

DECLARATION OF EMERGENCY**Department of Wildlife and Fisheries
Wildlife and Fisheries Commission****Opening of the Oyster Season Little Lake Public Oyster
Seed Grounds**

In accordance with the emergency provisions of the Administrative Procedure Act, R.S. 49:962, under the authority of R.S. 56:433, and under the authority of a Declaration of Emergency passed by the Wildlife and Fisheries Commission on September 5, 2024, which authorized the secretary of the Department of Wildlife and Fisheries to take emergency action to open public oyster seed grounds or reservations if sufficient quantities of oysters are available and to adjust sack limits, notice is hereby given that the secretary of the Department of Wildlife and Fisheries declares the state-owned water bottoms within the Little Lake Public Oyster Seed Grounds, as described in Louisiana Administrative Code (LAC) 76:VII.521, shall open to the harvest of market oyster only at one-half hour before sunrise on Monday, October 14, 2024.

These actions shall not supersede public health closures as ordered by the Louisiana Department of Health.

During this oyster season opening, the following provisions shall be in effect:

1. Any vessel from which any person(s) takes or attempts to take oysters from the public oyster seed grounds described above, shall be restricted to a daily limit of sacks of oysters per vessel. The daily limit shall not exceed 30 sacks of oysters per vessel and the possession limit shall be twice the daily limit. A sack of oysters for the purposes of this Declaration of Emergency shall be defined as the size described in R.S. 56:440. If sacks smaller than the size described in R.S. 56:440 are used, the daily harvest and possession limits shall be based on the number of sacks used, not the size of the sack or other measures. The possession limit shall not apply to vessels operating under a valid Oyster Cargo Vessel Permit, and these properly-permitted vessels shall not harvest oysters while operating under the cargo permit.

2. This opening is limited to harvesting only market oysters for direct sale (sacking).

3. If any person on a vessel takes or attempts to take oysters from the public oyster ground described above, all oysters contained on that vessel will be deemed to have been taken from said seed ground from the time harvest begins until all oysters are off-loaded dockside.

4. All oysters harvested from the seed grounds for the purpose of market shall be uncontaminated, sealed and not gaping as described in R.S. 56:433.

5. All oysters harvested from the seed grounds for the purpose of direct sale shall measure a minimum of 3 inches from hinge to bill as described in R.S. 56:433.

6. Prior to leaving the seed ground with oysters harvested from said area, all oysters must be sacked, the number of sacks recorded in a log book, and each sack shall be properly tagged.

7. All vessels located in the seed grounds during those times between one-half hour after sunset and one-half hour before sunrise must have all oyster scrapers unshackled.

8. Every vessel harvesting oysters from the public oyster seed grounds shall report harvest information to the

department no later than 9 p.m. each day fished. Vessels shall provide the following information: Captain's name, date of harvest, oyster harvester number, vessel number, the total number of sacks harvested that day, or the total number of barrels of seed removed, and the oyster harvest area fished. Electronic Reporting shall be required and shall be performed in a manner prescribed by the Department.

The secretary of LDWF is authorized to take emergency action as necessary to:

1. Close areas if oyster mortalities are occurring, to delay the season or close areas where significant spat catch has occurred with good probability of survival, where it is found that there are excessive amounts of non-living reef material in seed oyster loads, if oyster resources and/or reefs are being adversely impacted, or if enforcement problems are encountered.

2. Reopen an area previously closed if the threat to the resource has ended, or open areas if substantial oyster resources are located.

Prior to any action, the secretary shall notify the chair of the commission of the intention to make any or all of the changes indicated above.

Notice of any opening, delaying or closing of a season will be made 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.

Madison D. Sheahan
Secretary

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