

RESOLUTION 83- 4

A RESOLUTION URGING AND REQUESTING THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION TO ALLOW FISHING OFF OF ALL THE BRIDGES ON HECKSCHER DRIVE AND ALA TO REMOVE ANY SIGNS PROHIBITING SAME;

WHEREAS, the bridges on Heckscher Drive and Ala provide excellent fishing spots for the citizens of Nassau County; and

WHEREAS, fishing off of certain of said bridges has been prohibited by the State of Florida, Department of Transportation for safety purposes; and

WHEREAS, although prohibited, many people have been fishing off of the Heckscher Drive and Ala bridges; and

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners:

Section 1. The Commission hereby urges and requests the State of Florida, Department of Transportation to allow fishing off of all the bridges on Heckscher Drive and Ala and to remove any signs prohibiting same.

ADOPTED this 25th day of January, 1983.

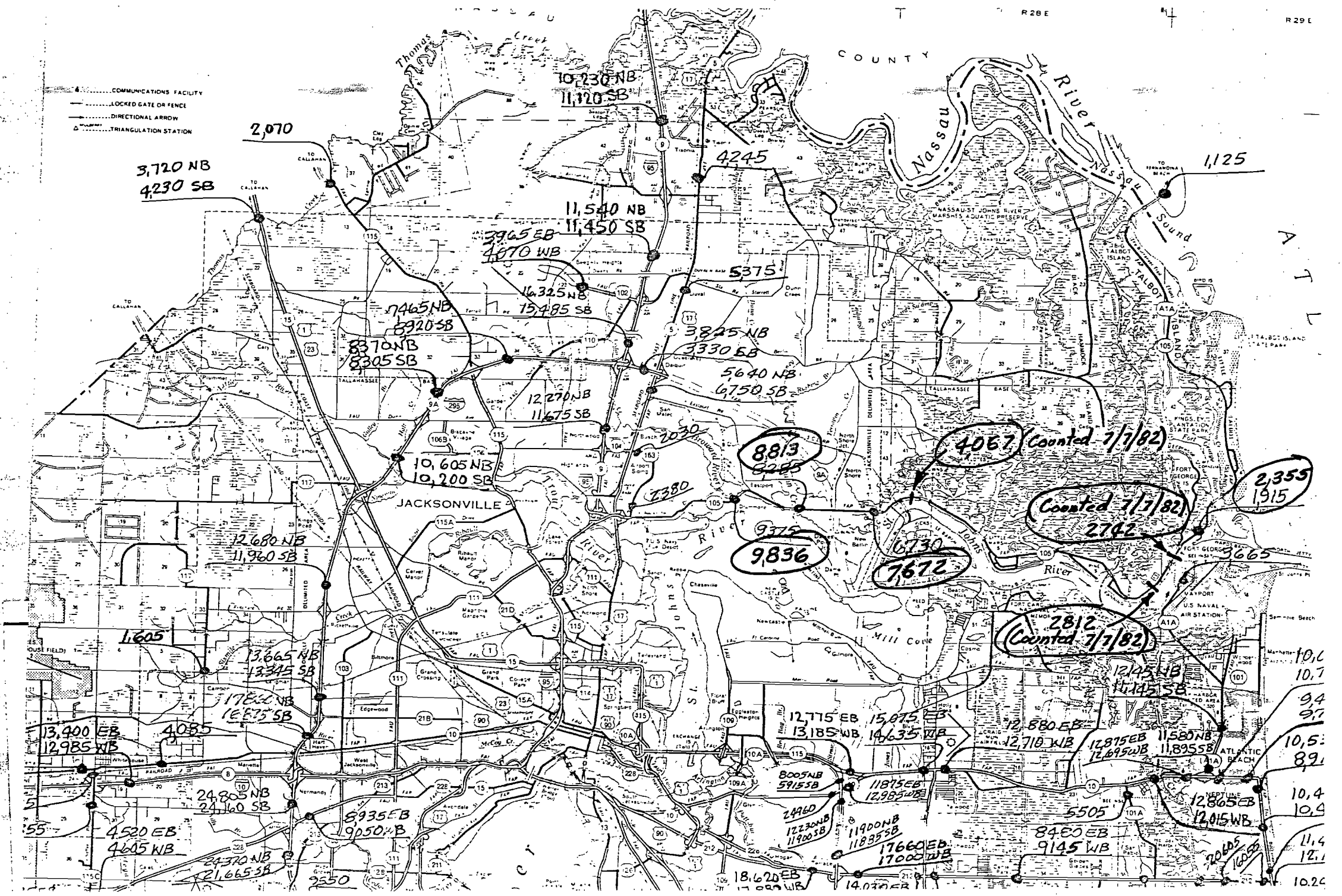
BOARD OF COUNTY COMMISSIONERS  
OF NASSAU COUNTY

By: Gene R. Blackwelder  
Gene Blackwelder  
Its: Chairman

ATTEST:

By: T. J. Greeson  
T. J. Greeson  
Its: Ex-Officio Clerk

..... COMMUNICATIONS FACILITY  
 ..... LOCKED GATE OR FENCE  
 ..... DIRECTIONAL ARROW  
 ..... TRIANGULATION STATION



3,720 NB  
4,230 SB

2,070

10,230 NB  
11,120 SB

4,245

1,125

11,540 NB  
11,450 SB

3,965 EB  
4,070 WB

5,375

7,465 NB  
8,920 SB

16,325 NB  
15,485 SB

3,825 NB  
3,330 SB

5,640 NB  
6,750 SB

8,370 NB  
8,305 SB

12,270 NB  
11,675 SB

10,605 NB  
10,200 SB

8,813  
8,285

4,067 (Counted 7/7/82)

2,355  
1,915

Counted 7/7/82  
2,742

9,372  
9,836

6,730  
7,672

12,680 NB  
11,960 SB

1,605

13,665 NB  
13,345 SB

17,820 NB  
16,875 SB

2,812  
(Counted 7/7/82)

13,900 EB  
12,985 WB

4,085

24,805 NB  
24,160 SB

8,935 EB  
9,050 WB

12,775 EB  
13,185 WB

15,075 EB  
14,635 WB

12,880 EB  
12,710 WB

12,815 EB  
12,695 WB

11,580 NB  
11,895 SB

4,520 EB  
4,605 WB

24,370 NB  
21,665 SB

8,005 NB  
5,915 SB

11,875 EB  
12,985 WB

5,505

8,460 EB  
9,145 WB

12,805 EB  
12,015 WB

18,620 EB  
17,000 WB

14,070 EB

17,660 EB  
17,000 WB

10.6  
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## Jeff Klinkenberg

*It's no wonder Tony is angry. I'm angry, too. Walking on the Skyway the other day, kicking my way through the broken glass and debris, I felt ashamed for our sport fishermen.*



## The slobs who threaten sport fishing from the Skyway

**S**OILED diaper. Broken Schlitz bottle. Piece of Igloo cooler. Catfish skeleton. Dried mullet skin. Miller's can. Broken glass. Empty Coleman lantern mantle bag. Rope. Remains of a redfish that was filleted. Apple core.

Dr. Pepper can. Shrimp shell. Juicy Fruit gum wrapper. Human excrement by the fence. Red Ripple wine bottle. *St. Petersburg Times* sports section. Corn cob next to what looked like a campfire. Diaper. Dead stingray. Dead pinfish. Dead gafftopsail catfish still rotting in the sun. Q-tips. Snicker's wrapper. Publix paper sack. McDonald's Happy Meal box.

Now I know what my friend Tony Zebro means about some of the people who use the

closed Sunshine Skyway bridge as a fishing pier.

"People are sloba," Tony says.

The other day, I walked out on the Skyway to check out things Tony had been telling me about his favorite fishing spot. Tony spoke the truth.

People are sloba. The list at the beginning of this column includes only a few treasures I found between the parking area and the fence about a mile out on the damaged span.

It's no wonder Tony is angry. I'm angry, too. Walking on the Skyway the other day,

kicking my way through the broken glass and debris, I felt ashamed for our sport fishermen.

I was also worried. Some time during the next year, the Florida Department of Transportation and Pinellas County are going to sit down and discuss the future of the old spans. The talk now is that part of the old bridge will be permitted to stand as a fishing pier. But that's provided it doesn't cost too much to maintain.

If the county has to worry about picking up after the sloba, it's going to cost plenty.

I know, I know. I'm being unfair. Maybe the state or county should be doing something now, like enforcing litter laws, or providing trash barrels. Those things might help. But something else is needed.

The real sloba are probably a minority. But they're making us all look bad. It's time, as they say, to fish or cut bait. Fishermen who care about the environment, the way anglers are perceived by the public, and the bridge's future as a pier had best not be timid. Next time some scumbag tosses his garbage on the bridge, tell him what anglers stand to lose.

The bridge.

I wish more fishermen were like my friend Tony Zebro. People call him the Skyway King because he has damn near lived out there since the bridge opened 28 years ago. Because of that, he treats the bridge like an old friend. He

packs out his own garbage and sometimes picks up debris left by the sloba.

A 73-year-old retired painter, Tony drives out to the bridge almost daily. Bad weather seldom discourages him. On the 1977 morning

it snowed in St. Petersburg, Tony was on the bridge, singing his lures at Tampa Bay fish.

"What the hell am I gonna do at home?" asks the former New York resident, who last year walked nearly 1,000 miles on the bridge. "Am I gonna watch television at home? What's on TV today? I'll tell you. Crapola. Here I get fresh air and catch fish and I walk and I stay young."

That's a good argument for keeping open the bridge for fishermen. The bridge is popular with thousands of anglers — I counted more than 200 on a recent Sunday — and it provides fish to those who take the time to learn its mysteries.

Take Tony. He's famous for the number of pompano he catches during spring on the yellow Wild Willie jigs he employs. But come winter he catches Spanish mackerel, spotted seatrout, redfish, flounder and sheepshead. But he won't lie to you. He also lands his share of saltwater catfish.

Most anglers, including Tony, dislike the sea cats. For one thing, the cats have poor food value yet frequently beat the edible fish to

The Slobs who threaten sport fishing from the Sky

from Florida  
Magazine

pg. 2 of 2

expensive baits. The other bad thing is their spines. They're venomous. If you're finned by a catfish, you'll hurt for hours.

For this reason, a great number of anglers delight in smashing the cats to smithereens against the pavement. It's far easier to cut your line or unhook them with pliers, but some people would rather destroy and leave them to rot on the bridge. Catfish will never be an endangered species, but it still seems a grotesque waste of life.

It's easy to understand Tony's cynicism.

"People are so damn lousy," Tony complains. "There are rats out on the bridge at night as big as cats, feeding on the garbage. And the other day, I kept getting snagged on something, so I finally pulled it up with my gaff. A shopping cart. Someone had stolen a shopping cart, used it to haul his gear out on the bridge, and then threw it in the water when he was finished. The SOB!"

I'm with Tony. Let me hear how you feel.

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Jeff Klinkenberg is the outdoors writer for the St. Petersburg Times.

# Boaters may finally benefit from fuel tax

In the "It's an ill wind that blows no good," department, the nation's boaters may be about to finally reap the harvest of five years of paying federal taxes on marine fuel as the result of the passage of President Reagan's 5-cents-a-gallon gas tax.

The net result may be allocation of up to \$45 million a year through fiscal year 1988 for funnelling back into recreational boating projects like boat ramps, docks and marinas in the various states.

The money would be split \$15 million-\$30 million between boating safety programs and construction of facilities. It would include funds collected from the marine fuel tax since 1978, which has been rusticated in the treasury because of the failure of Congress to pass a measure authorizing spending it, and the 5-cents-a-gallon extra that will be collected at marine fuel pumps under the new levy.

As one of the nation's biggest boating states, with over 500,000 registered boats, Florida would stand to get a sizable chunk of those bucks.

But, as usual when you're dealing with government, there's a catch.

Congressman Mario Biaggi, D-N.Y., chairman of the powerful House Merchant Marine & Fisheries Committee, was primarily responsible for winning approval for allocation of the funds, after a two-year fight.

But it's now up to the Department of Transportation and the Coast Guard, which will administer dispersal of the funds to the states' boating improvement programs, to come up with the machinery for doing so.

"We have our fingers crossed that DOT and the Coast Guard will produce the machinery that will produce the money," a staff member in Biaggi's office said. "From our perspective, we are seeking to have the money next summer [the law takes effect in April.] But we'll have to see how quickly the administrative machinery gets geared up."

The DOT and Coast Guard will likely consider, said the staff member, things like what exactly



## Boating

### Lawrence Dennis

Times-Union Boating Writer

constitutes a boat for allocation purposes. For instance, what formula would be used to allocate funds in the case of states that register unpowered boats, which do not, of course, pay the fuel tax (Florida is currently considering adding such boats to its registration roles)?

And how would the money be physically allocated to state programs? What guidelines would be established to regulate the types of projects on how the money would be spent, etc.?

A great many ifs, but at least there's now a fair chance that the badly needed funds will finally reach their intended recipients — the nation's boaters.

## The FMP's bridge tale

In light of all the hoopla in the press recently about the plight of the bridge fishermen on Heckscher Drive, it's about time that somebody spoke for the Florida Marine Patrol and the boaters.

Now no one would attack Mom, apple pie and senior citizens' hobby of fishing, but people ought to realize that the law prohibiting fishing from certain (posted) bridges that the FMP is enforcing was written with the safety of motorists, fishermen and boaters in mind.

Ever driven over — or under — the Nassau River bridge on A1A North on a sunny Sunday afternoon, dodging rods, hooks, fishermen, line, lawn chairs, ice chests? If you have, you recognize the need for the law.

"Whenever a fisherman is run over by a car, you see the reason for it," said Col. Don Ellingsen, commander of the FMP. "In fact, we've had numerous cases in the past two years, including one in which two people were killed at Panacea, south of Tallahassee."

There are other hazards, too, the FMP chief said. "[Danger to boaters] . . . is an aspect that has been totally overlooked in most cases," Ellingsen said. "Of course, fishing is prohibited on certain sections of all bridges, such as draw spans."

Many times, though, Ellingsen said, fishermen ignore the posted signs and fish on the restricted sections.

Capt. Roger Bennett, commander of the Jacksonville FMP district, said that in some instances, boaters, including FMP officers, have been harassed by bridge fishermen, and many have had objects — including lead sinkers — thrown at them.

"We've had quite a bit of that," Bennett said. "We've had cast nets thrown into boats as they go under bridges, and we've had some requests to see about getting other bridges posted by irate boaters."

So if the City Fathers really want to do something for the bridge fishermen, let them come up with the money to build catwalks on the bridges in question, since it's unlikely the state Legislature will do it in these austere times.

And let's get off the Marine Patrol's back.

## Log entries

The first working meeting of the Jacksonville City Council's St. Johns River Study Committee with its 11-member citizens' advisory committee is scheduled for tomorrow at 4 p.m. in the council chambers downtown. Phil Thibodeau, chairman of the advisory committee to the three-member city council body, urges the public to attend the meeting of the committee, whose goal is to plan responsible development of the river and its banks in Duval County.

# Rules panel seeks removal of no-fishing sign

By James R. Ward  
Times-Union Staff Writer

If City Councilman Joe Forshee has his way, the state Department of Transportation (DOT) will remove no-fishing signs from bridges on Heckscher Drive.

At Forshee's urging, the Rules Committee unanimously passed as an emergency last night a resolution asking the DOT to do just that. The resolution asks that fishermen be allowed to fish from all Heckscher Drive bridges except those that have draw spans.

There are 10 major bridges on Heckscher Drive and the Buccaneer Trail, and three of them have draw spans. They are on the bridges at Nassau Sound, Sister Creek (the Intracoastal Waterway) and Browns Creek.

The Forshee resolution will be introduced at the City Council meeting next Tuesday.

The resolution is a result of the furor created when a Florida Marine Patrol officer gave tickets to 16 people fishing on a Heckscher Drive bridge in November.

On Dec. 14, Mayor Jake Godbold expressed his support of the fishermen at a news conference. That night, at a meeting held at a fish camp on the Nassau River, Forshee said that he would urge the council to pass an ordinance permitting fishing from Heckscher Drive bridges.

When he was told that state law takes precedence over county or local ordinances, Forshee

said that he would sponsor a resolution calling for the state to reconsider its prohibition of fishing from bridges.

Walter Skinner of Lake City, the DOT district engineer, attended the Dec. 14 meeting and has appointed a committee to study the the problem.

Skinner said that at present, there are only two bridges on Heckscher Drive with no-fishing signs — Browns Creek and Clapboard Creek. People can fish from the catwalk on the north side of the Browns Creek bridge, but no-fishing signs are posted on the bridge's south side.

Fishing was permitted from all Heckscher Drive bridges until fishermen began leaving garbage and fish on the Clapboard Creek bridge, Skinner said. "We were asked to post no-fishing signs, which we did," he said.

But in general, the DOT has had a *laissez faire* attitude toward the matter, he said.

"The fishing is said to be good on these bridges, so our attitude was to let those without boats fish from the bridges as long as they were not interfering with traffic.

Skinner said he sees no problem with removing the no-fishing signs as long as the people who fish pose no hazard to motorists.

"State law," he said, "says that the Department of Transportation has the authority to prohibit fishing from a bridge if the fishermen create a hazard to drivers. The bridges were built for automobiles, of course, so that is our first consideration."

About 8,000 cars use Heckscher Drive daily, he said.

"If that average was to increase to 10,000 to 15,000 cars a day, we would have no problem — there would be no-fishing signs on each of the bridges and by law they would be strictly enforced.

"It is one thing to say that we will take the signs down if there are no dangers to drivers," he said. "If we take the signs down and fishermen start fishing at nights, what do we do to protect them and the drivers — make the fishermen carry lights?"

"And then there is the problem of boats passing under the bridges. The people in the boats don't like to run into lines, hooks and bait, but most fishermen love to fish over the channels the boats usually use."

The answer might be to build catwalks, but Skinner said neither the state nor the city has the money to build them, even if it is structurally possible.

Skinner has appointed James Moss, a DOT district maintenance engineer, to serve as chairman of the committee, which includes Douglas Littlefield of the DOT, Robert L. Moore of the DOT, Jacksonville traffic engineer Henry Mote, traffic engineer Richard King of Nassau County, Marine Patrol Capt. Ronald Bennett and Capt. William Johnson, the Jacksonville Sheriff's Office Zone 1 commander.



Councilman Joe Forshee  
Opposes Heckscher fishing

Times Union 1/7/83

## Mayor Godbold responds to critics of his stand on fishing from bridges

With regard to the controversy about fishing from the bridges on Heckscher Drive, I would like to clarify my position on the issue.

I am not opposed to the Marine Patrol enforcing the law, providing it is being enforced uniformly here and throughout the state.

Six of the 11 bridges on Heckscher Drive have no signs posted at all. Three others were posted "No Fishing Between Signs," which means fishing is permitted elsewhere from these bridges. Another bridge, at Brown's Creek, is posted "Fishing From Catwalk Only," but I am told this restriction is loosely enforced.

Several of these fishermen ticketed in early December were reportedly fishing

from bridges not posted. At the same time, there were others fishing from the posted bridges who were not ticketed. Is this consistency in the enforcement of the law?

Florida Department of Transportation officials agree there is a need to reevaluate the signing on all of the bridges, and a task force has been created to do this. The FDOT has nothing in its files to indicate why or when certain Heckscher Drive bridges were posted off limits to fishermen, so this reevaluation is certainly in order to end any confusion for fishermen, motorists and the Marine Patrol alike.

JAKE M. GODBOLD, Mayor,  
Jacksonville

*Times-Union 1-13-83*

## Letters to the editor

T/W 1-3-83

### Marine Patrol actions defended in bridge episode

Mayor Godbold's unfair and [inaccurate] remarks recently toward our fine Florida Marine Patrol only further support what kind of a leader of our city he is.

By his own admission, he has openly broken the laws of this state by fishing from posted bridges.

This flagrant disregard for our laws by an elected official makes one wonder:

The Marine Patrol has a monumental task in patrolling our waters and in enforcing the many laws of this state.

These laws were enacted by the people for all the people, to protect the people, the wildlife and the waterways.

I have personally never heard a disrespectful word about the Marine Patrol from anyone who obeys the law.

The majority of Florida's citizens who

are law abiding realize that the patrol is out there to help, not to antagonize.

Ask any fisherman or boater who has been assisted by the patrol for any reason and he will only be complimentary of them.

Godbold's statement that the issuing of tickets for fishing on a posted bridge was the "vendetta of one man" is as [inaccurate] a statement as one could conceive.

The officer in question ticketed only those people who were openly and flagrantly breaking the law.

This was obviously not a vendetta. He only enforced the laws, which we as citizens have allowed to be enacted.

The officers of the Marine Patrol cannot enforce only those laws which they believe are correct.

They must enforce them all to the best

of their ability, which they invariably do.

Godbold's statement that he would attempt to use his power as mayor to sway State Attorney Ed Austin from prosecuting those in violation of state law only serves to reinforce the feeling that laws are only for "some of the people."

He obviously feels that he and those who fish from those posted bridges are above the laws which the rest of us must obey.

In summary, I have nothing but praise for the Florida Marine Patrol and the job they do.

Perhaps the mayor should reevaluate his position with regard to supporting law breakers and chastising the men who protect us and our waterways.

STEVEN D. POE, D.O.  
Jacksonville

## Letters to the editor

T/W 1-7-83

### Mayor's approach to bridge-fishing ban is wrong

In recent weeks, I have read and heard a great deal about the controversy stemming from the enforcement of a law prohibiting fishing from bridges in the area.

From journalists' accounts, it appears that the Department of Transportation is charged with the responsibility of investigating and determining if it is detrimental to traffic safety and dangerous to human life for any person to fish from any bridge on a state road. If it is so determined, DOT shall then post signs appropriately and fishing therefrom is prohibited and punishable as a misdemeanor of the second degree.

In the initial newspaper accounts, local concerns expressed by those interviewed were not about the law or the study conducted to impose the ban on fishing from

the bridges, but rather about why the law was being enforced. I thought that the group of concerned citizens would urge a restudy of each bridge and if it were determined that fishing from the bridges remained a hazard, that would carry enough public support to do what rightfully should be done.

But, much to my amazement, government officials such as Mayor Jake Godbold announced that the problem is that the Marine Patrol is enforcing the law. Mayor Godbold even goes so far as to ask the State Attorney not to prosecute any violators.

The mayor's public criticism of the Marine Patrol for enforcing the law, and more specifically, an individual officer, has to be the most improper statement I

have heard in this entire "comedy."

To think that a mayor of a community the size of Jacksonville would even think to criticize privately, let alone publicly, any law enforcement agency or officer for enforcing the laws of the state of Florida is unbelievable. I would urge Mayor Godbold to check his city ordinances and look at the one that prohibits fishing from the bridges on Cesery and University Boulevards.

The only other interesting point is that the law directs all enforcement officers to enforce its provisions. Maybe, some folks need to crack open a law book.

D.J. STRATMANN  
Jacksonville



**339.27 Fishing from state road bridges; walkways authorized.—**

(1) The department is authorized to investigate and determine whether it is detrimental to traffic safety and dangerous to human life for any person to

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fish from any state road bridge. When the department, after due investigation, so determines that it is dangerous for persons to fish from any such bridge, the Division of Road Operations shall thereupon post appropriate signs on such bridge stating that fishing therefrom is prohibited.

(2) It shall be a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083, for any person to fish from any bridge which the department has determined is dangerous to fish therefrom and has posted signs as provided in subsection (1).

(3) All enforcement officers, including Florida Highway Patrol officers, shall enforce the provisions of this section.

(4) This section shall be cumulative and is not intended to repeal special laws making it unlawful to fish from any bridge.

(5) Any state, county or municipal agency or authority charged with the maintenance and construction of public roads and bridges is authorized to construct and maintain pedestrian walkways, fishing walks or fishing bays on public bridges under its jurisdiction whenever it is deemed necessary to do so in the interest of safety.

*History.—*s. 158, ch. 29965, 1955; ss. 23, 35, ch. 69-106; s. 219, ch. 71-136.  
*Note.—*See s. 1, ch. 81-239, which reorganized, in part, the division structure within the Department of Transportation.

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1 Introduced by Councilman Forshee:  
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5 A RESOLUTION URGING AND REQUESTING THE  
6 STATE OF FLORIDA, DEPARTMENT OF  
7 TRANSPORTATION TO ALLOW FISHING OFF OF ALL  
8 THE BRIDGES ON HECKSCHER DRIVE AND TO  
9 REMOVE ANY SIGNS PROHIBITING SAME; PROVIDING  
10 AN EFFECTIVE DATE.  
11

12 Whereas, the bridges on Heckscher Drive provide excellent fishing spots for the citizens  
13 of Jacksonville; and

14 Whereas, fishing off of certain of said bridges has been prohibited by the State of  
15 Florida, Department of Transportation for safety purposes; and

16 Whereas, although prohibited, many people have been fishing off of the Heckscher Drive  
17 bridges and according to the Sheriff's records there have been no accidents caused on  
18 the bridges as a result of such activity; and

19 Whereas, one of the bridges of similar design to the one on which fishing is prohibited is  
20 actually utilized for fishing and a nominal charge is imposed for same by the State;  
21 now, therefore

22 Be It Resolved by the Council of the City of Jacksonville:

23 Section 1. The Council hereby urges and requests the State of Florida,  
24 Department of Transportation to allow fishing off of all the bridges on Heckscher Drive  
25 and to remove any signs prohibiting same.

26 Section 2. This resolution shall become effective upon signature by the Mayor or  
27 upon becoming effective without the Mayor's signature.  
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Form Approved:

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Phillip J. Cope  
Assistant Counsel

William P. Gray  
General Counsel

CONTRACT AND AGREEMENT

THIS AGREEMENT, dated this 28th day of April, 1972, by and between the Department of Natural Resources, Division of Recreation and Parks, hereinafter referred to as the DIVISION and the Department of Transportation, hereinafter referred to as the DEPARTMENT,

W I T N E S S E T H :

That in and for the mutual covenants between the DIVISION and the DEPARTMENT, it is agreed as follows:

1. The DIVISION has found recreation to be the prime purpose of this project and has agreed to enter into a contract with the DEPARTMENT for construction of a fishing catwalk on the north side of the Browns Creek Bridge on State Road 105, in the Consolidated City of Jacksonville.

2. The DEPARTMENT agrees to cause construction of said fishing catwalk, such development being in accordance with the project development plans and specifications prepared by the DEPARTMENT, which plans and specifications are, by reference hereto, made a part of this agreement.

3. The DEPARTMENT agrees to assume responsibility for the preparation and/or supervision of engineering design, project construction, contract administration and certification of satisfactory completion of work for the construction of the said Browns Creek Bridge fishing catwalk.

4. The DIVISION agrees to contribute the sum of THIRTY THOUSAND DOLLARS (\$30,000.00), to be paid from the Land Acquisition Trust Fund, and to be used specifically for design and construction of the said Browns Creek Bridge fishing catwalk.

All funds to be contributed by the DIVISION will remain on

deposit in the Land Acquisition Trust Fund and will be released upon appropriate billing by the DEPARTMENT in regular periodic releases in accordance with the percentage of satisfactory completion of work.

5. The DEPARTMENT agrees to advertise for bids and award said project to contract. The DEPARTMENT further agrees to confer with the DIVISION and permit the DIVISION to review, approve or disapprove bids received prior to award of the contract.

6. In the event the total cost of said project at completion is less than the THIRTY THOUSAND DOLLARS (\$30,000.00) originally committed by the DIVISION, the difference will remain in the Land Acquisition Trust Fund and may no longer be committed in any manner to the project previously described.

7. The DEPARTMENT agrees to provide any and all maintenance needed to insure the continued use of said fishing catwalk at its own expense and covenants that it has the full legal authority and financial ability to so operate and maintain said facility.

8. In the event that a supplemental agreement is required for an amount in excess of the THIRTY THOUSAND DOLLARS (\$30,000.00) due to overruns, the DIVISION may request that additional funds be allocated in the amount of such overruns subject to approval by the DIVISION and authorization by the Executive Board of the Department of Natural Resources.

IN WITNESS WHEREOF, the parties hereto executed this document on the day and year first above written.

APPROVED AS TO FORM, LEGALITY AND LEGALITY  
F. J. A. DEPARTMENT OF TRANSPORTATION  
SECRETARY OF ROAD OPERATIONS  
LAND ACQUISITION TRUST FUND

APPROVED AS TO  
FORM AND LEGALITY

J. J. [Signature]  
ATTORNEY - D.N.R

EXECUTIVE BOARD OF THE  
DEPARTMENT OF NATURAL RESOURCES

By: [Signature]  
Randolph Hodge, Executive Director

ATTEST: [Signature]  
Executive Secretary

APPROVED BY DIRECTOR OF ROAD OPERATIONS

4/28/72  
(DATE) [Signature]  
ATTEST: [Signature]

STATE OF FLORIDA  
DEPARTMENT OF TRANSPORTATION

By: [Signature]  
Director Administration

**RULES  
 OF THE  
 DEPARTMENT OF TRANSPORTATION  
 CHAPTER 14-41  
 FISHING AND BOATING FACILITIES  
 AT STATE ROAD SYSTEM BRIDGES  
 Revised 8-9-72**

**14-41.01 Purpose****14-41.02 Intent****14-41.03 Replacement Fishing Walks and Boat Ramps****14-41.04 New Fishing Walks and Boat Ramps**

**14-41.01 Purpose.** The purpose of this rule is to establish department policy regarding participation in the location, design, construction and maintenance of fishing and boating facilities located on, or on the immediate right of way of, state road system bridges. Specific Authority 20.05 FS. Law Implemented 335.16, 339.24 FS. History—Revised 8-9-72.

**14-41.02 Intent.** The department recognizes the public economy which can result from the multiple use of transportation facilities. To this end, the department shall cooperate fully with other public agencies in multiple usage, provided the three general conditions listed below are fulfilled.

(1) The installation cost of the non-transportation feature is appropriately funded by the public agency or agencies assigned by law responsibility for the government function that the non-transportation feature serves.

(2) The non-transportation feature does not adversely affect the safety of the travelling public.

(3) The non-transportation feature does not significantly diminish the capacity of the transportation facility.

Specific Authority 20.05 FS. Law Implemented 335.16, 339.24 FS. History—Revised 8-9-72.

**14-41.03 Replacement Fishing Walks and Boat Ramps.** The department may fund, design, construct and maintain replacement fishing walks and boat ramps when such facilities are demolished in conjunction with bridge or highway construction on the State Primary Road System, provided the design of the bridge or highway being constructed would permit the safe use of these facilities. The department shall approve county requests for the expenditure of fifth and sixth cent gasoline tax funds for similar purposes, with the understanding that Florida law assigns full maintenance responsibility to the county and that fifth and sixth cent gasoline tax funds may not be used for such maintenance.

Specific Authority 20.05 FS. Law Implemented 335.16, 339.09(1), 339.08(4) FS. History—Revised 8-9-72 Amended 1-23-77.

**14-41.04 New Fishing Walks and Boat Ramps.** The department may fund and perform location, design, construction contract supervision and administration, and maintenance for new fishing walks or boat ramps at bridges on the State Primary Road System, provided the construction contract amount is funded by the requesting public agency as part of a written agreement with the department. The department shall approve county requests for the expenditure of fifth and sixth cent gasoline tax funds for similar purposes, with the understanding that Florida law assigns full maintenance responsibility to the county and that fifth and sixth cent gasoline tax funds may not be used for maintenance.

Specific Authority 20.05 FS. Law Implemented 335.16, 339.24, 39.09(1), 206.47, 339.08(4) FS. History—Revised 8-9-72.

## MEMORANDUM

State of Florida Department of Transportation

DATE December 13, 1982

TO Mr. W. H. Skinner, District Engineer

FROM R. L. Moore, Maintenance Engineer

COPIES TO

SUBJECT FISHING RESTRICTIONS ON BRIDGES

Recent inquiries into fishing restrictions on Department of Transportation Bridges promoted us to make a field review of this topic in our area. Structures on Heckscher Drive were observed as follows:

SECTION 72250 - STATE ROAD 105 - HECKSCHER DRIVE

Broward River	-	"No Fishing Between Signs" (Drawspan section)
Dunns Creek	-	No signs
San Carlos Creek	-	No signs
Browns Creek	-	"Fishing From Catwalk Only"
Clapboard Creek	-	"No Fishing from Bridge"
Sisters Creek	-	"No Fishing Between Signs" (Drawspan Section)
Shad Creek	-	No signs
Fort George Inlet	-	No Signs
Simpson Creek	-	No Signs
Sawpit Creek	-	No Signs
Nassau Sound	-	"No Fishing Between Signs" (Drawspan Section)

There is no documentation as to when or by whose direction these bridges were signed, so it must be assumed that past history indicated to previous Engineers of this need and it was done in accordance with Florida Statute No. 339.27 (attached).

This is passed on to you for information purposes, and if you should require further information or handling on my part, please advise.

RLM:flw

Attach: