

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

Order No. EO 18-47

**Temporary Suspension of Bag and Size Limits
and General Methods of Take to Expedite the
Removal of Dead Marine Organisms in Bay
and Gulf Counties**

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 a natural red tide event in a portion of northwest Florida that has caused mortality of saltwater fish and marine organisms, hereby temporarily suspends bag limits, size limits, season and area closures, and general methods of take for certain dead saltwater fish and marine organisms to facilitate the removal and disposal of saltwater fish carcasses and marine organisms that have died as a result of this red tide event from shoreline areas or inshore and nearshore Florida waters within Bay and Gulf counties. Such actions are only authorized as follows:

1. Notwithstanding anything to the contrary in Division 68B, Florida Administrative Code (F.A.C.), and subject to the limitations of paragraph 3, all applicable bag limits, size limits, possession limits, season and area closures are hereby waived for the term of this order for all species of dead marine organisms to facilitate the removal of saltwater fish carcasses and dead marine organisms from shoreline areas or inshore and nearshore Florida waters within Bay and Gulf counties.
2. Notwithstanding anything to the contrary in Division 68B, F.A.C., general methods of taking saltwater fish are hereby modified to facilitate the removal of saltwater fish carcasses and dead marine organisms from shoreline areas or inshore and nearshore Florida waters within Bay and Gulf counties as follows: any reasonable means of removal, excluding gear prohibited by Art. X, Sec. 16 of the Florida Constitution or Chapter 68B-4, F.A.C.
3. This order does not authorize the removal or possession of sawfishes (*Pristis* spp.), sturgeon (any species of the family Acipenseridae), marine turtles, manatees, dolphins, whales, or other marine mammals.
 - a. Any sick, injured, or dead sawfish should be reported immediately by calling toll-free 1-844-4SAWFISH (472-9347).
 - b. Any sick, injured, or dead marine turtle, sturgeon, manatee, dolphin, whale, or other marine mammal should be reported immediately to the FWC Wildlife Alert Hotline by calling 1-888-404-3922.
4. All saltwater fish carcasses and dead marine organisms collected pursuant to this order must be disposed of in compliance with local safety, health, and sanitation requirements for such disposal.
5. All persons removing saltwater fish carcasses or dead marine organisms pursuant to this order are hereby exempt from the recreational saltwater fishing license requirements established in 379.354, Florida Statutes.
6. The provisions of this order only apply within shoreline areas or inshore and nearshore Florida waters within Bay and Gulf counties.
7. All other rules of the Commission relating to the regulation of marine organisms and protected species and their habitats and nests, including but not limited to sea turtles and shorebirds, shall remain in effect.

8. This order shall expire at 12:00 a.m. on January 1, 2019, unless rescinded or extended by subsequent order.

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 3rd day of October, 2018.

Thomas H. Egan

Eric Sutton
Executive Director

Attest
Agency Clerk

Kyntal Butler

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Bridget K. McDowell
Commission Attorney