

**68B-12.0046 Commercial Fishing Season for King Mackerel in the Gulf-Atlantic Fishery; Commercial Seasons Segments, Vessel and Landing Limits.**

- (1) Any person harvesting or possessing king mackerel in excess of the bag and possession limits specified in Rule 68B-12.004, F.A.C. in the Gulf-Atlantic fishery shall also possess a valid saltwater products license with a restricted species endorsement and a federal commercial permit to harvest king mackerel ~~from the Gulf Migratory Group.~~
- (2) No change.
- (3) Eastern Region – Persons harvesting king mackerel for commercial purposes from waters of the Eastern Region shall be subject to commercial vessel limits in adjacent federal waters pursuant to 50 C.F.R. § 622.385(a)(2)(i) (as of May 4, 2015) unless adjacent federal Exclusive Economic Zone (EEZ) waters are closed to commercial harvest of king mackerel~~have a season that begins on November 1 of each year and continues through March 31 of the following year, unless closed sooner by operation of this subsection.~~
  - (a) ~~These persons shall be subject to a commercial vessel limit of 50 king mackerel per vessel per day unless adjacent federal Exclusive Economic Zone (EEZ) waters are closed to commercial harvest of king mackerel. During this time, no person shall possess while in or on the waters of the region or land from a single vessel in any one day within this region more than 50 king mackerel.~~
  - (b) ~~Should adjacent federal Exclusive Economic Zone (EEZ) waters be closed to commercial harvest, commercial harvest within this region shall be prohibited from the date the 50 king mackerel season ends pursuant to paragraph (a) until the next season begins on the following November 1. During this closed season, no person shall possess while in or on the waters of the region or land within the region any king mackerel harvested for commercial purposes.~~
- (4) Western Region – Persons harvesting king mackerel for commercial purposes from waters of the Western Region shall be subject to a commercial vessel limit of~~have a season that begins on July 1 of each year and continues through June 30 of the following year, unless closed sooner by operation of this subsection. These persons shall be subject to commercial vessel limits effective during segments of the season as follows:~~
  - (a) ~~Harvest of king mackerel shall be limited to 1250 pounds of fish per vessel per day unless adjacent federal Exclusive Economic Zone (EEZ) waters are closed to commercial harvest of king mackerel. from July 1 until the date the daily commercial vessel limit in adjacent federal Exclusive Economic Zone (EEZ) waters is reduced to 500 pounds of king mackerel.~~
  - (b) ~~A limit of 500 pounds of king mackerel per vessel per day shall apply from the date the 1250 pounds of fish per vessel per day season segment ends pursuant to paragraph (a) until the adjacent federal Exclusive Economic Zone (EEZ) waters are closed to commercial harvest of king mackerel. During this season segment, no person shall possess while in or on the waters of the region or land from a single vessel in any one day within this region more than 500 pounds of king mackerel.~~
  - (c) ~~Harvest of king mackerel for commercial purposes within this region shall be prohibited from the date the 500 pound season segment ends pursuant to paragraph (b) until the next season begins on the following July 1. During this closed season, no person shall land within the region any king mackerel harvested for commercial purposes.~~
  - (d) ~~Notwithstanding paragraphs (a) and (b), if at any time during the season adjacent federal Exclusive Economic Zone (EEZ) waters are closed to commercial harvest of king mackerel, the season for the commercial harvest of king mackerel in the region shall close pursuant to paragraph (c).~~
  - (e) ~~King mackerel may be landed from April 1 through June 30 in Collier County when the Western Region of the Gulf Atlantic Fishery has been closed, under the following conditions:~~
    1. ~~The king mackerel have been legally harvested from adjacent state or federal waters off Monroe County pursuant to Chapter 68B 30, F.A.C., or pursuant to Part 622 of the Code of Federal Regulations (CFR) for Atlantic migratory group king mackerel;~~
    2. ~~The king mackerel have been harvested pursuant to a Florida saltwater products license and restricted species endorsement (Section 379.362, F.S.) and a federal king mackerel permit (Part 622 CFR);~~
    3. ~~The transport of king mackerel through the closed state waters off Collier County is continuous and direct from the area open to harvest to the place of landing, and~~
    4. ~~All fishing gear must be stowed during transit through the closed area.~~
- (5) Season closures - If at any time adjacent federal Exclusive Economic Zone (EEZ) waters are closed to commercial harvest of king mackerel, corresponding state waters shall also be closed to commercial harvest of king mackerel, beginning from the date of such closure until federal waters are reopened to commercial harvest of king mackerel.

(6) Transit provisions – A vessel that has onboard king mackerel harvested from an open area in either state or federal waters may transit through and land king mackerel in state waters that are closed to the harvest of king mackerel pursuant to subsections (3) and (4), under the following conditions:

(a) The king mackerel have been legally harvested from state or federal waters pursuant to Chapter 68B-12 and 68B-30, F.A.C., or pursuant to Part 622 C.F.R. for king mackerel.

(b) The king mackerel have been harvested pursuant to a Florida saltwater products license and restricted species endorsement (Section 379.362, F.S.) and a federal king mackerel permit (Part 622 C.F.R.).

(c) The transport of king mackerel through the closed state waters is direct, continuous and expeditious from the area open to harvest to the place where the vessel is regularly docked, moored, or otherwise stored or to the place of the licensed wholesale dealer where the catch is to be sold, and

(d) All fishing gear must be stowed during transit through the closed area. For the purpose of this section appropriately stowed means a rod and reel must be stowed securely. Terminal gear (i.e., hooks, leaders, sinkers, flashers, or baits) must be disconnected and stowed separately from the fishing apparatus. Sinkers must be disconnected from the down rigger and stowed separately. Gillnets must be rolled, folded, or otherwise properly and securely stowed in sealed containers or compartments so as to make their immediate use as fishing implements impracticable.

(57) Notice of the closure of each season segment described in subsections (35) and (4) of this rule shall be given by the Commission in the manner provided in Section 120.81(5), F.S.

*Rulemaking Authority Art. IV, Sec. 9, Fla Const. Law Implemented Art. IV, Sec. 9, Fla Const. History–New 10-1-90, Amended 12-4-91, 11-29-93, 12-28-95, 1-1-97, 1-1-98, Formerly 46-12.0046, Amended 4-1-12, Amended - - .*