



BOB RILEY  
GOVERNOR

Jan 2010

M. BARNETT LAWLEY  
COMMISSIONER

R. VERNON MINTON  
DIRECTOR

**THIS IS NOT AN OFFICIAL COPY OF THE LAWS OR REGULATIONS. THIS EXPLANATION OF THE LAWS AND REGULATIONS IS CORRECT AS OF THE DATE SPECIFIED. BEFORE TAKING PART IN THIS FISHERY PLEASE CALL 251-861-2882 OR 251-968-7576 OR VISIT OUR WEBSITE WWW.OUTDOORALABAMA.COM FOR UPDATED INFORMATION. IT IS THE FISHERMANS RESPONSIBILITY TO KNOW THE LAWS AND REGULATIONS IN EFFECT AT ANY GIVEN TIME**

## **ALABAMA COMMERCIAL/RECREATIONAL OYSTER HARVEST INFORMATION**

### **I. OPEN AND CLOSED HARVEST AREAS**

The Department of Conservation and Natural Resources and the Department of Public Health are authorized to open and close harvest areas for management or public health purposes. Before taking oysters from any area for any reason, it is advisable to check with the Marine Resources Division (MRD) at Dauphin Island (251-861-2882), Gulf Shores (251-968-7576) or Bayou La Batre (251-824-2161). Taking oysters from a closed area for any reason is prohibited. Transporting oysters at night through closed areas is prohibited.

### **II. LICENSE REQUIREMENTS**

- All licenses expire September 30th of each year.
- Persons are allowed to take up to but no more than 100 oysters per day for personal consumption without a Commercial Oyster Catcher's License.
- **COMMERCIAL OYSTER CATCHER'S LICENSE (\$26.00)**  
All persons taking oysters for commercial purposes, or more than 100 oysters for personal consumption, must have in possession a commercial Oyster Catcher's License (may sell catch only to a licensed Alabama Seafood Dealer).
- **OYSTER DREDGE LICENSE (\$26.00)** Use of oyster dredges strictly regulated. Specific laws and regulations apply. Licenses are presently issued only to owners/lessees of private oyster reefs. Contact the Dauphin Island Office (861-2882) for further information.
  - \* See page 4 of this handout for special Dredge Permit
- Nonresidents shall pay the same fee as that charged Alabama residents to conduct the same activity in the applicant's state of residence, but not less than twice the cost that Alabama residents pay. Nonresident licenses are sold only by the Marine Resources Division offices.
- **OYSTER TAG (\$0.25)** All oysters taken from public or private reefs for commercial purposes must be sacked and tagged.

### **III. HOW OYSTERS MAY BE TAKEN**

Oysters may be taken from the public reefs and water bottoms by hand or oyster tongs only, except as provided in Portersville Bay.

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#### IV. TIME FOR TAKING, LEGAL SIZE, AND COMMERCIAL CATCH LIMITS OF OYSTERS

The taking of oysters is permitted Monday through Friday, except, from the first Saturday in October through the last Saturday in December, those public water bottoms open to oystering shall be open to the taking of oysters from 6AM to 12 noon each Saturday. Reefs open and close daily at times set by regulations of the MRD and/or Alabama Department of Public Health.

All oysters harvested must be a minimum of 3 inches in length, with an allowance of not more than 5 % for undersized oysters.

**For current commercial catch limits and daily harvest hours contact any MRD office: Bayou La Batre (251-824-2161), Dauphin Island (251-861-2882) or Gulf Shores (251-968-7576).**

It is unlawful to land any oysters for commercial purposes not sacked according to the standard Alabama measure of one-quarter (1/4) Alabama barrel per sack. Each sack shall be tagged and harvest information portion of tag completed prior to landing. Tag shall remain attached to each sack until the sack is emptied.

All oysters taken from the public oyster bottoms must be culled and sacked by the time\* of public water bottom closure each day. Any uncultured or unsacked oysters on board a boat at the time of public water bottom closure, must be immediately replaced and scattered upon the reef from which they were taken and the boat must then immediately leave the public reefs and proceed to a landing.

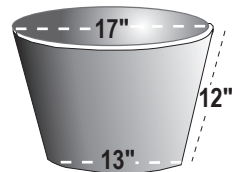
All oysters shall be culled upon the reef from which they were taken. No oysters shall be culled or sacked on board a boat in waters closed to the harvesting of oysters. No oysters taken from a public reef shall be culled upon a private reef. It shall be unlawful to possess oysters taken from a private lease and oysters taken from a public reef on board a boat at the same time.

It is unlawful to transfer oysters from one boat to another for purposes of avoiding the requirements set forth in any laws or regulations, or to transfer any oysters to any unlicensed oyster boat or unlicensed oyster catcher. Any person cited for exceeding the limit (as provided by law or regulation) must immediately transport and redistribute any said excess oysters on the nearest public reef.

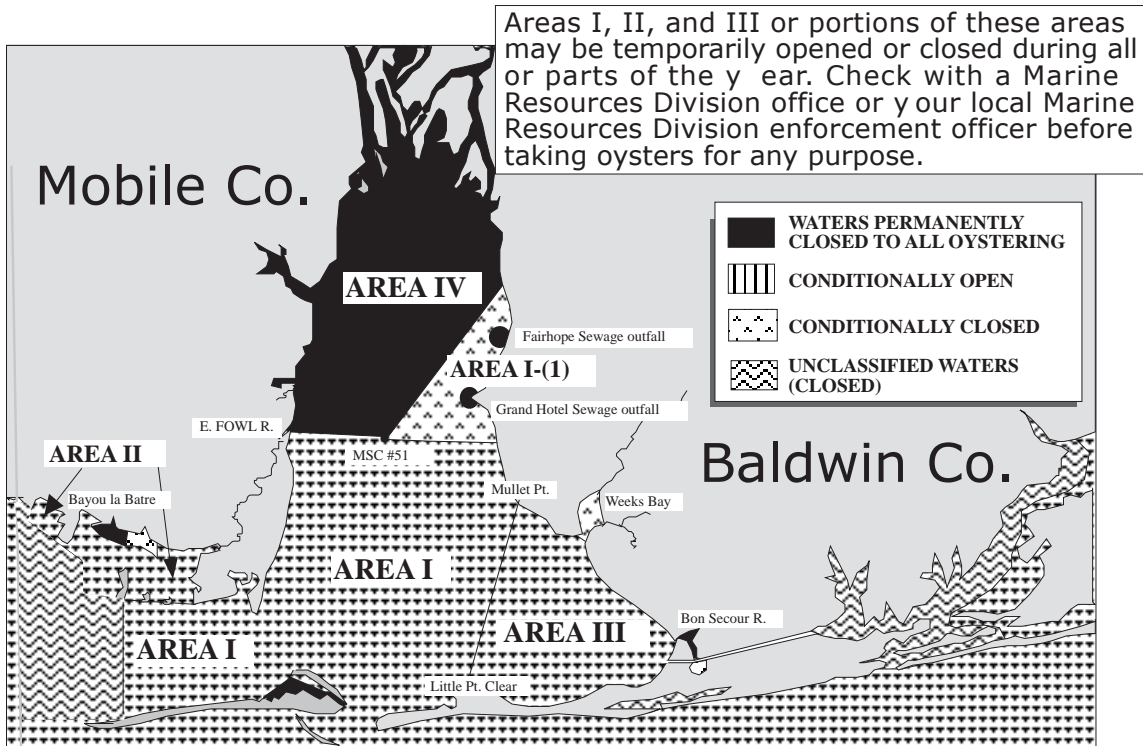
**1/4 Alabama barrel = tub or other container measuring 1.23 cubic feet in volume.**

\* Daily harvest hours change seasonally (call for current info).

**MRD Enforcement Tub Dimensions:**  
 Diameter inside at the top = 17"  
 Diameter inside at the bottom = 13"  
 Inside height from top to bottom = 12"



#### AREAS PERMANENTLY CLOSED TO OYSTERING



## OYSTER HARVESTER TAG INFORMATION

### 1975 CODE OF ALABAMA 9-12-67 RULE 220-3-.02 (Marine Resources) ALABAMA STATE BOARD OF HEALTH REGULATION

1. All oysters taken for commercial purposes from the public or private oyster bottoms of the State of Alabama shall be sacked in clean burlap, or similar material sacks containing not more than one-quarter Alabama barrel of oysters.
2. Prior to landing, each sack must be tagged and harvest information portion of tag legibly completed using indelible ink.
3. Tag is considered void and sack improperly tagged if information on tag is incomplete, illegible, or altered in any manner. Untagged or improperly tagged sacks of oysters may be confiscated and disposed of as provided by law.
4. The tag shall remain attached to the sack until a certified dealer empties or retags the sack of oysters, or until emptied by a restaurant, other establishment, or by the final consumer.
5. It is unlawful to possess empty sacks with oyster tags attached thereto.
6. Tags can be purchased at a cost of twenty-five cents (\$.25) per tag from the Department of Conservation, Marine Resources Division, or its duly authorized agents.

#### TO COMPLETE THE TAG, HARVESTER MUST:

- A. ENTER LICENSE NUMBER IN APPROPRIATE SPACE.
- B. CIRCLE AND BLACK OUT MONTH AND DAY UNDER DATE OF HARVEST.
- C. CHECK HARVEST LOCATION

#### INFORMATION MUST BE COMPLETED WITH BLACK OR BLUE INK (NO PENCIL)

##### A. LICENSE NO.

##### B. DATE OF HARVEST

##### C. HARVEST LOCATION

<b>ALABAMA OYSTERS</b>		<b>949015</b>	
HARVESTER ID# (LICENSE NO.)		<b>01234</b>	C U T
DATE OF HARVEST		<input type="checkbox"/> MOBILE BAY <input checked="" type="checkbox"/> MISSISSIPPI <input type="checkbox"/> SOUND <input type="checkbox"/> BON SECOUR BAY <input type="checkbox"/> HERON BAY <input type="checkbox"/> PORTERSVILLE <input type="checkbox"/> BAY <input type="checkbox"/> DAUPHIN ISLAND <input type="checkbox"/> BAY <input type="checkbox"/> GRAND BAY	A TAG MUST BE ATTACHED TO EACH SACK OF OYSTERS BEFORE LEAVING THE LOCATION FROM WHICH OYSTERS WERE TAKEN. INFORMATION MUST BE COMPLETE AND LEGIBLE. FAILURE TO PROPERLY COMPLETE EACH TAG CAN RESULT IN CONFISCATION OF OYSTERS AND A FINE UP TO \$500.00
JAN	1 13 25		
FEB	2 14 26		
MAR	3 15 27		
APR	4 16 28		
MAY	5 17 29		
JUN	6 18 30		
JUL	7 19 31		
AUG	8 20		
SEP	9 21		
OCT	10 22		
NOV	11 23		
DEC	12 24		
CRASSOSTERA VIRGINICA / ONE SACK			C U T
TAG REQUIRED TO BE ATTACHED UNTIL SACK IS EMPTY OR RETAGGED AND THEREAFTER KEPT ON FILE FOR 90 DAYS.			

EXAMPLE

REVERSE SIDE OF TAG TO BE COMPLETED, WHEN APPROPRIATE, BY CERTIFIED DEALER.

## \* Regulations Regarding the Use of Dredges.

- Special permit is required for each dredge boat operator. This permit shall be immediately suspended if the operator receives a citation for violation of the regulations governing dredging. In addition to penalties provided by law, the permit, upon conviction, shall be forfeited.
- Allowable dredging hours are established by the special dredge permit.. Those utilizing special dredge areas must check in at established check station, check out and purchase special dredge oyster tags at such station as prescribed by Marine Resources Division.
- All dredge boats are limited to 16 sacks per day. (1/4 Alabama barrel per sack) – No person may take more that 16 sacks per day (1/4 Alabama barrel per sack). Special dredge oyster tags shall be required for oysters taken from special dredge areas.
- Dredge size will be restricted to 16 teeth, 3 inches apart. Self dumping basket required (No chain bags allowed). The weight of the dredge shall not exceed 115 pounds, including self dumping basket. All dredges must be inspected and tagged by Marine Resources Division at the Marine Resources Division Dauphin Island office.
- Only one dredge is permitted aboard the vessel at any time.
- Dredge boats will comply with all applicable federal and state laws/regulations governing registration, safety equipment, navigational lights, and operation.
- In Portersville Bay, a rope no shorter than 10 (ten) feet with a floating buoy no less than 6 inches diameter bearing operator's permit number shall be permanently affixed to the dredge at all times. In the Mobile Bay Special Dredging Area this rope shall be no shorter than 20 (twenty) feet and will have permit number and buoy affixed as above.
- In Portersville Bay, dredge boats shall be limited to vessels with outboard motors.
- In the Mobile Bay Special Dredging Area dredge boats shall be equipped with GPS navigational equipment.

### **Addendum:**

- You shall conform to all other conditions relating to the use of a dredge, sack size, three inch legal size oysters and any other conditions as specifically prescribed by law or regulation.
- This Permit is not transferable.
- This Permit expires on September 30 of each year.
- This Permit must remain aboard dredging vessel at all times.

### **Mobile Bay Special Dredging Area:**

The Mobile Bay Special Dredging Area dredging area is represented by a polygon bounded by a line starting at MSC Marker #51 then running eastwardly along the line of latitude 30° 27.90' to the line of longitude 87° 59.50', then running southwardly along the line of longitude 87° 59.50' to the line of latitude 30° 24.60', then running westwardly along the line of latitude 30° 24.60' to the line of longitude 88° 02.50', then running northwardly along the line of longitude 88°02.50', to GPS position 30° 27.60' - 88° 02.50', then running in an east-northeastwardly direction terminating at MSC Marker # 51.

**CAUTION: All waters north of the northern boundary line are permanently closed by the Alabama Dept. of Public Health to the taking of oysters for human consumption.**