

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

In accordance with the emergency provisions of the Administrative Procedure Act, Louisiana Revised Statutes (R.S.) 49:953 and under the authority of R.S. 56:433, R.S. 56:435.1, and R.S. 56:435.1.1(D) notice is hereby given that the Secretary of the Department of Wildlife and Fisheries and the Wildlife and Fisheries Commission hereby declare:

The Secretary of the Department of Wildlife and Fisheries is hereby authorized to delay the opening of the Public Oyster Seed Grounds as described in R.S. 56:434.E, Louisiana Administrative Code (LAC) 76:VII.507, LAC 76:VII.509, LAC 76:VII.511, LAC 76:VII.513, LAC 76:VII.517, and LAC 76:VII.521, including the Lake Machais/Fortuna Sacking-Only Area of the public grounds and the Sacking-Only Area in the American Bay area, for a period of up to 2 weeks from the previously established opening date of October 17 2011, to allow sampling for Natural Resource Damage Assessment (NRDA) associated with the Deep Water Horizon incident in those areas. Any area designated by the Secretary for a delayed opening pursuant to this Declaration shall remain closed for a period of up to two weeks as a result of the Deep Water Horizon incident.

This action becomes effective October 6, 2011. All other season rules established by the Commission for the public oyster seed grounds remain in effect.

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

made by public notice at least 72 hours prior to such action.

Stephen W. Sagrera

Chairman