

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

Order No. EO 14-18

**Restrictions for September 1, 2014 through May 31,
2015 for commercial and recreational harvest of wild
oysters 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 17 and Paragraph 22, hereby establishes special regulations related to harvest of wild oysters from Apalachicola Bay, as defined in 68B-27, Florida Administrative Code (FAC), for the period of September 1, 2014 – May 31, 2015. These actions are being taken in order to conserve oyster resources that have been depleted as the result of low flow conditions. The commercial and recreational bag limit reductions, the prohibition of commercial and recreational harvest on Fridays, Saturdays and Sundays and the closing of two harvesting areas, Area 1601 and Area 1611, to commercial and recreational harvesting for the duration of any closure of Area 1642 by the Florida Department of Agriculture and Consumer Services because of water quality concerns are being taken to allocate the depleted resource throughout the winter harvesting season. These measures will help ensure that more of the adult spawning oysters will spawn throughout the winter, thereby increasing available spat in the Bay for a longer time period. The closure of East Hole during the winter season is being done to help recover the East Hole population of oysters that are showing signs of recovering. The special regulations are as follows:

1. Notwithstanding anything to the contrary in 68B-27.019(1)(a)1, FAC, beginning on September 1, 2014 and continuing through May 31, 2015, commercial and recreational harvest for 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 by the Florida Department of Agriculture and Consumer Services as shellfish harvesting Area 1671.
2. Notwithstanding anything to the contrary in 68B-27.014(1)(b), FAC, beginning on September 1, 2014 and continuing through May 31, 2015, a commercial harvester may not harvest or land per day from Apalachicola Bay or possess while in or on the waters of Apalachicola Bay more than five sixty pound (or ten gallon) bags of oysters.
3. Notwithstanding anything to the contrary in 68B-27.014(2), FAC, beginning on September 1, 2014 and continuing through May 31, 2015, a recreational harvester may not harvest or land per day more than 5 gallons of oysters in the shell from Apalachicola Bay or possess while in or on the waters of Apalachicola Bay more than five gallons of oysters in the shell. The recreational harvesters aboard a vessel in or on Apalachicola Bay may not collectively possess more than five gallons of oysters in the shell.
4. Notwithstanding anything to the contrary in 68B-27.019(1)(a), FAC, commercial and recreational harvest for oysters in harvesting areas 1601 and 1611 in the Apalachicola Bay shall be closed upon closure by the Florida Department of Agriculture and Consumer Services of Area 1642 and shall remain closed until Area 1642 is reopened to harvest by the Florida Department of Agriculture and Consumer Services pursuant to 5L-1.003, FAC, provided Areas 1601 and 1611 meet water quality criteria of the Florida Department of Agriculture and Consumer Services.
5. Notwithstanding anything to the contrary in 68B-27.017(1) and 68B-27.017(2), FAC, beginning on September 1, 2014 and continuing through May 31, 2015, commercial and recreational harvest of oysters in Apalachicola Bay is prohibited on Friday, Saturday and Sunday of each week.

6. All other provisions governing harvest of oysters in the Apalachicola Bay System remain in effect.
7. This order shall take effect at 12:01 A.M. on September 1, 2014 and shall expire at 12:01 A.M. on June 1, 2015.

Specific Authority: Article IV, Section 9, Florida Constitution

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

Effective Date: 12:01 a.m. EDT, September 1, 2014



Given under my hand and seal of the Florida Fish and Wildlife Conservation Commission on this 27th day of August, 2014.

Nick Wiley
Executive Director

Attest
Agency Clerk