

STATE OF FLORIDA
FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION

Order No. EO 17-34 Restrictions for September 1, 2017 through May 31, 2018 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 the harvest of oysters (*Crassostrea virginica*) from the Apalachicola Bay, as defined in 68B-27, Florida Administrative Code (FAC), for the period of September 1, 2017 through May 31, 2018. 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, 2017 through May 31, 2018 actions are being taken to allocate the depleted resource throughout the winter season. The closure of portions of shellfish harvesting in Area 1612 and Area 1622 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 September 1, 2017 and continuing through May 31, 2018, the commercial and recreational harvest of oysters from Apalachicola Bay is prohibited on Fridays, Saturdays and Sundays of each week.
2. Notwithstanding anything to the contrary in 68B-27.014(1), FAC, beginning on September 1, 2017 and continuing through May 31, 2018, a commercial harvester may not harvest or land per day from Apalachicola Bay or possess while in the waters of Apalachicola Bay more than three bags of oysters.
3. Notwithstanding anything to the contrary in 68B-27.014, FAC, beginning on September 1, 2017 and continuing through May 31, 2018, 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 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 September 1, 2017 and continuing through May 31, 2018, 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. This Order does not authorize the harvest or possession of oysters within a portion of Apalachicola Bay, where the harvest and possession of oysters is prohibited by Executive Order number EO 16-22.
6. All other provisions governing the harvest of oysters in the Apalachicola Bay System shall remain in effect.

7. This order shall take effect at 12:01 a.m. CDT on September 1, 2017, and shall expire at 11:59 p.m. CDT on May 31, 2018.

Specific Authority: Article IV, Section 9, Florida Constitution
Law Implemented: Article IV, Section 9, Florida Constitution

Given under my hand and seal of the Florida Fish and Wildlife Conservation Commission on this 25th day of August 2017.



Nick Wiley

Nick Wiley
Executive Director

Attest
Agency Clerk

Kristen Butler