

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

MINUTES

July 14, 2010

**STEPHEN J. OATS
CHAIRMAN**

BATON ROUGE, LOUISIANA

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Louisiana Department of Wildlife and Fisheries
2000 Quail Drive

Baton Rouge, Louisiana 70808.

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AGENDA
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
BATON ROUGE, LOUISIANA
JULY 14, 2010

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MINUTES OF THE SPECIAL MEETING

OF

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

Wednesday, July 14, 2010

Chairman Stephen J. Oats presiding.

Ronny Graham
Earl King, Jr.
Patrick Morrow
Stephen Sagrera
Ann Taylor
Mike Voisin

Secretary Barham was also present.

Chairman Oats began stating this meeting was noticed as a special meeting of the Commission. Out of an abundance of caution, the Chairman noted the agenda item, **Consideration of Declaration of Emergency and Notice of Intent to Allow Recreational Fishing Only in those Areas Closed to all Fishing Due to BP Oil Spill** had some language added on recreational charter boat guides as well as bait dealers for recreational fishermen. He then asked for a motion to amend the agenda that broaden the call. A motion was made by Commissioner Graham and seconded by Commissioner Sagrega. Chairman Oats read the amendment to the Declaration of Emergency: "The Louisiana Wildlife and Fisheries Commission has called a special meeting at 4:00 p.m., Wednesday, July 14, to consider opening areas closed to all fishing due to the BP oil spill to recreational fishing only including recreational charter boat guides and bait dealers for recreational fishermen." Hearing no discussion on the amendment, the motion passed unanimously.

Then Chairman Oats noted discussion on the amended agenda item would begin with Secretary Barham. Secretary Barham noted that a new play book has been written since the oil spill occurred in late April, which has also affected the fisheries openings and closings. He stated that there were so many unknowns with this event, there was nothing comparable that anyone could have worked from. In addition to the volume of oil, which changed daily, there was the component of the use of undersea dispersant in the water. He had to be very conservative by closing where

there were oil impacts and projected oil impacts. The Secretary also noted they have been aggressive with openings too where either oil did not go where it was supposed to or there was intermittent oiling and samples were taken. Re-openings occurred based on the fact that no markers for hydrocarbons were found in the tissues. Since the last Commission Meeting, things have changed. It took a long time to get the component parts and the percentages for the dispersant and to be able to develop some profiles for it in combination with the oil. Secretary Barham added that the protocols are in place. The labs were ramping up to be able to handle volumes of analysis. A news release from the Environmental Protection Agency reported they had not found any evidence of dispersant in Louisiana waters, in the territorial seas nor in the inside waters. This report gave a change in confidence, since no dispersant was present or indication of a dispersant, then the test for hydrocarbon markers was a valid test. Secretary Barham noted that was the big change. He added that they are confident there are no hydrocarbons from the hundreds of samples on crabs, shrimp, and finfish. While oysters are under Department of Health and Hospitals (DHH), the Secretary commented he was not aware of a single contaminated oyster. He knew fish would certainly get away from oxygen deprived water which would have likely been associated with hydrocarbons. Through hundreds of sampling and tests, they had no indication of hydrocarbons in the tissue. The Department's position always had been to get people fishing as rapidly as possible and the Secretary thought they were in that situation now. A map of the closed fishing areas was shown. The Department has worked very carefully to set aside areas where there was heavy oiling, booming operations, clean-up work going on so as not to interfere with those operations. But the fact that there have been no indicator of potential health risk in any of the tissues leads the Department to a position where they are comfortable with the idea that people can make a decision on their own. It has been stated that if it does not smell right and it does not taste right, do not eat it. Secretary Barham did warn that there was always the possibility for whatever reason a fish may not be good to eat, but from the oil spill, he did not see a threat.

Chairman Oats thanked Secretary Barham for his flexibility in this dynamic situation. He knew the staff was working very hard to adapt to whatever information was made available each day. The Chairman also thanked the Commission for coming to the special meeting as this new information was developed. He then asked Mr. Randy Pausina to give a full briefing.

Mr. Randy Pausina, Assistant Secretary for Fisheries, began stating that Dr. Guidry of DHH, Office of Public Health was available to help with questions. Also attending the meeting were Mr. Chris Piehler with the Department of Environmental Quality who could speak on the EPA testing and results and Dr. John Finley, head of LSU Food Sciences. He noted that while the Commission was addressing recreational issues as indicated on the maps shown, the same maps were submitted to FDA as part of the joint FDA/NOAA Gulf States Reopening Plan. Besides the maps, the FDA also had samples from all of the areas at their labs in freezers on the commercial side of things. Mr. Pausina reiterated that the Department's goal was to open our waters as fast as possible to all fishing. Good comments from the last meeting were made on what would happen if a class of fish, eggs or larvae were killed or the reproduction capacity of certain fish was reduced due to the effects of the spill. A 5 year, \$30 million fisheries management impact plan was submitted to BP. At this point, 3/5 of that plan, the inshore, nearshore and reef phases have been approved by BP for staff to begin doing research of which they would reimburse the cost. Mr. Pausina noted that in the packets were the proposals as well as the full plans for the 3 phases. Information was still being gathered for BP on the remaining 2 phases, the pelagic fish and the deep water fish, so they could make a better determination and approve those 2 remaining plans. Also, in the packets, with the help of the Department of Environmental Quality, were fish advisory levels for consumption. Those consumption levels were run against about 450 tissue samples that have been done since May and none of the samples could even be considered at any of those advisory levels. Then Mr. Pausina reiterated that the Department began the tissue sampling program on May 9 by sampling the 7 major coastal bay areas across the state weekly for finfish, oyster, shrimp and crabs, regardless of whether oil was present or not. Those samples were then sent to the NOAA certified lab in Metairie and the results were returned within 3-5 days. For the first 70 days, this was the only source of tissue sample analysis available. From the maps shown, the areas in green were what the Commission would consider to open. Also, the same areas were what the FDA was considering to open for the commercial side. Chairman Oats asked Mr. Pausina to go over the basic outline of what was in the Declaration of Emergency and Notice of Intent. Mr. Pausina noted that the action was to open the areas that were in green on the map to recreational fishing which included recreational anglers and sport fishing, recreational charter fishing as well as allow permitted bait vessels to go out and catch bait for recreational fishing. Commissioner Morrow asked if the closed areas in red on the maps

were closed to everything? Mr. Pausina stated the red areas were closed to all fishing activity and they would remain closed with the proposed action. Chairman Oats asked the basis for keeping the areas closed wondering if it was due to heavy oil concentrations and Mr. Pausina answered it was where the highest concentrations were as well as cleanup activities. Commissioner Voisin asked if the FDA had given a time frame on the results. He was told the proposal spoke to 7 to 10 days turn around but Mr. Pausina explained events he has had with the FDA, procedures and samples at the seafood safety lab in Pascagoula which resulted in the FDA agreeing to take action to meet the 7-10 day deadline. Commissioner Voisin then asked if there ever had been a time when a federal agency told the state what to do. Secretary Barham stated it applied to interstate commerce as well as directing the state on seafood. He did not think the federal government had a track record for acting as quickly as the state and probably did not feel the pressure that was being felt by the Department from the commercial fishermen. Secretary Barham assured the Commission he was going to push the federal government as hard as he could. Commissioner Voisin then asked if the green areas to be opened was based on the Department's samples. Secretary Barham stated the samples have been taken from all of the major areas across the coast and were sent to be tested under their new protocols. He felt the results would show no reason not to reopen the commercial fishing in the delineated areas. Commissioner Voisin then thought because of the FDA/NOAA protocol, this process was needed, and Secretary Barham answered yes for the commercial side.

Mr. Robert Walker, owner of Louisiana Seafood Exchange Inc., stated he was opposed to the measure.

Mr. Alan Gibson, Tideland Seafood, was opposed to the opening.

Mr. Ed Sexton stated he supported the proposal.

Mr. Ewell Smith, Executive Director of the Louisiana Seafood Board, voiced opposition to the proposal.

Captain Dudley Vandendorre stated he supported the proposal for recreational fishermen.

Mr. Charlie Smith, Director of the Charter Boat Association, noted he was opposed to the proposal.

Mr. Camp E. Matens asked the Commission to consider voting in favor of the proposal.

Captain John Falterman felt if there was no effect from the fish, he wanted to see the recreational fishermen fish in the Lake Pontchartrain/Lake Borgne areas.

Mr. John Jackson III, representing the Conservation Force, Louisiana Tarpon Clubs, stated they were in favor of the proposal.

Mr. Wayne Hess, owner of American Seafood Wholesale Processing in New Orleans, stated he was against the proposal and asked the Commission to vote against it.

Mr. Mike McMahon, recreational fisherman, was in favor of the proposal but wanted to see it open for commercial also.

Mr. Bobby R. Mover, a part of a fishing family, stated he was against the proposal.

Mr. George Huye, representing CCA, stated they supported catch and release, but Chairman Oats informed him that the proposal was for catch and keep. Again, he was in favor of the proposal.

Mr. Steve Smith, a recreational fisherman, spoke in favor of the proposal.

Mr. Snoop Roth, Past President of CCA Louisiana, spoke in favor of proposal.

Captain Keith Bergeron, a charter fisherman from Grand Isle, stated he would like to see fishing open for everyone since they needed the business.

Mr. Hampton Grunewald, a recreational fisherman and a member of CCA, spoke in support of the proposal.

Mr. Edward Francis, CCA, supported the recommendation of the Department to open recreational fishing including charter fishing.

Mr. Carter Fourrier, CCA, commented he was in favor of the proposal.

Mr. Drew Bernard stated he was in favor of the proposal and the fishermen should not have to wait any longer.

Mr. Randy Lanctot, Louisiana Wildlife Federation, noted they

were in support of reopening the recreational fishing areas.

Mr. Harlon Pearce stated the focus should be on the problem which was the regulatory process imposed by the federal government. He added he could not speak in favor of the proposal.

Following the comments, Chairman Oats asked to hear from the Department of Environmental Quality (DEQ) representative, Mr. Chris Piehler on the BP information recently received. Mr. Piehler began stating they were the people that looked at the data relative to tissue concentrations, water body data and other things. In reviewing that data, they found that the EPA data indicated there were no detections of dispersants in state waters. Then Mr. Piehler noted that in reviewing tissue data submitted to date, there have been a few detections in a number of different species, but they were three orders of magnitude below the level of concern. Technology allows for detection of things in very, very trace amounts and risk assessments already have margins of safety built in them. There is a lot of data that indicates seafood is not a problem from the health respect. Commissioner Voisin asked Mr. Piehler if DEQ had a position on this issue and he was told that they were not taking a position on the issue, but were only to provide objective information. Commissioner Morrow understood DEQ did not take a stand but asked if it was fair to state that the position of DEQ was there is no adverse health reasoning in regards to not opening fishing from a consumption standpoint. Mr. Piehler observed from the data there was no reason for any worry over health advisories or human health risk. Commissioner Voisin asked if that would be for any seafood whether commercially or recreationally caught and he was told that was correct.

The Chairman asked the wishes of the Commission. Commissioner Voisin asked to hear from Dr. Guidry and Dr. Finley. Dr. Finley reiterated what Mr. Piehler stated that at the levels detected there were no risks. He added that the seafood should be eaten. Commissioner Voisin asked Dr. Finley if he was in support of the opening and he was told yes. Dr. Guidry stated no one really had the answer since there has never been such a large spill, nor as much dispersant used nor as much seafood exposed. When they answer questions, it was as cautiously as possible. Dr. Guidry noted he gets on a call every week with other coastal states and the health officers state what they think makes sense since they also do not have clear answers. There have been tests that shows some chemicals in the water but not at levels that would impact our health. All of the other states have

chosen to not go beyond catch and release in oiled areas. If Louisiana chose to do this, it would send a different message. Dr. Guidry recommended being more accurate in the proposed language, "water test to date has shown no chemical contamination". He noted that statement was true about the water but in the fish samples, there were indications of chemicals that normally would not be there. The chemical levels were not at a point that would affect the public's health, but it was at a level not normally there. Dr. Guidry thought this was really consoling since it meant all the seafood being sold and eaten was safe to eat. But he could not guarantee that some fish or seafood in areas where the oil or the dispersants in oil was heavy may not be more contaminated. This was a tough decision, was different from what the other states have done, and something that the other scientists have not recommended. Dr. Guidry was frustrated that everyone's livelihood and lives have drastically changed, and yet no one can get straight answers. He felt the reason it was difficult to get the answers was the science behind it. When you look at levels of chemicals in seafood or in humans, most of the studies come from chemical exposures from the industry where people have worked for 30 years and being exposed to chemicals for 30 years, and it was said benzene caused cancer. Well, the benzene that caused the cancer was probably at a higher level than we are talking about and was probably at a level for 20 or 30 years of work, and that was what was used to base the decisions on. It was not known what the low levels would mean if a person ate one meal a month, one meal a week, or if a child 3 years old ate a meal, or if someone 35 ate a meal. The unknown was what was really challenging. If the oil leak did not stop or slow down soon, then oil would be moving back into some areas and this same discussion would happen again. Dr. Guidry knew, from discussions with federal agencies, that they would not be comfortable reopening an area that showed oil. He added that he could decide if he wanted to eat what he caught and possibly be exposed to a chemical. But when products are sold, that's when the federal and state governments come in and it has to be known that the product was perfectly safe. Commissioner Voisin noted that the resolution says that the action was taken in coordination with the Louisiana Department of Health and Hospitals. He asked if someone from that agency supported the proposed action. Dr. Guidry stated his agency has worked very closely with the Department of Wildlife and Fisheries since this department handles the seafood and DHH handles oysters. Also he felt the Department were the experts in enforcement and DHH were the experts in health. Dr. Guidry added that the two agencies have worked very closely to try to open and close the fisheries

together but the oil keeps moving. He also mentioned that both groups have supported each other and tried to support the industry as well. The support for the industry was making sure that the public still eats Louisiana's seafood. But until the oil was stopped and a fair amount of clean up happened, Dr. Guidry felt the public would have a hard time buying Louisiana seafood. Commissioner Sagrera asked Mr. Pausina if the Department would continue testing in the foreseeable future even if the action passed and he was told yes. Mr. Pausina added that the Department would continue with the protocol the Department established on May 9 and would continue collecting samples to be sent to the seafood labs. Commissioner Sagrera then asked if it would be possible to expand the testing by taking more samples if necessary and he was told yes. He then asked if the Department had a position on tarpon fishing. Secretary Barham stated he had heard a rumor that there may be a proposal to do tag and release for tarpon but he did not have any problems with that proposal.

Hearing no further questions, Chairman Oats asked the wishes of the Commission. Commissioner Taylor made a motion to adopt the Declaration of Emergency and Notice of Intent. Chairman Oats explained a technical amendment the staff suggested. Commissioner Taylor agreed to include that amendment in the motion. The motion was seconded by Commissioner Graham. Mr. Donald Puckett stated there was no Notice of Intent, the action was just on a Declaration of Emergency. Commissioner Voisin offered an amendment to take out the following: "to avoid the possibility that commercially harvested fish and other aquatic life used for consumption are tainted with hydrocarbons." Chairman Oats read the sentence for the record. Commissioner Voisin made a motion to amend the Declaration of Emergency and it was seconded by Commissioner Taylor. The motion passed with no opposition. Before going to the original motion, Commissioner Voisin asked, from a legal aspect what did the following mean: "Recreational fishermen fishing in areas closed to commercial fishermen do so at their own risk." Mr. Puckett could not answer it fully, but it went along with the other advisories about fishing in oiled areas. Commissioner Voisin then asked Mr. Puckett what did he mean by other advisories. Mr. Puckett stated it referred to the advisories within the Declaration of Emergency which talked about observing the fish that you catch, using your senses, using your common sense to avoid heavily oiled areas that might be legally open. Lastly Commissioner Voisin asked how were the lines in the red areas developed. Mr. Pausina answered that those were the areas that were heavily oiled or actively being cleaned up. Chairman Oats

mentioned that they did not expect this dynamic process to end tomorrow. Secretary Barham added that if an unexpected event occurred, such as the failure of the cap or a tropical storm, the Department would have to take emergency action to close. Chairman Oats asked representatives from the different organizations attending the meeting to stay involved giving the Commission information as quickly as possible on this event. Commissioner Voisin commented this was a challenging time in Louisiana. The commercial seafood, which included that produced, processed and delivered by Commissioner Voisin and his family, were at a very challenging point in time. He added, from the comments received, he did not hear anyone opposing the commercial fishing for oysters nor did he hear anyone opposing the recreational harvest and he appreciated that. Commissioner Voisin stated he was challenged by the Food and Drug Administration. He knew that Louisiana's seafood was safer than it has ever been and has been tested more than any other seafood product in the world. Commissioner Voisin suggested to continue looking at the reopening protocol and look at the risk assessment and adjust accordingly. He commented that one of his customers spoke on the issue in opposition to a motion that he would probably support. Commissioner Voisin applauded the Department, the Secretary, Assistant Secretary, the Department of Health and Hospitals and LSU for standing up for the issue. Commissioner Morrow stated since he has been on the Commission for 5 years, he felt this was one of the most challenging issues to come before the Commission. He knew that fishing was a passion for everyone, not just for the recreational but the commercials as well. Commissioner Morrow commented that if there was one piece of scientific evidence of contamination above the safe levels, then he would vote against the motion. In response to the comment made that a decision should not be made on a "knee jerk reaction", Commissioner Morrow remarked there has been adequate testing, there continues to be testing and the evidence dictates that the Commission should open recreational fishing to catch and keep. He hoped the EPA would approve opening commercial fishing within the upcoming 7 to 10 days. Commissioner Morrow disagreed with Dr. Guidry that the Commission was "throwing caution to the wind" and felt the Commission was taking an affirmative stance to get the economy going again. Commissioner Taylor thanked Secretary Barham and Mr. Pausina for getting the information to the Commissioners. She then suggested the Department should take this opportunity to develop an interactive relationship with anglers on reporting oil, displace boom and take samples. Chairman Oats then asked for the vote on the Declaration of Emergency as amended and it passed unanimously.

(The full text of the Declaration of Emergency is made a part of the record.)

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

Recreational and Commercial Fisheries Closure
July 14, 2010

In accordance with the emergency provisions of R.S. 49:953.B and R.S.49:967.D of the Administrative Procedure Act, and under the authority of R.S. 56:6.1, the Wildlife and Fisheries Commission hereby closes all commercial fishing, effective immediately July 14, 2010, in the following area:

That portion of state outside waters seaward of the inside/outside shrimp line from the Mississippi/Louisiana state line westward to the eastern shore of Oyster Bayou at 91 degrees 07 minutes 48 seconds west longitude, and that portion of saltwater areas of the state east of the Mississippi River north of the southern shore of the Mississippi River Gulf Outlet and the southern shore of Lake Pontchartrain from the double rig line as described in R.S. 56:495.1 westward to 89 degrees 51 minutes 35 seconds west longitude and the US Hwy 11 bridge in Lake Pontchartrain, and that portion of state inside waters east of the Mississippi River south of the southern shore of the Mississippi River Gulf Outlet and north of 29 degrees 38 minutes 12 seconds north latitude from the double rig line as described in R.S. 56:495.1 westward to 89 degrees 42 minutes 32 seconds west longitude near the western shore of the twin pipeline canals, and that portion of state inside waters from 89 degrees 28 minutes 06 seconds west longitude near Sable island eastward to the eastern shore of South Pass of the Mississippi River, and that portion of Breton and Chandeleur Sound as described by the double rig line in R.S.56:495.1, and that portion of state inside waters west of the eastern shore of South Pass of the Mississippi River westward to the southern shoreline of Red Pass at 89 degrees 28 minutes 13.4 seconds west longitude, and that portion of state inside waters south of 29 degrees 30 minutes 00 seconds north latitude from the western shoreline of Grand Bayou westward to 89 degrees 52 minutes 00 seconds west longitude, and that portion of state inside waters south of 29 degrees 35 minutes 00 seconds north latitude from 89 degrees 52 minutes 00

seconds west longitude westward to the eastern shoreline of the Barataria Waterway, and that portion of state inside waters south of 29 degrees 18 minutes 30 seconds north latitude from the eastern shoreline of the Barataria Waterway westward to 90 degrees 00 minutes 00 seconds west longitude, and that portion of state inside waters south of 29 degrees 16 minutes 00 seconds north latitude from 90 degrees 00 minutes 00 seconds west longitude westward to the eastern shore of Bayou Lafourche, and that portion of state inside waters south of 29 degrees 12 minutes 50 seconds north latitude from the eastern shore of Bayou Lafourche westward to 90 degrees 17 minutes 50 seconds west longitude, and that portion of state inside waters south of 29 degrees 21 minutes 42 seconds north latitude from the western shore of Grand Bayou Blue and 90 degrees 17 minutes 50 seconds west longitude westward to the eastern shore of Bayou Terrebonne, and that portion of state inside waters south of 29 degrees 21 minutes 00 seconds north latitude from the eastern shore of Bayou Terrebonne westward to the western shore of Bayou Petit Caillou, and that portion of state inside waters south of 29 degrees 13 minutes 12 seconds from the western shore of Bayou Petit Caillou and the Houma Navigation Canal red buoy line westward to 91 degrees 07 minutes 48 seconds west longitude.

Effective with the closure, no person shall take or possess or attempt to take any species of fish for commercial purposes from waters within the closed area. The possession, sale, barter, trade, or exchange of any fish or other aquatic life from the closed area during the closure is prohibited, except as provided herein. Recreational fishing shall be allowed in accordance with the provisions contained herein.

Recreational fishing is being allowed within portions of the above described area, subject to continual testing and monitoring, as this activity is not regulated by the Food and Drug Administration, and the Environmental Protection Agency's nearshore water tests to date have shown no chemical contamination. This opening shall include licensed charter boat guides, and shall authorize harvest of bait by wholesale/retail seafood dealers who hold a special bait dealers permit and who harvest bait for sale to recreational fishermen exclusively, pursuant to the provisions of LAC 76:VII.329. Although recreational fishing will be allowed in portions of the closed areas described in this declaration, certain delineated areas, including heavily oiled areas, areas associated with containment and absorbent boom and areas of active cleanup shall remain closed to recreational fishing. Such delineated areas shall be identified on the Department's website. In those areas open to

recreational fishing, the Commission and the Secretary advise as follows: That recreational fishermen use an abundance of caution when considering to fish in areas closed to commercial fishing, as oil may be present in those areas, which could present a risk of immediate skin contact or inhalation of air borne hydrocarbons. Avoid areas where oil is observed, respect oil cleanup and removal activities and stay clear of areas being protected by boom material. Smell and examine catch closely to ensure that there are no obvious oil or chemical residues. Recreational fishermen fishing in areas closed to commercial fishermen do so at their own risk.

The Deepwater Horizon drilling rig accident has resulted in a significant release of hydrocarbon pollutants into the waters offshore of southeast Louisiana and these pollutants have the potential to impact fish and other aquatic life in portions of Louisiana's coastal waters. Efforts have been made and are continuing to minimize the potential threats to fish and other aquatic life.

This action is taken in coordination with Louisiana Department of Health and Hospitals. Governor Jindal in a declaration of emergency issued on April 29, 2010 stated in part that "a declaration that a state of emergency exists is appropriate due to the predicted impact of oil along the Louisiana coast leaking from the Deepwater Horizon which threatens the state's natural resources, including land, water, fish, wildlife, fowl and other birds, and likewise threatens the livelihoods of Louisiana's citizens living along the coast which increases the economic impact of this incident".

The Commission hereby grants authority to the Secretary of the Department of Wildlife and Fisheries to open, close, reopen-reclose, broaden or otherwise modify the areas closed and opened to fishing if biological, environmental and technical data indicate the need to do so, or as needed to effectively implement the provisions herein.

Stephen J. Oats
Chairman

Commission Voisin then made a motion to add an item to the agenda relative to the expediency of the FDA and its samples. Commissioner Sagraera seconded the motion and it passed with no opposition. Chairman Oats asked Commissioner Voisin to explain his resolution. Commissioner Voisin made a motion that the Secretary, on behalf of the Commission, urge and request the

U.S. Food and Drug Administration to act as quickly as possible in returning sample results that would expedite the reopening of commercial seafood harvest areas that coincide with the openings for the recreational harvest of fish. Commissioner Morrow seconded the motion. Chairman Oats asked if the resolution was to add the urgency of the Commission to the urgency staff has already expressed to FDA and he was told yes. Hearing no discussions, the motion passed with no opposition.

(The full text of the Resolution is made a part of the record.)

RESOLUTION
LOUISIANA WILDLIFE AND FISHERIES COMMISSION

WHEREAS, the Louisiana Wildlife and Fisheries Commission held a special meeting on July 14, 2010 to consider recreational and commercial fisheries closures and openings; and

WHEREAS, the Louisiana Wildlife and Fisheries Commission adopted a Declaration of Emergency which opened recreational fishing in those areas previously closed to recreational and commercial fishing which took effect on July 14, 2010; and

WHEREAS, the Louisiana commercial seafood industry is estimated to have an annual economic benefit of over \$2 billion to the State and has suffered severe economic losses and shrinking markets due to the Deepwater Horizon drilling accident; and

WHEREAS, based upon scientific and technical data, the Commission is of the opinion that vast areas of the state's inside and outside waters currently closed to commercial fishing would be safe for the harvest of commercial seafood, and that sensory and chemical testing will bear this out; and

WHEREAS, the Commission is of the opinion that an expedited testing procedure on behalf to the US Food and Drug Administration, as well as the opening of additional labs, would ultimately result in re-opened commercial areas; now

THEREFORE BE IT RESOLVED, that the Secretary on behalf of the Louisiana Wildlife and Fisheries Commission hereby urges and requests the US Food and Drug Administration to act as quickly as possible in processing and returning sample results, which would expedite the reopening of commercial fishing activities in those areas currently open to recreational fishing.

Stephen J. Oats, Chairman

There being no further business, Chairman Oats **Adjourned** the meeting.

Robert J. Barham
Secretary