

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

Designation of a Temporary Natural Oyster Reef in Lake Barre

In accordance with emergency provisions of the Administrative Procedure Act, R.S. 49:953(H) which allows the Louisiana Wildlife and Fisheries Commission (Commission) to use emergency procedures to set oyster seasons, and in accordance with R.S. 56:6(12) and R.S. 56:434(A) which allows the Commission to enlarge the natural reefs of the state and to designate and set aside state water bottoms for the planting, growth, propagation, and policing of seed oysters, the Commission does hereby declare and designate a temporary natural reef on those public water bottoms of Lake Barre in Terrebonne Parish, more specifically as per the seasonal framework described below.

Due to the overall declining availability of oyster resources on the public oyster seed grounds, the lack of available state-owned water bottoms for oyster leasing, and an imminent marsh creation project that plans to transport sediment from the area designated as a borrow site, the designation of the Lake Barre Temporary Natural Reef is needed to allow harvest of any and all oyster resources before borrowing activities begin.

The Lake Barre Temporary Natural Reef shall be divided into two areas consisting of those state-owned water bottoms not currently under lease within the following description:

1. Lake Barre North Temporary Natural Reef located west of Lake Felicity in Terrebonne Parish within the following coordinates:

- a. 29 degrees 18 minutes 03.47 seconds N
90 degrees 35 minutes 22.78 seconds W
- b. 29 degrees 18 minutes 03.31 seconds N
90 degrees 34 minutes 47.92 seconds W
- c. 29 degrees 17 minutes 23.85 seconds N
90 degrees 34 minutes 47.54 seconds W
- d. 29 degrees 17 minutes 11.58 seconds N
90 degrees 34 minutes 18.26 seconds W
- e. 29 degrees 16 minutes 49.59 seconds N
90 degrees 34 minutes 17.49 seconds W
- f. 29 degrees 17 minutes 08.08 seconds N
90 degrees 35 minutes 19.94 seconds W
- g. 29 degrees 17 minutes 10.68 seconds N
90 degrees 35 minutes 21.87 seconds W

2. Lake Barre South Temporary Natural Reef located west of Lake Felicity in Terrebonne Parish within the following coordinates:

- a. 29 degrees 16 minutes 36.11 seconds N
90 degrees 34 minutes 11.55 seconds W
- b. 29 degrees 16 minutes 18.90 seconds N
90 degrees 32 minutes 51.55 seconds W
- c. 29 degrees 15 minutes 44.58 seconds N
90 degrees 32 minutes 51.55 seconds W
- d. 29 degrees 15 minutes 44.34 seconds N
90 degrees 34 minutes 11.50 seconds W

The Lake Barre Temporary Natural Reef shall open one-half hour before sunrise on Monday, October 11, 2021. The season shall close at one-half hour after sunset on Friday,

October 22, 2021. The Lake Barre Temporary Natural Reef will open with the following provisions:

1. Sacking from the Lake Barre Temporary Natural Reef shall be prohibited, and all harvested oysters shall be used for bedding purposes only. No sacks or other containers typically used to hold oysters shall be on board harvest vessels.

2. If a vessel is harvesting from the Lake Barre Temporary Natural Reef, all oysters on that vessel are deemed to have been taken from the Lake Barre Temporary Natural Reef.

3. It shall be prohibited to harvest oysters from any private oyster lease and any area of the Lake Barre Temporary Natural Reef on the same day.

The Secretary of the Department of Wildlife and Fisheries is authorized to take emergency action as necessary to close the Lake Barre Temporary Natural Reef if enforcement problems are encountered.

All statutes, regulations, and policies pertaining to the use of public oyster seed grounds remain in effect except:

1. Any additional compensation requirements levied from time to time for construction, oil and gas exploration, or pipeline construction activities within this Temporary Natural Reef Area, and

2. The policy pertaining to non-renewal of expired oyster leases within this Temporary Natural Reef Area.

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 Louisiana Department of Health for public health concerns.

This Declaration of Emergency will become effective on Monday, October 11, 2021 and shall remain in effect until 12:01 a.m., Saturday, October 23, 2021 at which time the temporary public oyster area declaration of emergency will expire.

Jerri G. Smitko
Chair

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