

NOTICE OF INTENT

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

Revisions Regarding Freshwater Permits

The Wildlife and Fisheries Commission does hereby give notice of its intent to adopt the following changes to remove the requirement for a special permit for commercial fishing on Lake Bruin in Tensas Parish:

Title 76

WILDLIFE AND FISHERIES

PART VII. Fish and Other Aquatic Life

Chapter 1. Freshwater Sports and Commercial Fishing

§125. Lake Bruin

A. The Wildlife and Fisheries Commission hereby establishes ~~and permits~~ a special recurring commercial fishing season, allowing the use of certain nets and slat traps, in Lake Bruin, Tensas Parish, Louisiana. The season will commence each year at sunrise on November 1 and close at sunset on the last day of February the following year.

1. Commercial fishing with certain nets and slat traps will be allowed on Lake Bruin only during the above described special season and only by licensed commercial fishermen ~~who must also obtain a Lake Bruin commercial fishing permit from the Department of Wildlife and Fisheries. The permit will be issued~~

~~at no cost on a seasonal basis and must be renewed for each season. The permittee must also file a report to the Department of Wildlife and Fisheries of his catch that is postmarked not later _____ than 15 days after the close of that season. The use of nets in Lake Bruin will be limited to gill and trammel nets greater than or having at least a minimum mesh of 3 1/2-inch bar and 7-inch stretch.~~

2. Commercial fishing will be allowed only during daylight hours except that gear can remain set overnight but fish captured may be removed during daylight hours only.

~~3. Failure to comply with the terms of the special permit or of any Louisiana commercial fishing regulations shall result in immediate cancellation of the permit for the remainder of the current season.~~

~~4. Failure to submit a timely report for a particular year's commercial fishing season shall result in the denial of a permit for the next year. If a report is eventually received after the deadline period for a particular year, the applicant may get a permit after skipping a year, however, if no report is ever filed, no permit for any subsequent year will be considered.~~

~~5. Applicants with a citation(s) pending for three years or less, which is a Class 2 fish or game violation(s) or greater~~

~~shall be denied a permit until such time as the applicant appears before department officials for the purpose of reviewing the citation(s) issued. The secretary, after reviewing the proceedings, may issue or deny the permit.~~

~~6. Permits shall not be issued to any applicant who within three years of the date of his/her application, has been convicted or pled guilty to a Class 2 fish or game violation or greater, as defined in the laws pertaining to wildlife and fisheries.~~

~~7. Applicants convicted of, or pleading guilty to two or more Class 2 fish or game violations or greater within five years of the application date shall not receive a permit.~~

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:22, R.S. 56:326.3 and R.S. 56:402.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 13:502 (September 1987), amended LR 18:294 (March 1992).

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 the Final Rule, including but not limited to, the filing of the Fiscal and Economic Impact Statements, the filing

of the Notice of Intent and final Rule and the preparation of reports and correspondence to other agencies of government.

In accordance with Act #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).

Interested persons may submit written comments of the Notice of Intent to Mr. Randy Myers, Biologist DCL-B, Office of Fisheries, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000 no later than 4:30 p.m., Thursday, January 2, 2013.

Ronald Graham

Chairman