

**LOUISIANA WILDLIFE AND FISHERIES COMMISSION**

**MINUTES**

**APRIL 6, 2006**

**TERRY D. DENMON  
CHAIRMAN**

**BATON ROUGE, LOUISIANA**

The following constitute minutes of the Commission Meeting  
and are not a verbatim transcript of the proceedings.

Tapes of the meetings are kept at the  
Louisiana Department of Wildlife and Fisheries  
2000 Quail Drive

Baton Rouge, Louisiana 70808  
For more information, call (225) 765-2806

**AGENDA**  
**LOUISIANA WILDLIFE AND FISHERIES COMMISSION**  
**BATON ROUGE, LOUISIANA**  
**APRIL 6, 2006**

		Page
1.	Roll Call	1
2.	Approval of Minutes of March 2, 2006	1
3.	Commission Special Announcements	1
4.	Presentation of Certificates for New Natural Areas	1
5.	Official Launch of the Department's New Website	2
6.	Recognition of Region 7 Staff for Turkey Trapping Efforts for Research	3
7.	Enforcement & Aviation Reports/March	3
8.	Rule Ratification - Possession of Potentially Dangerous Wild Quadrupeds and Non-Human Primates	3
9.	Public Comments - 2006/2007 Hunting Seasons & General & WMA Hunting Rules and Regulations	13
10.	Set August 2006 Meeting Date	18
11.	Public Comments	18
12.	Adjournment	20

MINUTES OF THE MEETING  
OF  
LOUISIANA WILDLIFE AND FISHERIES COMMISSION

Thursday, April 6, 2006

Chairman Terry Denmon presiding.

Earl King  
Frederic Miller  
Patrick Morrow  
Henry Mouton  
Wayne Sagrera  
Robert Samanie, III

Secretary Dwight Landreneau was also present.

Chairman Denmon called for a motion for approval of the **March 2, 2006 Commission Minutes**. A motion for approval was made by Commissioner Sagrera and seconded by Commissioner Samanie. The motion passed with no opposition.

Under **Commission Special Announcements** for this month, Commissioner King stated he resented being uninformed by the Department's leadership of House Bill 837, a Department sponsored bill. This bill would give the Secretary powers to take action under the exclusive jurisdiction of the Commission. Even under emergency conditions, Commissioner King felt this was not right. For a Department that emphasizes public input and to sponsor such a bill without the Commission's input is egregious. He urged the Department to ask Representative Smith to withdraw House Bill 837 so the Commission could have input on the language. Commissioner King added that he has and hoped to continue to support the Department. Chairman Denmon commented the Department did contact him when the bills were formulated and he did not do anything with them. But he added their procedure has always been for the Department to update the Commission on bills going through the Legislature. A formal procedure was being developed to notify the members of these actions.

**Presentation of Certificates for New Natural Areas** began with Mr. Gary Lester stating one of the important aspects of the Wildlife Action Plan was to develop partnerships to promote habitat for species of concern. He then announced 3 agreements were made with the Office of State Parks and introduced Dr. Stuart Johnson, Assistant Secretary. These 3 agreements are included in the Natural Areas Registry program for a total of 86 agreements statewide involving 39,794 acres. The Tunica Hills State Preservation Natural

Area, located in West Feliciana Parish, is an example of Southern Mesophytic Hardwood Forest which is only found here in the State. This area, comprised of 2,292 acres, is near the Tunica Hills WMA and houses a lot of species common in the Appalachian Mountains area. The next was the Big Cypress Natural Area, comprised of 181 acres in Bienville Parish, houses cypress trees 18 to 26 feet in circumference and that are estimated to be 1,500 years old. The third site was the Bogue Chitto State Park Natural Area located in Washington Parish and was comprised of 55 acres. This area is a good example of hardwood, sloped forest habitat with a lot of beech, southern magnolia and white oak. Mr. Lester then read the inscription on the plaque that was presented to Dr. Johnson. Dr. Johnson thanked the Commission on behalf of Lt. Governor Mitch Landrieu and Secretary Angelle Davis for the designation. He added they have worked very closely with the Department over the years especially in the area of natural preservation. Secretary Landreneau added that he worked very close with Dr. Johnson when he was Assistant Secretary of Department of Culture, Recreation and Tourism. He stated he knew the efforts of the Office of State Parks in making sure green space remains an important part of the system. As stewards of the land, Secretary Landreneau felt the Department, Nature Conservancy and Office of State Parks as well as other non-governmental agencies bands together to make sure these spaces remain safe for years to come. Chairman Denmon congratulated Dr. Johnson and asked that the good work continue.

**Official Launch of the Department's New Website** began with Secretary Landreneau stating that about 2 years ago, it was recognized that the website was lacking since there was no way to get into the site and make changes that could keep it current. The Department worked with the Graham Group and now a new website will be kept up to speed. A committee of employees, spearheaded by Computer Center staff and Public Information staff, met to make sure that the new website would be the best and most innovative that could be offered. During the meetings, it was suggested a webmaster be hired to make sure the website was updated. He then introduced Mrs. Jennifer Hannie, the new webmaster and thanked the staff for their total involvement. Mrs. Hannie thanked the website review team and other staff that was involved in collecting the content and providing input on the design, especially the Computer Center and Public Information Section. She then introduced Ms. Sandy Broussard with the Graham Group Interactive and thanked them also. With the old website, the biggest issue was a lack of design for navigation and it was decided a new concept was needed for the new website. The concept was to be designed from the users perspective. Changes on the website will occur regularly. Mrs. Hannie showed how to navigate through the new website. The green and natural colors on the website reflect the outdoors and the links which are in orange reflect safety. She mentioned that the Department issues a Newsletter every 2 weeks and then showed how to receive the Newsletter by e-mail. Chairman Denmon felt the new website was a welcome change.

**Recognition of Region 7 Staff for Turkey Trapping Efforts for Research** was handled by Mr. Dave Moreland. He stated there was a copy of the first edition of the Wild Turkey Newsletter in the packets. On page 7 of that Newsletter was a story on wild turkey banding. Back in 1989, Mr. Jimmy Stafford went to Mr. Moreland with the idea of trapping,

banding and releasing turkeys and this was supported by the Department. Just recently the 500<sup>th</sup> gobbler was taken. Since this project began, other projects have been initiated on Sherburne, Jackson-Bienville and in northeast Louisiana. Mr. Moreland then recognized Mr. Stafford, Mr. Bruce Knight, Mr. Calvin Waskom and Mr. Tommy Bruhl.

The **Enforcement & Aviation Reports/March** began with Lt. Col. Keith LaCaze stating this was a transitional month shifting from hunting to fishing and boating. The totals for the month equaled 1,082 citations and 264 written warnings were issued. Also, agents helped with 58 public assists. An extra totals category listed 36 hunting turkeys over bait citations issued since opening weekend. For the Aviation Report, the Department's three planes flew a total of 51.9 hours for the month. There were 3 boating fatalities during March which occurred as one accident in Jefferson Parish where a boat capsized and the individuals were not wearing their PFD's. Also, there were 4 injuries in 7 other accidents for the month. Over the previous weekend, Lt. Col. LaCaze noted there was a lot of boating activity and 2 fatalities occurred, 1 in Pointe Coupee Parish and 1 in the Region 7 area. Then he went over several News Releases that included litter violations, a night hunting sentencing in Rapides Parish and baiting cases in Region 2 area.

Mrs. Maria Davidson began the next item, **Rule Ratification - Possession of Potentially Dangerous Wild Quadrupeds and Non-Human Primates** requesting the Commission ratify the proposal that would add non-human primates to the list of potentially dangerous wild quadrupeds rule. The rule would prohibit the private possession, breeding and selling of non-human primates in Louisiana. Exemptions and exceptions in the rule included educational institutions, zoos, sanctuaries and research facilities. Currently held, privately owned animals in the State would be grandfathered in through a permitting process. A total of 115 public comments were received with 99 in support and 16 opposed to the proposed rule. Chairman Denmon asked Mrs. Davidson to read the Therefore Be It Resolved portion of the Resolution. Commissioner Miller made a motion to adopt the Resolution and it was seconded by Commissioner Samanie. At this point, the Chairman opened the meeting for public comments.

Ms. Cynthia Cash, a Louisiana resident and animal advocate, stated she works with animal rescues. But she draws the line when it comes to animals with diseases that can be passed from animals to humans. Monkeys carries 5 such diseases, all of which can be deadly, and when combined with the documented unprovoked attacks, Ms. Cash felt this was a human safety and public safety. The out-of-state people attending the meeting have no vested interest in the issue nor any appreciation for the hard work the Department has gone through. Ms. Cash then asked that Louisiana join with 19 other states in a ban on pet monkeys as well as restrictions imposed by CDC, U.S. Public Health, NIH, USDA, and U.S. Fish and Wildlife Service.

Mr. Garrett Willem stated he loves animals too which has prompted him to run and organize a breeding program that focuses on endangered species of animals that do not have a natural habitat to return to. He agrees with those organizations, such as USDA and

USDI, that regulates his profession. He would like to see Louisiana have a state permitting process for those who have “responsibly” worked with animals for many years rather than imposing a ban that will put him in violation of his USDI permit. He felt the grandfather clause was very offensive. Mr. Willem agreed there may be some disease issues that need to be addressed. Another issue for him was not knowing where his animals were suppose to go, but would work with the Department to understand what he is to do with those animals.

Mr. Joseph Kirkland stated, as private owners, they wanted to address the inaccurate information listed in the proposal. He felt that all primates should not be lumped together. The most common primate in private ownership are capuchin, spiders and macaque which range in size from 6 to 35 pounds. Mr. Kirkland noted in response to the fact that non-human primates are dangerous pets, that they are no more dangerous than having a dog. There have only been 10 reported incidents a year for the past 10 years. He added, they advocate the responsible ownership of all animals, not just primates. They were also for reasonable regulations and not bans. Mr. Kirkland felt there was a misconception that the primates could carry and transmit communicable diseases to the public. There have not been any non-human primates in the private sector imported into the United States since 1975. With their life span in captivity of 10 to 40 years, almost all monkeys have been born in this country and have not been exposed to third world diseases. He agreed with the fact there was no approved vaccine for rabies for non-human primates, but added there was no documented case of rabies in the United States except in laboratories. Responsible owners were more afraid of what a person can transmit to a primate than what a primate can transmit to a human. Mr. Kirkland then explained several differences between private and institutional ownership of monkeys. He implored the Commission to vote no on the proposal, instruct the Department to rewrite the regulations and to exempt all monkeys under 40 pounds. Chairman Denmon asked Mr. Kirkland what his interest was on the issue since he was from Texas. Mr. Kirkland stated there was an organization of private monkey owners and part of their membership was in Louisiana.

Ms. Michelle Chaisson stated she was a disabled veteran partially paralyzed that has a service monkey. She grew up hunting and fishing and has taught her children this was an important part of her heritage. Those animals feed them and are a part of her home and her personal health. The statement that the proposal has no impact on a family was completely wrong. She wondered what would happen to her friends and family that breed monkeys for a living if the proposal passed. Ms. Chaisson explained how she has been harassed when she goes into town with her service monkey and how she has to prove she is disabled. The ADA regulations do not allow for anyone to ask for proof of a disability or that the monkey is a service animal. She concluded she has not seen facts that would support any good reasons for the ban.

Ms. Barbara Doherty, owner of a non-human primate from Arkansas and Vice-President of the organization Uniting a Proactive Primate and Exotic Animal League (UAPPEAL), asked the Commission to vote against the regulation as written and encouraged the support of an unbiased animal law that would apply to all animals. The organization stated they support

responsible private ownership. Ms. Doherty then presented three points that were imperative. The first point was that non-human primates are not predators. The next was that according to the CDC, there has not been a single recorded case of disease transmitted from a pet monkey to a human in the United States. Thirdly, with respect to the comment of no vaccine for rabies, according to the U.S. Department of Health and Human Services, the National Institute of Health and the National Institute of Allergy and Infectious Diseases there has been a vaccine proven 100 percent effective since 1998. UAPPEAL feels education was a more efficient reaction than a ban.

Mr. Dell Hains, a Louisiana resident, stated that on the afternoon of February 28, 2006, his 2 year old grandson was viciously attacked by a macaque monkey. He was bitten on the face, neck and head while playing in the yard. He was taken to a hospital and treated with anti-viral medications. The child was then subjected to rabies treatment since the animal was not tested. In order to test for rabies, the monkey would need to be killed and the brain sent for analysis. Mr. Hains commented that when a dog or cat bites a person, they know what to do for treatment. But when a monkey bites a person, no one does anything.

Dr. Gary Balsamo, State Public Health Veterinarian with Department of Health and Hospitals, stated one of his duties was to supervise rabies surveillance in the State. Since he has been on the job beginning January 2002, there have been several reports on pet monkeys and the one thing that was common with all of them was that the sanitary code has never been enforced. This was due to no cooperation from the primate owners. Dr. Balsamo then added other organizations that recommended prohibiting the importation of primates included the World Organization for Animal Health, American Zoological Association, Association of State Public Health Veterinarians and the American Veterinary Medical Association. The reasons why these organizations do not recommend these animals for pets were disease and bites. Thirty-three percent of bites results in severe wound infections, severe lacerations or some other permanent injury such as scarring or joints that no longer flex. Children were more than 3 times likely to be bitten by monkeys than an adult. He noted there were mechanisms for sanctuaries to be licensed and an exclusion for service primates. The comment that importation of monkeys has not been allowed since 1975 and this means those that are being traded are domestic was not really accurate. Dr. Balsamo stated there were sometimes no way to trace the origin of the monkeys. So, he asked the Commission to vote for the measure.

Mr. Dan Maloney, General Curator at the Audubon Zoo, stated he has been involved in helping to place animals which has rarely occurred. He added he helped with the language in the proposal and noted there were exceptions such as service animals. Mr. Maloney commented he would like to know more about Mr. Willem's breeding program since he nor the Director of the Alexandria Zoo knew of him. Private breeders were feeding the pet trade and many of those animals do not have the kind of information that would be beneficial to a zoo cooperative breeding program. Mr. Maloney also added that smuggling does still take place. He then read two brief statements supporting the proposed regulations on non-human primates.

Mr. Hilton Cole, East Baton Rouge Parish Animal Control, stated the National Animal Control Association and the Louisiana Animal Control Association were against the private ownership of wild and exotic animals as pets and this included primates. In East Baton Rouge Parish, there is a ban on the private ownership as pets of wild and exotic animals. The main reason for the ban on primates is they bite. The rabies and other disease of primates are serious. These animals may be tamed, but Mr. Cole noted they were not domesticated like dogs and cats. He then commended the Department for taking on the issue of exotics and felt Louisiana needs protection from these animals. Mr. Cole concluded stating it would behoove the Department and Commission to along with the CDC, National organizations and local groups that do not allow primates as pets.

Mr. Leslie Whitt, Director of the Alexandria Zoo for 32 years, stated he was a bite survivor from pet monkeys after people have asked him to pick these animals up when their owners have passed away. In the early 1980's, Mr. Whitt and his family had a macaque monkey in his home and feels very strongly that having that animal around caused a virus in his heart which required him to have a heart transplant 12 years ago. He still works at the zoo, but does not handle primates or goes around their homes when cleaning was being done. Mr. Whitt concluded by offering his experience and dedication to the animal profession. He asked the Commission to vote yes on the motion.

Ms. Laura Maloney, Director of Louisiana SPCA and Animal Control for New Orleans, stated she brought the legislation to Representative Schwegmann. The reason was a problem they were having in New Orleans with monkey breeders who were selling animals to very well meaning people. After a few years, these people realized that the animals were unmanageable and turned them into the SPCA. She encouraged the Commission to uphold the regulations.

Chairman Denmon noted a comment card from Ms. Lisa Laskoski who was in favor of the proposal but did not wish to speak.

Ms. Tammy Peak clarified that the monkey that bit the 2 year old boy was tested and did not have any diseases. Also she stated that the boy was not scared of animals now.

Ms. Caroline Norton reminded the Commission that monkeys are wild animals. She also noted they are not domesticated and not appropriate as pets. Ms. Norton then stated she was in favor of the proposed regulations and asked the Commission to vote for it.

Ms. Karen Racca, Simply Simian, stated their monkeys were never in the wild, they were born in the United States. She then asked when was the last time it was reported that a person had any disease or rabies from a pet monkey in the United States. They have never advocated that monkeys should be a pet for everyone. Education is the key to having monkeys. Ms. Racca stated a bite is a bite regardless of where it comes from. She then asked the Commission to vote no on the proposal.

Chairman Denmon then asked if the Department had any further comments to make. Mrs. Davidson stated the public comment totals were 22 opposed and 109 in support of the Resolution. Hearing no further discussion, the question was called and the motion passed with no opposition.

(The full text of the Resolution and Rule are made a part of the record.)

## RESOLUTION

### Addition of Non-Human Primates to the List of Potentially Dangerous Quadrupeds

April 6, 2006

WHEREAS, R.S. 56:6(30) relative to non-human primates (primates), provides that the Department of Wildlife and Fisheries shall promulgate rules and regulations regarding the purchase and possession of primates; to provide issuance of certain permits; and to provide for related matters, and

WHEREAS, the Commission finds that possession of certain potentially dangerous primates poses significant hazards to public safety and health, is detrimental to the welfare of the animals, and may have negative impact on conservation and recovery of some threatened and endangered species, and

WHEREAS, the size and strength of such animals in concert with their natural and unpredictable and/or predatory nature can result in severe injury or death when an attack upon a human occurs. Often such attacks are unprovoked and a person other than the owner, often a child, is the victim. Furthermore, there is no approved rabies vaccine for such animals, so even minor scratches and injuries inflicted upon humans or other animals could be deadly, and

WHEREAS, responsible possession of these potentially dangerous primates necessitates that they be confined in secure facilities. Prolonged confinement is by its nature stressful to these animals and proper long-term care by experienced persons is essential to the health and welfare of these animals and to society, now

THEREFORE BE IT RESOLVED, the Wildlife and Fisheries Commission does hereby include non-human primates with potentially dangerous quadrupeds in the rules and regulations promulgated in accordance with R.S. 56:115, R.S. 56:171, and R.S. 56:1904F, and does hereby ratify the attached rule.

Terry D. Denmon, Chairman  
Wildlife and Fisheries Commission

## RULE

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

The Wildlife and Fisheries Commission does hereby amend the regulations for possession of potentially dangerous quadrupeds by adding non-human primates.

### **Title 76 WILDLIFE AND FISHERIES**

#### **Part V. Wild Quadrupeds and Wild Birds**

##### **Chapter 1. Wild Quadrupeds**

##### **§115. Possession of Potentially Dangerous Wild Quadrupeds and Non-Human Primates**

A. This Commission finds that possession of certain potentially dangerous quadrupeds and non-human primates poses significant hazards to public safety and health, is detrimental to the welfare of the animals, and may have negative impacts on conservation and recovery of some threatened and endangered species.

1. The size and strength of such animals in concert with their natural and unpredictable and/or predatory nature can result in severe injury or death when an attack upon a human occurs. Often such attacks are unprovoked and a person other than the owner, often a child, is the victim. Furthermore, there is no approved rabies vaccine for such animals, so even minor scratches and injuries inflicted upon humans or other animals could be deadly.

2. Responsible possession of these potentially dangerous wild quadrupeds and non-human primates necessitates that they be confined in secure facilities. Prolonged confinement is by its nature stressful to these animals and proper long-term care by experienced persons is essential to the health and welfare of these animals and to society.

3. Certain of these animals are listed as endangered species and others are so similar in appearance to endangered subspecies as to make practical distinction difficult. This similarity of appearance may provide a means to market illegally obtained endangered animals and can limit the effective enforcement of endangered species laws.

B. This Commission regulation prohibits importation and private possession of certain wild quadrupeds and non-human primates as follows.

C. 1. Except as provided herein, it shall be unlawful to import into, possess, purchase or sell within the State of Louisiana, by any means whatsoever including but not limited to transactions conducted via the internet, any of the following species or its subspecies of live wild quadrupeds or non-human primates, domesticated or otherwise (hereinafter "listed animals"):

- a. Cougar or mountain lion (Felis concolor)
- b. Black bear (Ursus americanus)
- c. Grizzly bear (Ursus arctos)
- d. Polar bear (Ursus maritimus)
- e. Red wolf (Canis rufus)
- f. Gray wolf (Canis lupus)
- g. Wolf dog hybrid (Canis lupus or Canis rufus x Canis familiaris)
- h. All non-human primates

2. Valid game breeder license holders for these species listed Subparagraph a-f above legally possessed prior to October 1, 1988, will be "grandfathered" and renewed annually until existing captive animals expire, or are legally transferred out of state, or are transferred to a suitable facility. No additional listed animals may be acquired.

3. The prohibition against wolf-dog hybrids expired January 1, 1997. Persons are cautioned that local ordinances or other state regulations may prohibit possession of these animals. Any animal which appears indistinguishable from a wolf, or is in any way represented to be a wolf shall be considered to be a wolf in the absence of bona fide documentation to the contrary.

4. The following organizations and entities shall be exempt from this regulation, including permitting:

- a. Zoos accredited or certified by the American Zoo and Aquarium Association (AZA);
- b. Research facilities as defined in the Animal Welfare Act as found in the United States Code Title 7, Chapter 54, §2132(e), including but not limited to

the University of Louisiana at Lafayette Primate Center, the Tulane National Primate Research Center, and Chimp Haven, Inc., located in Shreveport, LA; and

c. Any person transporting any listed animal through the State if the transit time is not more than 24 hours and the animal is at all times maintained within a confinement sufficient to prevent escape and contact with the public.

5. The following organizations and entities may be exempted from this regulation after applying for and receiving a permit from the Department to possess any listed animal under the following conditions:

a. Other zoos and educational institutions not covered under Subparagraph 4.c. above. The Secretary shall determine whether to issue a permit and any conditions for the permit on a case by case basis.

b. Animal Sanctuaries accredited or certified by AZA. Permitted Sanctuaries are prohibited from breeding or selling any listed animal. The animals must be housed in such a manner as to prevent public contact. Permitted sanctuaries are prohibited from transporting these animals to any public building or place where they may come into contact with the public including, but not limited to schools, hospitals or malls is prohibited.

6. As provided below, the following individuals may be exempted from this regulation after applying for and receiving a permit from the Department to possess a non-human primate. The permit will be for one year and must be renewed annually under the following conditions:

a. A physically challenged individual who has exclusive possession of no more than one monkey that is working to aid and assist said individual with his/her disability and where the monkey has been obtained through and trained by a licensed and accredited non-profit organization dedicated to improving the quality of lives for physically challenged.

b. An individual who legally possesses one or more non-human primates prior to the effective date of this regulation and who can prove legal ownership is authorized to keep those non-human primates but is prohibited from acquiring any additional non-human primates by any means whatsoever, including breeding.

c. The individuals listed in this subsection must annually apply for and receive a permit from the Department. The permit application shall include:

i. The name, address, telephone number, and date of birth of applicant.

ii. A description of each non-human primate applicant possesses, including the scientific name, sex, age, color, weight, and any distinguishing marks.

iii. A photograph of each non-human primate and its permanent enclosure.

iv. The physical location where the non-human primate is to be kept.

v. Proof of legal ownership. (Proof of legal ownership includes original purchase documents, veterinary records, or other documentation, acceptable to the Department demonstrating ownership.)

vi. The microchip or tattoo number of each non-human primate.

vii. A health certificate signed by a licensed veterinarian within one year prior to the date of the application stating that the animal is free of all symptoms of contagious and/or infectious diseases at the time of the examination and that all appropriate tests and preventative measures have been performed as deemed necessary by the veterinarian.

d. Permit holders must house their non-human primates in such a manner as to prevent public contact and are prohibited from transporting their non-human primate to any public building or place where the public may come into contact with the non-human primate, including, but not limited to schools, hospitals or malls.

e. Permit holders must have their non-human primates examined annually by a licensed veterinarian to insure that the animal is free of all symptoms of contagious and/or infectious diseases at the time of examination and all appropriate tests and preventative measures have been performed as deemed necessary by the veterinarian.

f. Permit holders are required to report any escapes to the Department within 24 hours of discovery of the escape.

g. Permit holders are required to submit any changes to the permit information provided in the permit application within 30 days of the date those changes take effect or the permit will be considered invalid.

D. Minimum pen requirements for exempted educational institutions, zoos and scientific organizations are as follows:

1. Bears

- covered roof;
- a. single animal: 25 feet long x 12 feet wide x 10 feet high,
  - b. pair: 30 feet long x 15 feet wide x 10 feet high, covered roof;
  - c. materials: chain link 9 gauge minimum;
  - d. safety perimeter rail;
  - e. pool: 6 feet x 4 feet x 18 inches deep with facilities for spraying or wetting bear(s);
2. Wolf
- a. 15 feet long x 8 feet wide x 6 feet high per animal, covered roof;
  - b. secluded den area: 4 feet x 4 feet for each animal;
  - c. materials: chain link wire or equivalent;
  - d. safety perimeter rail;
3. Cougar, Mountain lion
- roof;
- a. single animal: 10 feet long x 8 feet wide x 8 feet high, covered
  - b. pair: 15 feet long x 8 feet wide x 8 feet high, covered roof;
  - c. materials: chain link 9 gauge minimum;
  - d. safety perimeter rail;
  - e. claw log;
  - f. shelf: 24 inch wide x 8 feet long, 40 inches off floor.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115, R.S. 56:171, and R.S. 56:1904F.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 21:1356 (December 1995), LR 32: (April 2006).

Terry D. Denmon  
Chairman

On the next item, **Public Comments - 2006/2007 Hunting Seasons & General & WMA Hunting Rules and Regulations**, Chairman Denmon asked Mr. Don Puckett to give a summary on the new protocol for this item. Mr. Puckett reminded everyone that last year, regulations were adopted for that season as well as the 2006-07 and 2007-08 seasons. If no action was taken, there are in place regulations for the upcoming two seasons. In January, a protocol was adopted by the Commission that would allow amending the existing hunting seasons. During February, a Notice of Intent was adopted which would allow for changes to future hunting seasons. From January until now, amendments have been placed on the table as well as public hearings have been held. This meeting would be the last time new items could be placed for consideration. At the May meeting, only those items placed on the table will be considered and adopted. After the May meeting, a letter of changes would be sent to the Legislative Oversight Committees on one of the Notices of Intent. If no changes by Oversight occurs, those changes adopted at the May meeting would be the final rule for the upcoming hunting seasons. Chairman Denmon then asked for the Department's presentation.

Mr. Jimmy Anthony stated he had the results from 9 public hearings held statewide which were attended by approximately 545 people. The largest meeting was held in Bossier where 125 people showed up but only 13 made comments. Most people attending the meetings wanted to know how the new deer proposals, tagging program and limits would affect them. Most of the comments fell into four categories: deer/dog ban on state lands with 83 voicing opposition and 9 supporting the ban; tagging requirement comments were 7 opposing and 15 supporting, 17 people voiced opposition to the deer limits and 9 supported it; and on the doe days 8 opposed and 2 supported the proposal. A synopsis from each public hearing was included in the packets. Mr. Anthony noted there were local issues that came to the attention of the Department and three changes would be proposed. The first was the opposition of either-sex days in the Atchafalaya Basin area with there being so much state land and hunters that hunt that land as well as private property. The recommendation was to amend Assumption, Iberville, Iberia, St. Martin and St. Mary Parishes to go back to designated either-sex days. For Iberville Parish, there would be 9 days for still hunters and 6 for dog hunters. Assumption, Iberia, St. Martin and St. Mary Parishes will have 9 days for still hunters and 2 for dog hunters. From the Alexandria area, comments were received that hunters wanted to hunt the Thanksgiving weekend even if it was for bucks only. The recommendation would be to open Dewey Wills WMA for bucks only November 24-26. During the Opelousas and Houma meetings, comments were made on the restricted no hunting allowed area on Thistlethwaite WMA. Small game hunters using shotguns and bow hunters asked that they be allowed to hunt this area. The Department's recommendation was to allow small game hunting with shotgun only loaded with lead shot no larger than BB or F Steel and to allow deer hunting by archery only on the restricted area in the WMA. Chairman Denmon asked if the area was marked off. Mr. Anthony answered yes the area, about 400 acres, was marked as a refuge area.

Commissioner Mouton asked what would be the method for submitting the deer harvest tag card. Mr. Dave Moreland stated they would ask hunters to have their card on their

possession while hunting and when they kill a deer they would document what was killed. At the end of the season, the hunter could either mail or document their harvest on the Department's website. Commissioner Mouton asked if the wording should be changed that hunters need to report in one of three ways. Mr. Moreland stated there was no way of knowing whether a lifetime licensed hunter was a deer hunter. This upcoming year would be the initial step just to see how many hunters would respond and this response will give the Department an idea on the reporting validation that would be required. Mr. Anthony stated a write-up could be put into the pamphlet that will let hunters know how they should report or provide the information at the vendors when they pick up their license. Secretary Landreneau suggested putting an address, telephone number or e-mail address on the card. Mr. Moreland agreed with the Secretary. He added that was the main concern heard at the meetings followed by hunting deer with dogs and the proposed regulation of still hunting only on the state lands in the Basin. Commissioner King stated the Deer/Dog Task Force got off to a late start due to Hurricanes Katrina and Rita. A recommendation from the Task Force was to restrict dog hunting on state-owned lands. Commissioner King did not feel there was sufficient time to get public comments for a compromise that may be presented at that meeting. He then made a motion to withdraw the amendment that would restrict dog hunting on state-owned lands to the proposed rule. Commissioner Miller seconded the motion. He added that when the Deer/Dog Task Force began he told the group that he did not foresee any changes being made to the deer regulations for the upcoming season. Commissioner Miller supported Commissioner King's motion to withdraw the amendment made last month and wanted to see a comprehensive recommendation made that would be presented for public comment. Commissioner Morrow agreed with Commissioner Miller in the need for a comprehensive approach. The ban to prohibit dog hunting on state lands punished a segment of the public that only had these lands to use. Chairman Denmon stated that motion would be held until after public comment. Then he asked the Commission's pleasure on the Department's recommendations. Commissioner Miller made a motion to adopt the Department's recommendations on the technical amendments to the Notice of Intent. Commissioner King seconded the motion. Chairman Denmon then opened the meeting for public comments on both motions.

Mr. Richard Smith stated his comment was on Kisatchie National Forest closing an area south of Highway 8 to dog hunting. He contacted a Public Affairs person and asked why this occurred and was any study or meetings done and the answer was no. Mr. Smith added that he put an article in the Alexandria newspapers for the people in the area and those that showed up at the meeting was from Highway 8 or south of there. Mr. Cal Baker with Kisatchie attended the meeting and it was asked where the comments came from that wanted this closure. Mr. Baker stated there were 10 or 12 calls on that area. The people that live in the area felt the only thing that may happen with this closure was those hunters would move north and this would create another problem. Mr. Smith asked the Commission to make an effort to see what was being proposed before making a decision. Chairman Denmon asked if the Commission only ratified what the Feds do on their own land. Mr. Moreland stated this was a recommendation from the Forest Service to create a

still hunting area. He noted the closure was strictly on the Forest Service lands and did not include the private lands mixed in.

Mr. Roy Hendrick, a deer and dog hunter in the Atchafalaya Basin, stated he has been hunting there for 48 years. Hunting in the Basin was hard work with fighting low water, no water, high water, alligators, mosquitoes, blue tick, trespassers, poachers and outlaws. In the 1970's or early '80's the Department did a survey asking whether hunters wanted dog hunting or not. The results were in favor of doing away with dog hunting and these people came and fought against those results. The Commission at that time voted to leave dog hunting for deer in the River Parishes and Atchafalaya Basin. On his 2,000 acres of land which borders state land, there has never been a problem with running dogs. He then talked about camp burning that has occurred in the Basin. Mr. Hendrick stated as long as the state lands were marked he would teach his dogs to read signs. The last comment centered on getting out of the trespass conflicts, leave the hunting seasons as they are or even extend dog hunting and to let the people hunt the second rut.

Mr. Kerry Diamond, a hunter from the Atchafalaya Basin area, stated his entire family has been threatened by dog hunters. He wanted an equal playing field or a compromise for the still hunters and dog hunters. Commissioner King asked how many acres he owned and Mr. Diamond answered 280 acres.

Mr. John Dever, representing High Sierra Hunting Club consisting of 800 acres at Butte LaRose, stated he first began hunting in the Basin in 1966 and everyone hunted with dogs. About 10 years ago, his club and a neighboring club discontinued dog hunting. Mr. Dever felt they have benefitted from not running dogs and going to a deer management program. Towards the end of a season, dog hunters will start culling their dogs and leave them at the Butte LaRose landing. If a hunter wants to run dogs, there needs to be a large enough piece of land that would suffice running the dogs. Mr. Dever concluded stating he was in support of the ban against the dogs.

Mr. Troy Landry stated he was not against someone that wants to hunt with dogs. He was against the groups of bad guys that do not control their dogs. Now is the time for something to be done before someone gets hurt and then it will turn into a liability situation.

Mr. Thomas Ashley began by asking what percentage of the Task Force members were still hunters versus those of dog hunters. He felt it was 85 percent still hunters and only 15 percent dog hunters. The problem in the Basin was the still hunters having a problem with the dog hunters. He recommended dividing the season equally and having a still hunters season and then have a dog hunting season. Mr. Ashley commented that if everyone was serious about the situation, there needed to be a true Task Force with 50 percent still hunters and 50 percent dog hunters. Commissioner King felt Mr. Ashley had an interesting concept.

Mr. Tony Quinn stated he hunts in Livingston Parish and does not have a problem with dog hunting. His club was surrounded by 2 other clubs and when they find someone else's dog, they will pick it up and bring it back. To have a complete ban was not the right solution.

Mr. Mark Miguez, a dog hunter for 30 years, stated it does not work to illegally hunt. Their number 1 rule was if you mess up, you are out of the club. If someone sees poaching going on, they should call the 1-800 number that is listed in the hunting pamphlet. Mr. Miguez believed that the state lands should be left open to the public. The solution by Mr. Ashley was a good solution, but the only problem was that some hunters do both still hunt and dog hunt. He felt there needed to be a solution worked out. Mr. Miguez stated they try to control their dogs, but there are times when a dog may not be picked up until the next day. He suggested leaving things as they are.

Mr. Eric Alleman thanked all of the dog hunters that took the time to be at the meeting. He added he was in favor of Commissioner King's motion.

Mr. Kevin Hull stated with the current structure of the Deer Dog Task Force, real solutions will never come from it due to the imbalance. He also felt some members should not be allowed to vote as a public official. Of the 95,000 acres of state lands, about 50,000 acres are within the Basin and the remaining are statewide. In 1991, the Department's statistics showed there were 20 percent dog hunters and now that percentage was down to 15 percent. The current proposal was not a compromise, it was strictly a take away. Mr. Hull felt the dog hunters would be out voted on every issue on the Task Force with the current structure. Department statistics show that still hunters were twice as likely to get a citation as dog hunters. Several alternatives that have not been addressed included education and wildlife management areas and agreed that this issue should be looked at further.

Mr. Kenneth Haycock stated he e-mailed each Commissioner with his views and noted he supported Commissioner King's motion.

Chairman Denmon then noted he had comment cards from Mr. Charles Morris, Mr. Ralph Prince, Mr. Tim DeRouen, an unidentified member of the Lucky Buck Hunting Club, Mr. James Romero, Mr. Harry Miguez and Mr. Daniel Treas but they did not wish to speak.

Mr. James Hamilton stated the Attakapas Hunting Club was one of the first organized clubs on the Atchafalaya River during the early 1960's. During that time, he enjoyed hunting with dogs. But they found that they were not that successful with hunting on their 4,000 acres since the dogs were running deer off their property. With neighboring clubs doing away with dog hunting and doing well, the Attakapas Hunting Club did away with it also. Since then it has been very enjoyable experiences of harvesting deer with much better meat. Mr. Hamilton urged other hunters to experience hunting without dogs since they were having such a wonderful time.

Mr. Vance Gordon, a hunter for 35 years that now still hunts, stated he has attended most of the Deer/Dog Task Force meetings as a member of the public. He felt that maybe the

make-up of the Task Force needed to be changed, but then maybe it should not since it was structured along the lines of the population (85% still hunters, 15% dog hunters). Mr. Gordon did not think that taking days away from one group to give to another was the answer. He felt the responsible dog hunters should have just as much opportunity as the still hunters. One of his concerns was with the interference from dog hunters while he was still hunting. One issue discussed at the Task Force meetings was a registration and control system on the dogs which would encourage the owners to be more responsible. From his observations, Mr. Gordon noted the Task Force has done some good work struggling with a difficult issue and that it should continue.

Ms. Beth Hodgson commented that her card did say she was opposed to the proposal that would take deer/dog hunting off of state lands; but with Commissioner King's motion, she agreed with the new proposal. She hoped the Task Force could find some arrangement that would satisfy both groups.

Hearing no further comments, Commissioner Miller called for the question on the Department's recommendations for the technical changes to the Notice of Intent. The motion passed with no opposition. Then Chairman Denmon asked the pleasure of the Commission on Commissioner King's motion to rescind the ban on running dogs on state lands. This motion also passed unanimously.

The Commissioners agreed to hold the **August 2006 Meeting** on Thursday, August 3, 2006, beginning at 9:30 a.m. at the Baton Rouge Headquarters.

Chairman Denmon asked for **Public Comments**. Mr. Richard Sturlese wanted to comment on the proposed changes in the waterfowl hunting for the next 5 years. Over the last 10 years, there has been much more poor waterfowl hunting in Louisiana. Mr. Sturlese stated he began questioning people throughout Cameron Parish primarily on what can be done to change the situation. One of the main problems today was gun pressure as compared to that in the 1970's and 1980's. There is a need to find a way for the ducks to rest. One possibility to consider was to have one zone for the whole state with 3 splits. From those he spoke with, 90 percent were in favor of this proposal. Results from a Department survey on the waterfowl zones and splits showed the majority did not give a lot of thought to the questions, they hunted less than 10 days and did not hunt on their own property. If you go with the 3 splits, you can catch the Thanksgiving and Christmas holidays and hopefully go to the end of January. Commissioner Mouton commented that he spoke with Mr. Robert Helm and if the proposal was changed, it would be for 5 years. He added that they would need to let the Federal Government know their decision by early August.

Mr. Keith Saucier, speaking on behalf of the East Ascension Sportsman's League, stated that the proposal to reduce the trout limits in Calcasieu has a lot of their members concerned. The members that do fish Big Lake area do not feel the proposal is necessary. Other members that fish trout in other areas were also concerned since the regulation could be made coastwide. The League feels that if such a drastic change was made, there should be a well studied process with clear objectives and a sensible, scientific plan

developed by biologists. This plan should take into consideration the effects on people, the users of the resource as well as the species. Mr. Saucier stated there have been no scientific studies that proves that most fishermen are in favor of reducing the limit. He noted that the time was not now for a reduction in that fish adding that it would not help with the populations 10 to 20 years from now. The League then respectfully urged the Commission to reject the proposal.

Mr. Terry Melancon, President of Louisiana Wildlife Federation, stated he wanted to address the trout limit for southwest Louisiana on behalf of those members. At their annual Convention held in March 2006, a Resolution was adopted that the Commission halt the rulemaking process and conduct their own angler preference survey to accurately determine the desires of all Louisiana saltwater anglers. While the biologists feel reducing the trout limits to 15 will not hurt, it also would not help. Mr. Melancon stated that fishing on Big Lake was good and there was no reason to believe that would change in the near future. He also heard complaints that out-of-state boaters were crowding the boat launches and catching all of the fish. Reducing the limits on Big Lake would not deter the out-of-state fishermen since it was the best place to fish for trout. Mr. Melancon agreed with a survey that noted the members of CCA from southwest Louisiana preferred the reduced limits, but on a statewide basis, the membership did not support a reduction in trout limit. The Federation wondered, if this proposal did pass, what area would be next. The Federation asked the Commission to conduct their own survey of anglers to see if a clear majority preferred a reduced trout limit in southwest Louisiana. Again, Mr. Melancon asked the Commission to halt the process now, initiate a user survey to determine the true desires of Louisiana anglers on trout limits. Discussions occurred between Commissioner Miller and Mr. Melancon on surveys that have been conducted and why the Federation does not run its own survey since the Department was strapped for funds.

Mr. Jimmy Iles filled out a comment card opposing the trout reduction but did not wish to speak.

Mr. Don Sutton stated he sent a letter on hunters in Bienville Parish losing 7 days of dog hunting last year and asked what can be done to get those back on the front end. Chairman Denmon suggested it be brought up for discussion next year. He further explained that every rule that relates to hunting will be out for public comment and discussion. He suggested balancing the days by giving to still hunters one year and dog hunters the next.

Mr. Robert Watts, stated he agreed with Mr. Keith Saucier and the Louisiana Wildlife Federation. In regards to a survey on the trout reduction, the only survey he has seen was from the Rod and Reel website which ended in March. There were over 1700 votes cast, almost 68 percent wanted to leave the limit as it is; 27 percent wanted a change and 4-5 percent did not care. As a result, almost 70 percent were against the proposal.

Commissioner Miller stated he was handed a petition from a group from the Goldonna-Saline-Natchitoches area concerning deer/dogs and wanted to make it a part of the record.

There being no further business, Commissioner Morrow made a motion to **Adjourn** the meeting and it was seconded by Commissioner King.

---

Dwight Landreneau  
Secretary

DL:scf