

CHAPTER 68B-11
THE BISCAYNE BAY - CARD SOUND SPINY
LOBSTER SANCTUARY

- 68B-11.001 Purpose and Boundaries.
- 68B-11.002 Definitions.
- 68B-11.003 Molesting, Taking or Trapping Spiny Lobster in Sanctuary Prohibited Without Special Permit; Penalties for Violation.
- 68B-11.004 Violation of Sanctuary Rules; Passage Through and Temporary Safe Refuge in Sanctuary with Spiny Lobster Aboard Allowed Under Certain Conditions.

68B-11.001 Purpose and Boundaries.--

(1) The waters of Biscayne Bay, Card Sound, and Little Card Sound hereinafter described are declared to be a nursery sanctuary for the purpose of protecting spiny lobster. The boundaries of the sanctuary are as follows:

Begin at the intersection of the northern right-of-way of State Road 905A and the western mean high water line of Little Card Sound (said point of beginning being approximately 800 feet south and 2,300 feet west of the northeast corner of Section 13, Township 59 South, Range 39 East, Dade County); thence northerly along the western mean high water line of Little Card Sound, Card Sound, and Biscayne Bay to a point located at the intersection of the western mean high water line of Biscayne Bay and the eastern end of the southern shoreline of the canal marking the northern boundary of Matheson Hammock Park (which canal shoreline also marks the southern boundary of Old Cutler Bay Section 5, according to the plat thereof, as recorded in the public records of Dade County, Florida, Plat Book 85, page 25); thence southeasterly along a straight line connecting said point with the southernmost point on the mean high water line of Key Biscayne (Cape Florida); thence southerly along a straight line to the northernmost point on the mean high water line of Soldier Key; thence southerly along the eastern mean high water line of Soldier Key to the southernmost point on the mean high water line of Soldier Key; thence southerly along a straight line to the northernmost point on the mean high water line of the northernmost key in the Ragged Keys; thence southerly along the eastern mean high water lines of the islands forming the Ragged Keys, with straight connecting lines between such islands at the points where the islands are closest to each other, to the southernmost point on the mean high water line of the southernmost key in the Ragged Keys; thence southerly along a straight line to the northernmost point on the mean high water line of Boca Chita Key; thence southerly along the eastern mean high water line of Boca Chita Key to the southernmost point

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68B-11.001 Purpose and Boundaries.--

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Begin at the intersection of the northern right-of-way of State

on the mean high water line of Boca Chita Key; thence southerly along a straight line to the northernmost point on the mean high water line of Sands Key; thence southerly along the eastern mean high water line of Sands Key to the northeasternmost headland of Sands Cut; thence southeasterly along a straight line to the northeasternmost point on the mean high water line of Elliot Key; thence southerly along the eastern mean high water line of Elliot Key to the southernmost point on the mean high water line of Elliot Key (Christmas Point); thence southerly along a straight line across the mouth of Caesar Creek to the easternmost point on the mean high water line of Old Rhodes Key; thence southerly along the eastern mean high water line of Old Rhodes Key to the southernmost point on the mean high water line of Old Rhodes Key; thence southwesterly along a straight line across the mouth of Old Rhodes Channel to the easternmost point on the mean high water line of Swan Key; thence southwesterly along the eastern mean high water line of Swan Key to the southernmost point on the mean high water line of Swan Key; thence southwesterly in a straight line across the mouth of Broad Creek to the easternmost point on the mean high water line of Palo Alto Key; thence southwesterly along the eastern mean high water line of Palo Alto Key to the northeasternmost headland of Angelfish Creek; thence southwesterly in a straight line across the mouth of Angelfish Creek to the easternmost point on the mean high water line of Angelfish Key; thence southwesterly along the eastern mean high water line of Angelfish Key, crossing Little Angelfish Creek and Pumpkin Creek along straight headland-to-headland lines, to a point on the mean high water line of Key Largo at the southwestern headland of Pumpkin Creek; thence northerly along the mean high water line of Key Largo, following the western shoreline of Pumpkin Creek to the northernmost point on the mean high water line of Key Largo; thence southwesterly along the mean high water line of Key Largo, following the southeastern shoreline of Little Pumpkin Creek, and continuing southwesterly along the mean high water line of Key Largo to its intersection with the northern right-of-way of State Road 905A, crossing Steamboat Creek and all other creeks along straight headland-to-headland lines; thence northwesterly along the northern right-of-way of State Road 905A to the point of beginning.

The western boundary of the sanctuary from the point of beginning to the northern boundary of Matheson Hammock Park, includes all natural and artificial waterways tidally connected to Little Card Sound, Card Sound, and Biscayne Bay.

(2) The Biscayne Bay-Card Sound Spiny Lobster Sanctuary described herein is depicted on the following map:
(Map purposely omitted)

~~on the mean high water line of Boca Chita Key; thence southerly along a straight line to the northernmost point on the mean high water line of Sands Key; thence southerly along the eastern mean high water line of Sands Key to the northeasternmost headland of Sands Cut; thence southeasterly along a straight line to the northeasternmost point on the mean high water line of Elliot Key; thence southerly along the eastern mean high water line of Elliot Key to the southernmost point on the mean high water line of Elliot Key (Christmas Point); thence southerly along a straight line across the mouth of Caesar Creek to the easternmost point on the mean high water line of Old Rhodes Key; thence southerly along the eastern mean high water line of Old Rhodes Key to the southernmost point on the mean high water line of Old Rhodes Key; thence southwesterly along a straight line across the mouth of Old Rhodes Channel to the easternmost point on the mean high water line of Swan Key; thence southwesterly along the eastern mean high water line of Swan Key to the southernmost point on the mean high water line of Swan Key; thence southwesterly in a straight line across the mouth of Broad Creek to the easternmost point on the mean high water line of Palo Alto Key; thence southwesterly along the eastern mean high water line of Palo Alto Key to the northeasternmost headland of Angelfish Creek; thence southwesterly in a straight line across the mouth of Angelfish Creek to the easternmost point on the mean high water line of Angelfish Key; thence southwesterly along the eastern mean high water line of Angelfish Key, crossing Little Angelfish Creek and Pumpkin Creek along straight headland-to-headland lines, to a point on the mean high water line of Key Largo at the southwestern headland of Pumpkin Creek; thence northerly along the mean high water line of Key Largo, following the western shoreline of Pumpkin Creek to the northernmost point on the mean high water line of Key Largo; thence southwesterly along the mean high water line of Key Largo, following the southeastern shoreline of Little Pumpkin Creek, and continuing southwesterly along the mean high water line of Key Largo to its intersection with the northern right-of-way of State Road 905A, crossing Steamboat Creek and all other creeks along straight headland-to-headland lines; thence northwesterly along the northern right-of-way of State Road 905A to the point of beginning.~~

Specific Authority: Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History - New 7-3-84, Formerly 46-11.01 and 46-11.001.

68B-11.002 Definitions.--

For the purpose of this chapter, except where the context clearly requires otherwise:

(1) "Headland" means a point on the mean high water line of a coast at or near the mouth of a creek, canal, cut or other waterway, at which there is an appreciable change in direction of the general trend of the coast.

(2) "Headland-to-headland line" means a straight line joining the headlands on either side of the mouth of a creek, canal, cut or other waterway and utilized for the purpose of establishing a boundary line between the waters of such creek, canal, waterway or cut and the waters of the adjoining ocean, bay or sound.

(3) "Person" means any natural person, firm, entity or corporation.

(4) "Spiny lobster" means any spiny lobster (also commonly known as Florida crawfish or salt water crawfish) of the species *Panulirus argus*, or any part thereof.

(5) "Vessel" means and includes every description of water craft used or capable of being used as a means of transportation on water, including nondisplacement craft and any aircraft designed to maneuver on water.

Specific Authority: Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History - New 7-3-84, Formerly 46-11.02 and 46-11.002.

68B-11.003 Molesting, Taking or Trapping Spiny Lobster in Sanctuary Prohibited Without Special Permit; Penalties for Violation.--

It is unlawful for any person to molest, take or trap any spiny lobster, for any purpose, within the boundaries of the sanctuary, unless such person holds a special permit issued by the Fish and Wildlife Conservation Commission. The Commission may issue a special permit for the taking of spiny lobster within the sanctuary for scientific, educational or management purposes, prescribing such terms as the Commission deems necessary. Any person who violates or otherwise fails to comply with this

Specific Authority: Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History - New 7-3-84, Formerly 46-11.01 and 46-11.001.

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chapter is guilty of a misdemeanor of the second degree, punishable as provided in Section 775.082 or 775.083, Florida Statutes.

Specific Authority: Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History - New 7-3-84, Formerly 46-11.03 and 46-11.003.

68B-11.004 Violation of Sanctuary Rules; Passage Through and Temporary Safe Refuge in Sanctuary with Spiny Lobster Aboard Allowed Under Certain Conditions.--

The presence of spiny lobster aboard a vessel within the boundaries of the sanctuary, while one or more persons from such vessel are overboard, is prohibited and constitutes a violation of this chapter by all persons aboard and overboard from such vessel; provided, however, that nothing in this chapter shall prevent any person, while lawfully possessing spiny lobster taken or trapped outside the boundaries of the sanctuary, or any vessel having such lawfully possessed spiny lobster aboard, from:

- (1) Passing through the sanctuary, so long as no one from such vessel is overboard while inside the boundaries of the sanctuary; or
- (2) Seeking temporary safe refuge or anchorage within the sanctuary, so long as no one from such vessel is overboard while inside the boundaries of the sanctuary.

Specific Authority: Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History - New 7-3-84, Formerly 46-11.04 and 46-11.004, Amended 7-15-96.

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- (1) Passing through the sanctuary, so long as no one from such vessel is overboard while inside the boundaries of the sanctuary; or