68A-23.003 Commercial Fishing Devices; Provision for Use in Certain Waters.

(1) through (8) No change.

(9) Permits may be issued by the executive director to authorize the operation of haul seines in specified areas.

(a) Southwest Region haul seine permits:

1. A maximum of five haul seine permits may be issued for use of haul seines in lakes in the Southwest Region. Permits shall be issued to applicants on a first-come, first-served basis as determined by receipt of a completed haul seine permit application (Haul Seine Permit Application Form HSSWRHSSR2 (7-14), effective 7-1-97 found online at: flrules.org, incorporated herein by reference and obtainable at the Southwest Region Office, 3900 Drane Field Road, Lakeland, Florida 33811-1299).

2. In the event of the death or permanent disability of a permittee, the permit may be transferred by the permit holder or the executor of the estate to a member of the immediate family. The Commission must be notified of the transfer prior to renewal of the permit.

3. After all permits are issued, the Southwest Region Office shall maintain a waiting list of haul seine permit applicants on a first-come, first-served basis, as determined from receipt of completed applications. Applicants wishing to maintain their status on the Southwest Region Haul Seine Waiting List shall notify the Southwest Region in writing between June 1 and July 1 of each year.

4. When a permit becomes available, the first applicant on the waiting list will be notified by the Commission. Within 120 days from date of notification, the applicant must verify that he or she possesses all equipment, including boats, motors, and nets or provide evidence such as lease agreements, bills of sale, or other documents indicating how equipment will be obtained and that the applicant has been licensed in accordance with Sections 379.363 and 379.3635, F.S. Applicants failing to meet the equipment requirements and other criteria in this section shall be denied a Southwest Region Haul Seine Permit. Haul seine permittees may not share equipment. No person shall be issued more than one haul seine permit, and permits are not transferable except as provided above.

5. through 10. renumbered 3. through 11. No change.

12. Denial, revocation, suspension, or non-renewal of haul seine permits or designations of assistant captains shall be administered in accordance with provisions of this rule section and Rule 68-1.010, F.A.C. Permittees shall provide evidence of valid licenses required pursuant to Sections 379.363 and 379.3635, F.S., prior to renewal of the Southwest Region Haul Seine Permit. A Southwest Region Haul Seine Harvest Report (GFC Report Form HSRR1, HSSWR (7-14), effective 7-1-97 found online at: flrules.org, incorporated herein by reference and obtainable at the Southwest Region Office) shall be completed by each permittee and furnished to the Southwest Region Office by June 1 of each year.

(b) No change.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.363 FS. History—New 8-1-79, Amended 10-23-79, 5-19-80, 6-22-80, 6-4-81, 6-21-82, 7-1-83, 7-1-84, 7-1-85, Formerly 39-23.03, Amended 6-1-86, 4-13-88, 7-1-90, 1-1-92, 7-1-92, 10-22-92, 4-20-93, 7-1-95, 4-1-96, 7-1-97, 7-1-98, Formerly 39-23.003, Amended 7-1-08, 8-27-09, 3-24-13.