

**Sheepshead and Tripletail  
Agenda Item 4 A  
DRAFT RULE LANGUAGE**

**Draft Rule Hearing: July 10, 2017**

**CHAPTER 68B-59: SHEEPSHEAD**

**68B-59.001 Designation as Restricted Species; Applicability of Rules to State and Federal Waters.**

(1) Sheepshead are hereby designated as restricted species pursuant to Section 379.101(32), F.S.

(2) The regulations in this chapter apply in all Florida Waters and adjacent federal Exclusive Economic Zone (EEZ) waters.

*Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 9-1-13, Amended \_\_\_\_\_.*

**68B-59.003 Size Limit; Landed in Whole Condition Requirement.**

(1) Size Limit – A person may not harvest or possess within or without land from Florida Waters or land possess in or on Florida Waters, a sheepshead that is less than 12 inches in total length.

(2) Landed in Whole Condition Requirement – A person harvesting sheepshead shall land each sheepshead in whole condition. A person may not possess within or without in or on Florida Waters a sheepshead that has been beheaded, sliced, divided, filleted, ground, skinned, scaled, or deboned. This provision will not be construed to prohibit evisceration (gutting) of a sheepshead or removal of gills from a sheepshead.

*Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 9-1-13, Amended \_\_\_\_\_.*

**68B-59.004 Bag and Vessel Limits; Bycatch Allowance.**

(1) Recreational Bag Limit – A recreational harvester may not harvest or possess within or without land from Florida Waters or land more than 5 15 sheepshead per day, or possess in or on Florida Waters more than 5 15 sheepshead.

(2) Commercial Bag and Bycatch Limits –

(a) Except as provided in (2)(b), (2)(c), and (3), a commercial harvester may not harvest or possess within or without Florida Waters or land more than 200 sheepshead per day is not subject to a harvest or possession limit for sheepshead.

(b) During the months of March and April, a commercial harvester may not harvest or possess within or without Florida Waters or land more than 50 sheepshead per day.

(c) Sheepshead Bycatch Allowance – A commercial harvester may not harvest or possess within or without land from Florida Waters or land more than 50 pounds lbs of sheepshead per day or possess in or on Florida Waters more than 50 lbs of sheepshead, pursuant to subsection 68B-59.006(3), F.A.C., as incidental bycatch of gear that is being used to lawfully harvest another target species.

(3) General Vessel Limit – During the months of March and April, no more than 50 sheepshead may be collectively possessed aboard a vessel within or without Florida Waters, regardless of the number of persons onboard. This provision will not be construed to authorize harvest or possession of sheepshead in excess of the applicable bag limits.

*Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 9-1-13, Amended \_\_\_\_\_.*

**68B-59.006 Allowed and Prohibited Gear and Methods of Harvest; Bycatch Exception.**

(1) Allowed Gear and Method of Harvest – A person may harvest or attempt to harvest a sheepshead within or without from Florida Waters only by or with the use of beach or haul seine, cast net, hook and line gear, or by spearing.

(2) Prohibited Gear and Method of Harvest –

(a) A person may not harvest or attempt to harvest a sheepshead within or without from Florida Waters with gear or methods that are not expressly permitted in subsection (1).

(b) A person may not use a multiple hook in conjunction with live or dead natural bait to harvest or attempt to harvest a sheepshead within or without from Florida Waters.

(c) A person may not harvest or attempt to harvest a sheepshead within or without ~~from~~ Florida Waters by snagging the sheepshead or land a sheepshead so harvested.

(3) Bycatch Exception – Notwithstanding subsection (1), a commercial harvester who is in possession of a valid saltwater products license with a restricted species endorsement may harvest a sheepshead captured as incidental bycatch of gear other than the gear expressly permitted in subsection (1), if the gear is being used to lawfully harvest another target species, only to the limit specified in paragraph ~~68B-59.004(2)(c) and (3) 68B-59.004(2)(b)~~, F.A.C. This provision will not be construed to authorize a commercial harvester to intentionally harvest a sheepshead by or with the use of any gear or method that is not expressly permitted in subsection (1).

*Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 9-1-13, Amended \_\_\_\_\_.*

## **CHAPTER 68B-49: TRIPLETAIL**

### **68B-49.001 Designation as a Restricted Species; Applicability of Rules to State and Federal Waters.**

(1) Tripletail is hereby designated a restricted species pursuant to Section 379.101(32), F.S.

(2) The regulations in this chapter apply in all Florida Waters and in adjacent federal Exclusive Economic Zone (EEZ) waters.

*Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 1-1-96, Amended 1-1-98, Formerly 46-49.001, Amended 7-1-06, 9-1-13, \_\_\_\_\_.*

### **68B-49.003 Size Limit; Landed in Whole Condition Requirement.**

(1) Size Limit – A person may not harvest or possess within or without ~~land from~~ Florida Waters, or land possess in or on ~~Florida Waters~~ a tripletail that is less than 18 ~~15~~ inches in total length.

(2) Landed in Whole Condition Requirement – A person harvesting tripletail shall land each tripletail in whole condition. A person may not possess within or without ~~in or on~~ Florida Waters a tripletail that has been beheaded, sliced, divided, filleted, ground, skinned, scaled, or deboned. This provision will not be construed to prohibit evisceration (gutting) of a tripletail, or removal of gills from a tripletail.

*Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 1-1-96, Amended 1-1-98, Formerly 46-49.003, Amended 9-1-13, \_\_\_\_\_.*

### **68B-49.004 Bag and Vessel Limits; Bycatch Allowance.**

(1) Recreational Bag Limit – A recreational harvester may not harvest or possess within or without ~~land from~~ Florida Waters or land more than 2 tripletail per day ~~or possess in or on Florida Waters more than 2 tripletail~~.

(2) Commercial Limits –

(a) Commercial Bag Limit – A commercial harvester may not harvest or possess within or without ~~land from~~ Florida Waters or land more than 2 ~~10~~ tripletail per day, ~~or possess in or on Florida Waters more than 10 tripletail~~.

(b) Commercial Vessel Limit – The commercial harvesters aboard a vessel within or without ~~in or on~~ Florida Waters may not collectively possess more than 10 tripletail, regardless of the number of ~~licensed or license exempt~~ persons onboard. This provision will not be construed to authorize harvest or possession of tripletail in excess of the applicable bag limits.

(c) ~~Tripletail Bycatch Allowance – A commercial harvester may not harvest more than 2 tripletail per day pursuant to Rule 68B-49.006, F.A.C., as incidental bycatch of gear that is being used to lawfully harvest another target species. A commercial harvester may not possess more than 2 tripletail that were harvested pursuant to Rule 68B-49.006, F.A.C. as incidental bycatch of gear that is being used to lawfully harvest another target species.~~

*Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 9-1-13, Amended \_\_\_\_\_.*

### **68B-49.006 Allowed and Prohibited Gear and Method of Harvest; Bycatch Exception.**

(1) Allowed Gear and Method of Harvest – A person may harvest a tripletail within or without ~~from~~ Florida Waters only by or with the use of hook and line gear.

(2) Prohibited Gear and Method of Harvest –

(a) A person may not harvest a tripletail within or without ~~from~~ Florida Waters with gear or methods that are not expressly permitted in subsection (1).

(b) A person may not use a multiple hook in conjunction with live or dead natural bait to harvest or attempt to harvest tripletail within or without ~~from~~ Florida Waters.

(c) A person may not harvest within or without ~~from~~ Florida Waters a tripletail by spearing or snagging the tripletail.

(3) Bycatch Exception – Notwithstanding subsections (1) and (2), a commercial harvester who is in possession of a valid saltwater products license with a restricted species endorsement may harvest a tripletail captured as incidental bycatch of gear other than the gear expressly permitted in subsection (1) if the gear is being used to lawfully harvest another target species, only to the limit specified in paragraph ~~68B-49.004(2)(a)~~ ~~68B-49.004(2)(e)~~ F.A.C. This provision will not be construed to authorize a commercial harvester to intentionally harvest a tripletail by or with the use of any gear or method that is not expressly permitted in subsection (1).

*Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 9-1-13, Amended \_\_\_\_\_.*

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