

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

Delay of Oyster Season Opening

In accordance with the emergency provisions of the Administrative Procedure Act, R.S. 49:953(B) and R.S. 49:967(D), and under the authority of R.S. 56:433(B)1 which provides that the Wildlife and Fisheries Commission may designate what parts or portions of the natural reefs may be fished for oysters and it may suspend the fishing of oysters altogether from natural reefs not leased by it when such reefs are threatened with depletion as determined by the Department, and a Resolution adopted by the Wildlife and Fisheries Commission on August 6, 2009 which authorized the Secretary of the Department of Wildlife and Fisheries to take emergency action if necessary to close areas based on oyster mortality and adverse impacts to oyster reefs and to delay the season in areas where significant spat catch has occurred with good probability of survival, the Secretary hereby declares:

The 2009/2010 oyster season in the following areas, which was scheduled to open at one-half hour before sunrise on Wednesday, October 28, 2009 will be delayed as indicated below. Biological sampling during the first two weeks of October 2009 has shown the occurrence of a successful spat set in these areas. These spat represent future oyster stocks and protecting them are in the best interest of the oyster resource; a resource which is currently well below the long-term average of historical stock size. Therefore the following areas will remain closed as indicated below:

1. That portion of the public oyster seed grounds in St. Bernard Parish north of a line of latitude 30 degrees 00 minutes 00.0 seconds N and east of a line of longitude 89 degrees 22 minutes 50.0 seconds W will remain closed until further notice.

2. The Sister Lake Public Oyster Seed Reservation in Terrebonne Parish will remain closed until one-half hour before sunrise on Friday, October 30, 2009. It will then open and remain open until one-half hour after sunset on November 12, 2009.

Robert J. Barham
Secretary