



BRIAN KEMP
GOVERNOR

MARK WILLIAMS
COMMISSIONER

ADMINISTRATIVE ORDER

BY THE COMMISSIONER

- WHEREAS:** O.C.G.A. Section 27-4-195 authorizes the Commissioner of Natural Resources to open or close for the purpose of taking shellfish any or a portion of the salt waters of this state at any time between January 1 and December 31, provided that he has determined that such action in opening or closing said waters is in accordance with the current, sound principles of wildlife research and management; and
- WHEREAS:** O.C.G.A. Section 27-4-197(a) mandates that the Department of Natural Resources and the Department of Agriculture conduct a shellfish program sufficient to be certified by the United States Food and Drug Administration for interstate shipment of shellfish produced in Georgia; and
- WHEREAS:** The Food and Drug Administration (FDA) and the Interstate Shellfish Sanitation Conference is requiring state shellfish programs to implement a *Vibrio parahaemolyticus* (Vp) control plan should conditions in Georgia so warrant; and
- WHEREAS:** Based on average monthly water temperature calculations, the months of June to September exceed the 81- degree Fahrenheit critical temperature mark, requiring the development and implementation of a Vp control plan for Georgia's oyster harvest; and
- WHEREAS:** The FDA Vp control plan guidance document provides for implementing a closure for the harvest of oysters as an option for addressing Vp management; and
- WHEREAS:** Based on conclusions from the oyster condition index study which scientifically substantiates that during the summer months the commercial quality of oyster meats in Georgia is poor; and
- WHEREAS:** Based on conclusions from the oyster condition index study which scientifically substantiates that lowest values for oyster condition were in summer during the peak spawning months; and
- WHEREAS:** There is little recreational harvest of oysters during the period from June through September; and

WHEREAS: Beginning in 2008 and through 2019, the Commissioner of Natural Resources closed the salt waters of this State to the commercial and recreational harvest of oysters for human consumption from June through September of every year to address Vp management requirements; and

WHEREAS: Based on the reported annual commercial harvest of oysters over the ten years immediately preceding the 2008 closure of the salt waters of this State to the commercial and recreational harvest of oysters for human consumption from June through September, less than two percent of the total pounds landed were harvested between the months of June through September; and

WHEREAS: Members of the Georgia commercial shellfish fishery agreed with an annual closure of oyster harvest between the months of June through September as a measure in good faith to adequately address the annual Vp management requirements for oyster harvest within the state; and

WHEREAS: The Commissioner has determined that closing the salt waters of this State to the commercial and recreational harvest of oysters for human consumption from June 1, 2020 through September 30, 2020 would be consistent with current sound principles of wildlife management.

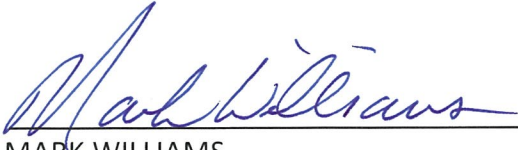
NOW, THEREFORE, BY VIRTUE OF THE POWER VESTED IN ME AS THE COMMISSIONER OF NATURAL RESOURCES, IT IS HEREBY

ORDERED: That the salt waters of the State of Georgia shall be closed to the commercial and recreational harvest of oysters from 6:00 a.m., Monday, June 1, 2020 through midnight on Wednesday, September 30, 2020.

IT IS FURTHER

ORDERED: Because it is illegal to harvest shellfish at night, the recreational and commercial harvest of oysters shall be allowed beginning at 7:00 a.m. on Thursday, October 1, 2020.

This _____ day of May 2020.



MARK WILLIAMS
COMMISSIONER OF NATURAL RESOURCES


MARK WILLIAMS
COMMISSIONER

DOUG HAYMANS
DIRECTOR

May 20, 2020

MEMORANDUM

TO: Commissioner Mark Williams

FROM: Doug Haymans 

SUBJECT: Commercial and Recreational Oyster Harvest Closure

The Interstate Shellfish Sanitation Conference (ISSC) and the Food and Drug Administration (FDA) initiated a process in August 2007 to require state shellfish harvest programs to implement a *Vibrio parahaemolyticus* (Vp) control plan, referred to as proposal 07-202. Revisions were made with guidance given on May 13, 2008 that was reflective of the states' interests and comments. Four methods were given to implement a Vp control plan. A closure of Georgia's territorial waters to harvest during the warmer months of the year would adequately address the primary requirements for a *Vibrio parahaemolyticus* (Vp) control plan for the Georgia oyster fishery.

This decision has been and continues to be supported by the majority of the Georgia Shellfish Association members as they recognize that oyster harvest is very low during the summer months and warmer water temperatures are associated with higher vibrio levels. In addition, as determined from a Georgia oyster condition index study, the lowest values for oyster condition were found to be in the summer during the peak spawning months. The association members also endorsed this study that scientifically substantiates the poor quality of oyster meats during the summer months.

It is my recommendation that Georgia's territorial waters be closed to commercial and recreational oyster harvest effective **6:00 a.m., Monday, June 1, 2020 until midnight on September 30, 2020**. This recommendation is made in accordance with current sound principles of wildlife research and management and to fulfill a requirement of the ISSC and FDA.

An administrative order to initiate the seasonal closure is attached. Should you have any questions or need additional information, please contact Dominic Guadagnoli at 912-617-1741. Please notify me of the effective date of the administrative order so that an official notice and a news release can be prepared and distributed.

Thank you for your attention to this matter.