

STATE OF FLORIDA
FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION

Order No. EO 17-43

**Hurricane Irma: Regulatory Relief For
Commercial Spiny Lobster Trap Fishers in
Collier, Dade and Monroe Counties.**

The Florida Fish and Wildlife Conservation Commission, acting under the authority of Article IV, Section 9, Florida Constitution, hereby implements special measures to provide regulatory relief to commercial spiny lobster trap fishers fishing Collier, Dade and Monroe Counties who were affected by Hurricane Irma in September 2017. State of Florida Executive Order Number 17-235, issued by Governor Rick Scott on September 4, 2017, in anticipation of Hurricane Irma, provides authority in Section 4 for state, regional and local agencies and other governmental bodies to deviate from statutes, rules, and ordinances they administer to the extent necessary to cope with the emergency. The commercial spiny lobster trap fishers have suffered significant losses of their trap gear and the trap tags required by rule of the Commission as the direct result of Hurricane Irma.

In order to assist these trap fishers return to business as soon as possible, effective immediately, the Florida Fish and Wildlife Conservation implements the following regulatory relief for spiny lobster fishers in Collier, Dade, and Monroe Counties, Florida.

1. For fishers holding a current spiny lobster endorsement with trap certificates who fish in the waters of Collier, Dade and Monroe Counties, the requirement that all spiny lobster traps in or on the waters of the state bear a trap tag issued by the Commission, pursuant to Rule 68E- 18.004, Florida Administrative Code, is hereby waived until December 1, 2017. Effective December 1, 2017 all lobster traps must be properly tagged, according to Rule 68E-18.004, Florida Administrative Code.
2. The fees required by section 379.3671, Florida Statutes, and Rule 68E-18.004, Florida Administrative Code, to replace spiny lobster trap tags purchased and received for the 2017/2018 fishing season but lost or destroyed during Hurricane Irma are waived.
3. In order to allow for cooperative trap recovery efforts, persons licensed to harvest spiny lobster using trap gear may sign up to retrieve other harvester's traps and allow them to retrieve theirs. Harvesters shall indicate their desire to participate on a form provided by the Commission, attached and incorporated by reference, a copy of which shall be filed with a local FWC Law Enforcement Office or emailed to customerservice@myfwc.com. All authorized persons shall have a copy in their possession while participating in trap recovery efforts. Possession of the form shall allow the person to possess the listed harvester's traps until they can be returned to the owner.
4. Cooperative lobster trap recovery efforts are hereby authorized for harvesters fishing in the waters of Collier, Dade, and Monroe Counties.

5. Cooperative trap recovery efforts are hereby authorized to occur from the effective date of this Executive Order through November 1, 2017.
6. All other provisions governing harvest of spiny lobster remain in effect.

Specific Authority: Article IV, Section 9, Florida Constitution
Law Implemented: Article IV, Section 9, Florida Constitution and Executive Order of the Governor Number 17-235, dated September, 4, 2017



Effective Date: 12:01 a.m. EDT,
Given under my hand and seal of the Florida
Fish and Wildlife Conservation Commission
on this 18th day of September 2017.



Nick Wiley
Executive Director

Attest: 
Agency Clerk

