

## Notice of Proposed Rule

### FISH AND WILDLIFE CONSERVATION COMMISSION Marine Fisheries

RULE NO.: RULE TITLE:

[68B-14.0038](#): Recreational Snapper Seasons

PURPOSE AND EFFECT: The Commission is considering changes to state regulations that would set the recreational harvest season for red snapper in state waters of the Gulf of Mexico to be July 1 through July 14. The purpose of this rule is to increase recreational red snapper fishing opportunities in Gulf state waters.

The effect of these rule amendments is to avoid reducing recreational fishing opportunities for red snapper in state waters. The June 1 through July 14 season was proposed by the Commission based on testimony from anglers and reports that the ongoing red snapper stock assessment would likely show that the red snapper population is improving.

SUMMARY: The proposed final rule would modify the recreational harvest season for red snapper in all state waters of the Gulf of Mexico to be July 1 through July 14.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND  
LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: [Article IV, Section 9, Florida Constitution](#)

LAW IMPLEMENTED: [Article IV, Section 9, Florida Constitution](#)

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: During the Commission's regular meeting April 17-18, 2013, 8:30 a.m. to 5:00 p.m., each day.

PLACE: Florida Public Safety Institute, Pat Thomas Law Enforcement Academy, 85 Academy Drive, Havana, FL 32333.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator, at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jessica McCawley, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, and (850) 487-0554.

THE FULL TEXT OF THE PROPOSED RULE IS:

**68B-14.0038 Recreational Snapper Seasons.**

(1) Recreational Red Snapper Season. In all state waters of the Gulf of Mexico, the season for the recreational harvest and possession of red snapper shall be from June 1 through July 14 ~~40~~, each year ~~(consistent with the Federal Standard established in vol. 77 of the Fed. Reg. page 31734)~~. Except for persons harvesting red snapper for commercial purposes pursuant to Rule 68B-14.0045, F.A.C., from July 15 ~~41~~ through May 31, no person shall harvest in or from state waters of the Gulf of Mexico, nor possess while in or on state waters of the Gulf of Mexico, any red snapper.

(2) No change.

**PROPOSED EFFECTIVE DATE:** May 31, 2013

*Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History--New 10-20-98, Formerly 46-14.0038, Amended 12-30-99, 3-12-09, 8-7-09, 10-16-09, 6-4-10, 10-8-10, 7-22-11, 7-6-12, 5-31-13.*

**BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.R.**

NAME OF PERSON ORIGINATING PROPOSED RULE: Jessica McCawley, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850) 487-0554.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 13, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 28, 2012