

**CHAPTER 68B-31****SHRIMP**

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**68B-31.001 Northeast Florida Live Bait Shrimp Fishery; Purpose and Intent.** The purpose and intent of Rules 68B-31.001 through 68B-31.003, F.A.C., are to impose gear specifications for the type of trawls used to harvest live bait shrimp in the nearshore and inshore Florida waters of Nassau, Duval, St. Johns, Putnam, Flagler, and Clay counties. The gear specifications are designed to limit the harvest capacity of live bait shrimpers, making their limited catch more valuable as live bait shrimp than as dead shrimp.

*Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 12-11-86, Amended 1-1-96, Formerly 46-31.001.*

**68B-31.002 Definitions.** As used in Rules 68B-31.001 through 68B-31.003:

(1) "Licensed live bait shrimp producer" means any individual licensed by the Department of Environmental Protection to employ the use of any trawl for the taking of shrimp within the nearshore and inshore Florida waters of Nassau, Duval, St. Johns, Putnam, Flagler, or Clay counties.

(2) "Trawl" or "trawl net" means a net in the form of an elongated bag with the mouth kept open by various means and fished by being towed or dragged on the bottom.

*Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 12-11-86, Amended 1-1-96, Formerly 46-31.002.*

**68B-31.003 Live Bait Shrimp Trawl Gear Specifications.**

(1) A licensed live bait shrimp producer is allowed the use of one trawl for the harvest of live bait shrimp. The opening or entrance to the trawl net shall be

formed and limited by attachment of the net mesh to line of not less than 1/8 inch diameter. Such line shall be securely attached so as to form a continuous perimeter around the leading edge of the net. Attachment of the net mesh to such line shall be made at intervals of not more than 12 inches along the entire length of the line. The perimeter so formed shall not exceed 60 feet, measured from point to point along the line forming the leading edge of the net, and the net shall be no larger in mesh area than specified by Rule 68B-31.0035(2). No webbing, mesh, panels, or similar devices shall be used in conjunction with the trawl net in any manner so as to precede or enlarge the opening or entrance to the net, or have the effect of diverting saltwater products into the opening or entrance to the net.

(2) No person shall operate or fish any other trawl, or possess any other trawl that is rigged for fishing aboard any vessel, in the Northeast Florida Live Bait Shrimp Fishery, which trawl does not have a bycatch reduction device (BRD) installed therein meeting the requirements of Rule 68B-31.0045.

(3) No licensed live bait shrimp producer shall use any other type of gear or any trawl net not in conformance with the specifications of subsections (1) and (2).

*Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 12-11-86, Amended 1-1-96, 6-3-96, Formerly 46-31.003.*

**68B-31.0035 Trawls: Allowed Use; Maximum Square Footage of Mesh Area; Definitions.**

(1) Trawls are hereby declared to be allowable gear for the directed harvest of shrimp, as defined in Rule 68B-31.006(19), or calico scallops, as authorized in Rule 68B-53.003, only. To the extent that other marine species are harvested with a trawl as an incidental bycatch of the directed harvest of shrimp, the quantity of such other species that may be retained are subject to the limits specified in other chapters of Title 68B of the Florida Administrative Code.

(2) No person shall operate or fish in nearshore and inshore Florida waters any trawl with a net or bag containing more than 500 square feet of mesh area.

(3) For purposes of this chapter:

(a) "Mesh area" of a net means the total area of netting with the meshes open to comprise the maximum square footage. The square footage shall be calculated using standard mathematical formulas for geometric shapes. The mesh area of a trawl shall be calculated as a cone using the maximum circumference of the net mouth to derive the radius, and the maximum length of the net with meshes open from the center of the headrope at the net mouth to the tail end of the net to derive the slant height.

(b) "Nearshore and inshore Florida waters" means all Florida waters inside a line three nautical miles seaward of the coastline along the Gulf of Mexico and inside a line one nautical mile seaward of the coastline along the Atlantic Ocean.

(c) "Florida waters" means the waters of the Atlantic Ocean, the Gulf of Mexico, the Straits of Florida and any other bodies of water under the jurisdiction of the State of Florida, whether coastal, intra-coastal or inland, and any part thereof.

(d) "Coastline" means the territorial sea base line for the State of Florida established pursuant to the laws of the United States of America.

(e) The term "unconnected" shall be construed to mean two trawls independently towed from a single vessel, except that two trawls each of which is attached to a sled in lieu of the inner door of each trawl shall be considered unconnected if a separation of at least 10 feet is maintained at all times during trawling.

*Specific Authority Art. IV, Sec. 9, and Art. X, Sec. 16, Fla. Const. Law Implemented Art. IV, Sec. 9, and Art. X, Sec. 16, Fla. Const. History—New 1-1-96, Amended 3-1-99, Formerly 46-31.0035.*

**68B-31.004 Trawl Gear Specifications: Turtle Excluder Devices Required; Exceptions; Definitions.**

(1) Except as provided in subsection (2):

(a) No person shall operate or fish in any waters of the state any trawl that does not have a qualified turtle excluder device (TED) installed therein.

(b) No person shall possess, aboard any vessel in or on state waters, any trawl rigged for fishing that does not have a qualified turtle excluder device (TED) installed therein.

(2) The requirement in subsection (1) shall not apply to the following types of gear:

(a) A single try net meeting the requirements of Rule 68B-31.009(3).

(b) A roller frame trawl with all of the following features and specifications:

1. A rectangular rigid frame to keep the mouth of the trawl open while being towed.

2. The lower horizontal beam of the frame has rollers to allow the trawl to roll over the bottom and any obstructions while being towed.

3. The trawl opening is shielded by a grid of vertical bars spaced no more than 3 inches apart.

4. The trawl is towed by attaching a line or towing cable to a tongue located above or at the center of the upper beam of the frame.

5. The trawl has no doors attached to keep the mouth of the trawl open.

(c) A trawl being used as part of a public or private experimentation pursuant to authorization issued by the Director, Southeast Region, National Marine Fisheries Service, as provided in 50 C.F.R. s. 227.72(e)(4)(iv), Oct. 1, 1987. Written authorization shall be maintained aboard the vessel with such a trawl at all times.

(d) A trawl authorized for use in the directed harvest of calico scallops by Rule 68B-53.003.

(3) No person shall rig or alter the turtle excluder device (TED) installed in any trawl in any manner so as to render the TED nonfunctioning or ineffective in excluding sea turtles from the trawl.

(4) For purposes of this rule:

(a) "Perimeter" means the opening or entrance to the trawl formed and limited by attachment of the net mesh to line, which line is securely attached so as to form a continuous perimeter around the leading edge of the net. The perimeter so formed is measured from point to point along the line forming the leading edge of the net.

(b) "Qualified turtle excluder device" or "TED" means:

1. Any one of six devices approved and described by the National Marine Fisheries Service in 50 C.F.R. s. 227.72(e)(4)(ii)(A)-(F), Oct. 1, 1987 (as amended by Vol. 52 Fed. Reg. No. 192, p. 37154, Oct. 5, 1987, and by Vol. 53 Fed. Reg. No. 170, p. 33821, Sept. 1, 1988). The devices are commonly known as the NMFS TED, Cameron TED, Matagorda TED, Georgia TED, Morrison TED, and Parrish TED.

2. Any additional device certified and approved by the National Marine Fisheries Service as demonstrating a turtle exclusion rate of at least 97% pursuant to 50 C.F.R. s. 227.72(e)(4)(iii), Oct. 1, 1987.

(c) "Rigged for fishing" means the trawl is shackled, tied, or connected to trawl doors or boards and tow cables and is in a condition ready to fish.

(d) "Trawl" means a net in the form of an elongated bag with the mouth kept open by various means and fished by being towed or dragged on the bottom.

*Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 6-11-90, Amended 1-1-92, 3-16-93, 1-1-96, 3-1-99, Formerly 46-31.004.*

**68B-31.0045 Otter Trawl Gear Specifications: Bycatch Reduction Devices.**

(1) Where required on a regional basis by rule of this chapter, no person shall operate or fish any otter trawl, or possess any otter trawl that is rigged for fishing aboard any vessel, which trawl does not have a bycatch reduction device (BRD) installed therein meeting the requirements of this rule.

(2) No person shall rig or alter the bycatch reduction device (BRD) installed in any trawl in any manner so as to render the BRD nonfunctioning or ineffective in excluding species other than shrimp from the trawl.

(3) A BRD shall be deemed to meet the requirements of this subsection if it is one of two types specified herein:

(a) Florida Finfish Excluder — This device shall consist of at least one rigid exit opening frame made of no smaller than 1/4 inch steel or aluminum rod sewn into each trawl. Each exit opening frame shall be at least 12 inches in length and have an apex of three bars pointing forward to orient the exit opening in the direction of the mouth of the trawl. The opening thus created shall be in the shape of a parallelogram or oval and no smaller than 36 square inches in area and 5 inches across the opening in the shortest dimension. The opening formed by each frame shall be no further forward in the cod end than 70% of the distance between the draw string (tie-off rings) and the beginning of the tail bag (excluding any extension). The frame shall be installed on the top side of the cod end, no more than 15 meshes to the side of the centerline.

(b) Extended Funnel BRD — This device consists of a funnel of small mesh netting within a cylinder of large mesh netting, held open by at least one semi-rigid hoop, which trawl section is located behind the turtle excluder device (TED). One side of the funnel is extended vertically to provide a passage for shrimp to the cod end and create an area of reduced waterflow to allow for fish escapement through the larger mesh outer

netting. This BRD shall meet the following specifications:

1. The small mesh funnel and large mesh section shall be positioned within an extension section constructed of no smaller than 1 5/8 inch stretched mesh nylon netting, no less than 120 meshes in circumference. The portion of the extension in front of the large mesh section shall be no less than 6 1/2 meshes long, and the section behind the large mesh section shall be no shorter than 23 meshes in length.

2. The small mesh funnel shall be constructed of no less than 1 3/8 inch stretched mesh netting. This component shall have a circumference of no less than 120 meshes at the leading edge and no less than 104 meshes at the trailing edge. The short side of the funnel shall be at least 36 inches long, while approximately 1/2 of the opposite side of the funnel shall extend at least 22 inches further toward the trailing edge of the funnel. The leading edge of the funnel shall be attached no less than 3 meshes forward of the large mesh leading edge. At least 7 meshes of the short side of the funnel shall be attached to the back section of extension webbing on the top and bottom at least 8 meshes back from the trailing edge of the large mesh section.

3. The larger mesh outer section shall consist of no smaller than 8 inch stretched mesh netting cut on the bar. The section shall have a circumference no smaller than 19 meshes and a length of at least 3 meshes.

4. The leading edge of the large mesh section shall be attached to one semi-rigid hoop with a minimum diameter of 24 inches constructed of plastic-coated trawl cable. It shall be installed at least 5 meshes behind the trailing edge of the large mesh section. If a soft TED is used, a second hoop of identical construction shall be installed at the leading edge of the funnel.

(c) It is the intention of the Fish and Wildlife Conservation Commission that additional Bycatch Reduction Devices certified as allowable by the National

Marine Fisheries Service will be added by amendment to this subsection pursuant to the procedures afforded by Section 120.54(6), Florida Statutes.

*Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 6-3-96, Amended 8-17-98, Formerly 46-31.0045.*

**68B-31.005 Purpose and Intent; Repeal of Certain General and Special Acts; Designation of Shrimp as Restricted Species.**

(1) The purpose and intent of Rules 68B-31.006 through 68B-31.015 are to protect and conserve Florida's shrimp resources and to provide comprehensive, uniform management rules for shrimping to eliminate inconsistent, piecemeal local regulation of shrimp harvest.

(2) It is the intent of these rules to expressly effect the repeal of and replace subsections (1), (2), (3), and portions of subsection (6) of Section 370.15, Florida Statutes, paragraphs (4)(c), (d), and (e), and portions of subsection (5) of Section 370.153, Florida Statutes, and Section 370.157, Florida Statutes. It is the intent of these rules to repeal the last three distinct sentences of subsection (6) of Section 370.15, Florida Statutes, and paragraphs (b) and (d) of subsection (5) of Section 370.153, Florida Statutes. The Marine Fisheries Commission has determined that the repeal of these provisions will not adversely affect the shrimp resources of the State of Florida.

(3) The adoption of these rules is intended to coincide with the repeal of certain special acts (local laws) or portions thereof, which are rules of the Department of <sup>4</sup>Natural Resources pursuant to subsection (5) of section 2 of Chapter 83-134, as amended by Chapter 84-121, Laws of Florida. These repeals are accomplished in Rules <sup>6</sup>68B-3.010 through 68B-3.018.

(4) Repeal of portions of Chapter 24111, Laws of Florida (1947), as amended by Chapter 25423, Laws of Florida (1949)—

(a) The Marine Fisheries Commission hereby finds and declares that the repeal

of Section 1 of Chapter 24111, Laws of Florida (1947), as amended by Chapter 25423, Laws of Florida (1949), special acts applicable to Bay, Okaloosa, and Washington counties, will not adversely affect the marine resources of those counties or of the State of Florida. The law closes all the inside waters of these counties to all shrimp harvest of shrimp from July 1 through September 30 each year and from December 1 through March 31 of the succeeding year.

(b) Section 1 of Chapter 24111, Laws of Florida (1947), as amended by Chapter 25423, Laws of Florida (1949), a rule of the Department of Environmental Protection (formerly the Department of Natural Resources) pursuant to section 2, paragraph (5)(a) of Chapter 83-134, Laws of Florida, is hereby repealed.

(5) Beginning January 1, 2001, shrimp are hereby designated as a restricted species pursuant to Section <sup>1</sup>370.01(20), Florida Statutes.

*Specific Authority Art. IV, Sec. 9, Fla. Const., Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, Laws of Fla. Law Implemented Art. IV, Sec. 9, Fla. Const., Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, Laws of Fla. History—New 1-1-92, Amended 9-30-96, Formerly 46-31.005, Amended 12-2-99.*

**68B-31.006 Definitions.** As used in Rules 68B-31.005 through the remainder of the chapter:

(1) "Baiting" means the harvest of shrimp by cast net, in the vicinity of poles or stakes driven into the bottom, after a bait (substance used to attract shrimp) has been released in the area.

(2) "Bar measurement" means the mesh size of a net as measured by the distance from the center of a knot to the center of an adjacent knot.

(3) "Big Bend Region" means all state waters of Jefferson, Taylor, Dixie, Levy, Citrus, Hernando, and Pasco counties, and all state waters of Wakulla County east of the following described line:

Beginning at the St. Marks Lighthouse, proceed southerly on a straight line to flashing channel marker #1; thence,

southerly in a straight line to a point on the state waters boundary where a straight line from flashing channel marker #1 to flashing bell buoy #24 intersects with said boundary.

(4) "Body," as it relates to a part of a shrimp trawl net, means the forward, larger portion of a trawl, extending from wing to wing and from the leading edge of the net to the point of tail (cod end) attachment.

(5) "Brine box" means a container holding water that has a higher salinity than the surrounding seawater that is generally used aboard a vessel to separate harvested shrimp from bycatch.

(6) "Cod end," also known as the "tail" or "bag" of a shrimp trawl, means the terminal cylinder of heavy webbing in which the catch is concentrated as the trawl is fished and which is closed at its rearmost extent by means of purse line or draw string.

(7) "Food shrimp producer" means a person who is not a live bait shrimp producer, but is harvesting shrimp in quantities greater than the bag limit specified in Rule 68B-31.007 or with a gear authorized for the specific region in Rules 68B-31.010 through 68B-31.014.

(8) "Frame net" means a net in the form of an elongated bag kept open by a rigid frame that is buoyed by floats and is not fished or dragged along the bottom.

(9) "Harvest" means the catching or taking of shrimp by any means whatsoever, followed by a reduction of such shrimp to possession.

(10) "Inshore waters" means all state waters landward of the Colregs Demarcation Line.

(11) "Land," when used in conjunction with the harvest of shrimp, means the physical act of bringing the harvested shrimp ashore.

(12) "Live bait shrimp producer" means any person harvesting shrimp pursuant to a valid license issued as provided in Section <sup>5</sup>370.15(8) or Section 370.153(3)(a), Florida Statutes, in addi-

tion to a valid saltwater products license with a restricted species endorsement. Beginning January 1, 2001, the saltwater products license must include a restricted species endorsement.

(13) "Northeast Region" means all state waters of Nassau, Duval, St. Johns, Flagler, Volusia, and Brevard counties, including all of the St. Johns River.

(14) "Northwest Region" means all state waters of Escambia, Santa Rosa, Okaloosa, Walton, Bay, Gulf, and Franklin counties, and all state waters of Wakulla County west of the line described in subsection (3) of this rule.

(15) "Otter trawl" means a trawl with its mouth kept open by means of boards or "doors" on each side.

(16) "Perimeter" means the opening or entrance to a shrimp net or trawl formed and limited by attachment of the net mesh to a line or frame, which line or frame is securely attached so as to form a continuous perimeter around the leading edge of the net. The perimeter so formed is measured from point to point along the line or frame forming the leading edge of the net.

(17) "Push net" means a mesh net or bag attached to the outer edges of a triangular or rectangular rigid frame with a handle attached that is fished by being pushed across the bottom by a person wading.

(18) "Roller frame trawl" means a trawl with all of the following features:

(a) A rectangular rigid frame to keep the mouth open while being towed.

(b) The lower horizontal beam of the frame has rollers to allow the trawl to roll over the bottom and any obstructions while being towed.

(c) The trawl opening is shielded by a grid of vertical bars.

(d) The trawl is towed by attaching a line or towing cable to a tongue located above or at the center of the upper horizontal beam of the frame.

(e) The trawl has no doors attached to keep the mouth of the trawl open.

(19) "Shrimp" means any decapod crustacean of the species *Penaeus aztecus* (brown shrimp), *Farfantepenaeus brasiliensis* (pinkspotted shrimp), *Farfantepenaeus duorarum* (pink shrimp), *Litopenaeus setiferus* (white shrimp), *Rimapenaeus constrictus* (roughneck shrimp), *Rimapenaeus similis* (roughback shrimp), and *Xiphopenaeus kroyeri* (seabob).

(20) "Skimmer trawl" means a trawl with the following features:

(a) A rigid "L"-shaped or triangular metal frame that is deployed amidship from either side of the harvesting vessel.

(b) The inboard portion of the frame is attached to the vessel, while the outboard portion runs along the seabed on a skid or "shoe".

(c) The net mouth or perimeter is hung along the outer edges of the frame and kept open with a bullet weight holding the lower inboard corner of the net mouth on the bottom.

(d) A tickler chain may be attached below the lead line between the shoe and the bullet weight.

(e) The trawl is pushed alongside the harvesting vessel and generally fishes the entire water column.

(21) "Southeast Region" means all state waters of Indian River, St. Lucie, Martin, Palm Beach, Broward, Dade, and Monroe counties.

(22) "Southwest Region" means all state waters of Pinellas, Hillsborough, Manatee, Sarasota, Charlotte, Lee, and Collier counties.

(23) "Tampa Bay" means all waters of the bay east and north of the Sunshine Skyway Bridge (U.S. 19 and Interstate 275).

(24) "Trawl" means a net in the form of an elongated bag with the mouth kept open by various means and fished by being towed or dragged on the bottom.

(25) "Trip" means a fishing trip of whatever duration which begins with departure of the fishing vessel from a dock, berth, beach, seawall, or ramp and which terminates with return to a dock, berth, beach, seawall, or ramp.

(26) "Try net" means a small otter trawl used to test waters for the presence or size of shrimp.

(27) "Wing net" means a net in the form of an elongated bag kept open by a rigid frame that is attached to either side of a vessel, and is not towed behind a vessel or dragged along the bottom.

*Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 1-1-92, Amended 3-16-93, 11-29-93, 10-3-94, 6-3-96, 6-1-99, Formerly 46-31.006, Amended 12-2-99.*

**68B-31.007 Statewide Recreational Shrimping Restrictions.** Except for persons harvesting shrimp commercially as either a food shrimp producer or a live bait shrimp producer, each person harvesting shrimp in or on the waters of the state shall comply with the requirements specified in this rule.

(1) Bag Limit —

(a) No person shall harvest more than five gallons of shrimp, heads on, per day; provided, however, that two or more harvesters aboard a single vessel in or on the waters of the state shall be subject to the vessel possession limit specified in paragraph (b).

(b) The possession of more than five gallons of shrimp, heads on, aboard a vessel in or on the waters of the state or on any dock, pier, bridge, beach, or other fishing site adjacent to such waters, at any time is prohibited.

(c) All shrimp harvested pursuant to this rule shall be landed in a whole condition. The deheading of such shrimp before landing is prohibited.

(2) Allowable Gear — No person subject to the requirements of this rule shall use any type of gear to harvest shrimp other than those types of gear specified herein:

- (a) Landing or dip net with an opening no larger than 96 inches around the perimeter.
- (b) Cast net with a stretched length (the distance from the horn at the center of the net, with the net gathered and pulled taut, to the lead line) no greater than 14 feet.
- (c) Push net.
- (d) 1. Except as provided in subparagraph 2., one frame net with an opening no larger than 16 feet around the perimeter, if deployed from a vessel or from a structure other than an operational bridge or causeway or catwalk attached to such bridge or causeway.
2. Frame nets shall not be considered an allowable gear for persons harvesting shrimp pursuant to this rule in any waters of the Southeast Region in Dade County.
- (e) Shrimp traps meeting the requirements of Section <sup>2</sup>370.15(5), Florida Statutes.
- (f) Beach or haul seine with a mesh area no larger than 500 square feet.
- (3) Baiting — A person harvesting shrimp pursuant to this rule may use a cast net in conjunction with nonmetal poles to bait shrimp if such use is in compliance with the following restrictions.
- (a) No more than 5 poles shall be set at any one time by any person.
- (b) Each pole may not exceed one inch in diameter.
- (c) Poles shall be driven into the bottom, set no closer than 10 yards apart, and the distance between the first and last pole shall not exceed 50 yards.
- (d) Poles shall only be set, fished, and retrieved during daylight hours. The term “daylight hours” means the period beginning 1/2 hour before official sunrise and continuing through 1/2 hour after official sunset, each day. All poles shall be removed each day by 1/2 hour after official sunset.
- (e) Each pole shall be marked with white reflective tape.
- (f) No pole shall be set within 50 yards of any dock, pier, public boat landing or ramp, seawall, jetty, or bridge.
- (g) Poles shall be tended at all times. The term “tend” means that the harvester is within 100 yards of the nearest pole at all times.
- (h) Persons harvesting shrimp by this method shall be subject to the bag limit specified in subsection (1).

*Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 1-1-92, Amended 1-1-96, 6-3-96, Formerly 46-31.007, Amended 12-2-99.*

**68B-31.008 Statewide Live Bait Shrimp Production Restrictions.** Each person harvesting shrimp in or on the waters of the state as a live bait shrimp producer shall comply with the requirements specified in this rule.

(1) Allowable Gear —

(a) Except as provided in paragraph (b) for the Northeast Region, no person shall harvest shrimp as a live bait shrimp producer with any type of gear other than a roller frame trawl meeting the following specifications:

1. Neither the upper or lower horizontal beam on a roller frame trawl so used is greater than 16 feet in length.
2. The vertical bars shielding the trawl opening are spaced no more than 3 inches apart.
3. No more than two such trawls, unconnected, shall be towed by a single vessel at any time.
4. The netting of the trawl shall be no larger in mesh area than specified by Rule 68B-31.0035(2).

(b) In the Northeast Region, except as provided for Volusia County in Rule <sup>3</sup>68B-3.008(3)(g), no person shall harvest shrimp as a live bait shrimp producer with any type of gear other than those specified herein:

1. A roller frame trawl meeting the specifications prescribed in paragraph (a) of this subsection.



2. An otter trawl meeting the specifications of Rule 68B-31.003.

(c) No trawl shall be used for live bait shrimp production that has a mesh size less than 5/8 inch bar measurement in the body of the net and less than 1/2 inch bar measurement in the cod end.

(2) Live Well Requirements —

(a) Except as provided in paragraph (b), each person harvesting shrimp in or on the waters of the state as a live bait shrimp producer shall have aboard the vessel being used for such harvest a continuously circulating live well with a capacity of at least 16 cubic feet of water for the purpose of maintaining harvested shrimp in a healthy condition. Each person selling live bait shrimp as a wholesale or retail dealer shall store and transport such shrimp in a continuously circulating live well, with a capacity of at least 64 cubic feet of water in the storage facility and 32 cubic feet of water on any delivery vehicle, for the purpose of maintaining the shrimp in a healthy condition until transfer of possession upon sale.

(b) In Nassau, Duval, St. Johns, and Flagler counties, shrimp harvested as live bait pursuant to this rule shall be constantly maintained in wet live storage condition to minimize mortality. All such shrimp harvested by use of allowable trawling gear shall be directly and expeditiously transported from the harvesting vessel to onshore facilities on the premises of a licensed wholesale or retail saltwater products dealer with equipment functioning to maintain the quality of shrimp delivered in a live, healthy condition. Shrimp so delivered shall be placed in a tank of clean saline, aerated water at that facility and shall be maintained alive throughout all handling and storage processes. Equipment to maintain live bait shrimp during harvest pursuant to this rule and during subsequent transport and storage shall, at a minimum, meet the following requirements.

1. Vessel requirements — Each vessel engaged in the harvest of live bait shrimp in these counties pursuant to this rule

shall be equipped with a watertight tank, containing a minimum of 16 cubic feet of continuously aerated saline water during such harvest and during transport of any live bait shrimp.

2. Vehicle requirements — Each vehicle used to transport live bait shrimp harvested in these counties pursuant to this rule shall be equipped with a watertight tank, containing a minimum of 32 cubic feet of continuously aerated saline water during transport and holding on the vehicle.

3. Storage requirements — Each facility used to store live bait shrimp harvested pursuant to this rule, on the premises of a licensed wholesale or retail saltwater products dealer, shall be equipped with a watertight tank, containing a minimum of 32 cubic feet of continuously aerated saline water during storage.

(3) No person harvesting shrimp in or on the waters of the state shall operate as a live bait shrimp producer and as a food shrimp producer or a recreational harvester on the same trip. No person shall sell or offer for sale shrimp harvested pursuant to a live bait shrimping license as anything other than bait; provided, however, that shrimp harvested pursuant to a live bait shrimping license in the waters of Nassau, Duval, St. Johns, and Flagler counties shall not be sold or offered for sale as anything other than live bait.

(4) Each person harvesting shrimp in or on the waters of the state as a live bait shrimp producer shall land such shrimp from the harvesting vessel. The transfer of such shrimp to another vessel while in or on the waters of the state is prohibited.

(5)(a) Except as provided in paragraph (b) for the specified waters of the Northeast Region, no person harvesting shrimp in or on the waters of the state as a live bait shrimp producer shall possess aboard the vessel at any time more than 5 gallons of dead shrimp, heads on.

(b) In the inshore waters of Nassau and Duval counties, no person harvesting shrimp as a live bait shrimp producer

shall possess aboard the vessel at any time more than 1 gallon of dead shrimp, heads on.

(6) Each person harvesting shrimp in or on the waters of the state as a live bait shrimp producer shall possess a valid license issued as provided in Section <sup>2</sup>370.15(8) or Section 370.153(3)(a), Florida Statutes, and a valid saltwater products license with a restricted species endorsement. Beginning January 1, 2001, the saltwater products license must include a restricted species endorsement.

*Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 1-1-92, Amended 10-3-94, 1-1-96, Formerly 46-31.008, Amended 12-2-99.*

**68B-31.009 Statewide Food Shrimp Production Restrictions.** The following requirements shall apply to each person harvesting shrimp in or on the waters of the state as a food shrimp producer. Each such person shall also comply with the regional food shrimp production requirements of Rules 68B-31.010 through 68B-31.015 and the area or seasonal closures in the remainder of the chapter.

(1) Size Limit —

(a) Each person harvesting shrimp in or on state waters as a food shrimp producer shall possess shrimp that are of legal size. Shrimp shall be considered of legal size if all the shrimp in possession of the harvester are determined to have an average count not exceeding 47 shrimp per pound with the heads on or 70 shrimp per pound with the heads off. An average count shall be determined separately for the two portions of the catch consisting of heads-on and heads-off shrimp. The average count shall be determined by sampling the catch at five different locations selected randomly to be as widely separated within the catch or portion of the catch as practicable. Each sample shall consist of at least one pound of shrimp. The counts of each of these five samples shall be averaged to determine the average count for the catch or portion of the catch. This subsection shall not apply to any seabob

(*Xiphopenaeus kroyeri*) in possession of the harvester.

(b) The size limit provisions of paragraph (a) shall not apply in:

1. The Big Bend Region.
2. The Northeast Region.
3. Any of the waters of the Northwest Region east of the line formed by 85°13.50' West Longitude.
4. Any waters of the Southeast Region in Dade County.

(2) No person harvesting shrimp in or on state waters as a food shrimp producer shall use a brine box to separate shrimp from other species or possess a brine box aboard the vessel used for such harvest.

(3)(a) A person harvesting shrimp in or on nearshore and inshore Florida waters where the use of otter trawls is allowed may use a single try net with a headrope length not greater than 10 feet and a perimeter around the leading edge of the net not greater than 30 feet if such try net is pulled immediately in front of another trawl or is not connected to another trawl in any way. Such try net shall have a mesh size no smaller than that allowed in this chapter for trawls in the region where used. The try net shall be no larger in mesh area than specified by Rule 68B-31.0035(2) and shall be considered as one of the two unconnected trawls allowed in those regions where two trawls are allowed for food shrimp production.

(b) A person harvesting shrimp in or on the waters of the state other than nearshore and inshore Florida waters where the use of otter trawls is allowed may use a single try net with a headrope length not greater than 20 feet and a perimeter around the leading edge of the net greater than 60 feet if such try net is pulled immediately in front of another trawl or trawls or is not connected to another trawl in any way. Such try net shall have a mesh size no smaller than that allowed in this chapter for trawls in the region where used.

(4) No person harvesting shrimp in or on the waters of the state shall operate as a food shrimp producer and as a live bait shrimp producer or recreational harvester on the same trip.

(5) Beginning January 1, 2001, each person harvesting shrimp in or on the waters of the state as a food shrimp producer shall possess a valid saltwater products license with a restricted species endorsement.

*Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 1-1-92, Amended 11-29-93, 1-1-96, 7-16-96, Formerly 46-31.009, Amended 12-2-99.*

**68B-31.010 Northwest Region Food Shrimp Production Gear Specifications.** Each person harvesting shrimp in the Northwest Region as a food shrimp producer shall comply with the requirements specified in this rule.

(1) Allowable Gear — No person shall harvest shrimp in the nearshore and inshore Florida waters of the region as a food shrimp producer with any type of gear other than:

(a) A roller frame trawl meeting the following specifications:

1. Neither the upper or lower horizontal beam on a roller frame trawl so used is greater than 16 feet in length.

2. The vertical bars shielding the trawl opening are spaced no further than 3 inches apart.

3. No more than two such trawls, unconnected, shall be towed by a single vessel at any time.

4. The netting of the trawl shall be no larger in mesh area than specified by Rule 68B-31.0035(2).

(b) No more than two unconnected otter trawls, each with a perimeter around the leading edge of the net not greater than 66 feet and a net no larger in mesh area than specified by Rule 68B-31.0035(2). The two otter trawls allowed in the nearshore and inshore Florida waters of this

region shall include any try net being towed.

(c) Only in the area of the Northwest Region specified herein, no more than two unconnected skimmer trawls meeting the following specifications:

1. The perimeter around the leading edge of any skimmer trawl shall not exceed 56 feet.

2. No more than two skimmer trawls, unconnected other than being attached to the same vessel, shall be deployed from a single vessel at any time.

3. The netting of a skimmer trawl shall be no larger in mesh area than specified by Rule 68B-31.0035(2).

4. No skimmer trawl shall be used to harvest shrimp except in the following described area in Apalachicola Bay in the Northwest Region: All waters of Apalachicola Bay in Franklin County bounded on the north by the John Gorrie Memorial Bridge, on the west by the Apalachicola Shipping Channel to Channel Marker No. 2, on the south by ICWW Channel, and on the east by the Bryant Patton Bridge.

(2) No trawl shall be used for food shrimp production in the inshore waters of the Northwest Region that has a mesh size less than 3/4 inch bar measurement in the body of the net and 5/8 inch bar measurement in the cod end. In any trawl with a rigid turtle excluder device (TED), the section of netting surrounding the device shall have a mesh size no smaller than 1/2 inch bar measurement and shall be no more than 50 meshes in total length.

(3) No otter or skimmer trawl shall be used for food shrimp production in the Northwest Region that is not in compliance with Rule 68B-31.004.

(4) In the Northwest Region, no person harvesting shrimp as a food shrimp producer shall operate or fish any otter or skimmer trawl, or possess any otter or skimmer trawl that is rigged for fishing aboard any vessel, which trawl does not have a bycatch reduction device (BRD)

installed therein meeting the requirements of Rule 68B-31.0045.

*Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 1-1-92, Amended 1-1-96, 8-17-98, 6-1-99, 5-2-01, Formerly 46-31.010.*

**68B-31.011 Big Bend Region Food Shrimp Production Gear Specifications.** Each person harvesting shrimp in the Big Bend Region as a food shrimp producer shall comply with the requirements specified in this rule.

(1) Allowable Gear — No person shall harvest shrimp in the region as a food shrimp producer with any type of gear other than a roller frame trawl meeting the following specifications:

(a) Neither the upper or lower horizontal beam on a roller frame trawl so used is greater than 16 feet in length. If used in nearshore or inshore Florida waters of the region, the netting of the trawl shall be no larger in mesh area than specified by Rule 68B-31.0035(2).

(b) The vertical bars shielding the trawl opening are spaced no further than 3 inches apart.

(c) No such trawl shall have a mesh size less than 3/4 inch bar measurement in the body of the net and 5/8 inch bar measurement in the cod end.

(d) In the nearshore and inshore Florida waters of the region, no more than two such trawls, unconnected, shall be towed by a single vessel at any time. In all other waters of the region, no more than four such trawls shall be towed by a single vessel at any time.

(2) Each person harvesting shrimp in the region as a food shrimp producer shall comply with Rule 68B-38.003.

*Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 1-1-92, Amended 1-1-96, Formerly 46-31.011.*

**68B-31.012 Southwest Region Food Shrimp Production Gear Specifications.** Each person harvesting shrimp in the Southwest Region as a food shrimp

producer shall comply with the requirements specified in this rule.

(1) Allowable Gear — No person shall harvest shrimp in the nearshore and inshore Florida waters of the region as a food shrimp producer with any type of gear other than:

(a) A roller frame trawl meeting the following specifications:

1. Neither the upper or lower horizontal beam on a roller frame trawl so used is greater than 16 feet in length.

2. The vertical bars shielding the trawl opening are spaced no further than 3 inches apart.

3. No more than two such trawls, unconnected, shall be towed by a single vessel at any time.

4. The netting of the trawl shall be no larger in mesh area than specified by Rule 68B-31.0035(2).

(b) An otter trawl meeting any one of the following specifications:

1. Except in Tampa Bay, in all waters of the region landward of the territorial sea base line, a single otter trawl with a perimeter around the leading edge of the net not greater than 66 feet and a mesh area no larger than specified by Rule 68B-31.0035(2).

2. In all waters of the region between the territorial sea base line and a line three miles seaward of and parallel to said line, no more than two unconnected otter trawls, each with a perimeter around the leading edge of the net not greater than 66 feet and a mesh area no larger than specified by Rule 68B-31.0035(2). The two otter trawls allowed in these waters shall include any try net being towed.

3. In Tampa Bay, no more than two unconnected otter trawls, each with a perimeter around the leading edge of the net not greater than 66 feet and a mesh area no larger than specified by Rule 68B-31.0035(2). The two otter trawls allowed in Tampa Bay shall include any try net being towed.

(2) No trawl shall be used for food shrimp production in the inshore waters of the Southwest Region that has a mesh size less than 7/8 inch bar measurement in the body of the net and 3/4 inch bar measurement in the cod end. In any trawl with a rigid turtle excluder device (TED), the section of netting surrounding the device shall have a mesh size no smaller than 5/8 inch bar measurement and shall be no more than 50 meshes in total length.

(3) No otter trawl shall be used for food shrimp production in the Southwest Region that is not in compliance with Rule 68B-31.004.

(4) In the Southwest Region, no person harvesting shrimp as a food shrimp producer shall operate or fish any otter trawl, or possess any otter trawl that is rigged for fishing aboard any vessel, which trawl does not have a bycatch reduction device (BRD) installed therein meeting the requirements of Rule 68B-31.0045.

*Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 1-1-92, Amended 1-1-96, 8-17-98, Formerly 46-31.012.*

#### **68B-31.013 Southeast Region Food Shrimp Production Gear Specifications.**

(1) No person shall harvest shrimp in the nearshore and inshore Florida waters of the Southeast Region as a food shrimp producer with any type of gear other than:

(a) A wing net meeting the following specifications:

1. No wing net shall have an opening larger than 28 feet around the perimeter.
2. No more than two unconnected wing nets shall be attached to or fished from a single vessel.
3. No wing net shall be fished by towing or dragging it over the bottom.
4. Each wing net shall be no larger in mesh area than specified by Rule 68B-31.0035(2).

(b) A frame net deployed from a vessel meeting the following specifications:

1. No frame net shall have an opening larger than 28 feet around the perimeter.
2. No more than one frame net shall be fished from a single vessel and no frame net shall be fished from a vessel also using wing nets.
3. No frame net shall be fished by towing or dragging it over the bottom.
4. Each frame net shall be no larger in mesh area than specified by Rule 68B-31.0035(2).

(2) In all waters of the Southeast Region outside nearshore and inshore Florida waters, no person harvesting shrimp as a food shrimp producer shall operate or fish any otter trawl, or possess any otter trawl that is rigged for fishing aboard any vessel, which trawl does not have a bycatch reduction device (BRD) installed therein meeting the requirements of Rule 68B-31.0045.

*Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 1-1-92, Amended 1-1-96, 6-3-96, 8-17-98, Formerly 46-31.013.*

#### **68B-31.0135 Southeast Region: Biscayne Bay (Dade County) Food Shrimp Production Season and Weekly Closures.**

(1) No person shall engage in food shrimp production in any waters of the Southeast Region in Dade County, except during the open season for such production. The open season shall begin on November 1 each year and continue through May 31 of the following year, subject to the weekly closures specified in subsection (2).

(2) During the open season specified in subsection (1), no person shall engage in food shrimp production in any waters of the Southeast Region in Dade County during the period each week beginning at 6:00 a.m. on Saturday and ending at 6:00 a.m. on Sunday.

*Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 12-2-99, Amended 12-21-00.*

**68B-31.014 Northeast Region Food Shrimp Production Gear Specifications.** Each person harvesting shrimp in the Northeast Region as a food shrimp producer shall comply with the requirements specified in this rule.

(1) Allowable Gear — Except as provided for Volusia County in Rule 68B-3.008(3)(g), no person shall harvest shrimp in the nearshore and inshore Florida waters of the region as a food shrimp producer with any type of gear other than:

(a) A roller frame trawl meeting the following specifications:

1. Neither the upper or lower horizontal beam on a roller frame trawl so used is greater than 16 feet in length.

2. The vertical bars shielding the trawl opening are spaced no further than 3 inches apart.

3. No more than two such trawls, unconnected, shall be towed by a single vessel at any time.

4. The netting of the trawl shall be no larger in mesh area than specified by Rule 68B-31.0035(2).

(b) No more than two unconnected otter trawls, each with a perimeter around the leading edge of the net not greater than 66 feet and a mesh area no larger than specified by Rule 68B-31.0035(2). The two otter trawls allowed in these waters shall include any try net being towed.

(2) No trawl shall be used for food shrimp production in the inshore waters of the Northeast Region that has a mesh size less than 7/8 inch bar measurement in the body of the net and 3/4 inch bar measurement in the cod end. In any trawl with a rigid turtle excluder device (TED), the section of netting surrounding the device shall have a mesh size no smaller than 1/2 inch bar measurement and shall be no more than 50 meshes in total length.

(3) No otter trawl shall be used for food shrimp production in the Northeast Region that is not in compliance with Rule 68B-31.004.

(4) In the Northeast Region, no person harvesting shrimp as a food shrimp producer shall operate or fish any otter trawl, or possess any otter trawl that is rigged for fishing aboard any vessel, which trawl does not have a bycatch reduction device (BRD) installed therein meeting the requirements of Rule 68B-31.0045.

*Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 1-1-92, Amended 1-1-96, 6-3-96, Formerly 46-31.014.*

**68B-31.015 Northeast Florida Shrimping: Definition.** For purposes of Section 370.153, Florida Statutes, the term “daylight hours” means the period beginning 1/2 hour before official sunrise and continuing through 1/2 hour after official sunset, each day.

*Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 1-1-92, Amended 1-1-96, Formerly 46-31.015.*

**68B-31.0155 Northeast Florida Shrimping: Closed Season; Definition of Term “Legal State Holidays” for Purposes of Section 370.153(8)(a), Florida Statutes; Closed Areas.**

(1) During the months of April and May each year, no person shall harvest any shrimp in or from the the inshore waters of Nassau, Duval, St. Johns, Putnam, Flagler, and Clay counties.

(2) For purposes of Section 370.153(8)(a), Florida Statutes, the term “Legal State Holidays” means the paid holidays observed by all state agencies pursuant to Section 110.117(1)(a)-(j), Florida Statutes.

(3) No person shall harvest any shrimp in any tributary of the following named water bodies in Nassau and Duval counties. Shrimp harvest is allowed in each water body proper.

(a) St. Marys River.

(b) Bells River.

(c) Jolly River.

(d) Amelia River.

(e) Jackson Creek.

- (f) Nassau River.
- (g) Back River.
- (h) South Amelia River.
- (i) Lanceford Creek.
- (j) Tiger Creek and Tiger Basin, easterly of 81°30'08" W. Longitude.
- (k) North fork of Alligator Creek.

*Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 10-3-94, Formerly 46-31.0155.*

**68B-31.0156 Florida East Coast Shrimp Bed: Repeal of Section 370.156, Florida Statutes; Seasonal Food Shrimp Production Closure; Exception; Definition.**

(1) It is the intent of this rule to effect the repeal of and replace Section 370.156, Florida Statutes. The Marine Fisheries Commission has determined that the repeal and replacement of this statutory provision will not adversely affect the shrimp resources of the counties of the Florida East Coast Shrimp Bed or of the State of Florida.

(2)(a) Except as provided in paragraph (b), no person shall operate as a food shrimp producer during the months of April or May each year in any waters of the Florida East Coast Shrimp Bed.

(b) Paragraph (a) shall not apply to any person operating as a food shrimp producer during these two months in state waters east of 81°20'00" West Longitude and north of 31°20'00" North Latitude.

(3) For purposes of this rule the term "Florida East Coast Shrimp Bed" means all state waters of Nassau, Duval, Clay, Putnam, St. Johns, Flagler, Volusia, Seminole, Brevard, Indian River, and St. Lucie counties.

*Specific Authority Art. IV, Sec. 9, Fla. Const., Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, Laws of Fla. Law Implemented Art. IV, Sec. 9, Fla. Const., Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, Laws of Fla. History—New 4-18-95, Formerly 46-31.0156.*

**68B-31.016 Tortugas Shrimp Beds: Repeal of Section 370.151(2), Florida Statutes; Redescription of Tortugas Shrimp Beds; Closed Areas.**

(1) It is the intent of this rule to expressly effect the repeal of and replace subsection (2) of Section 370.151, Florida Statutes. The Marine Fisheries Commission has determined that the repeal and replacement of this provision will not adversely affect the shrimp resources of the State of Florida.

(2) For purposes of this rule and Section 370.151, Florida Statutes, Tortugas Shrimp Beds are described as follows:

Begin at a point located at 25°52.9' North latitude and 81°37.95' West longitude (Coon Key Light in Collier County); thence proceed on a straight line to a point which is located at 24°50.9' North latitude and 81°51.3' West longitude; thence proceed on a straight line to a point located at 24°40.1' North latitude and 82°26.7' West longitude (New Grounds Shoals Light); thence proceed on a straight line to a point located at 24°34.7' North latitude and 82°35.1' West longitude (Rebecca Shoals Light); thence proceed on a straight line due east to a point located at 24°35.1' North latitude and 82°13.2' West longitude; thence proceed along the Territorial Sea boundary to a point located at 24°27.2' North latitude and 81°58.9' West longitude; thence proceed due east to Sand Key Light; thence proceed northerly to the abandoned lighthouse located in the southwest portion of Key West; thence along the south and east meandered shoreline of the Florida Keys and the connecting viaducts between said Keys to a point located at 80°30.0' West longitude; thence north until a point on the mainland is reached; thence proceed west and north along the coast of the mainland of Florida until a point is located due north of Coon Key Light in Collier County; thence due south to a point located at 25°52.9' North latitude and 81°37.95' West longitude (Coon Key Light), the point of beginning.

(3) No person shall operate as a food shrimp producer within the area known

as the Tortugas Shrimp Beds, except as may be specifically authorized by federal regulations for the portion of the area lying in federal Exclusive Economic Zone (EEZ) waters. Within state waters of the Tortugas Shrimp Beds, possession aboard a vessel of more than 5 gallons of dead shrimp heads on or off, simultaneously with the deployment of any shrimp trawl from the vessel shall constitute a violation of this subsection.

*Specific Authority Art. IV, Sec. 9, Fla. Const., Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, Laws of Fla. Law Implemented Art. IV, Sec. 9, Fla. Const., Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, Laws of Fla. History—New 1-1-92, Amended 3-1-95, 7-15-96, Formerly 46-31.016.*

**68B-31.017 Big Bend Region Closed Areas; Seasonal Closures.**

(1) Beginning January 1, 1994, no person shall harvest shrimp in the areas of Wakulla, Jefferson, Taylor, Dixie, Levy, Citrus, Hernando, and Pasco counties landward of the line described as:

Beginning at Bailey's Bluff in Pasco County (Point A); thence northerly to Point B; thence northeasterly to Point C; thence northerly to Point D; thence northeasterly to Point E; thence northerly to Point F; thence northwesterly to Point G; thence northerly to Point H; thence northwesterly to Point I; thence northerly to Point J; thence northwesterly to Point K; thence southwesterly to Point L; thence northwesterly to Point M; thence northerly to Point N; thence northwesterly to Point O; thence northerly to Point P; thence northwesterly to Point Q; thence northerly to Point R; thence northwesterly to Point S; thence southwesterly to flashing channel marker #1 in St. Marks Channel; thence northerly to the St. Marks Lighthouse. Points B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, and S are expressed as follows by longitude and latitude and Loran notations (Loran notations are unofficial and are included only for the convenience of fishers.):

	Loran Chain		North Latitude	West Longitude	
B		44930	62920	28° 16.68'	82° 47.21'
C		44930	62910	28° 18.28'	82° 45.68'
D		45000	62910	28° 26.93'	82° 45.95'
E		45000	62900	28° 28.43'	82° 44.49'
F	14375		62900	28° 43.53'	82° 45.22'
G	14375		62910	28° 44.38'	82° 46.71'
H	14410		62910	28° 57.91'	82° 47.53'
I	14410		62930	28° 59.41'	82° 50.41'
J	14420		62930	29° 03.28'	82° 50.66'
K	14420	45420		29° 06.91'	82° 57.81'
L	14405	45420		29° 03.38'	83° 01.42'
M	14405		63060	29° 07.30'	83° 08.78'
N	14440		63110	29° 22.98'	83° 15.89'
O	14440		63190	29° 28.22'	83° 26.58'
P	14470		63190	29° 38.25'	83° 26.66'
Q	14475		63250	29° 43.36'	83° 34.39'
R	14495		63295	29° 52.40'	83° 40.11'
S	14495	46450		30° 00.04'	84° 07.63'



(2) No person shall harvest shrimp in the Big Bend Region as a food shrimp producer during the period beginning July 1 and continuing through August 31 of each year.

*Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 11-29-93, Formerly 46-31.017.*

**68B-31.018 Northwest Region Closed Areas; Repealed Special Acts.**

(1) Pursuant to public hearings held in the affected counties on June 26, 27, and 29, 1989, as required by paragraph (5)(d) of section (2) of Chapter 83-134, Laws of Florida, and after making specific findings of fact required by the same provision, the Marine Fisheries Commission hereby repeals the following special acts, or portions thereof, which were made rules of the Department of Environmental Protection (formerly the Department of Natural Resources) by section 2, subsection (5) of Chapter 83-134, Laws of Florida, as amended by Chapter 84-121, Laws of Florida:

(a) Subsections (2), (3), (4), (5), (6), (8), (9), (10), (11), and (13) of section 4 of Chapter 65-905, Laws of Florida, as amended by Chapters 68-77 and 76-380, Laws of Florida. Applicable to Wakulla, Franklin, and Gulf counties, these provisions of the special acts deal with prescribed shrimp count, shrimping gear specifications, State Board of Conservation authority to close areas to shrimping, and a prescribed shrimp sampling regime.

(b) Chapter 67-1063, Laws of Florida, as amended by Chapter 81-377, Laws of Florida. Applicable to Franklin County, these special acts deal with prescribed shrimp count, sampling regime, and areas and times for shrimping.

(c) Chapter 72-546, Laws of Florida, as amended by Chapter 79-460, Laws of Florida. Applicable to Franklin County, these special acts provide for open and closed seasons for shrimp harvest east of the Bryant Patton Bridge in Apalachicola Bay and St. George Sound.

(2) The following described waters of Franklin County are closed to the harvest of shrimp year-round:

(a) All inland waters north of the John Gorrie Bridge in Apalachicola Bay, beginning at the west end of the John Gorrie Memorial Bridge (U.S. Highway 98), then following the shoreline, including all bays and tributaries north of the bridge, northerly, easterly, then southerly back to the east end of John Gorrie Memorial Bridge, then westerly across the bridge to the point of beginning.

(b) All inland waters of the Carrabelle River and its tributaries upriver of a straight line beginning at 29°50.17' North Latitude, 84°39.78' West Longitude and ending at 29°50.17' North Latitude, 84°39.57' West Longitude.

(c) All waters of Sheepshead Bayou internal to St. Vincent Island.

(d) All waters of Big Bayou adjacent to and internal to St. Vincent Island south of a straight line beginning at 29°41.00' North Latitude, 85°10.00' West Longitude and ending at 29°40.20' North Latitude, 85°08.20' West Longitude.

(3) All waters of Apalachicola Bay and St. Vincent Sound in Franklin County are closed to the harvest of shrimp between the hours of official sunrise and official sundown, beginning on July 15 and continuing through September 14 each year.

(4) The waters of Franklin County within the following described boundaries are closed to the harvest of shrimp beginning on September 15 and continuing through December 31 each year:

In St. George Sound, beginning at Royal Bluff, 29°47.50' North Latitude, 84°45.00' West Longitude; thence southwesterly to ICWW Marker #8, 29°44.50' North Latitude, 84°45.70' West Longitude; thence along the south boundary of the ICWW Channel to ICWW Marker #21, 29°43.50' North Latitude, 84°48.50' West Longitude; thence northwesterly to 29°45.00' North Latitude, 84°51.20' West Longitude; thence easterly along the shoreline of St. George Sound to the point of be-

ginning, including all waters of Yents Bayou within the closure area.

(5) The waters of Franklin County within the following described boundaries are closed to the harvest of shrimp beginning on March 1 and continuing through May 31 each year:

In Apalachicola Bay, beginning at Green Point, 29°42.50' North Latitude, 85°02.00' West Longitude; thence southwesterly to St. Vincent Point, 29°40.50' North Latitude, 85°04.50' West Longitude; thence easterly to flashing Channel Marker #1; thence southeasterly to Apalachicola Shipping Channel Marker #2; thence northerly along the eastern boundary of the Apalachicola Shipping Channel to the western landfall of the John Gorrie Memorial Bridge (U.S. Highway 98); thence westerly along the shoreline of Apalachicola Bay to the point of beginning.

(6) All waters of Indian Lagoon and St. Vincent Sound in Gulf County are closed to the harvest of shrimp year-round.

(7) All waters of Ochlockonee Bay and the Ochlockonee River and its tributaries in Franklin and Wakulla counties west of the U.S. Highway 98 Bridge across the bay and all waters of Chaires Creek south of its mouth on Ochlockonee Bay in Franklin County are closed to the harvest of shrimp year-round.

(8) All waters of Apalachee Bay and all tributaries, bays, or bayous in Wakulla County landward of the following described line are closed to food shrimp production and live bait shrimp production year-round:

Beginning at the St. Marks Lighthouse, proceed southerly on a straight line to flashing St. Marks Channel Marker #1, 30°01.47' North Latitude, 84°10.57' West Longitude; thence westerly to Shell Point Channel Marker #1, 30°02.79' North Latitude, 84°17.17' West Longitude;

thence southwesterly to 30°01.67' North Latitude, 84°20.24' West Longitude; thence southwesterly to 29°59.90' North Latitude, 84°21.80' West Longitude; thence southeasterly to 29°58.60' North Latitude, 84°20.23' West Longitude, at the Colregs Demarcation Line; thence southerly along the Colregs Demarcation Line to the shoreline at Ochlockonee Point.

*Specific Authority Art. IV, Sec. 9, Fla. Const., Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, Laws of Fla. Law Implemented Art. IV, Sec. 9, Fla. Const., Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, Laws of Fla. History—New 7-16-96, Formerly 46-31.018.*

## EDITOR'S NOTES

<sup>1</sup>**Editor's Note:** "Restricted species" is defined in 370.01(21), F.S., rather than 370.01(20), F.S.

<sup>2</sup>**Editor's Note:** Reference to 370.15(5), F.S., should probably be to 370.15(3), F.S.

<sup>3</sup>**Editor's Note:** Reference to Rule 68B-3.008(3)(g), F.A.C., should probably be to 68B-3.008(3)(f), F.A.C.

<sup>4</sup>**Editor's Note:** The Department of Natural Resources merged with the Department of Environmental Regulation into the Department of Environmental Protection on July 1, 1993.

<sup>5</sup>**Editor's Note:** Reference to 370.15(8), F.S., should probably be 370.15(6), F.S.

<sup>6</sup>**Editor's Note:** Only 68B-3.011, F.A.C., remains in the series 68B-3.010 through 68B-3.018. All the other sections were repealed effective January 1, 1996, prior to the transfer from 46-3 to 68B-3, F.A.C.

## LISTING OF AMENDMENTS

Chapter/ Section	Change	Effective Date Description
68B-31.010	Amendment	05/02/2001
	Amending Paragraph (1)(c) of the rule to delete the scheduled July 1, 2001, expiration of the allowance for the use of skimmer trawls in food shrimp production in Apalachicola Bay.	