LOUISIANA WILDLIFE AND FISHERIES COMMISSION
MINUTES
March 7, 2013
Ronald "Ronny" Graham
CHAIRMAN
BATON ROUGE, LOUISIANA

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Louisiana Department of Wildlife and Fisheries
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AGENDA
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
BATON ROUGE, LA

March 07, 2013
9:30AM

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1. Roll Call

2. Approval of Minutes of February 7, 2013

3. Commission Special Announcements/Personal Privilege

4. To Hear Enforcement & Aviation Reports/February

5. To Receive Public Comments on Notice of Intent for the 2013-2015 Hunting Season Dates – Steve Smith

6. To Receive Public Comments on Notice of Intent for General WMA Hunting Rules and Regulations – Steve Smith

7. To Receive Public Comments on Notice of Intent for DMAP Fee Corrections – Steve Smith

8. To consider a Declaration of Additional Acreage to Maurepas Swamp WMA – Yolanda Martin

9. Resolution of Support for the LDWF Assessment of Blue Crab in Louisiana Waters – Martin Bourgeois

10. To Discuss Grand Isle as a location to host the August Commission Meeting – Randy Pausina

11. Set July 2013 Meeting Date

12. Receive Public Comments

13. Executive Session to Discuss Prospective Litigation relative to return of Artificial Reef Fund Monies

14. Adjournment

MINUTES OF THE MEETING

OF

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

Thursday, March 7, 2013

Chairman Ronny Graham presiding

Pat Manuel
Will Drost
Billy Broussard
Ann Taylor

Secretary Barham was also present

Chairman Graham called for a motion for approval of the **February 7, 2013 Commission Minutes.** A motion for approval was made by Commissioner Broussard and seconded by Commissioner Manuel. Chairman Graham called for a vote and the motion passed with no opposition.

For the agenda item, **Commission Special Announcements/Personal Privilege,** there was none to be heard.

Lt. Col. Jeff Mayne stated, for the agenda item, **To Hear Enforcement & Aviation Reports/February**, the department's planes flew a total of 39.8 aviation hours for the month. There were Low flight hours due to weather conditions. There was one (1) boating accident reported with no injuries and no fatalities. Four (4) news releases were discussed. First, A Marksville man was arrested for the illegal killing a Black Bear in Avoyelles Parish. Second, a Grandfather and Grandson were rescued alive after a thirteen hour search in the Lafitte area. Third, A Denham Springs man was sentenced in Plaquemines Parish for Tuna Violations and resisting an Officer. The fourth release was a New Iberia Man was cited for multiple felonies in New Iberia Parish.
There were a total of 857 cases, 307 written warnings issued during February and agents helped with 44 public assists.

The next item, **To Receive Public Comments on the Notice of Intent for the 2013-2015 Hunting Season Dates,** was handled by Mr. Steve Smith, the WLF WMA Program Manager. Mr. Smith began by going over the Public Comments that were received. Each Commissioner was given a copy of all the comments in the packet provided by Wendy. Each packet consisted of a compilation page of comments and a copy of all emails received. There were a total of 38 comments received of which 34 were in the form of an Email and 4 were Telephone Calls. 26 were in Favor of the NOI, 12 were Opposed.

The next item on the Agenda, **To Receive Public Comments on the Notice of Intent for General WMA Hunting Rules and Regulations** was also handled by Mr. Steve Smith. Two (2) Total Comments were received. One Comment Opposed the Fall Turkey on the Peason Ridge WMA and One Comment was in Favor of the Dove Lottery on the Elbow Slough WMA.

The next item, To Receive Public Comment on Notice of Intent for DMAP Fee Corrections was also handled by Mr. Steve Smith. Mr. Smith stated there were No comments received on the DMAP Fee Schedule changes and that there are Public Hearings Scheduled throughout the state in the next few weeks. Commissioner Manuel asked if the Public Hearings are at the WLF Regional Locations and Mr. Smith responded by saying that some are held in larger Regional Areas to handle bigger crowds when anticipated. There were no other questions or comments.

Chairman Graham announced the next item, **To consider a Declaration of Additional Acreage to the Maurepas Swamp WMA,** to be handled by Ms. Yolanda Martin, Deputy General Counsel for the Department. Ms. Martin began by stating that this is a Resolution to add additional lands to the Maurepas Swamp WMA. These are properties that the department has already acquired and this resolution is to formally select and add these properties to the WMA.
There were No Comments or Questions
Commissioner Broussard made a Motion to move, Commissioner Manuel second; All in favor; There being no opposition the motion passed.

(The full text of the
Resolution is made a part of the record.)

RESOLUTION

Adding Certain Acquired Property to the
Maurepas Swamp Wildlife Management Area
Adopted by the
Louisiana Wildlife and Fisheries Commission

March 7, 2013

WHEREAS, *the Maurepas Swamp Wildlife Management Area was established by Resolutions adopted by the Louisiana Wildlife and Fisheries Commission (hereinafter, "Commission"), dated August 8, 2001 and December 6, 2001, respectively, pursuant to R.S. 56:109(A) and R.S. 56:781 in the parishes of St. John the Baptist, St. James, and Ascension, state of Louisiana, comprised of all the state owned lands, including water bottoms, donated lands and/or other lands located within the said property described in the Resolutions, comprising 62,227 acres, more or less;*

WHEREAS, *the Department of Wildlife and Fisheries has acquired title to the following tracts, each to be located in the Maurepas Swamp Wildlife Management Area:*

A. By Act of Sale and Donation dated February 1, 2007, a certain tract of land comprising 773 acres, more or less, including water bottoms, located in St. John the Baptist Parish, Louisiana, referred to as the "Martin" tract.

B. By Act of Sale dated September 6, 2007, a certain tract of land comprising 7,406 acres, more or less, including water bottoms located in St. John the Baptist Parish, Louisiana, referred to as the "Second Martin" tract.

C. By Act of Donation dated January 10, 2008, a certain tract of land comprising 2,241 acres, more or less, including water bottoms located in St. James and Ascension Parishes, Louisiana, referred to as the "Boyce" tract.

D. By Act of Sale dated March 1, 2012, a certain tract of land comprising 1,691 acres, more or less, including water bottoms located in St. John the Baptist Parish, Louisiana, referred to as the "Rogers" tract.

E. By Act of Sale dated October 11, 2011, a certain tract of land comprising 29,630 acres, more or less, including water bottoms located in Ascension, St. James, St. John the Baptist, and Livingston Parishes, Louisiana, referred to as the "MC Davis" tract.

F. By Act of Donation dated October 11, 2011, a certain tract of land comprising 1 acre, more or less, including water bottoms located in St. James Parish, Louisiana, referred to as the "Camp" tract.

G. By Act of Donation dated June 21, 2012, three (3) certain tracts of land comprising a total of 396 acres, more or less, including water bottoms located in Livingston Parish, Louisiana on, referred to as the "Blind River-Land Canal", "Blind River-Fritchie", and "Blind River-Bilten tracts", respectively.

H. By Act of Sale dated December 21, 2012, a certain tract of land comprising 11,145 acres, more or less, including water bottoms located in Tangipahoa and Livingston Parishes, Louisiana, referred to as the "Rathborne" tract.

WHERES, the foregoing acquired tracts are hereinafter collectively referred to as the "Property", comprising a total of 53,283 acres, more or less, and is set forth in Exhibit "B" which is attached herewith and made a part hereof, and which are more specifically depicted in the attached map, identified as Exhibit "A", incorporated herein and made a part hereof.

WHEREAS, this Property contains valuable wildlife habitat, the protection and proper management of which, is critical to the State's conservation and wildlife management efforts;

WHEREAS, it is the recommendation of the Secretary of the Department of Wildlife and Fisheries (hereinafter, the "Department") that in order to enhance wildlife habitat in the state and provide for public use and recreational opportunities on these lands, including water bottoms, that this Property be selected and established as a wildlife management area and added to the Maurepas Swamp Wildlife Management Area,

WHEREAS, it is the further recommendation of the Secretary of the Department that the Commission select all state owned lands, including water bottoms, located within the Property described above and all state owned lands, including water bottoms, located within the property description of the property previously established as the Maurepas Swamp Wildlife Management Area, and establish all such lands as a wildlife management area and include all such Property, including water bottoms, in the Maurepas Swamp Wildlife Area.

THEREFORE BE IT RESOLVED, that the Wildlife and Fisheries Commission does hereby select, in accordance with the laws of the State of Louisiana, particularly Title 56, Sections 109 and 781 et seq. of the Revised Statutes of 1954, all state owned lands, including water bottoms, located within the Property described above, and establish such lands as a wildlife management area and add this Property to and include them in the existing Maurepas Swamp Wildlife Management Area.

BE IT FURTHER RESOLVED, that the Maurepas Swamp Wildlife Management Area hereby comprises and includes all the Property described herein, including all the property previously established as the Maurepas Swamp Wildlife Management Area by resolutions of this Commission dated August 8, 2001 and December 6, 2001, and all state owned lands, including water bottoms, located within these described properties as set forth and depicted in Exhibits "A" and "B", and which total 115,510 acres, more or less.

BE IT FURTHER RESOLVED, that this property shall be used exclusively for wildlife management purposes, and as such, is perpetually dedicated to the protection, conservation, and management of fish and wildlife and their habitat, and such public recreation, including, but not limited to, hunting, fishing, and trapping, which is consistent with these purposes.

BE IT FURTHER RESOLVED, that the Wildlife and Fisheries Commission authorizes the Secretary of the Department of Wildlife and Fisheries, on behalf of the Commission, to take all actions necessary in furtherance of this resolution.

A description of the entirety of the Maurepas Swamp Wildlife Management Area is attached hereto and included in the minutes of the Commission.

Ronald "Ronny" Graham, Chairman
Louisiana Wildlife and
Fisheries Commission

Robert J. Barham, *Secretary*
Louisiana Department of
Wildlife and Fisheries

The next item on the Agenda, **To Consider Resolution of Support for the LDWF Assessment of Blue Crab in Louisiana Waters,** was presented by Mr. Martin Bourgeois. This resolution requests the endorsement of the WLF Blue Crab Stock Assessment is the best information on the fishery and request that in the event the stock is overfished that the Department would present an updated stock assessment and a series of management options in the event that the stock is approaching overfishing. This Resolution is supported by the LA. Blue Crab Task Force - at a meeting last week. Commissioner Broussard asked, "When was the Assessment due" and Mr. Bourgeois stated that the Current Assessment was completed in 2011 and would be updated annually. Mr. Bourgeois also stated that that historically, the fishery is and has been in great condition. Since 1991, there have only been three years where "we were creeping towards an edge".

The recommendations for stock assessment- factor in a geometric mean over three years. One incident is not enough to trigger an action. This is a warm water invertebrate species that is highly reproductive. Habitat plays an important part in the life cycle. Lots of factors that affect crab abundance from year to year other than numbers of fisherman and traps in the water.

Commissioner Broussard asked that if they were considering going towards implementing seasons and zones. Mr. Bourgeois stated yes, that the idea is to present a series of Management Actions and the authority of the Commission is limited to Seasons, Times and Places. Mr. Bourgeois continued and stated for an example there could be areas of closure, periods of closures, closures related to stratify by water depth – there is quite a range of options.

Commissioner Broussard followed with, "How far in advance, are we just establishing contingencies in the event this happens or is there something predictable that you see on the horizon"? Mr. Bourgeois replied that they would be able to determine problems in the fishery well in advance of reaching the overfished or overfished limits. There are opportunities for the Secretary to take action on an emergency basis if needed

Randy Pausina spoke about the genesis of the seasonal framework is Sustainability Certification. There is no indication of any problems with the stock. Louisiana Blue Crab was the first Blue Crab Fishery in the world to be Sustainably Certified. Part of the ongoing annual audits with the certification is to establish seasonal framework, which is a step toward branding, but is in direct response of our sustainability certification which is necessary to have behind the brand. This is not a requirement of the federal government. The Vidalia Onion is an example of branding.

It was an initiative born out of the Louisiana Blue Crab Taskforce, We at WLF jumped in with them and helped. Commissioner Broussard asked if we were going to have to potentially contend with the turtle protectors and such. Mr. Bourgeois stated that this is one of the conditions that the Fishery was certified under. More information is needed for crab traps and by catch including Diamondback Terrapins and perhaps threatened and endangered species; Marine mammals, Manatees, Gulf Sturgeon. Randy Pausina then stated that the bottom line is the Fishery is an annual crop, and not a species that we envision closing a season on.

We have a lot of management tools including Mesh sizes on the traps, rings, escape rings among others to help this crop.

There is no intention by the department to do anything right now to the crab management. We had to have a stock assessment in place and conducted annually to meet the conditions of the MSC Certification of which we deeded to have the following two items continually addressed: (1) The Seasonal Framework in case we ever got there and (2) Any Marine Mammals getting tangled up in the line or Diamondback Terrapins getting in the Traps is being addressed aggressively. WLF Fisheries has a partnership with the Wildlife Division on the Turtle side. We don't see any problem with the population today and we continue to run that assessment every year.
We will let you know when the 2012 Annual update will be available.
The Commission was reminded by Mr. Pausina that they have the ability to overturn or ratify if they so choose down the road.

There were no other comments or questions heard. Commissioner Manuel made a Motion to Move, Commissioner Drost second; All in favor, Motion Passed without opposition

(The Full Text of the
Resolution is made
a part of the record.)

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

Resolution of Support for the LDWF Assessment of Blue Crab in Louisiana Waters

WHEREAS, the Louisiana Blue Crab fishery is one of the largest fisheries by volume and value in the state and in the Gulf of Mexico Region; and

WHEREAS, the 2011 stock assessment of the Louisiana blue crab fishery is the best available information on the stock status, using fisheries independent and dependent data collected through the Department of Wildlife and Fisheries; and

WHEREAS, the Louisiana Blue Crab Stock Assessment establishes conservation benchmarks for overfishing and overfished status for the blue crab fishery, and

WHEREAS, actions taken by the Louisiana Wildlife and Fisheries Commission will assist in maintaining the blue crab fishery within the conservation standards as described in the Louisiana assessment and,

WHEREAS, maintaining a healthy blue crab stock is in the best interests of the State of Louisiana as it provides sustainable harvest levels and improves economics within the fishery, and

THEREFORE BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission does hereby accept and endorse the Louisiana Blue Crab Stock Assessment as the best available information on the fishery.

BE IT FURTHER RESOLVED that should the blue crab stock status approach the overfished or overfishing limits as defined in the most current Louisiana blue crab stock assessment, the Louisiana Department of Wildlife and Fisheries shall come before the Commission with an updated assessment and a series of management options for the Commission to review and act upon, intended to keep the fishery from becoming overfished.

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Ronald Graham, Chair

Commissioner Taylor asked Chairman Graham if she could go off the Agenda in order to propose an Amendment to make a change to the Salvador Timken WMA

Commissioner Broussard made the Motion to add the item to the Agenda. Commissioner Drost made the second. All were in favor, the motion passed with no opposition.

Commissioner Taylor asked that the verbiage to read for the Salvador Timken WMA Hunting regulations: To Change the Date of the Opening of Frog Season, Experimental Nighttime Activity Season to "beginning at 12:00AM on June 1 (midnight), to coincide with the opening of frog season. Nighttime activities are limited to the take of frogs and fishing with rod and reel. All other nighttime activities are prohibited.

All Commissioners were in favor of the change, therefore the motion passed with no opposition.

The next item on the Agenda, **To Discuss Grand Isle as a Location to Host the August Commission Meeting** was handled by Randy Pausina. WLF was approached by Grand Isle to have a meeting there. There is no expense to the Commission to have the meeting in Grand Isle. August 1, 2013 was discussed as the date. The official date will be set at the April Meeting.

The next item, **Set July 2013 Meeting Date** was scheduled – The July meeting date will be July 2, 2013. Commissioner Broussard made the Motion, Commissioner Manuel Second, All in favor, therefore the Motion Passed with No Opposition.

The next item, **To Receive Public Comments** began with Mr. Wayne Sibley with comments on Rabbit Hunting. Mr. Sibley is a member of the Bayou State Rabbit Hunters Association. There is a shortage of places to run and train their dogs during the summer. He wants to explore the idea of training their dogs beginning after turkey season and before deer season from the top of the levee on the east side of the Atchafalaya to the top of the levee on the west side. This would allow them to camp at Sherburne which would enhance revenue. There would be no cost to Wildlife and Fisheries to be able to run from 190 down south to Butte LaRose. Can they just do this automatically or do they need dedication from WLF. Jimmy Anthony stated there is a law in place that you cannot run dogs during Turkey Season, Turkey Nesting Season. There would be significant impacts to the Turkey Nesting area. Mr. Sibley stated they would not start until after Turkey Season and Mr. Anthony reiterated that the Turkeys are nesting after Turkey Season and that the dogs could and would impact the Nesting ability of the Turkeys and destroy the nests. Mr. Sibley continued his discussion of trying to prove his case reciting his visual data on the ground. Would like the Commission to pick a date to allow the rabbit hunters an opportunity to train their dogs. Commissioner Graham thanked him for his comments and said it would be turned over to Jimmy Anthony and staff to look into this and provide some recommendations.

Mr. Bobby Terrebonne representing Gotcha Fishing Charters out of Grand Isle spoke next. His comment references the question, "What can the Commission do for Charter Boats". He believes the Gulf Council should be abolished. He sits on the AP and Ad Hock Committees. All of the recommendations that are made to the Council are "shot down". Mr. Terrebonne stated it is his opinion that Roy Crabtree, Chairman of the Gulf Council has too much power. Need the help of the Commission to help the Charter Boats. The season is continually cut shorter. This year's season is only 27 days and they cannot make a living on 27 days. Last year was 47 days. They lost 28 days due to inclement weather and were only given back 6 days. Randy Pausina stated WLF is working very hard. The Commission has instructed to fight for the States rights and the flexibility of fishing. WLF Commission is doing everything they can.

The Commissioners went into **Executive Session to Discuss Prospective Litigation relative to return of Artificial Reef Fund Monies.** Returning from Executive Session, Chairman Graham stated that the Commission will take no action at this time. Also stated, write a letter from the Commission as a whole in support of for Randy Pausina to write a letter to our Congressional Delegation and the Gulf Council in support of the battles we are facing with the Gulf Council.

Commissioner Manuel made a Motion to Write a Letter in Support of from the Commission as a whole explaining our "Non-Compliance" and seeking congressional support. Once drafted, send to Chair and Vice Chairman to review. Commissioner Broussard Second, All Commissioners are in favor therefore the Motion Passed with no opposition

There being no further business, Chairman Graham **Adjourned** the meeting.

Ronny Graham
Chairman