

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

Order No. EO 15-18

**Restrictions for September 1, 2015 through May 31,
2016 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 Delegations of Authority Paragraph 17 and Paragraph 22, hereby establishes special regulations related to harvest of oysters from Apalachicola Bay, as defined in 68B-27, Florida Administrative Code (FAC), for the period of September 1, 2015 through May 31, 2016. These actions are being taken in order to conserve oyster resources that have been depleted as a result of low flow conditions. The bag limits and prohibition of commercial and recreational harvesting on Fridays, Saturdays and Sundays from September 1, 2015 through May 31, 2016 actions are being taken to allocate the depleted resource throughout the winter season. The prohibition of recreational and commercial harvest on all days of the week, except for Mondays at East Hole (shellfish harvesting Area 1671) is being implemented to allocate the depleted resource and to allow for the oyster population to recover. The closure of portions of shellfish harvesting Area 1622 and 1612 is being done to help recover the population of oysters in this area. The special regulations are as follows:

1. 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, 2015 and continuing through May 31, 2016, commercial and recreational harvest for oysters is prohibited on Fridays, Saturdays and Sundays of each week.
2. Notwithstanding anything to the contrary in 68B-27.014(1), F.A.C., beginning on September 1, 2015 and continuing through May 31, 2016, 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 four bags of oysters.
3. Notwithstanding anything to the contrary in 68B-27.014, F.A.C., beginning on September 1, 2015 and continuing through May 31, 2016, a recreational harvester may not harvest or land per day more than five gallons of oysters in the shell from Apalachicola Bay or possess while in or on the waters of Apalachicola Bay more than one half bag of oysters. The recreational harvesters aboard a vessel in or on Apalachicola Bay may not collectively possess more than one half bag of oysters.
4. Notwithstanding anything to the contrary in 68B-27.019(1), F.A.C., beginning on September 1, 2015 and continuing through May 31, 2016, commercial and recreational harvest for oysters in the area commonly known as East Hole in the Apalachicola Bay System is hereby prohibited, except on Mondays. East Hole refers to the area defined as shellfish harvesting Area 1671 by the Florida Department of Agriculture and Consumer Services, described in rule 5L-1.003, F.A.C.
5. Notwithstanding anything to the contrary in 68B-27.017(1)(a) and 68B-27.019(1)(a)2, FAC, beginning on September 1, 2015 and continuing through May 31, 2016, 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. 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, 2015 and shall expire at 12:01 A.M. on June 1, 2016.

Specific Authority: Article IV, Section 9, Florida Constitution

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



Given under my hand and seal of the Florida Fish and Wildlife Conservation Commission on this 28 day of August 2015.

Nick Wiley
Executive Director

Attest
Agency Clerk