

STATE OF FLORIDA
FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION

Order No. EO 16-17

**Restrictions for June 1, 2016 through August 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 June 1-August 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 limit and prohibition of commercial and recreational harvesting on Fridays, Saturdays and Sundays June 1, 2016 through July 17, 2016 and the prohibition of commercial and recreational harvesting on Saturdays and Sundays July 18, 2016 through August 31, 2016 actions are being taken to allocate the depleted resource throughout the summer. These measures will help ensure that more of the adult spawning oysters will spawn through the summer, thereby increasing available 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 have showed signs of recovery. East Hole refers to the area defined by the Florida Department of Agriculture and Consumer Services as shellfish harvesting Area 1671. The special regulations are as follows:

1. Notwithstanding anything to the contrary in 68B-27.019 (1)(a)1., FAC, beginning on June 1, 2016 and continuing through August 31, 2016, commercial and recreational harvest of 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 as shellfish harvesting Area 1671 by the Florida Department of Agriculture and Consumer Services.
2. Notwithstanding anything to the contrary in 68B-27.019(1)(a)1., FAC beginning on June 1, 2016 and continuing through July 17, 2016, commercial and recreational harvest of oysters is prohibited on Friday, Saturday and Sunday of each week. Beginning on July 18, 2016 and continuing through August 31, 2016, commercial and recreational harvest for oysters is prohibited on Saturday and Sunday of each week in Apalachicola Bay.
3. Notwithstanding anything to the contrary in 68B-27.014(1), FAC, beginning on June 1, 2016 and continuing through August 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 sixty pound (or ten gallon) bags of oysters.
4. Notwithstanding anything to the contrary in 68B-27.014(2), FAC beginning on June 1, 2016 and continuing through August 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 five gallons of oysters per person or vessel, whichever is less.

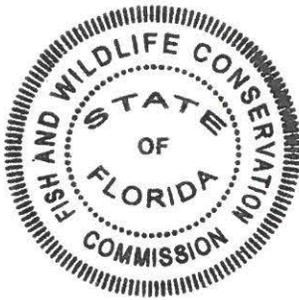
5. All other provisions governing harvest of oysters in the Apalachicola Bay System remain in effect.
6. This order shall take effect at 12:01 A.M. on June 1, 2016 and shall expire at 12:01 A.M. on September 1, 2016.

Specific Authority:

Article IV, Section 9, Florida Constitution

Law Implemented:

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

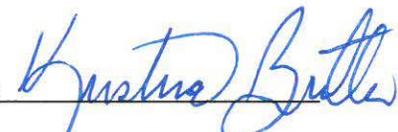


Given under my hand and seal of the Florida Fish and Wildlife Conservation Commission on this 26th day of May 2016.



Nick Wiley
Executive Director

Attest



Agency Clerk