



SANTA ROSA COUNTY BOARD OF COMMISSIONERS

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JAYER WILLIAMSON, District 1
ROBERT A. "BOB" COLE, District 2
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ROB WILLIAMSON, District 4
R. LANE LYNCHARD, District 5

TONY GOMILLION, County Administrator
ROY V. ANDREWS, County Attorney
JAYNE BELL, OMB Director

MEMORANDUM

TO: Board of Commissioners

FROM: Tony Gomillion, County Administrator

DATE: April 6, 2016

SUBJECT: Purse Seine Fishing for Menhaden

DISCUSSION

At the April 5th meeting of the Marine Advisory Committee, Chad Blake who is a local commercial fisherman presented information to the committee on his current commercial fishing activity, and how a discussion by the Florida Fish and Wildlife Commission would impact his business if the existing rule allowing his activity is abolished. He sought and received support from the Escambia County Commission in the way of a resolution which was adopted on March 17, 2016 (Resolution Number R2016-42). The Marine Advisory Committee has recommended that Santa Rosa County adopt a companion resolution which is attached.

RESOLUTION NO. 2016 - _____

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
SUPPORTING THE HARVESTING OF MENHADEN BY PURSE
SEINE AS PROVIDED BY LAW; PROVIDING FOR
TRANSMITTAL; PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the Florida Fish and Wildlife Conservation Commission (FFWCC) retains exclusive authority to regulate the taking and possession of saltwater fish in the waters within the jurisdiction of the State of Florida; and

WHEREAS, pursuant to Article 10, §16 of the Florida Constitution, with the exception of nets used for scientific research or governmental purposes, it is unlawful to harvest marine life from all Florida waters with gill nets or other entangling nets, and no other type of net with more than 500 square feet of mesh area shall be used in nearshore and inshore Florida waters (three nautical miles seaward of the coastline); and

WHEREAS, pursuant to §379.2422, Florida Statutes, it is unlawful to harvest marine life in Florida waters with any net that is not consistent with Article 10, §16 of the Florida Constitution cited above; and

WHEREAS, pursuant to §379.2422, Florida Statutes, and Rule 68B-40081, Florida Administrative Code, it is also unlawful to harvest marine life in Florida waters with any net larger than 500 square feet of mesh area that is not expressly authorized by the Commission, but the use of a purse seine larger than 500 square feet is authorized *outside* nearshore and inshore Florida waters (between three and nine nautical miles seaward of the coastline); and

WHEREAS, pursuant to §379.2421, Florida Statutes, and Rule 68B-40083, Florida Administrative Code, it is unlawful to possess any fishing net in a county, the use of which is prohibited by law in such county, but the prohibition shall not apply to purse seines when used in taking menhaden fish; and

WHEREAS, pursuant to Rule 68B-3.028(3), Florida Administrative Code, the Commission concluded that the harvest of menhaden by purse seine in the *inside* waters of Escambia County and Santa Rosa Counties (landward of the COLREGS Demarcation Line) during the summer months serves the public purpose of avoiding the nuisance and public health problems associated with menhaden die-offs during these months; and

WHEREAS, pursuant to Rule 68B-3.028(3), Florida Administrative Code, menhaden may be lawfully harvested by purse seine in the *inside* waters in these counties (landward of the COLREGS Demarcation Line) subject to the harvesting and gear conditions provided therein; and

WHEREAS, the Gulf menhaden is a prolific, short-lived species that produces billions of offspring on an annual basis and is an important source of bait for commercial and recreational fishing on the Gulf Coast; and

WHEREAS, the Board of County Commissioners hereby finds it is in the best interest of the health, safety, welfare of the citizens of Santa Rosa County that the County support the harvest of menhaden by purse seine as provided by law.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SANTA ROSA COUNTY, FLORIDA AS FOLLOWS:

SECTION 1. That the above stated recitals are true and correct and incorporated herein by reference.

SECTION 2. That the Santa Rosa County Board of County Commissioners hereby supports the harvest of menhaden by purse seine as provided by law.

SECTION 3. That the Santa Rosa County Board of County Commissioners hereby encourages and requests the Florida Fish and Wildlife Conservation Commission to permit the harvest of menhaden by purse seine as expressly provided by law.

SECTION 4. That this Resolution shall take effect immediately upon its adoption by the Board of County Commissioners of Santa Rosa County, Florida.

SECTION 5. That the Clerk shall forward a copy of this Resolution to Mr. Nick Wiley, Executive Director, Florida Fish and Wildlife Conservation Commission.

PASSED AND ADOPTED THIS ___th day of April, 2016 by a vote of ___ yeas, and ____ nays of the Board of County Commissioners.

**BOARD OF COUNTY COMMISSIONERS
SANTA ROSA COUNTY, FLORIDA**

BY _____
Lane Lynchard, Chairman

ATTEST:

Donald C. Spencer, Clerk of Courts