

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

**Order No. EO 17-16**

**Restrictions for May 4, 2017 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 May 4, 2017 through May 31, 2017. This order supersedes Executive Order number 16-52, executed on December 2, 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 May 4, 2017 through May 31, 2017 actions are being taken to allocate the depleted resource throughout the winter season. The closure of portions of Shellfish Harvest Areas 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 May 4, 2017 and continuing through May 31, 2017, the commercial and recreational harvest of oysters is prohibited on Fridays, Saturdays, and Sundays of each week, with the following exceptions for Shellfish Harvest Area 1642:
  - a. If Area 1642 is temporarily closed to the harvest of shellfish pursuant to 5L-1.013(9), FAC, on a Monday or a Tuesday, the commercial and recreational harvest of oysters from Area 1642 is allowed on the following Friday of the same week, provided that Area 1642 has been reopened by the Department of Agriculture and Consumer Services.
  - b. If Area 1642 is temporarily closed to the harvest of shellfish pursuant to 5L-1.013(9), FAC, on a Wednesday or a Thursday, the commercial and recreational harvest of oysters from Area 1642 is allowed on the following Saturday of the same week, provided that Area 1642 has been reopened by the Department of Agriculture and Consumer Services.
2. Notwithstanding anything to the contrary in 68B-27.014(1), FAC, beginning on May 4, 2017 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 May 4, 2017 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 May 4, 2017 and continuing through May 31, 2017, commercial and recreational oyster harvesting is prohibited in Shellfish Harvest 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 16-52, executed on December 2, 2016.

7. This order shall take effect at 12:01 A.M. on May 4, 2017 and shall expire at 12:01 A.M. on June 1, 2017.

Specific Authority:  
Law Implemented:

Article IV, Section 9, Florida Constitution  
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 May, 2017.

Nick Wiley  
Executive Director

Attest  
Agency Clerk