

DRAFT Rule language –Reef Fish Commercial Fishing Years

68B-14.0045 Commercial Harvest Requirements; Licenses, Season Closures, Bag and Trip Limits.

(1) No change.

(2) Season Closures.

~~(a)1. Except as provided in subparagraph 2., persons harvesting any of the species listed in subsection 68B-14.001(2), F.A.C., for commercial purposes shall have a season that begins on January 1 and continues through December 31 each year.~~

~~2. Persons harvesting black sea bass in the Atlantic Ocean for commercial purposes shall have a season that begins June 1 each year and continues through May 31 of the following year.~~

~~(b)(a)~~ If at any time adjacent federal Exclusive Economic Zone (EEZ) waters are closed to commercial harvest of any of the species listed in subsection 68B-14.001(2), F.A.C., corresponding state waters shall also be closed to commercial harvest of the species affected by the federal closure, beginning from the date of such closure until federal waters are reopened to the commercial harvest of such species.

~~(c)(b)~~ During the period of any closure pursuant to paragraph ~~(b)(a)~~, the harvest, possession, or landing in quantities greater than the bag limits specified in Rule 68B-14.0036, F.A.C., and the purchase, sale or exchange, of any species to which the closure applies, is prohibited.

~~(d)(c)~~ The closure specified in paragraph ~~(b)(a)~~, and the prohibitions specified in paragraph ~~(c)(b)~~, shall not apply when the species to which the closure applies is legally harvested outside the waters of the closed area. Any person possessing such species during the time period of a closure shall establish the chain of possession from the initial transaction after harvest, by appropriate receipt(s), bill(s) of sale, or bill(s) of lading, to show that such species originated from a point outside the closed area. Failure to maintain such documentation or to promptly produce same at the request of any duly authorized law enforcement officer shall constitute a violation of this subsection.

~~(e)(d)~~ During the months of January, February, March, and April each year, the harvest, possession, or landing for commercial purposes, and the purchase, sale, or exchange, of gag grouper, black grouper, red grouper, yellowfin grouper, yellowmouth grouper, rock hind, red hind, scamp, coney, graysby, and tiger grouper harvested from state waters of the Atlantic Ocean and from all state waters of Monroe County, is prohibited.

~~(f)(e)~~ During the months of March, April and May of each year, the harvest and possession in quantities greater than the recreational bag limits specified in Rule 68B-14.0036, F.A.C., and the purchase, sale and exchange of any species of amberjack harvested from state waters, is prohibited.

~~(g)(f)~~ Beginning January 1 and continuing through April 30 each year, no person harvesting for commercial purposes shall harvest in or from state waters of the Atlantic Ocean, nor possess while in or on state waters of the Atlantic Ocean, any red porgy; provided, however, a person harvesting other species for commercial purposes during this closure may harvest and possess three red porgy. During this closed season, the purchase, sale, or exchange of any red porgy harvested from state waters of the Atlantic Ocean is prohibited.

~~(h)(g)~~ During the period beginning September 20 and continuing through October 4 of each year, no black sea bass trap as defined in Rule 68B-4.020, F.A.C., and in paragraph 68B-14.005(1)(b), F.A.C., shall be placed in state waters of the Gulf of Mexico seaward of three nautical miles from shore.

(3) Bag and Trip Limits.

(a) through (b) No change.

(c) Amberjack. Except during the three-month closed season specified in paragraph (2)~~(f)(e)~~, no more than 1,000 pounds of greater amberjack harvested in or from state waters of the Atlantic Ocean shall be possessed aboard any vessel or landed from such a vessel per day.

(d) Red Porgy. Except during the closed season specified in paragraph (2)~~(g)(f)~~, no more than 50 pounds of red porgy shall be possessed aboard any vessel in or on state waters of the Atlantic Ocean, or landed from such a vessel, per day.

(e) No change.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 2-1-90, Amended 12-31-92, 10-18-93, 3-1-94, 6-15-95, 1-1-96, 11-27-96, 12-31-98, 3-1-99, Formerly 46-14.0045, Amended 1-1-00, 3-6-00, 1-1-01, 3-1-01, 6-1-01, 1-1-03, 7-15-04, 5-20-05, 9-16-05, 3-10-06, 7-1-07, 4-1-08, 8-27-09, 1-19-10, 1-12-11, 6-10-13.