleanup

Consent Agenda – Item # 3

DRAFT RULE LANGUAGE

Draft Rule Hearing

November 16, 2016

68B-3.002 Repeal of Chapters 27473 and 30665, and Portions of Chapter 20159, Collier County Special Acts of Local Application.

(1) The Fish and Wildlife Conservation Commission has determined that the repeal of Collier County Special Acts of Local Application, Chapter 27473, Laws of Florida (1951), and Chapter 30665, Laws of Florida (1955), will not adversely affect the marine resources of Collier County or of the State of Florida, therefore Collier County Special Acts Chapter 27473, Laws of Florida (1951), and Chapter 30665, Laws of Florida (1955), are hereby repealed.

(2) The Fish and Wildlife Conservation Commission has determined that the repeal of portions of Collier County Special Acts of Local Application, Chapter 20159, Laws of Florida (1939), and Chapter 26045, Laws of Florida (1949), will not adversely affect the marine resources of Collier County or of the State of Florida.

(a) Section 2 of Chapter 20159, Laws of Florida (1939), is hereby repealed.

(b) Section 4 of Chapter 26045, Laws of Florida (1949), is hereby repealed.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 6-30-13, Amended _____.

68B-3.009 Brevard County: Turkey Creek and Crane Creek Gear Specifications; Definitions; Repeal of Chapters 28927, 30601, and 63-910, Brevard County Special Acts of Local Application.

(1) No person shall harvest or attempt to harvest any fish in or from the waters of Turkey Creek or Crane Creek, except with the following gear:

(a) Hook and line gear.

(b) Landing or dip net.

(c) Cast net.

(d) A crab trap specifically allowed by Rule 68B-13.002, F.A.C., or Section 379.366, F.S.

(2) The phrase “waters of Turkey Creek or Crane Creek” means all waters of those two creeks in Brevard County, including any tributary emptying into said creeks, westward of a line drawn between the two easternmost points of land at the respective mouths of the creeks.

(3) The Fish and Wildlife Conservation Commission has determined that the repeal of Brevard County Special Acts of Local Application, Chapter 28927, Laws of Florida (1953), Chapter 30601, Laws of Florida (1955), and Chapter 63-910, Laws of Florida (1963), will not adversely affect the marine resources of Brevard County or of the State of Florida, therefore Brevard County Special Acts Chapter 28927, Laws of Florida (1953), Chapter 30601, Laws of Florida (1955), and Chapter 63-910, Laws of Florida (1963), are hereby repealed.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 4-18-90, Formerly 46-3.009; Amended _____.

68B-3.028 Repeal and Readoption of Portions of Escambia and Santa Rosa Counties Special Acts.

(1) The Marine Fisheries Commission has determined that the repeal of the following Escambia and Santa Rosa Counties

Special Acts or portions thereof, as enumerated in subsection (2), and that the readoption of portions of Chapter 7584, Laws of Florida (1917), and of Chapter 78-502, Laws of Florida (1978), in conjunction with the adoption of comprehensive gear rules in Chapter 68B-4, F.A.C., will not adversely affect the marine resources of these counties or of the State of Florida.

(2) The following special acts and portions thereof applicable to Escambia and Santa Rosa Counties, rules of the Department of Natural Resources pursuant to Section 2, subsection (5) of Chapter 83-134, Laws of Florida, as amended by Chapter 84-121, Laws of Florida, are hereby repealed pursuant to the following schedule:

(a) Section 2 of Chapter 78-501, Laws of Florida (1978), is repealed effective January 1, 1995. Applicable to Escambia County, this section establishes a minimum mesh size for nets in the county.

(b) Section 4 of Chapter 78-501, Laws of Florida (1978), is hereby repealed. Applicable to Escambia County, Section 4 sets penalties for the use of net gear in violation of Chapter 78-501, Laws of Florida (1978), that are inconsistent with more recently established statewide statutory penalties created by the Legislature.

~~(c)~~ Chapter 78-502, Laws of Florida (1978), a law regulating net size and the use of nets applicable to Escambia and Santa Rosa Counties is repealed effective January 1, 1993.

~~(d)~~ Chapter 7584, Laws of Florida (1917), is repealed effective January 1, 1993. Applicable to Santa Rosa County, this law establishes a minimum mesh size and minimum length for seines used in the county.

(e) Section 2 of Chapter 26212, Laws of Florida (1949), is hereby repealed. Applicable to Santa Rosa County, Section 2 establishes penalties for the use of net gear in violation of Chapter 26212, Laws of Florida (1949), that are inconsistent with more recently established statewide statutory penalties created by the Legislature.

(f) Section 2 of Chapter 78-613, Laws of Florida (1978), is hereby repealed. Applicable to Santa Rosa County, Section 2 sets penalties for the use of net gear in violation of Chapter 78-613, Laws of Florida (1978), that are inconsistent with more recently established statewide statutory penalties created by the Legislature.

~~(3) Use or Purse Seines Prohibited in Escambia and Santa Rosa Counties—Except as provided in this subsection, no person shall fish with, set, or place any purse seine in the saltwaters of Escambia and Santa Rosa Counties landward of the Colregs Demarcation line. The Marine Fisheries Commission finds that the harvest of menhaden by purse seine in the inside waters of Escambia and Santa Rosa Counties during the summer months serves the public purpose of avoiding the nuisance and public health problems associated with menhaden die offs during these months. The Commission also finds that this harvest will not adversely affect the long term abundance of menhaden in the area, if appropriate restrictions on seasonal and total annual harvest are adopted. Accordingly, menhaden (any species of the genus Brevoortia) may be harvested in the inside waters of these counties (landward of the Colregs Demarcation Line) by or with the use of a purse seine, subject to the following conditions:~~

~~(a) The fishing season for the commercial harvest of menhaden in the inside waters of Escambia and Santa Rosa Counties shall open on June 1 of each year and close on May 31 of the following year, unless closed earlier pursuant to paragraphs (b) or (c).~~

~~(b) If the total commercial harvest of menhaden in these counties during the period beginning on June 1 and ending on October 31 of each year is not projected to reach 1,000,000 pounds, the menhaden purse seine season for the inside waters of Escambia and Santa Rosa Counties shall be closed on November 1 by the Executive Director of the Commission upon notice and in the manner provided in Section 120.81(5), Florida Statutes. If the season is closed pursuant to this paragraph, it shall not reopen until the following June 1.~~

~~(c) If the total commercial harvest of menhaden in these counties during a particular season is projected to reach 3,000,000 pounds before May 31, the menhaden purse seine season for the inside waters of Escambia and Santa Rosa Counties shall be closed on the date such harvest is projected to reach that amount by the Secretary of the Department of Environmental Protection upon notice and in the manner provided in Section 120.81(5), Florida Statutes. If the season is closed pursuant to this paragraph, it shall not reopen until the following June 1.~~

~~(d) The total commercial harvest of menhaden in Escambia and Santa Rosa Counties during a particular commercial fishing season shall consist of those menhaden commercially harvested by all forms of gear from all waters of these counties and waters of the federal Exclusive Economic Zone (EEZ) contiguous to such waters, based on projections from official statistics collected and maintained by the Florida Department of Environmental Protection pursuant to Florida's Marine Fisheries Information System, Chapter 62R-5, F.A.C. The count shall begin with menhaden harvested on or after June 1 and continue until May 31 of the following year or until the harvest limit prescribed in paragraph (c) is reached, whichever occurs first.~~

~~(e) The following gear and area restrictions shall apply to any person harvesting menhaden by or with the use of any purse seine in the inside waters of Escambia and Santa Rosa Counties:~~

~~1. No person shall harvest menhaden in these waters by or with the use of a purse seine from any vessel with a documented length of 40 feet or greater.~~

~~2. No purse seine with a total length longer than 400 yards shall be fished with, set, or placed in the water pursuant to this subsection.~~

~~3. No person harvesting menhaden pursuant to this subsection shall fish with, set, or place any purse seine in the waters of Big Lagoon, Santa Rosa Sound, Escambia Bay north of the railroad trestle across the bay just north of the Interstate 10 bridge, Blackwater Bay north of the respective Interstate 10 bridge across the bay, or in any bayou in the inside waters of these counties, except Bayou Texar and Bayou Chico. For the limited purposes of this subsection, this subparagraph shall supersede the provisions of section 1 of Chapter 78-501, Laws of Florida.~~

~~4. No person harvesting menhaden pursuant to this subsection shall fish with, set, or place any purse seine in the waters of Escambia or Santa Rosa Counties during any weekend (between official sunset on Friday through official sunrise on the following Monday) or on any state holiday as specified in Section 110.117(1), Florida Statutes.~~

~~5. Species other than menhaden harvested as an incidental bycatch in the course of purse seine harvest pursuant to this subsection shall not be deemed to have been unlawfully harvested if the combined whole weight of such bycatch does not exceed two percent by weight of all fish in possession of the harvester in or on the inside waters of Escambia or Santa Rosa Counties at any time, except that any fish for which the Marine Fisheries Commission has established a bag limit shall not be retained and shall be released free, alive, and unharmed.~~

~~(4) Minimum Mesh Size for Gill and Trammel Nets in Escambia and Santa Rosa Counties—Until January 1, 1995, no person shall fish with, set or place in the saltwaters of Escambia or Santa Rosa Counties any gill or trammel net with a stretched mesh of less than 2 5/8 inches.~~

~~(5) Minimum Seine Length in Santa Rosa County—Beginning January 1, 1993 the use of a seine less than 350 yards in length in the saltwaters of Santa Rosa County is prohibited.~~

Specific Authority Art. IV, Sec. 9, Fla. Const., s. 2, Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, Laws of Fla. Law Implemented Art. IV, Sec. 9, Fla. Const., s. 2, Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, Laws of Fla. History—New 11-26-92, Amended 8-3-94, Formerly 46-3.028, Amended _____.

68B-3.029 Repeal and Readoption of Portions of Chapter 69-1097, Laws of Florida (1969), as Amended by Chapter 70-707, Laws of Florida (1970), and Chapter 73-482 (1973), Hernando County Special Act; Repeal of Portions of Chapter 18571 and 69-1103, Hernando County Special Acts of Local Application.

(1) The Marine Fisheries Commission has determined that the repeal and readoption of portions of Chapter 69-1097, Laws of Florida (1969), as amended by Chapter 70-707, Laws of Florida (1970), and Chapter 73-482, Laws of Florida (1973), a Hernando County Special Act, in conjunction with the adoption of comprehensive gear rules in Chapter 68B-4, F.A.C., will not adversely affect the marine resources of Hernando County or of the State of Florida. The law prohibits stop netting, establishes a minimum mesh size and length for nets and seines, and provides for law enforcement and penalties.

(2) Chapter 69-1097, Laws of Florida (1969), as amended by Chapter 70-707, Laws of Florida (1970), and Chapter 73-482, Laws of Florida (1973), a rule of the Department of Environmental Protection (formerly the Department of Natural Resources) pursuant to Section 2, subsection (5) of Chapter 83-134, Laws of Florida, as amended by Chapter 84-121, Laws of Florida, is hereby repealed effective January 1, 1993.

(3) Prohibition of the Use of a Beach or Haul Seine from a Vessel Under Power – Beginning January 1, 1993, no person shall harvest fish from the saltwaters of Hernando County south of Raccoon Point, with a beach or haul seine from:

- (a) A vessel propelled by any type of gasoline or diesel engine or engines, motor or motors, inboard or outboard; or
- (b) Any vessel being pulled, towed, or pushed by another vessel which is propelled by any type of gasoline or diesel engine or engines, motor or motors, whether inboard or outboard.

(4) The Fish and Wildlife Conservation Commission has determined that the repeal of portions of Hernando County Special Acts of Local Application, Chapter 18571, Laws of Florida (1937), as amended by Chapter 19863, Laws of Florida (1939), and portions of Chapter 69-1103, Laws of Florida (1969), will not adversely affect the marine resources of Hernando County or of the State of Florida.

(a) Section 3 of Chapter 18571, Laws of Florida (1937), as amended by Chapter 19863, Laws of Florida (1939), is hereby repealed.

(b) Section 3 of Chapter 69-1103, Laws of Florida (1969), is hereby repealed.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const., s. 2, Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, Laws of Fla. Law Implemented Art. IV, Sec. 9, Fla. Const., s. 2, Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, Laws of Fla. History–New 11-26-92, Amended 9-30-96, Formerly 46-3.029, Amended _____.

68B-3.031 Repeal and Readoption of Portions of Chapter 21365, Laws of Florida (1941), Manatee County Special Act.

(1) through (2) No Change.

(3) Closed Areas for Fishing in Manatee County – Beginning January 1, 1993 no person shall fish with, set, or place any seine, haul seine, drag net, gill net, stop net, or any other seine or net, in the waters of the Manatee River and any of its tributaries and in the waters of Terra Ceia Bay and any of its tributaries, bayous and inlets in Manatee County, Florida as specified in paragraph (3)(a), except as expressly authorized in paragraph (3)(b).

(a) For purposes of this Rule, the Manatee River is defined as all the waters of the river and its tributaries lying east of a line drawn from Davis Point, sometimes called Bishop’s Point, due north to the north bank thereof, and Terra Ceia Bay is defined as all the waters of the bay and its tributaries, bayous and inlets east of a line drawn from Snead’s Point to Terra Ceia Point.

(b) Fishing with a common hand cast net, as defined in Rule 68B-4.002(2), F.A.C., or a common bait net, defined as one not over 100 feet in length and not over 4 feet in depth, is permitted in all of the areas described in paragraph (3)(a). ~~In Terra Ceia Bay, as defined in paragraph (3)(a), no person shall use a gill net with a mesh size of less than 3 inches stretched mesh.~~

Specific Authority Art. IV, Sec. 9, Fla. Const., s. 2, Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, Laws of Fla. Law Implemented Art. IV, Sec. 9, Fla. Const., s. 2, Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, Laws of Fla. History–New 11-26-92, Formerly 46-3.031, Amended _____.

68B-3.032 Repeal of Portions of ~~Chapters~~ Chapter 71-770, 18683, and 19971, Laws of Florida (1971), Martin County Special Acts –Act.

(1) The Marine Fisheries Commission has determined that the repeal of portions of Chapter 71-770, Laws of Florida (1971), a Special Act of Martin County, in conjunction with the adoption of comprehensive gear rules in Chapter 68B-4, F.A.C., will not adversely affect the marine resources of these counties or of the State of Florida. The portions of the law being repealed regulate gill net mesh, allowable twine and the manner of measuring mesh.

(a) ~~(2)~~ Sections 4 and 5 of Chapter 71-770, Laws of Florida (1971), a rule of the Department of Environmental Protection (formerly the Department of Natural Resources) pursuant to Section 2, subsection (5) of Chapter 83-134, Laws of Florida, as amended by Chapter 84-121, Laws of Florida, are repealed effective January 1, 1995.

(b) Sections 7, 14, and 15 of Chapter 71-770, Laws of Florida (1971), rules of the Fish and Wildlife Conservation Commission (formerly the Department of Natural Resources) pursuant to Section 2, subsection (5) of Chapter 83-134, Laws of Florida, as amended by Chapter 84-121, Laws of Florida, are hereby repealed.

(2) The Fish and Wildlife Conservation Commission has determined that the repeal of portions of Martin County Special Acts of Local Application, Chapter 18683, Laws of Florida (1937), and Chapter 19971, Laws of Florida (1939), will not adversely affect the marine resources of Martin County or of the State of Florida.

(a) Section 2 of Chapter 18683, Laws of Florida (1937), is hereby repealed.

(b) Section 2 of Chapter 19971, Laws of Florida (1939), is hereby repealed.

(3) Allowable Nets in Martin County – Beginning January 1, 1993, no person shall fish with, set, or place in the inside waters of Martin County any net or trap except for the following:

(a) Minnow seines ~~not over~~ no more than thirty feet ~~long~~ in length with no more than 500 square feet of mesh area, used only for catching bait;

(b) Cast nets;

(c) Landing or dip nets;

(d) Crab traps authorized pursuant to Rule Chapter 68B-45, F.A.C.

Specific Authority Art. IV, Sec. 9, Fla. Const., s. 2, Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, Laws of Fla. Law Implemented Art. IV, Sec. 9, Fla. Const., s. 2, Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, Laws of Fla. History–New 11-26-92, Amended 9-30-96, Formerly 46-3.032, Amended _____.

68B-3.033 Repeal of Chapter 21147, Citrus County Special Act of Local Application.

The Fish and Wildlife Conservation Commission has determined that the repeal of Citrus County Special Acts of Local Application, Chapter 21147, Laws of Florida (1941), will not adversely affect the marine resources of Citrus County or of the State of Florida, therefore Citrus County Special Acts of Local Application, Chapter 21147, Laws of Florida (1941), is hereby repealed.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const., s. 2, Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, Laws of Fla. Law Implemented Art. IV, Sec. 9, Fla. Const., s. 2, Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, Laws of Fla. History–New _____.

68B-3.034 Repeal of Dade County Special Act of Local Application.

The Fish and Wildlife Conservation Commission has determined that the repeal of Dade County Special Acts of Local Application, Chapter 6574, Laws of Florida (1913), will not adversely affect the marine resources of Dade County or of the State of Florida, therefore Dade County Special Acts of Local Application, Chapter 6574, Laws of Florida (1913), is hereby repealed.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const., s. 2, Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, Laws of Fla. Law Implemented Art. IV, Sec. 9, Fla. Const., s. 2, Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, Laws of Fla. History–New _____.

68B-3.035 Repeal of Gulf County Special Act of Local Application.

The Fish and Wildlife Conservation Commission has determined that the repeal of Gulf County Special Acts of Local Application, Chapter 79-466, Laws of Florida (1979), will not adversely affect the marine resources of Gulf County or of the State of Florida, therefore Gulf County Special Act of Local Application, Chapter 79-466, Laws of Florida (1979), is hereby repealed.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const., s. 2, Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, Laws of Fla. Law Implemented Art. IV, Sec. 9, Fla. Const., s. 2, Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, Laws of Fla. History–New _____.

68B-3.036 Repeal of Portions of Chapter 6311, Lafayette County Special Act of Local Application.

The Fish and Wildlife Conservation Commission has determined that the repeal of portions of Lafayette County Special Act of Local Application, Chapter 6311, Laws of Florida (1911), will not adversely affect the marine resources of Lafayette County or of the State of Florida, therefore Sections 3 and 4 of Lafayette County Special Acts of Local Application, Chapter 6311, Laws of Florida (1911), are hereby repealed.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const., s. 2, Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, Laws of Fla. Law Implemented Art. IV, Sec. 9, Fla. Const., s. 2, Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, Laws of Fla. History–New _____.

68B-3.037 Repeal of Chapter 15306, and Portions of Chapter 70-778, Lee County Special Acts of Local Application.

(1) The Fish and Wildlife Conservation Commission has determined that the repeal of Lee County Special Act of Local Application, Chapter 15306, Laws of Florida (1931), will not adversely affect the marine resources of Lee County or of the State of Florida, therefore Lee County Special Acts of Local Application, Chapter 15306, Laws of Florida (1931) is hereby repealed.

(2) The Fish and Wildlife Conservation Commission has determined that the repeal of portions of Lee County Special Act of Local Application, Chapter 70-778, Laws of Florida (1970), will not adversely affect the marine resources of Lee County or of the State of Florida, therefore Section 3 of Lee County Special Acts of Local Application, Chapter 70-778, Laws of Florida (1970), is hereby repealed.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const., s. 2, Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, Laws of Fla. Law Implemented Art. IV, Sec. 9, Fla. Const., s. 2, Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, Laws of Fla. History–New

68B-3.038 Repeal of Portions of Chapters 8796, 20045, and 3117, Palm Beach County Special Acts of Local Application.

(1) The Fish and Wildlife Conservation Commission has determined that the repeal of portions of Palm Beach County Special Acts of Local Application, Chapter 8796, Laws of Florida (1921), Chapter 20045, Laws of Florida (1939), and Chapter 31137, Laws of Florida (1955), will not adversely affect the marine resources of Palm Beach County or of the State of Florida.

(a) Sections 2 and 3 of Chapter 8796, Laws of Florida (1921), as amended by Chapter 11005, Laws of Florida (1925) and Chapter 15301, Laws of Florida (1931) are hereby repealed.

(b) Sections 2 and 3 of Chapter 20045, Laws of Florida (1939), are hereby repealed.

(c) Section 4 of Chapter 3117, Laws of Florida (1955), is hereby repealed.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const., s. 2, Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, Laws of Fla. Law Implemented Art. IV, Sec. 9, Fla. Const., s. 2, Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, Laws of Fla. History–New

8B-3.039 Repeal of Chapter 71-838 and Portions of Chapters 6638, 14305, 65-2078, and 71-838, Laws of Florida, Pasco County Special Acts of Local Application.

(1) The Fish and Wildlife Conservation Commission has determined that the repeal of Pasco County Special Act of Local Application, Chapter 71-838, Laws of Florida (1971), will not adversely affect the marine resources of Pasco County or of the State of Florida, therefore Chapter 71-838, Laws of Florida (1971), is hereby repealed.

(2) The Fish and Wildlife Conservation Commission has determined that the repeal of portions of Pasco County Special Acts of Local Application, Chapter 6638, Laws of Florida (1913), Chapter 14305, Laws of Florida (1929), Chapter 65-2078, Laws of Florida (1965), and Chapter 71-838, Laws of Florida (1971), will not adversely affect the marine resources of Pasco County or of the State of Florida.

(a) Section 3 of Chapter 6638, Laws of Florida (1913), as amended by Chapter 8156, Laws of Florida (1919), and Chapter 588, Laws of Florida (1978), is hereby repealed.

(b) Section 3 of Chapter 14305, Laws of Florida (1929), is hereby repealed.

(c) Section 3 of Chapter 65-2078, Laws of Florida (1965), is hereby repealed.

(d) Section 3 of Chapter 71-838, Laws of Florida (1971), is hereby repealed.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const., s. 2, Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, Laws of Fla. Law Implemented Art. IV, Sec. 9, Fla. Const., s. 2, Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, Laws of Fla. History–New

68B-3.040 Repeal of Portions of Chapters 21099, 23480, 27467, 29433, 76-482, and 81-465, Laws of Florida, Pinellas County Special Acts of Local Application.

(1) The Fish and Wildlife Conservation Commission has determined that the repeal of portions of Pinellas County Special Acts of Local Application, Chapter 21099, Laws of Florida (1941), Chapter 23480, Laws of Florida (1945), Chapter 27467, Laws of Florida (1951), Chapter 29433, Laws of Florida (1953), Chapter 76-482, Laws of Florida (1976), and Chapter 81-465, Laws of Florida (1981), will not adversely affect the marine resources of Pinellas County or of the State of Florida.

(a) Section 2 of Chapter 21099, Laws of Florida (1941), is hereby repealed.

(b) Section 3 of Chapter 23480, Laws of Florida (1945), is hereby repealed.

(c) Section 3(a) and Section 4 of Chapter 27467, Laws of Florida (1951), as amended by Chapter 28968, Laws of Florida

(1951), are hereby repealed.

(d) Section 2 of Chapter 29433, Laws of Florida (1953), is hereby repealed.

(e) Section 4 of Chapter 76-482, Laws of Florida (1976), is hereby repealed.

(f) Section 2 of Chapter 81-465, Laws of Florida (1981), is hereby repealed.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const., s. 2, Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, Laws of Fla. Law Implemented Art. IV, Sec. 9, Fla. Const., s. 2, Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, Laws of Fla. History–New

68B-3.042 Repeal of Portions of Chapters 24890 and 70-930, Sarasota County Special Acts of Local Application.

(1) The Fish and Wildlife Conservation Commission has determined that the repeal of portions of Sarasota County Special Acts of Local Application, Chapter 24890, Laws of Florida (1947), and Chapter 70-930, Laws of Florida (1970), will not adversely affect the marine resources of Sarasota County or of the State of Florida.

(a) Section 3 of Chapter 24890, Laws of Florida (1947), is hereby repealed.

(b) Section 3 of Chapter 70-930, Laws of Florida (1970), is hereby repealed.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const., s. 2, Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, Laws of Fla. Law Implemented Art. IV, Sec. 9, Fla. Const., s. 2, Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, Laws of Fla. History–New

68B-3.043 Repeal of Portions of Chapter 65-2369, Walton County Special Act of Local Application.

The Fish and Wildlife Conservation Commission has determined that the repeal of portions of Walton County Special Act of Local Application, Chapter 65-2369, Laws of Florida (1965), will not adversely affect the marine resources of Walton County or of the State of Florida, therefore Section 2 of Walton County Special Act Chapter 65-2369, Laws of Florida (1965), is hereby repealed.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const., s. 2, Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, Laws of Fla. Law Implemented Art. IV, Sec. 9, Fla. Const., s. 2, Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, Laws of Fla. History–New

68B-4.014 Southwest Florida Purse Seine Restrictions: Gear Specifications; Area Limitation; Local Law Repeals.

(1) In the areas of Pinellas, Hillsborough, and Manatee Counties specified in subsection (2), no person shall use any purse seine with a total length in excess of 600 yards or with a depth greater than 1,500 meshes.

(2) In Pinellas, Hillsborough, and Manatee Counties, no person shall fish with, set, or place any purse seine in the following described area:

All waters of Pinellas, Hillsborough, and Manatee Counties east of a line 3 miles west and running parallel to the Colregs Demarcation Line, between the Pinellas-Pasco County line on the north and the Manatee-Sarasota County line on the south.

(3)(a) The Marine Fisheries Commission has determined that repeal of the Pinellas and Manatee special acts or portions thereof, as enumerated in paragraph (b), in conjunction with the adoption of the substantive provisions of this rule, will not adversely affect the marine resources of these counties or of the State of Florida:

(b) The following special acts or portions of special acts applicable to Pinellas or Manatee Counties, rules of the Department of Environmental Protection (formerly the Department of Natural Resources) pursuant to section 2, subsection (5) of Chapter 83-134, Laws of Florida, as amended by Chapter 84-121, Laws of Florida, are hereby repealed:

1. Section 1 of Chapter 81-472, Laws of Florida (1981). Applicable to Pinellas County, this provision deals with pursing type nets used to take baitfishes in Pinellas County.

2. Section 1 of Chapter 70-795, Laws of Florida (1970), as amended by Chapter 80-540, Laws of Florida (1980). Applicable to Manatee County, this provision deals with pursing type nets used to take certain baitfishes in Manatee County.

Specific Authority Art. IV, Sec. 9, Fla. Const., Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, Laws of Fla. Law Implemented Art. IV, Sec. 9, Fla. Const., Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, Laws of Fla. History–New 7-1-93, Amended 9-30-96,

Formerly 46-4.014. Repealed.

68B-25.003 Old Tampa Bay: Repeal of Local Laws; Prohibition of Certain Gear.

(1) Chapter 15379, Laws of Florida (1931), as amended by Chapter 18740, Laws of Florida (1937), a rule of the Department of Natural Resources pursuant to paragraph (5)(a) of section 2 of Chapter 83-134, Laws of Florida, is hereby repealed. The Marine Fisheries Commission has determined that repeal of this law affecting Pinellas and Hillsborough Counties, in conjunction with adoption of the substantive portions of this rule will not adversely affect the marine resources of the two counties or of the State of Florida.

(2) No person shall harvest any fish in and on the waters of Old Tampa Bay north of the Gandy Bridge, including any creek or bayou emptying into such waters, except with the following gear:

- (a) Hook and line gear.
- (b) Landing or dip net.
- (c) Cast net.
- ~~(d) Gill or trammel net.~~
- (e) – (f) Renumbered as (d) – (e)

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 1-1-90, Formerly 46-25.003, Amended 3-1-05, Amended _____.