

STATE OF FLORIDA
FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION

Order No. EO 17-56

**Hurricane Irma: Extension of Regulatory
Relief For Commercial Spiny Lobster Trap
Fishers in Collier, Dade, and Monroe
counties**

The Fish and Wildlife Conservation Commission of the State of Florida, acting under the authority of Article IV, Section 9, of the 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 17-235, issued by Governor Rick Scott on September 4, 2017 in anticipation of Hurricane Irma, and as extended by State of Florida Executive Order 17-287, provides authority 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 January 1, 2018. Effective January 1, 2018 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 through January 1, 2018.
6. This order shall be retroactive to Monday, November 2, 2017, the date of State of Florida Executive Order 17-287.
7. This order supersedes Executive Order 17-43, executed on September 18, 2017.

8. All other provisions governing the harvest of spiny lobster remain in effect.

Specific Authority: Executive Order 17-235 and Executive Order 17-287 of the Executive Office of the Governor, and Article IV, Section 9, Florida Constitution

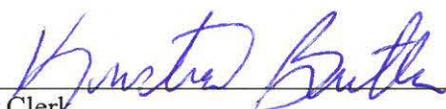
Law Implemented: Article IV, Section 9, Florida Constitution



Effective Date: 12:01 a.m. EST,
Given under my hand and seal of the Florida
Fish and Wildlife Conservation Commission
on this 21st day of November, 2017.



Nick Wiley
Executive Director

Attest 
Agency Clerk

