

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

Order No. EO 19-19

**Restrictions for June 1, 2019 through
August 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, 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, 2019. These actions are being taken to further conserve oyster resources that have been depleted. These regulations include a reduced bag limit, a prohibition of harvest on certain days of the week, 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 has shown signs of recovery. The closure of the area north of the John Gorrie Memorial Bridge will help ensure that sufficient 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(1)(a)1., F.A.C., beginning June 1, 2019 and continuing through August 31, 2019, 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 June 1, 2019 and continuing through August 31, 2019, a commercial harvester may not harvest or land from Apalachicola Bay in any one day, or possess while in or on the waters of Apalachicola Bay, more than three (3) bags of oysters.
3. Notwithstanding anything to the contrary in 68B-27.014(2), F.A.C., beginning June 1, 2019 and continuing through August 31, 2019, a recreational harvester may not harvest or land from Apalachicola Bay in any one day, or possess while in or on the waters of Apalachicola Bay, more than five (5) gallons of oysters in the shell per person or per vessel, whichever is less.
4. Notwithstanding anything to the contrary in 68B-27.019(1)(a)1., F.A.C., beginning June 1, 2019 and continuing through August 31, 2019, commercial and recreational harvest of oysters in the area commonly known as East Hole in the Apalachicola Bay System is hereby prohibited. For purposes of this order, "East Hole" means the area defined as shellfish harvesting area number 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 June 1, 2019 and continuing through August 31, 2019, commercial and recreational harvest of oysters north of the John Gorrie Memorial Bridge is hereby prohibited. This area is defined as shellfish harvesting area number 1652 by the Florida Department of Agriculture and Consumer Services.
6. Notwithstanding anything to the contrary in Chapter 68B-27, F.A.C., beginning June 1, 2019 and continuing through August 31, 2019, no person may harvest or possess in or on Florida

Waters, an oyster taken from the Hotel Bar Experimental Area in Apalachicola Bay, unless authorized pursuant to 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 29°40.313'N, 84°54.363'W; thence in an easterly direction to 29°40.318'N, 84°54.160'W; thence in a southerly direction to 29°40.246'N, 84°54.150'W; thence in a westerly direction to 29°40.241'N, 84°54.353'W; thence in a northerly direction to 29°40.313'N, 84°54.363'W, the point of beginning.

7. All other rules or orders of the Commission relating to harvest of oysters from Apalachicola Bay shall remain in effect.
8. This order shall take effect at 12:01 a.m. on June 1, 2019 and shall expire at 11:59 p.m. on August 31, 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 24th day of May, 2019.

Thomas H. Eam

Eric Sutton
Executive Director

Attest
Agency Clerk

Kerstin Burton

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY
Bridget K. McDonald
Commission Attorney

