

NOTICE OF INTENT

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

Marking System for Passive Nets and Traps ~~Gill Nets, Trammel Nets, Hoop Nets, Slat Traps, and Wire Nets~~ (LAC 76:VII.114)

The Department of Wildlife and Fisheries and the Wildlife and Fisheries Commission do hereby provide notice of their intent to revise a Rule (LAC 76:VII.114) by adding the requirement of marking crawfish and bream traps, cans, and barrels. Recreational crawfish trap marking requirements were removed from R.S. 56 with the license restructure in 2021, and this rule reinstates that requirement and expands it to commercial traps.

The secretary of the Department of Wildlife and Fisheries is authorized to take any and all necessary steps on behalf of the commission to promulgate and effectuate this notice of intent, including but not limited to, the filing of the fiscal and economic impact statement, the filing of the notice of intent, and compiling public comments and submissions for the commission's review and consideration. In the absence of any further action by the commission following an opportunity to consider all public comments regarding the proposed rule, the secretary is authorized and directed to prepare and transmit a summary report to the legislative oversight committees and promulgate the final rule.

Title 76

WILDLIFE AND FISHERIES

Part VII. Fish and Other Aquatic life

Chapter 1. Freshwater Sports and Commercial Fishing

§114. Marking System for Passive Nets and Traps ~~Gill Nets, Trammel Nets, Hoop Nets, Slat Traps, and Wire Nets~~

A. Each gill net or trammel net shall be marked with a waterproof tag attached to the corkline at each end of the net, no more than three feet from the edge of the webbing or on an attached buoy ~~in indelible ink~~. Each hoop net, slat trap, ~~or wire nets~~, recreational crawfish trap, can, barrel, and bream trap shall be marked with a waterproof tag attached directly to the device or ~~written~~ on an attached buoy ~~in indelible ink~~. Said tags shall be supplied by fisherman the fisher and shall ~~to~~ be completely waterproof. Each tag or buoy shall have the fisherman's ~~full name (no initials), and the~~ appropriate commercial or recreational fisherman's license number (not the net license number) etched, stamped, or printed or written in indelible ink thereon in the English language, so as to be clearly legible.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6, R.S. 56:320(F), and R.S. 56:322.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 48:2372 (September 2022), amended LR 49:1144 (June 2023), LR

Family Impact Statement

In accordance with Act 1183 of 1999, the Department of Wildlife and Fisheries/Wildlife and Fisheries Commission hereby issue its Family Impact Statement in connection with the preceding Notice of Intent. This Notice of Intent will have no impact on the six criteria set out at R.S. 49:972(B).

Poverty Impact Statement

The proposed rulemaking will have no impact on poverty as described in R.S. 49:973.

Small Business Analysis

Because most of the commercial fishers who may be affected by the requirements to mark cans and barrels used commercially probably qualify as small businesses, the proposed rule change may result in a minor increase in costs for a limited number of small businesses.

Provider Impact Statement

This proposed Rule has no known impact on providers as described in HCR 170 of 2014.

Public Comments

Interested persons may submit written comments relative to the proposed rule to Robby Maxwell, Department of Wildlife and Fisheries, 1025 Tom Watson Rd., Lake Charles, LA, 70615, or via e-mail to rmaxwell@wlf.la.gov prior to July 30, 2024.

Brandon J. DeCuir

Chairman