

STATE OF FLORIDA  
FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION

Order No. EO 16-52

Restrictions for December 5, 2016 through May 31, 2017 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 December 5, 2016 through May 31, 2017. This order supersedes Executive Order number 16-28, executed on August 30, 2016. These actions are being taken in order to further conserve oyster resources that have been depleted as a result of low flow conditions and to establish oyster check stations in a more efficient manner. The bag limits and prohibition of commercial and recreational harvesting on Fridays, Saturdays, and Sundays from December 5, 2016 through May 31, 2017 actions are being taken to allocate the depleted resource throughout the winter season. The closure of portions of shellfish harvesting in 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), 68B-27.017(2), and 68B-27.019(1)(a)2., FAC, beginning on December 5, 2016 and continuing through May 31, 2017, 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), FAC, beginning on December 5, 2016 and continuing through May 31, 2017, 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 three bags of oysters.
3. Notwithstanding anything to the contrary in 68B-27.014, FAC, beginning on December 5, 2016 and continuing through May 31, 2017, 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-27.017(1)(a) and 68B-27.019(1)(a)2., FAC, beginning on December 5, 2016 and continuing through May 31, 2017, commercial and recreational oyster harvesting is prohibited in shellfish harvesting Areas 1612 and 1622, as described in rule 5L-1.003, FAC, south of a line running due east from the mouth of Sheepshead Bayou.
5. All other provisions governing harvest of oysters in the Apalachicola Bay System remain in effect.
6. This order supersedes Executive Order number 16-28, executed on August 30, 2016.
7. This order shall take effect at 12:01 A.M. on December 5, 2016 and shall expire at 12:01 A.M. on June 1, 2017.

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 2<sup>nd</sup> day of December, 2016.

Nick Wiley  
Executive Director

Attest

Agency Clerk