

NOTICE OF INTENT

**Department of Wildlife and Fisheries
Office of Fisheries
Wildlife and Fisheries Commission**

**Removal of Abandoned Crab Traps
(LAC 76:III.367)**

Notice is hereby given in accordance with the Administrative Procedure Act, R.S. 49:950 et. seq., and through the authority granted in R.S. 56:322(N), that the Wildlife and Fisheries Commission proposes to amend Chapter 7 to temporarily close a portion of state inside waters to the use of crab traps in order to facilitate the removal of abandoned crab traps in these waters.

The Wildlife and Fisheries Commission has amended the provisions in LAC 76:VII.367 governing the locations of temporary crab trap closures to address problems in portions of state waters resulting from large numbers of abandoned and derelict crab traps (*Louisiana Register, Volume 30, Number 1; Volume 31, Number 1; Volume 32, Number 2; Volume 33, Number 1; Volume 34, Number 1; Volume 36; Number 1; Volume 38, Number 1; Volume 39, Number 1*). The Wildlife and Fisheries Commission now proposes to amend the provisions to describe a new portion of state waters to be temporarily closed to the use of crab traps for the purpose of conducting a crab trap cleanup.

Title 76

WILDLIFE AND FISHERIES

REMOVAL OF ABANDONED CRAB TRAPS

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 15, 2014 through 6:00 a.m. February 24, 2014 within that portion of Terrebonne Parish as described below:

From a point originating at the intersection of the eastern shoreline of Bayou Dularge and the southern shoreline of Falgout Canal; thence westward along the southern shoreline of Falgout Canal to Lake Decade; thence westward and then southward along the southern and western shoreline of Lake Decade to the mouth of Bayou Decade; thence southwesterly along the southern shoreline of Bayou Decade to Lost Lake; thence westward and then southward along the northern shoreline of Lost Lake to the mouth of Rice Bayou; thence southward along the western shoreline of Rice Bayou to Blue Hammock Bayou; thence westward along the northern shore of Blue Hammock Bayou to Four League Bay; thence southward along the eastern shoreline of Four League Bay to the mouth of Oyster Bayou; thence southward along the eastern shoreline of Oyster Bayou to a point along the inside-outside shrimp line as defined in R.S. 56:495(A); thence eastward along

the inside-outside shrimp line to the eastern shoreline of Bayou Grand Caillou; thence northward along the eastern shoreline of Bayou Grand Caillou to 29 degrees 15 minutes 00 seconds north latitude; thence westward across Bayou Grand Caillou to the northern shoreline of the Tennessee Gas Pipeline canal; thence westward along the northern shoreline of the Tennessee Gas Pipeline canal to the eastern shore of Bayou Dularge; thence northward along the eastern shoreline of Bayou Dularge and terminating at the intersection of the eastern shoreline of Bayou Dularge and the southern shoreline of Falgout Canal.

B. 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 38:___ (December, 2012).

Family Impact Statement

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of this proposed rule on the family has been considered. This proposed rule has a positive impact on family functioning, stability, or autonomy as described in R.S. 49:972 by allowing waiver service recipients within active duty military families to return to Louisiana and have preferential assignment to available waiver opportunities.

Poverty Impact Statement

The proposed Rule should not have any known or foreseeable impact on any child, individual or family as defined by R.S. 49:973.B.

Public Comments

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, Bourg, LA 70343, or via e-mail to: mbourgeois@wlf.la.gov prior to October 11, 2013.

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.

Ronald "Ronnie" Graham

Chairman