

NOTICE OF INTENT

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

The Wildlife and Fisheries Commission hereby advertises his intent to establish the Louisiana Fisheries Forward Program to increase and elevate professionalism in the commercial crab industry (R.S. 56:305.6). This Notice of Intent shall establish the requirements needed to complete the program, including education in the proper fishing techniques necessary for the health and sustainability of the species; proper techniques for the best capture and presentation of the crabs for marketability; proper instructions regarding the placement, tending, and maintenance of crab traps to reduce potential conflicts with other user groups; and authorizes the program to include a mandatory apprenticeship program.

TITLE 76

WILDLIFE AND FISHERIES

Part VII. Fish and Other Aquatic Life

Chapter 3. Saltwater Sport and Commercial Fishery

347. Louisiana Fisheries Forward Program

A. The following defines the requirements necessary to complete the program to

increase and elevate professionalism in the commercial crab industry pursuant to R.S. 56:305.6.

This program shall hereafter be referred to as the Louisiana Fisheries Forward Program.

B. For the purposes of this section, the following will be defined as:

Applicant – Licensed commercial fishermen attempting to obtain a commercial crab trap gear license through the program.

Mentor – A fisherman holding a valid commercial crab trap gear license who mentors an apprentice in completing the Apprenticeship Path.

Sponsor – A fisherman or wholesale/retail seafood dealer holding a valid commercial crab trap gear license who sponsors an apprentice in completing Sponsorship Path.

C. Policy

1. Applicants that do not qualify for a commercial crab trap gear license under provisions defined in R.S. 56:305.6 shall fulfill all the basic requirements and complete one of two field-training paths; the apprenticeship path, or the sponsorship path, to complete the program, and receive a crab trap gear license.

2. Before beginning a training path, an applicant must possess a valid Louisiana Commercial Fisherman’s License. This license number will be used to track participation in the program.

3. The basic requirements and chosen training path shall be completed within one consecutive 12-month period.

4. Applicants who wish to change their mentor or sponsor during the process shall submit a new application containing the new mentor's or sponsor's information along with a written explanation for the change. Applicants shall not lose credit for hours or trips logged under the previous mentor or sponsor provided they are verified pursuant to paragraph F(3) & G(3) of this section.

D. Eligibility

1. Any person who has been convicted of a Class 3 or greater fisheries violation in the last 5 years shall not be eligible to participate as an applicant, mentor, or sponsor.

2. Any person choosing to participate as a mentor shall possess a valid commercial crab trap gear license and have documented a minimum of six trip tickets showing crab landings in any two of the previous four years.

3. Any person choosing to participate as a sponsor shall possess a valid commercial crab trap gear license and have documented a minimum of six trip tickets showing crab landings as a commercial fisherman or wholesale / retail dealer in any two of the previous four years.

E. Basic Requirements

1. Each applicant must obtain a Louisiana Boater Education Certificate via the Louisiana Boater Safety Course.

2. Each applicant must complete and receive a certificate in the following Louisiana Fisheries Forward online courses. The applicant will be required to view 100% of the content and score a minimum of 80% in order to receive a certificate.

a. Course providing a detailed overview of state and federal statutes governing legal harvest of major seafood commodities, including but not limited to, licensing and permitting, harvest regulations, reporting requirements, and responsible and safe fishing.

b. Course covering the legalities and best management practices of crab fishing, including but not limited to, licensing and permitting requirements, crab harvest regulations, reporting requirements, best handling practices, responsible fishing, and vessel operation.

c. Course covering fundamental financial concepts targeted to Louisiana's commercial fishing industry, including but not limited to, budgeting, cash flow, taxes, insurance, loans, grants, and business plans.

d. Course covering the fundamental concepts for producing high quality seafood, including but not limited to, quality loss, temperature control, icing, chilling, freezing, and proper handling and storage.

F. Apprenticeship Path

1. To initiate the Apprenticeship Training Path the applicant and applicant's mentor must complete and submit an application to the Department. The application shall state the intent to participate in apprenticeship training and include the social security number, name, address, state issued photo identification, and commercial fishing license of both the applicant and the applicant's mentor.

2. The applicant shall complete a minimum of 200 hours of apprenticeship training related to crab fishing under supervision of the applicant's designated mentor. Training hours shall be recorded daily on training log forms provided by the Department. Copies of the training logs shall be submitted to the Department on a quarterly basis. A minimum of 100 hours of training shall be performed and logged on days when the applicant's mentor has harvested and reported trip ticket sales of crabs. Any previous work or training experience in the crab fishery conducted prior to the date the apprenticeship is initiated shall not count toward the applicant's total required hours.

3. Upon completion, the applicant and mentor must complete and submit a notarized affidavit signed by both the applicant and the mentor and include the original signed training log forms. The affidavit shall be provided by the Department and indicate the completion of the apprenticeship, affirm the accuracy of the associated log forms, and include the name, address, and commercial fishing license of both the applicant and the mentor.

G. Sponsorship Path

1. To initiate the Sponsorship Training Path the applicant and applicant's sponsor must complete and submit an application to the Department. The application shall state the intent to participate in sponsorship training and include the social security number, name, address, state issued photo identification, and commercial fishing license of both the applicant and the applicant's sponsor.

1. The applicant shall actively fish crabs under the sponsor's crab trap gear license and report trip ticket sales of crabs using the applicant's name and commercial fisherman's license number. The applicant must complete a minimum of 20 crab fishing trips

evidenced by trip tickets. Any trips or landings conducted prior to the date the sponsorship is initiated shall not count toward the applicant's total required crab fishing trips.

3. Upon completion, the applicant and sponsor must complete and submit a second notarized affidavit signed by both the applicant and the sponsor and include copies of the trip tickets used to evidence the required crab fishing trips. The affidavit shall be provided by the Department and indicate the completion of the sponsorship, affirm the accuracy of the associated trip tickets, and include the name, address, and commercial fishing license of both the applicant and the mentor.

H. Optional Training

1. Applicants may substitute attendance at certain Department approved meetings or educational events for required apprenticeship hours and sponsorship trips. Eligible meetings and events include, Louisiana Crab Task Force meetings, Crab Dock Days, and annual Louisiana Fisheries Summits. Additional meetings and events may be deemed eligible by the Department.

a. Each hour of meeting attendance shall substitute for one hour of the apprenticeship requirement. Every 10 hours of meeting attendance shall substitute for one fishing trip of the sponsorship requirement.

b. A maximum 50 hours or 5 fishing trips may be substituted.

2. Attendance at meetings or educational events shall be documented by a designated Department employee or agent. The applicant shall sign in upon arrival, present a photo ID and provide their commercial license number. Upon departure, the applicant shall sign out.

a. Applicants who sign in prior to the start of an event and sign out after the conclusion of an event shall receive substitution credit hours equal only to the length of the event. Applicants shall not receive extra credit hours for arriving early or staying late at an event.

b. Applicants who fail to sign out shall not receive credit hours for attending an event.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:305.6.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, 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.

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).

Interested persons may submit written comments relative to the proposed rule to Mr. Jason Froeba, Office of Fisheries, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000, prior to Monday, September 1, 2014.

Robert J. Barham

Secretary