

## Stone Crab

### PROPOSED FINAL RULE LANGUAGE

#### Final Public Hearing Agenda Item # 4A

July 22, 2020

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#### CHAPTER 68B-13 STONE CRAB

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##### **68B-13.0015 Definitions.**

(1) No change.

(2) As used in this rule chapter:

(a) through (f) No change.

(g) “Checker box” means a container used to temporarily possess whole stone crabs on board a vessel at sea for the purpose of determining compliance with size requirements ~~“Commission” means the Florida Fish and Wildlife Conservation Commission.~~

(h) “Escape ring” means an opening created within a vertical exterior wall of a stone crab trap that is intended to allow bycatch and undersized stone crabs to escape.

(h) through (w) renumbered as (i) through (x).

*Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-25-87, Amended 10-4-95, Formerly 46-13.0015, Amended 7-1-00, 7-22-01, 10-1-20.*

##### **68B-13.005 Designation as Restricted Species; Season; Repeal of Special Act.**

(1) No change.

(2) The season for the harvest, possession and sale of stone crab claws shall be from October 15 through April ~~May~~ 15, each year. No person, firm or corporation, shall harvest, or have in his or her possession, regardless of where taken, or sell or offer for sale, any stone crab of any size, or any parts thereof, from April ~~May~~ 16 through October 14, each year, except for stone crab claws; placed in inventory by a wholesale or retail dealer as defined in Section 379.414, F.S., prior to April ~~May~~ 16 of each year.

(3) No change.

*Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art IV, Sec. 9, Fla. Const. History—New 7-1-00, Amended 7-1-03, 10-1-20.*

##### **68B-13.007 Restrictions on Size and on Transport and Possession of Stone Crabs and Stone Crab Claws.**

(1) Except as provided in subsection (3), of this rule, and in subsection 68B-13.006(2), F.A.C., it is unlawful to harvest, possess, sell, or offer for sale any stone crab claw at any time which has a forearm (propodus) of less than 2 ~~7/8~~ ~~2-3/4~~ inches in length, measured by a straight line from the elbow to the tip of the lower immovable finger. The forearm shall be deemed to be the largest section of the claw assembly that has both a movable and immovable finger and is located farthest from the body of the crab.

(2) Except as provided in subsection (3), of this rule, and in subsection 68B-13.006(2), F.A.C., it is unlawful for

any person, firm, or corporation to possess or transport by boat, land vehicle, airplane, or other conveyance any whole intact stone crab or stone crab body whether dead or alive. Only legal sized claws of stone crabs may be possessed or transported.

(3) Permissible temporary possession of whole stone crabs.

(a) Whole Live stone crabs may be temporarily possessed ~~held~~ on board a vessel while such vessel ~~it~~ is at sea for the purpose of determining compliance with size requirements until such time as the claws are removed, provided that the following conditions are met:

1. Whole stone ~~the~~ crabs may only be possessed within a checker box.

a. A checker box may be no larger in dimension than 36 inches, by 24 inches, by 24 inches, or a volume of 12 cubic feet.

b. No more than two checker boxes may be used on board a vessel at any time.

2. Whole stone crabs ~~are~~ held in a checker box must be shaded containers and wet with sea water every 30 minutes, or more often if necessary, to keep the crabs in a damp condition.

3. Checker boxes may ~~Containers shall~~ not be stacked in a manner which compresses the crabs.

(b) This provision will not be construed to authorize the harvest of a whole stone crab or authorize a recreational harvester to exceed the applicable bag limit or possession limit established in subsection 68B-13.009(1), F.A.C.

(4) No change.

*Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art IV, Sec. 9, Fla. Const. History--New 7-1-00, Amended 10-1-20.*

#### **68B-13.008 Gear, Trap Construction, Commercial Trap Marking Requirements, Trap Working Regulations, Trap Transfer.**

(1) No change.

(2) Trap Construction. No person, firm, or corporation shall transport on the water, fish with, or cause to be fished with, set, or placed, in the harvest of stone crabs, any trap which does not meet the following requirements:

(a) through (b) No change.

(c) 1. through 2. No change.

3. Each wire trap used to harvest stone crabs shall have at least three unobstructed escape rings ~~installed on a vertical outer surface~~, each with a minimum opening diameter of 2 3/8 inches. One such escape ring shall be located ~~on a vertical outer surface~~ adjacent to each crab retaining chamber.

4. By October 5, 2023, each plastic and wood trap used to harvest stone crabs must have at least one unobstructed escape ring with a minimum opening diameter of 2 3/16 inches. Such escape ring must be located in the lower half of the trap and immediately adjacent to the vertical centerline of the trap wall on which it is installed. An escape ring may not be located adjacent to any corner where two vertical trap walls meet.

4. Renumbered as 5.

(3) No change.

(4) Trap Working Regulations.

(a) through (c) No change.

(d) Except as provided in paragraph (e), of this subsection, it shall be unlawful to transport on the water, fish with, set, or place, or cause to be fished with, set, or placed, any trap or part thereof during the closed stone crab season, except that traps may be placed in the water and baited 10 days prior to the opening of the stone crab season and shall be removed within 10 ~~five~~ days after the close of the stone crab season. However, the Division of Law Enforcement of the Fish and Wildlife Conservation Commission will grant an extension for the retrieval of traps for up to a maximum of 10 ~~ten~~ days after the expiration of the 10-day ~~five-day~~ grace period, or a total of up to 20 ~~15~~ days after the close of the stone crab season, upon the following conditions:

1. through 4. No change.

(e) No change.

(5) No change.

*Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art IV, Sec. 9, Fla. Const. History--New 7-1-00, Amended 7-22-01, 7-15-04, 7-13-08, 6-19-13, 10-25-15, 10-1-20.*