

**STATE OF FLORIDA  
FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION**

**Order No. 18-22**

**Restrictions for June 1, 2018, through  
August 31, 2018, for Commercial and  
Recreational Oyster Harvest from the  
Apalachicola Bay System**

The Fish and Wildlife Conservation Commission of the State of Florida, acting under the authority of Article IV, Section 9, of the Florida Constitution, and acting through its Executive Director under Delegations of Authority Paragraph 22, hereby establishes special regulations related to harvest of oysters from Apalachicola Bay, as defined in 68B-27, Florida Administrative Code (F.A.C.), for the period of June 1-August 31, 2018. These actions are being taken to further conserve oyster resources that have been depleted as a result of low-flow conditions into the Bay. These regulations include a reduced bag limit, a prohibition of harvest on certain days and additional areas of Apalachicola Bay that are closed to harvesting. The reduced bag limit and prohibition of commercial and recreational harvesting on Fridays, Saturdays, and Sundays will allow for the allocation of the depleted resource throughout the summer. These measures will help ensure that shell material is retained to collect spat in the Bay for a longer time period. The closure of East Hole during the summer season is being done to help recover the East Hole population of oysters that have showed signs of recovery. East Hole refers to the area defined by the Florida Department of Agriculture and Consumer Services as shellfish harvesting Area 1671. The closure of the area north of the John Gorrie Memorial Bridge will help ensure that a sufficient number of oysters remain to spawn after the harvest season. The Hotel Bar Experimental Area is being closed as part of an experiment to determine optimum cultch densities. The special regulations are as follows:

1. Notwithstanding anything to the contrary in 68B-27.019(l)(a)1., F.A.C., beginning on June 1, 2018, and continuing through August 31, 2018, commercial and recreational harvest of oysters is prohibited on Friday, Saturday, and Sunday of each week.
2. Notwithstanding anything to the contrary in 68B-27.014(1), F.A.C., beginning on June 1, 2018, and continuing through August 31, 2018, a commercial harvester may not harvest or land from Apalachicola Bay or possess while in or on the waters of Apalachicola Bay more than three (3) 60-lb. (or 10-gallon) bags of oysters per day.
3. Notwithstanding anything to the contrary in 68B-27.014(2), F.A.C., beginning on June 1, 2018, and continuing through August 31, 2018, a recreational harvester may not harvest or land per day more than five (5) gallons of oysters in the shell from Apalachicola Bay or possess while in or on the waters of Apalachicola Bay more than five (5) gallons of oysters per person or vessel, whichever is less.
4. Notwithstanding anything to the contrary in 68B-27.019(l)(a)1., F.A.C., beginning on June 1, 2018, and continuing through August 31, 2018, commercial and recreational harvest of oysters in the area commonly known as East Hole in the Apalachicola Bay System is hereby prohibited. For the purposes of this special regulation, East Hole refers to the area defined as shellfish harvesting Area 1671 by the Florida Department of Agriculture and Consumer Services.

5. Notwithstanding anything to the contrary in 68B-27.019(1)(a)1., F.A.C., beginning on June 1, 2018, and continuing through August 31, 2018, commercial and recreational harvest of oysters north of the John Gorrie Memorial Bridge is hereby prohibited. This area is defined as shellfish harvesting Area 1652 by the Florida Department of Agriculture and Consumer Services.
6. Notwithstanding anything to the contrary in Chapter 68B-27, F.A.C., beginning on June 1, 2018, and continuing through August 31, 2018, no person shall harvest or possess an oyster in or on Florida waters taken from the Hotel Bar Experimental Area in Apalachicola Bay, unless authorized under Chapter 68B-8, F.A.C.

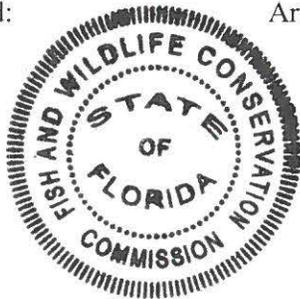
a. For purposes of this order, the Hotel Bar Experimental Area is defined as the area within the following boundary:

Commencing at the northwestern-most corner of the Hotel Bar Experimental Area (29°40.313' North Latitude, 84°54.363' West Longitude); thence in an easterly direction to the northeastern-most corner of the Hotel Bar Experimental Area (29°40.318' North Latitude, 84°54.160' West Longitude); thence in a southerly direction to the southeastern-most corner of the Hotel Bar Experimental Area (29°40.246' North Latitude, 84°54.150' West Longitude); thence in a westerly direction to the southwestern-most corner of the Hotel Bar Experimental Area (29°40.241' North Latitude, 84°54.353' West Longitude); thence in a northerly direction to the northwestern-most corner of the Hotel Bar Experimental Area, the point of beginning.

7. All other provisions governing harvest of oysters in the Apalachicola Bay System remain in effect.
8. This order shall take effect at 12:01 A.M. on June 1, 2018, and shall expire at 12:01 A.M. on September 1, 2018.

Specific Authority:  
Law Implemented:

Article IV, Section 9, Florida Constitution  
Article IV, Section 9, Florida Constitution and s.120.81(5), F.S.



Given under my hand and seal of the  
Florida Fish and Wildlife Conservation  
Commission on  
This 25<sup>th</sup> day of May 2018.

Eric Sutton, Executive Director

Attest Kristen Butler  
Agency Clerk

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY  
Ridger K. McDonnell  
Commission Attorney