

NOTICE OF INTENT

Department of Wildlife and Fisheries

Wildlife and Fisheries Commission

Alligator Regulations

The Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, The Department of Wildlife and Fisheries and the Wildlife and Fisheries Commission do hereby advertise their intent to promulgate rules for the slaughter of farm alligators and amend the rules for the alligator farm facility requirements in the Alligator Regulations.

TITLE 76

WILDLIFE AND FISHERIES

PART V. WILD QUADRUPEDS AND WILD BIRDS

Chapter 7. Alligators

§701. Alligator Regulations

A. – A.1 ...

2. Definitions. The following words and phrases for purposes of these regulations shall have the meaning ascribed to them in this section, unless the context wherein the particular word or phrase is used clearly indicates a different meaning.

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Pithing- Insertion of a rod into the foramen magnum of the alligator followed by four (4) to six (6) circular motions of such rod to destroy the brain.

* * *

Slaughter- Killing farm-raised alligators for the purpose of harvesting commodities such as meat, hides, or parts.

* * *

15. Alligator Farm Facility Requirements.

a. i.-iv. ...

v. all controlled-temperature alligator sheds (environmental chambers) shall be of a design acceptable to the department. Each shed shall maintain a minimum water and air temperature of 80° Fahrenheit. ~~Minimum space requirements for alligators housed in the shed shall be:~~

~~(a) one square foot of space shall be required for each alligator less than 24 inches in length;~~

~~(b) three square feet of space shall be required for each alligator measuring 25 inches to 48 inches in length;~~

~~(c) one additional square foot of space shall be required for each additional 6 inches of alligator length for alligators above four feet in length;~~

b.-c. ...

d. All alligator farmers possessing alligator hatchlings shall house hatchlings in controlled environmental chambers which maintain a minimum temperature of 80° Fahrenheit year-round containing ~~dry and~~ wet areas of sufficient surface area to permit all alligators to partially submerge in water. All alligators 48" or less in length shall be housed in environmental chambers unless a special permit is issued by the department to move them to outside growth areas. Violation of this Subparagraph is a Class Three violation as described in Title 56.

e. Alligator farmers shall house alligators of different lengths into at least three groups, providing separation for all alligators less than two feet in length, two to four feet in length, and over four feet in length. ~~Land and water areas sufficient for partial submersion or exit from water shall be provided for each group of alligators held.~~ Violation of this Subparagraph is a Class Three violation as described in Title 56.

f.-g.. ...

h. Any alligator egg or alligator raised on an alligator farm shall be cared for under conditions that do not threaten the survival of such egg and alligator as determined by the biological staff of the Coastal and Nongame Resources Division. In making such determination, Coastal and Nongame Resources Division biologists shall take into consideration sanitary conditions, temperature control, feeding, overcrowding and other conditions which ~~effect~~ **affect** the survival of alligator eggs and alligators. If the biological staff of the Coastal and Nongame Resources Division determines that the survival of any alligator egg or alligator is threatened due to the conditions on an alligator farm, the department shall notify the alligator farmer and shall provide the farmer with 60 days to take corrective action. If the farmer fails to take corrective action within 60 days, the department shall have the authority to confiscate any alligator egg or alligator which remains under conditions that threaten the survival of such alligator egg or alligator and to dispose of such alligator egg or alligator as the department deems necessary. Violation of this Subparagraph is a Class Four violation as described in Title 56.

16. Farm-Raised Alligator Slaughter Methods

a.i. Legal methods for the slaughter of farm-raised alligators are as follows:

(a). penetrating captive bolt:

(b). non-penetrating captive bolt:

(c). spinal cord severance followed immediately by pithing the brain; and

(d). other slaughter methods may be acceptable if they are approved in writing by the Department after review and consultation with a trained veterinarian; any slaughter method presented for review must quickly inflict severe damage to the brain, be humane and not pose a high risk to administering personnel.

ii. Selected slaughter method must be administered properly so as to cause a rapid loss of consciousness and death.

iii. Violation of this Subparagraph is a Class Three violation as described in Title 56.

46 17 Exceptions. ...

47 18 Penalty for Violation ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115, R.S. 56:259, R.S. 56:262, R.S. 56:263 and R.S. 56:280.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 16:1070 (December 1990), amended LR 17:892 (September 1991), LR 19:215 (February 1993), LR 20:321 (March 1994), LR 26:1492 (July 2000), LR 28:1996 (September 2002), LR 30:2338 (October 2004), LR 30:2878 (December 2004), LR 31:2267 (September 2005), LR 33:677 (April 2007), LR 35:690 (April 2009), LR 37:2421 (August 2011), LR 39: .

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 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 on the proposed rule to Buddy Baker, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA, 70898-9000 or bbaker@wlf.la.gov no later than 4:30 p.m., March 4, 2015.

Family Impact Statement

In accordance with Act 1183 of 1999 regular session of the Louisiana Legislature, 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).

Poverty Impact Statement

The proposed rulemaking will have no impact on poverty as described in R.S.49:973.

Provider Impact Statement

This Rule has no known impact on providers as described in HCR 170 of 2014

Edwin “Pat” Manuel

Chairman