

MEMORANDUM



To: Florida Fish and Wildlife Conservation Commissioners
From: Jessica McCawley, Director, Marine Fisheries Management
Date: October 7, 2020
Subject: Final Public Hearing – Apalachicola Bay Oysters

Purpose:

Obtain final approval for rule amendments to modify Apalachicola Bay oyster regulations in 68B-27, Florida Administrative Code (FAC).

Why:

Suspending wild-oyster harvest in Apalachicola Bay is necessary to improve the oyster population and recover the collapsed fishery.

Top Points:

- 1) Apalachicola Bay supported a culturally important, iconic fishery since the mid-1800s.
- 2) Oyster abundance continues to decline despite numerous management actions since 2013.
- 3) Harvest is expected to be suspended through 2025 but monitoring will inform whether limited harvest opportunities may be allowed sooner.
- 4) Allowing oyster harvest during restoration is counterproductive and threatens restoration success.

Affected Parties:

Commercial and recreational oyster harvesters in Apalachicola Bay, seafood dealers, and restaurants

Summary:

Historically, Apalachicola Bay (Bay) supported an expansive oyster reef ecosystem that was once considered the healthiest in the nation. Prior to 2012, more than 90% of Florida's, and approximately 10% of the nation's, wild oyster harvest came from in the Bay. Harvest dropped dramatically in 2013 and the U.S. Secretary of Commerce declared a federal fisheries disaster for Florida's oyster industry. Since 2013, FWC has taken a number of significant actions to aid in the recovery of oysters in the Bay; however, oyster abundance remains at historic lows and continues to decline each year.

In early 2020, FWC received funding through the National Fish and Wildlife Foundation to conduct large-scale restoration and to develop an adaptive oyster management plan for the Bay. These efforts are being coordinated alongside several state agencies, universities, industry partners, and the local community.

At the July meeting, the Commission supported restoration efforts in the Bay by approving draft rules to suspend all harvest of wild oysters and prohibit on-the-water possession of tongs for harvesting wild oysters and by proactively implementing these measures by Executive Order. Staff will present proposed final rules that establish these conservation measures in rule through December 2025. Staff will continue monitoring oyster recovery and can re-evaluate whether harvest opportunities are available prior to December 31, 2025, and will continue to work with the local oyster industry to develop a management plan that recognizes the cultural and economic importance of wild oysters in the Bay.

Staff Recommendation:

Approval of the proposed final rules to be effective January 1, 2021.

Staff Contact and/or Presenter:

Michael Norberg, Division of Marine Fisheries Management