

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

Closure of a Portion of Public Oyster Seed Grounds East of the Mississippi River

In accordance with the emergency provisions of the Administrative Procedure Act, Revised Statutes R.S. 49:962, which allows the Wildlife and Fisheries Commission to use emergency procedures to set oyster seasons and under the authority of R.S. 56:433 and R.S. 56:435.1.1, and under the authority of a Declaration of Emergency passed by the Wildlife and Fisheries Commission on September 7, 2023, which authorized the secretary of the Department of Wildlife and Fisheries to take emergency action if oyster resources and/or reefs are being adversely impacted, notice is hereby given that the secretary does hereby declare that the harvest of oysters from the following portions of the public oyster seed grounds east of the Mississippi River, as described in LAC 76:VII.511, Department of Health (LDH) Shellfish Harvest Areas 2 and 3, shall close at one-half hour after sunset on Sunday, December 3, 2023:

A. The areas within the following coordinates:

3-Mile Pass (2013)—St. Bernard Parish
30 degrees 03 minutes 56.09 seconds N
89 degrees 22 minutes 32.52 seconds W
30 degrees 03 minutes 56.70 seconds N
89 degrees 22 minutes 15.40 seconds W
30 degrees 03 minutes 18.00 seconds N
89 degrees 22 minutes 06.30 seconds W
30 degrees 03 minutes 30.49 seconds N
89 degrees 22 minutes 38.17 seconds W

B. Shell Point (2009)—St. Bernard Parish

30 degrees 1 minutes 15.89 seconds N
89 degrees 21 minutes 19.51 seconds W
30 degrees 1 minutes 11.42 seconds N
89 degrees 21 minutes 12.30 seconds W
30 degrees 1 minutes 29.77 seconds N
89 degrees 20 minutes 52.48 seconds W
30 degrees 1 minutes 34.63 seconds N
89 degrees 20 minutes 58.81 seconds W

The recommended harvest threshold in this portion of the public oyster seed grounds east of the Mississippi River has been met, and the closure is necessary to protect the remaining oyster resource, allowing growth for future harvest opportunities. Continued commercial harvest might threaten the long-term sustainability of remaining oyster resources in these areas. Protection of these remaining oyster resources from injury is in the best interest of these public oyster seed grounds.

Notice of any opening, delaying, or closing of a season will be provided by public notice at least 72 hours prior to such action, unless such closure is ordered by the Department of Health for public health concerns.

Robert E. Shadoin
Secretary