

amend shellfish growing area closures for harvest and temperature controls. Public notice of such an amendment shall be given by posting a notice at the courthouse in each coastal county and by other means as may appear feasible to inform interested persons. Such notice shall be posted at least 24 hours prior to any enforcement action taken pursuant to this rule.

(8) Requirements for Harvest During *Vibrio* Control Months.

(a) Master harvesters may annually request permission from the Department to harvest maricultured oysters from subtidal harvest areas during *Vibrio* control months. Master harvesters may be required to demonstrate their ability to meet shellstock temperature controls as described above to receive or maintain *Vibrio* control months permissions.

(b) Master harvesters must submit a Closed Season Shellfish Operations Plan to be approved by the Department prior to conducting harvesting activities during *Vibrio* control months. The plan shall include a list of trained and licensed harvesters, a resubmergence plan, husbandry plans, a routine schedule for all harvest and landing plans and all other information as required by the Department.

(c) Master harvesters that are authorized for harvest during *Vibrio* control months shall only harvest oysters that have been submerged for a minimum of 14 consecutive days prior to harvest.

(d) Resubmergence plans shall clearly identify and segregate all oysters greater than two (2) inches in the harvest area that have been put into resubmergence due to excessive time/temperature exposure.