

NOTICE OF INTENT

Department of Wildlife and Fisheries

Wildlife and Fisheries Commission

The Wildlife and Fisheries Commission does hereby give notice of its intent to amend a rule, LAC 76:VII.367, which provides for an abandoned crab trap removal program. Authority to establish these regulations is vested in the Commission by R.S. 56:332(N). Said rule is attached and made a part of this Notice of Intent.

**Title 76**

**WILDLIFE AND FISHERIES**

**Part VII. Fish and Other Aquatic Life**

**Chapter 3. Saltwater Sport and Commercial Fishery**

**§367. Removal of Abandoned Crab Traps**

A. The use of crab traps shall be prohibited from 6:00 a.m., February 16, 2013 ~~25, 2012~~ through 6:00 a.m. February 25, 2013 ~~March 5, 2012~~ within that portion of ~~St. Bernard Parish and~~ Plaquemines Parish as described below:

1. From a point originating along the eastern shore of the Mississippi River at 29 degrees 44 minutes 00 seconds north latitude; thence eastward along 29 degrees 44 minutes 00 seconds north latitude to 89 degrees 40 minutes 00 seconds west longitude; thence southward along 89 degrees 40 minutes 00 seconds west longitude to the eastern shore of the Mississippi River; thence northward along the eastern shore of the Mississippi River terminating at the point of beginning. ~~From a point originating~~

~~along the southern shoreline of the Mississippi River Gulf Outlet (MRGO) at 89 degrees 36 minutes 00 seconds west longitude; thence southward along 89 degrees 36 minutes 00 seconds west longitude to 29 degrees 39 minutes 00 seconds north latitude; thence westward along 29 degrees 39 minutes 00 seconds north latitude to 89 degrees 38 minutes 30 seconds west longitude; thence southward along 89 degrees 38 minutes 30 seconds west longitude to 29 degrees 38 minutes 00 seconds north latitude; thence westward along 29 degrees 38 minutes 00 seconds north latitude to 89 degrees 40 minutes 30 seconds west longitude; thence southward along 89 degrees 40 minutes 30 seconds west longitude to 29 degrees 34 minutes 00 seconds north latitude; thence westward along 29 degrees 34 minutes 00 seconds north latitude to the eastern shore of the Mississippi River; thence northward along the eastern shore of the Mississippi River to 89 degrees 54 minutes 00 seconds west longitude; thence northward along 89 degrees 54 minutes 00 seconds west longitude to the southern shoreline of the MRGO; thence eastward along the southern shoreline of the MRGO terminating at the point of beginning.~~

B. The use of crab traps shall be prohibited from 6:00 a.m., March 9, 2013 ~~17, 2012~~ through 6:00 a.m. March 18, 2013 ~~26, 2012~~ within that portion of St. Bernard Terrebonne Parish as described below:

1. From a point originating from the intersection of the northwestern shore of Bayou Yscloskey and the southern shore of the

Mississippi River Gulf Outlet; thence northward to the southwestern shore of Shell Beach Cut; thence northward along the western shore of Shell Beach Cut to the southern shore of Lake Borgne; thence northward a distance of one-half mile from the southern shore of Lake Borgne; thence eastward and northward along a line extending one-half mile offshore along the southern and western shore of Lake Borgne to 29 degrees 58 minutes 00 seconds north latitude; thence eastward along 29 degrees 58 minutes 00 seconds north latitude to 89 degrees 22 minutes 00 seconds west longitude; thence southward along 89 degrees 22 minutes 00 seconds west longitude to the southern shoreline of the Mississippi River Gulf Outlet; thence westward along the southern shoreline of the Mississippi River Gulf Outlet to the eastern shore of Bayou La Loutre; thence southward along the eastern shore of Bayou La Loutre; thence westward along the southern shore of Bayou La Loutre to the western shore of Bayou Yscloskey; thence northward along the western shore of Bayou Yscloskey and terminating at the point of beginning. ~~From a point originating from the intersection of LA Highway 57 and Dulac Canal; thence east along LA Highway 57 to its intersection with LA 56; thence due east to the western shoreline of Bayou Little Caillou; thence north along the western shoreline of Bayou Little Caillou to its intersection with Lapeyrouse Canal; thence east along the northern shoreline of Lapeyrouse Canal to its intersection with Bayou Terrebonne; thence south along the eastern shoreline of Bayou Terrebonne to its intersection with Seabreeze Pass; thence~~

~~southwest to channel marker number 17 of the Houma Navigation Channel at 29 degrees 11 minutes 11.3 seconds north latitude 90 degrees 36 minutes 44.5 seconds west longitude; thence southwest to the northern most point on Pass la Poule Island at 29 degrees 08 minutes 33.5 seconds north latitude 90 degrees 39 seconds 01.3 seconds west longitude; thence west to Bayou Sale channel marker at 29 degrees 06 minutes 31.8 seconds north latitude 90 degrees 44 minutes 34.2 seconds west longitude; thence north to the western shoreline of Bayou Sale; thence north along the western shoreline of Bayou Sale to its intersection with Four Point Bayou; thence north along the western shoreline of Four Point Bayou its intersection with the Houma Navigation Channel; thence north along the western shoreline of the Houma Navigation Channel to its intersection with Bayou Grand Caillou; thence north along the western shoreline of Bayou Grand Caillou to its intersection with Dulac Canal; thence east along the northern shoreline of Dulac Canal and terminating at the point of beginning.~~

C. All crab traps remaining in the closed area during the specified period shall be considered abandoned. These trap removal regulations do not provide authorization for access to private property; authorization to access private property can only be provided by individual landowners. Crab traps may be removed only between one-half hour before sunrise to one-half hour after sunset. Anyone is authorized to remove these abandoned crab traps within the closed area. No person removing crab traps from the designated

closed areas during the closure periods shall possess these traps outside of the closed area. The Wildlife and Fisheries Commission authorizes the Secretary of the Department of Wildlife and Fisheries to designate disposal sites.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:332(N).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission LR 30:101 (January 2004), amended LR 31:108 (January 2005), LR 32:266 (February 2006), LR 33:113 (January 2007), LR 34:97 (January 2008), LR 36:77 (January, 2010), LR 38:146 (January, 2012), LR .

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 and final rule, including but not limited to, the filing of the fiscal and economic impact statement, the filing of the notice of intent and final rule and the preparation of reports and correspondence to other agencies of government.

Interested persons may submit written comments relative to the proposed rule to Mr. Martin Bourgeois, Marine Fisheries Biologist DCL-B, Marine Fisheries Section, Box 189 ~~98000~~, Bourg ~~Baton Rouge~~, LA 70343 ~~70898-9000~~, prior to November 1, 2012 ~~3, 2011~~.

In accordance with Act No. 1183 of 1999, the Department of Wildlife and Fisheries/Wildlife and Fisheries Commission hereby issues 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).

Ann L. Taylor

Chair