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 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 substantiates that the 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 2023, the Commissioner of Natural Resources closed the salt waters of this State to the commercial and recreational harvest of oysters for human consumption from
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, 2024, through September 30, 2024, 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., Saturday, June 1, 2024, through midnight on Monday, September 30, 2024.

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 Tuesday, October 1, 2024.

This 20th day of May 2024.

WALTER RABON
COMMISSIONER OF NATURAL RESOURCES