

NOTICE OF INTENT

Department of Wildlife and Fisheries Office of Fisheries

The Wildlife and Fisheries Commission does hereby give notice of intent to promulgate a rule establishing the Oyster Harvester Training Program (R.S. 56:303.6(D)), for the purpose of developing professionalism in the oyster harvest industry. This Notice of Intent shall establish the requirements needed to complete the program, including training in the Louisiana Shellfish Sanitation Program and the best harvest practices for conservation of the species.

TITLE 76 WILDLIFE AND FISHERIES Part VII. Fish and Other Aquatic Life

Chapter 5. Oysters

339. Oyster Harvester Training Program

A. The following defines the requirements necessary to complete the program to develop professionalism in the commercial oyster industry pursuant to R.S. 56:303.6 (D). This program shall hereafter be referred to as the Oyster Harvester Training Program.

B. Policy: Applicants for an oyster harvester license shall complete and receive a certificate for an online course within the previous three years, or within the previous year if the requirements covered in course material have substantively changed, in order to receive the oyster harvester license. The course will provide a detailed overview of the Louisiana Shellfish Sanitation Program, Chapter 3 of Part IX of Title 51 of the Louisiana Administrative Code, "Preparation and Handling of Seafood for Market" and cover the legalities and best management practices of oyster fishing, including but not limited to, licensing and permitting requirements, oyster harvest regulations, reporting requirements, responsible fishing, and vessel operation. The applicant will be required to view 100% of the course content and score a minimum of 80% in order to receive a certificate.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:303.6(D).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR .

The Secretary of the Department of Wildlife and Fisheries is authorized to take any and all necessary steps on behalf of the Commission to promulgate and effectuate this notice of intent and final rule, including but not limited to, the filing of the fiscal and economic impact statement, the filing of the notice of intent and final rule and the preparation of reports and correspondence to other agencies of government.

In accordance with Act No. 1183 of 1999, the Department of Wildlife and Fisheries/Wildlife and Fisheries Commission hereby issues its Family Impact Statement in connection with the preceding Notice of Intent. This Notice of Intent will have no impact on the six criteria set out at R.S. 49:972(B).

Interested persons may submit written comments relative to the proposed rule to Mr. Steve Beck, Office of Fisheries, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000, prior to Tuesday, July 19, 2016.

Charles J. Melancon
Secretary