

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

**Order No. EO 18-36**

**Restrictions for September 1, 2018 through  
May 31, 2019 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 Paragraph 22 of the Delegations of Authority, and due to the need to conserve oyster resources that have been depleted as a result of low flow conditions, hereby establishes special regulations related to the harvest of oysters (*Crassostrea virginica*) from the Apalachicola Bay, as defined in 68B-27, Florida Administrative Code (F.A.C.), for the period of September 1, 2018 through May 31, 2019. Such actions are only authorized as follows:

1. Notwithstanding anything to the contrary in 68B-27.017(1)(a), 68B-27.017(2), and 68B-27.019(1)(a)2., F.A.C., beginning on September 1, 2018 and continuing through September 3, 2018, the commercial and recreational harvest of oysters from Apalachicola Bay is prohibited.
2. Notwithstanding anything to the contrary in 68B-27.017(1)(a), 68B-27.017(2), and 68B-27.019(1)(a)2., F.A.C., beginning on September 4, 2018 and continuing through May 31, 2019, commercial and recreational harvest of oysters from Apalachicola Bay is prohibited on Fridays, Saturdays and Sundays of each week.
3. Notwithstanding anything to the contrary in 68B-27.014(1), F.A.C., beginning on September 4, 2018 and continuing through May 31, 2019, a commercial harvester may not harvest or land from Apalachicola Bay or possess while in or on the waters of Apalachicola Bay more than two (2) bags of oysters per harvester per day.
4. Notwithstanding anything to the contrary in 68B-27.014, F.A.C., beginning on September 4, 2018 and continuing through May 31, 2019, 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 in the shell per person or vessel, whichever is less.
5. Notwithstanding anything to the contrary in 68B-27.017(1)(a) and 68B-27.019(1)(a)2., F.A.C., beginning on September 1, 2018 and continuing through May 31, 2019, commercial and recreational oyster harvesting is prohibited in Shellfish Harvesting Areas 1612 and 1622, as described in rule 5L-1.003, F.A.C., south of a line running due east from the mouth of Sheepshead Bayou.
6. Notwithstanding anything to the contrary in 68B-27, F.A.C., beginning on September 4, 2018 and continuing through May 31, 2019, no person shall harvest or possess an oyster in or on Florida waters within the Bulkhead Bar Experimental Area in Apalachicola Bay unless authorized under Chapter 68B-8.
  - a. For purposes of this order, the Bulkhead Bar Experimental Area is defined as the area within the following boundary:

Commencing at the northwestern-most corner of the Bulkhead Bar Experimental Area (29°41.447' North Latitude, 84°53.112' West Longitude); thence in an easterly

direction to the northeastern-most corner of the Bulkhead Bar Experimental Area (29°41.468' North Latitude, 84°53.084' West Longitude); thence in a southeasterly direction to 29°41.363' North Latitude, 84°52.961' West Longitude; thence in a southeasterly direction to the southeastern-most corner of the Bulkhead Bar Experimental Area (29°41.165' North Latitude, 84°52.810' West Longitude); thence in a westerly direction to the southwestern-most corner of the Bulkhead Bar Experimental Area (29°41.150' North Latitude, 84°52.842' West Longitude); thence in a northwesterly direction to 29°41.342' North Latitude, 84°52.989' West Longitude; thence in a northwesterly direction to the northwestern-most corner of the Bulkhead Bar Experimental Area, the point of beginning.

7. All other rules or orders of the Commission relating to the harvest of oysters in the Apalachicola Bay System shall remain in effect.
8. This order shall expire at 12:00 a.m. on June 1, 2019.

Specific Authority: Article IV, Section 9, Florida Constitution  
Law Implemented: Article IV, Section 9, Florida Constitution and subsection 120.81(5), Florida Statutes



Given under my hand and seal of the Florida Fish and Wildlife Conservation Commission on this 27<sup>th</sup> day of August, 2018.

*Thomas H. Sam*

*Eric Sutton*  
Eric Sutton  
Executive Director

Attest  
Agency Clerk

*Kimberly Gentes*

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY  
*Bicket K. McDermott*  
Commission Attorney