

**LOUISIANA WILDLIFE AND FISHERIES COMMISSION**

**MINUTES**

**April 3, 2008**

**PATRICK C. MORROW  
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 3, 2008**

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MINUTES OF THE MEETING  
OF  
LOUISIANA WILDLIFE AND FISHERIES COMMISSION

Thursday, April 3, 2008

Chairman Patrick Morrow presiding.

Earl King, Jr.  
Frederic Miller  
Henry Mouton  
Stephen Oats  
Stephen Sagrera  
Robert Samanie, III

Secretary Robert Barham was also present.

Chairman Morrow called for a motion for approval of the **March 6, 2008 Commission Minutes**. A motion for approval was made by Commissioner Oats and seconded by Commissioner Samanie. The motion passed with no opposition.

Under **Commission Special Announcements/Personal Privilege** for this month, Commissioner King noted Senate Bill 18 sponsored by Senator Alario and House Bill 645 sponsored by Representative Lambert, St. Germain and others were coming before the Legislative Session. Those bills would dedicate 1/20 of 1 percent of the sales and use tax to the Department's Conservation Fund. Commissioner King then made a motion to amend the agenda to consider a Resolution in support of those bills as they go through the process. Commissioner Oats seconded the motion. Hearing no discussion, the motion passed with no opposition. Chairman Morrow asked Mr. Don Puckett to draft the Resolution for signature.

(The full text of the Resolution is made a part of the record.)

**LOUISIANA WILDLIFE AND FISHERIES COMMISSION**

**RESOLUTION**

**April 3, 2008**

WHEREAS, the Louisiana Department of Wildlife and Fisheries is charged with the responsibility of managing and protecting the State's precious fish and wildlife resources and its habitat, as well as maintaining boating safety on the State's thousands of square miles of waterways; and

WHEREAS, the manpower, funding and resources of the Department are stretched increasingly thin every year; and

WHEREAS, the Department has been called upon to fulfill additional missions beyond that of its core missions, specifically a tremendous role in homeland security on the heels of 9/11 and Hurricanes Katrina and Rita; and

WHEREAS, hurricanes Katrina and Rita have resulted in much more manpower and resources being devoted to the Department's search and rescue mission and related training; and

WHEREAS, the fulminating spread of invasive aquatic vegetation such as water hyacinth, hydrilla, salvinia and giant salvinia continue to plague the waterways of our State and its boaters at an alarming rate, and the cost of these essential efforts to control these species is significant and steadily increasing; and

WHEREAS, the Department is projected to face a deficit in its budget beginning FY 09-10 and continuing in future years barring an increase in its revenue stream with a stable source of revenue; and

WHEREAS, despite the Department's aggressive efforts at recruitment, hunting and fishing license sales have declined, resulting in less license revenue, a traditional source of department funding; and

WHEREAS, mineral revenues are historically erratic and cannot be relied on as a dependable annual funding source; and

WHEREAS, the state needs to ensure the continuation of the more than 280 million dollars of state tax revenue which are generated annually by the activities regulated by the Department.

WHEREAS, adequate funding for the Department as the sole manager and protector of the State's fish and wildlife resources and its habitat is critical if we are to remain the "Sportsman's Paradise."

THEREFORE BE IT RESOLVED that this Commission does hereby state its strong support for HB 645 and SB 18 which dedicate one-twentieth of one percent of the State's sales and use tax to the Louisiana Wildlife and Fisheries Conservation Fund.

BE IT FURTHER RESOLVED, that the secretary is hereby directed to provide copies of this resolution to the members of the Louisiana Legislature.

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Patrick C. Morrow, Chairman  
Wildlife and Fisheries Commission

**To receive and consider Resolution Opposing the Development of Offshore Aquaculture** began with Commissioner Mouton deferring this item to Commissioner Miller since he was more familiar with this item. Commissioner Miller stated a matter concerning rules and regulations for the permitting of offshore aquaculture was currently pending before the Gulf Council. The issue has received considerable opposition from various sporting groups and other users of the EEZ. One of the principle foundations the industry is proposing to use are rigs and other offshore structures. Commissioner Miller then introduced Mr. Charlie Smith and asked that he come forward to speak on this issue.

Mr. Charlie Smith, Executive Director of the Louisiana Charterboat Association, stated he attended a meeting with about 60 people on offshore aquaculture. Everyone at the meeting was against aquaculture except for one gentleman, added Mr. Smith. At that time, shrimpers, commercial fishermen, recreational fishermen, and charterboat fishermen voiced their opposition. The Federal Government have said they have hurricane proof nets and pens that would keep the fish from getting loose which could result in mutated fish. Mr. Smith commented he did not trust the Federal Government on this proposal. When fish are kept in a confined space, especially offshore, they would be susceptible to diseases and parasites. Mr. Smith then spoke about the wild salmon population in northwest United States and noted that everything was raised in pens. Sea lice from the fish raised in pens has almost wiped out the wild population. He felt there was nothing to be gained with offshore aquaculture, but asked why Louisiana. One situation to consider was if the nets ripped, the fish got loose and breed with the local population, you end up with an entirely different fish. Mr. Smith felt Louisiana has the best fishery in the United States and thought this could potentially destroy it. There are no guarantees if something happens and there would be no recourse against the people doing this activity. Mr. Smith saluted Commissioners Miller and Mouton for coming forward with the Resolution so the Congressional Delegates and other Gulf states know that Louisiana is not in favor of any activities that could damage the fishery. The food that would be fed to the penned fish was menhaden, which Mr. Smith noted was the most important forage fish in the Gulf of Mexico. When fish are fed all of the time, you have a lot of waste and this goes to the bottom which could create mini dead zones. Mr. Smith urged the passage of the Resolution and he was okay with speaking on behalf of shrimpers, commercial fishermen and other recreational fishermen in addition to charter captains.

Commissioner Mouton echoed Mr. Smith's comments on rigs. He then noted an energy company had a rig topple from a mud slide during Hurricane Katrina as well as other rigs and still have not been found. Mr. Smith thought there were about 150 rigs lost between the 2 hurricanes.

Ms. Karen Foote, the Department's designee to the Gulf Council, stated the Council has been considering for several years a generic amendment to several fisheries management plans that would allow for offshore aquaculture. The Department of Commerce and NOAA have been pushing for the Gulf Council to develop rules that would set up offshore aquaculture. Ms. Foote added her role has been to establish the best possible system if this passes. The reason this was before the Gulf Council was the absence of federal legislation to regulate it. Commissioner Mouton asked if there was a Council Meeting soon. Ms. Foote stated there would be a meeting the following week in Baton Rouge. Commissioner Mouton then asked they be provided the dates and times this would be discussed. Ms. Foote stated she would take a copy of the approved action to the Council and enter it as the Commission's Resolution.

Hearing no further comments, Commissioner Miller made a motion to adopt the Resolution and it was seconded by Commissioner Mouton. Mr. Smith added that the Louisiana Charterboat Association would be happy to work with the staff in getting things passed. He felt it was time for the State to stand up and put money into this agency and the fishery resources. Commissioner King asked how far into federal waters could the offshore aquaculture occur. Mr. Smith stated from 3 to 200 miles. The motion passed with no opposition.

(The full text of the Resolution is made a part of the record.)

## RESOLUTION

### LOUISIANA WILDLIFE AND FISHERIES COMMISSION OPPOSITION TO OFFSHORE AQUACULTURE IN GULF OF MEXICO

April 3, 2008

WHEREAS, there is currently pending before Congress legislation, the National Offshore Aquaculture Act of 2007, that would authorize the secretary of the United States Department of Commerce to establish and implement a regulatory system for offshore aquaculture in the federal waters of the Gulf of Mexico; and

WHEREAS, the Gulf of Mexico Fisheries Management Council is considering amending existing federal fisheries management plans to establish a regulatory system for marine aquaculture in federal waters of the Gulf of Mexico off the coast of Louisiana; and

WHEREAS, pollution of the surrounding waters from fish food, fish waste, and chemicals used to treat the fish may occur; and

WHEREAS, potential damage to the genetics of the wild fish in the surrounding waters, and the spread of disease among the wild fish near the culture operations may occur; and

WHEREAS, Louisiana does not have the authority to regulate offshore aquaculture in federal waters off of its coast, yet the development of this industry may have significant impact on the state fish resources that the Commission conserves and manages,

THEREFORE BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission does hereby memorialize the United States Congress, and expresses to the Louisiana Congressional Delegation, the National Marine Fisheries Service of the National Oceanographic and Atmospheric Administration, and the Gulf of Mexico Fisheries Management Council its opposition to the authorization of offshore aquaculture in the Gulf of Mexico.

BE IT FURTHER RESOLVED, that the Secretary is hereby directed to transmit copies of this Resolution to the Louisiana Congressional Delegation, the National Marine Fisheries Service and the Gulf of Mexico Fisheries Management Council.

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Patrick C. Morrow, Chairman  
Wildlife and Fisheries Commission

Moving on to the next item, **To receive and hear Enforcement & Aviation Reports/March**, Lt. Col. Keith LaCaze stated turkey season opened this month and boating activity began. So far, turkey cases made were 14 hunting over bait, 15 hunting without a license, 4 hunting with a rifle and one hunting during closed season. The total numbers for March were 1,130 cases, 403 written warnings and agents helped with 45 public assists. There were 16 boating accidents reported, with 14 injuries and 5 fatalities for the month. The fatalities occurred in Orleans, Lafayette and Terrebonne Parishes. Lt. Col. LaCaze then stated agents were that day involved in a recovery operation on Red River in Red River Parish. The Department's three airplanes flew a total of 73 hours for the month. News Releases discussed were on a night hunting case made in Concordia Parish, 2 cited for gamefish violations and 8 cited for turkey violations in the Florida Parishes. The current academy class would graduate on Friday, April 18 and Lt. Col. LaCaze invited the Commissioners to attend. Chairman Morrow commented the 5 fatalities for the month involved either a lack of a PFD and/or kill switch. Lt. Col. LaCaze agreed.

**To receive and consider 2008 Litter Proclamation** was handled by Lt. Col. Jeff Mayne. He stated that it was with pleasure to stand with State Police, Keep Louisiana Beautiful and others to raise awareness of litter in Louisiana and to help recruit other agencies to take an aggressive approach. The Proclamation would make the weekend of April 4, 5 and 6 Zero



Tolerance for Littering in the Sportsman's Paradise. He then introduced Lt. Doug James with State Police and Ms. Leigh Harris with Keep Louisiana Beautiful.

Lt. James, speaking on behalf of Col. Mike Edmonson, stated they were pleased to stand with the Department on this important campaign. The State Police were always committed to public safety as well as keeping the highways presentable and beautiful for the citizens of the State and visitors to the State.

Ms. Leigh Harris, on behalf of Keep Louisiana Beautiful, thanked the Commission for what the Department and its agents has focused on, anti-littering and illegal dumping enforcement. Ms. Harris' board asked her to commend them for their partnership with State Police and the Department.

Chairman Morrow noted it is a great program and urged all users to make a special effort always, but particularly this weekend, to keep the State beautiful. Commissioner Mouton stated the District Attorney in Jefferson Parish has agreed to handle a gross littering case personally. Commissioner Sagra made a motion to adopt the Proclamation and it was seconded by Commissioner Oats. The motion passed with no opposition.

(The full text of the Proclamation is made a part of the record.)

## P R O C L A M A T I O N

April 3, 2008

**WHEREAS**, the State of Louisiana enjoys a well deserved reputation for possessing a diversity of landscape from the picturesque hills of the northern portion of the state to the sub-tropical marshes of the south, and

**WHEREAS**, for many years, the abundant and varied scenery of Louisiana has attracted thousands of visitors annually to enjoy both nature at its finest and the many living resources and natural wonders, and

**WHEREAS**, litter scattered around the beautiful landscape of our great state, has been not only an eyesore for local residents, but has greatly detracted from the state's flourishing tourist industry and negatively effects our states ecosystem, and

**WHEREAS**, the State of Louisiana, Keep Louisiana Beautiful, the Louisiana Wildlife and Fisheries Law Enforcement Division, the Louisiana State Police, and innumerable local civic agencies have initiated the "Zero Tolerance for Litter" initiative in 2005 to better inform local residents of the importance of keeping our state litter free, and

**WHEREAS,** the Louisiana Wildlife and Fisheries Commission applauds the efforts of Louisiana's Law Enforcement Officers and members of Keep Louisiana Beautiful in their attempt to bring about a cleaner, more attractive environment for all citizens and visitors, now

**THEREFORE** the Louisiana Wildlife and Fisheries Commission hereby proclaims April 4<sup>th</sup>, 5<sup>th</sup> & 6<sup>th</sup>, of 2008 to be

**ZERO TOLERANCE FOR LITTER IN THE SPORTSMAN'S PARADISE DAYS**

and that all hunters, fishers, boaters and natural resource enthusiasts join the Louisiana Wildlife and Fisheries Law Enforcement Division, Louisiana State Police and Keep Louisiana Beautiful members in helping our state reach its potential as a litter free state.

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Patrick C. Morrow, Chairman  
Wildlife & Fisheries Commission

**To receive and consider Notice of Intent on Fur Trapping Tagging Requirements** began with Mr. Edmond Mouton stating this action would amend the State's fur trapping regulations. The amendment would involve bobcat and otter tagging requirements which would allow trappers to export these animals out of the United States. The Department is required to ensure that only Louisiana trapped bobcat and river otter are tagged with Louisiana export tags. In order for this to happen, a special possession tag would be available for fur buyers, fur dealers and trappers. This proposed action has been a part of the trapping regulations since 1981 and the Department requested the Commission to adopt the proposal. Also, Mr. Mouton noted the proposed action was in compliance with CITES. Commissioner Oats made a motion to adopt the Notice of Intent, it was seconded by Commissioner Samanie and passed with no opposition.

(The full text of the Notice of Intent is made a part of the record.)

**NOTICE OF INTENT**

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

The Wildlife and Fisheries Commission does hereby advertise its intent to amend the fur trapping regulations for the State of Louisiana.

**Title 76**

# WILDLIFE AND FISHERIES

## Part V. Wild Quadrupeds and Wild Birds

### Chapter 1. Wild Quadrupeds

#### §129. Fur Trapping Seasons

##### A. Season Dates

The statewide open trapping season for nongame quadrupeds shall open on November 20<sup>th</sup> and close on March 31<sup>st</sup>. The Secretary shall be authorized to close, extend, delay, or reopen the season as biologically justifiable.

##### B. Bobcat and Otter Tagging Requirements

1. To obtain federal approval to export bobcat and river otter out of the United States, the Department of Wildlife and Fisheries is required to ensure that only Louisiana trapped river otter and bobcat are tagged with Louisiana export tags. To accomplish this, a special possession tag will be made available to fur buyers, fur dealers and trappers.

2. A blue tag for river otter and a red tag for bobcat must be filled out by the trapper at the time the pelt is sold. The information required includes trapper name, trapper license number, parish caught in and date trapped. No bobcat or river otter pelts shall be purchased from a trapper or be in the possession of a fur buyer without a possession tag until they are submitted to the department in exchange for export tags. Dealers shall not purchase bobcat or river otter pelts without an accompanying possession tag.

3. No bobcat or river otter pelt shall be shipped from the state without an export tag attached. Dealers will obtain export tags for bobcat and river otter by providing the department with one completed possession tag for each pelt to be shipped from the state. It shall be illegal to falsify possession tags or attach Louisiana export tags to out-of-state bobcat and river otter pelts. Once possession tags have been received and counted by department personnel, export tags will be mailed immediately. Trappers shipping bobcat and river otter out-of-state must provide completed possession tags to the department in order to receive export tags.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6(10) and R.S. 56:259(A).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 33:1882 (September 2007), amended 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 filling 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 connect 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 comments relative to the proposed Rule to Philip E. Bowman, Fur and Refuge Division, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000 prior to Thursday, June 5, 2008.

Patrick C. Morrow  
Chairman

**To receive and hear Public Comments on Hunting Seasons and General & WMA Rules and Regulations** began with Mr. Kenny Ribbeck stating attendance at the public hearings in March were light except for the Alexandria Meeting. The bulk of the comments were on dog hunting on Kisatchie National Forest. In their proposal, the Forest reduced the number of dog hunting days this year. A table of comments received from the public hearings and from e-mails, letters and phone calls were included in the packets. There were no questions or comments from the public hearings.

Next, Mr. Kenny Ribbeck began the next item, **To receive and consider Amendments to Hunting Seasons and General & WMA Rules and Regulations** stating he made a mistake in the Camp Beauregard proposed season. Amendment #9 was to correct this mistake and make the hunt for 2 days instead of 3 during Thanksgiving for primitive firearm. Chairman Morrow stated he received an inquiry on a youth turkey hunt on Clear Creek WMA and asked if the Notice of Intent could be amended so it could be included. Mr. Fred Kimmel stated the Department intended to add a turkey youth hunt to Clear Creek WMA but the turkey proposed rule would be presented in a few months. Chairman Morrow then asked if there were any further comments or amendments.

Commissioner Miller stated he was approached by former Commissioner Tom Gattle on behalf of a group of friends in East Carroll Parish requesting an increase in the time they are allowed to raccoon hunt with dogs. These hunters do not want to shoot the raccoons, they want to run their dogs so the raccoons would run back into Bayou Macon into the trees. Commissioner Miller asked the Department to try to increase the number of days in the spring. He then asked how many days are in the season. Mr. Jimmy Anthony noted the raccoon season was extended for most of January and the entire month of February as well as having another season about mid-September. Commissioner Miller added that

these hunters wanted to go into spring during the roasting ear corn season and asked if the season could be extended until the end of June. Chairman Morrow asked if the Department could look into this extension. He then asked if this was the last month to amend the Notice of Intent and Mr. Don Puckett stated yes it was the last month new amendments could be considered and adopted. At the May Meeting, the Commission could only consider those amendments conditionally adopted. Commissioner Miller asked that this proposal be conditionally adopted and then after receiving information from the Department, consider what the final regulation may be. Chairman Morrow asked Commissioner Miller if he had a set date and he was told June 15 on Bayou Macon WMA only. Mr. Anthony stated the main objection to that extension would be the impact on the turkey season and having dogs on the WMA during the turkey nesting season would have a great impact. Commissioner Miller made a motion to extend the raccoon hunting on Bayou Macon WMA through June 15. The motion died for lack of a second.

Commissioner Mouton stated he wanted to make an amendment to reduce to zero the number of deer dog hunting days on Kisatchie National Forest in four of the five Ranger Districts. Commissioner King noted from the public hearing there were 3 years for closing the season and 12 days and 9 call ins for keeping it as is instead of closing. Commissioner Mouton mentioned that it has gotten very dangerous to hunt up there. He added he has received many phone calls asking for this request. Commissioner Mouton appreciated the other Commissioners comments, but felt this was an area that was getting out of control safety wise. Commissioner Miller stated the person he has spoken to on this issue was in the Kisatchie Ranger District which he has hunted for years. When he would go woodcock hunting, Commissioner Miller mentioned that he would go somewhere else to hunt with all of the road hunting (hunters sitting on top of their trucks parked on a Forest Service road hunting deer). He felt there was no semblance of what they know as traditional deer dog hunting going on in the Kisatchie National Forest. Commissioner Miller then explained what he called a "military maneuver" rather than a hunting experience that occurred on Kisatchie. He was very sympathetic to Mr. Lewis and knew that Commissioner Mouton was not exaggerating. Finally, Commissioner Miller commented again it was not hunting, but "yahoing". Commissioner Oats asked for a clarification on the motion. Commissioner Mouton said it was to reduce deer dog hunting from 7 days to 0 days on Kisatchie National Forest. Chairman Morrow asked for comments from the Kisatchie Rangers.

Mr. Bruce Prudhomme, Acting Staff Officer for Ecosystem Conservation on Kisatchie National Forest, stated that in 1990, they elected to continue deer dog hunting on the Forest with a 7 day season. In 2004, indifference to the Commission, the Forest doubled the days to 14 or 15 and this continued through the past season. Mr. Prudhomme added they were not proposing to eliminate deer dog hunting for the upcoming season, but go back to the 7 day season. Mr. Prudhomme stated that there were a number of neighbors interspersed within the Forest. Hunters on a lease have to work with the landowners and the leaseholders work out "good neighbor" relationships with their adjacent landowners. But this is not the case on Kisatchie National Forest with all of the interspersed landholders. During deer hunting with dogs, the Forest receives a tremendous number of calls relating to trespass issues and a lot less control of the dogs occurs also. Mr. Prudhomme said all

of the above to note there has been an increase in violations, increase trespassing on private property and poor relations with the private property owners. The Forest has an obligation to provide the experience requested for deer dog hunters, as well as provide an experience to the non-deer dog hunters, then mix in the responsibility to respect the adjacent property owners. All of this resulted in the reduction of deer dog hunting to 7 days. This issue would continue to need some close consideration. Chairman Morrow asked if Kisatchie was not joining in with Commissioner Mouton's proposal to eliminate dog hunting this year. Mr. Prudhomme stated they were looking at the issue totally adding that they were the only public lands that allows deer dog hunting. He knew they had to respect their private property neighbors, but felt it was not quite right to go with 0 days.

Mr. Ken Dancak stated they were deeply appreciative of the Commission and their recent leanings.

Commissioner Mouton stated he was the person pushing for more dog days several years back. He received phone calls from private property owners that told him that the hunters were running all around. He then stated he would go forward with his motion to restrict deer dog hunting on Kisatchie National Forest. Commissioner Miller seconded the motion. Mr. Prudhomme added that decisions made for the Forest were made through his Supervisor along with those from the other Range Districts. He did not think it right to go with the proposal since his Supervisor had not had the opportunity to hear and consider the proposal.

Mr. David Lewis stated he lives in Kisatchie in Natchitoches Parish and had actively made phone calls and wrote letters on the issue of hunting deer with dogs particularly on Kisatchie Ranger District. He noted he and his wife have had similar problems to those already talked about. The problems he encountered were legal and safety related. Mr. Lewis has seen people hunting in or on the roads, from vehicles, from tool boxes in the vehicles, driving quickly from one place to another, parking on hills or roads and putting out dogs. Also, he has had trespass, damage and killing of livestock issues. Mr. Lewis thought the problems were isolated just to him, but found out it occurred in other areas in the Forest. Law enforcement agents was not the problem, they were doing the best they can. But they were out numbered, dealing with sophisticated communications and hunters just doing what they wanted to do. In the past Mr. Lewis and his wife were not at home during the dog hunting days, but has committed to be home this year during those days to protect his livestock and maintain business. He then urged the Commission to pass the motion to have no deer dog hunting days on the Kisatchie Ranger District. In reference to the Alexandria public hearing, Mr. Lewis noted 9 people from Kisatchie attended the meeting and all were in favor of no dog hunting, but only 4 spoke asking that something be done about dog hunting. Then Mr. Lewis stated he spoke to Mr. Prudhomme's Supervisor and mentioned to her he would be attending the Commission Meeting and would ask for no dog hunting on Kisatchie and she responded by stating she had to remain neutral and enforce what was passed. He concluded stating he took her comments as being positive and gracious.

Commissioner King believed it realistic for landowners and dog hunters to peacefully co-exist for 7 days. Commissioner Oats asked for staff recommendation. Mr. Anthony stated they recognize that dog hunters were conservationist too, but there are problems with some. However, they need this public place to run their dogs and if they would loose it, the Commission would probably hear from the Legislature. Mr. Anthony added the Department would support the 7 days. Hearing no further comments, Commissioners Mouton, Miller and Oats voted in favor of the motion. Commissioners Samanie, Sagraera and King voted against the motion. The Chairman broke the tie voting against which killed the motion. Commissioner Oats stated he was on the fence and felt it important to send the message that this upcoming season would be a pivotal year on how Kisatchie would deal with this privilege. Chairman Morrow agreed with Commissioner Oats and hoped for peaceful co-existence during those 7 days.

Mr. Ribbeck stated the Public Information Section prepared a deer tagging video as instructional information that was presented at each of the public hearings and was well received. He then thanked Mr. Dave Moreland for “acting” in the video. Chairman Morrow then asked for a motion to accept Amendment 9 on Camp Beauregard. Commissioner Oats made a motion to accept Amendment 9 and it was seconded by Commissioner Samanie. The motion passed with no opposition.

**To receive and hear Briefing on Quail Initiative** began with Mr. Fred Kimmel stating it was a pleasure to present activities on the quail in Louisiana. Quail numbers have declined which resulted in the number of quail hunters to also decline. Through the early 1980's, there were 35,000 quail hunters in Louisiana. As of last year, there were only 1300 quail hunters. The primary reason for the decline has been the decline in the quail resource and overall decline in hunters and lack of access to land with leasing occurring. Since 1966, there has been an 85 percent decline in quail, but this has also occurred with birds that occupy the same habitat. Louisiana has 3 types of habitat quail occupies, they are the forest land habitat, farmland habitat and rangeland or pasture habitat. Farmland habitat has a lack of cover for nesting, brood rearing and escape, a lack of food diversity and are a highly simplified landscape whereas quail need a complex landscape. With the decline in farmland habitat, forest lands became the primary source of habitat for quail. But these lands have begun to decline due to shorter rotations, decrease in the use of prescribed burning, elimination of the small farms in upland areas when they converted to CRP pine. In the rangeland habitat, two types of grasses, Bahia and Bermuda, have had a major impact since they form sods and prevents a growth of any other types of grasses. In response to all of the problems, the Northern Bobwhite Conservation Initiative (NBCI) began to address the decline in quail. Its goal is to restore quail numbers to the 1980 densities on the remaining habitat. This goal was anticipated to take 25 years to accomplish. There are 4 Bird Conservation Regions in Louisiana which was based on ecosystems. A group in Louisiana was needed to work on the NBCI, so in 2005 the Louisiana Quail and Grassland Bird Task Force was formed. There are 15 plus agencies involved in this Task Force. Louisiana's goal was to reflect the NBCI's by restoring the 1980 densities to the land still available to improve. The group hopes to accomplish its goals by thinning the pine lands, doing more prescribed burns and increase longleaf pine

use. In the agriculture lands, field borders would be practiced. For rangelands and other areas, more use of native grasses and forbs was needed. Several challenges exist, and they include: prescribed fires, forest management, introducing grasses, reluctance to embrace change, biofuels, lack of dollars since quail are resident species which requires new approaches and partnerships. The Farm Bill Programs may offer financial incentives to landowners to do practices beneficial to quail. Mr. Kimmel noted the USDA has made quail a national priority. Another opportunity was evolving land ownership priorities where more people are buying land for recreational purposes. More opportunities discussed were recognition of grassland conservation, cooperative efforts in conservation and biofuels. Recent things going on in Louisiana were longleaf initiative, a Prescribed Fire Council was formed under the Louisiana Department of Agriculture and Forestry, Louisiana native plant initiative, Safe Acres for Wildlife Enhancement (SAFE) projects, and the Department's Private Lands Technical Assistance Program.

Commissioner Miller stated the initiative sounded great and anything to increase the quail population would be wonderful. He then asked if this was a build it and then they would come theory. Mr. Kimmel felt the build it and they would come theory seemed to work. Lands in northeast Louisiana that have gone into WRP and CRP have seen quail numbers increase. After talking with his counterparts in other states, Mr. Kimmel stated the rule of thumb was to give it 3 years after putting the habitat in. Also, there can be a question of scale.

Before going on to the next item, Chairman Morrow stated Mr. Dave Moreland requested to speak on the agenda item, Public Comments on Hunting Seasons and General and WMA Rules and Regulations. Mr. Moreland wanted to follow up on a letter sent to the Chairman and his comments made at the Baton Rouge public hearing allowing lead shot for snipe on the WMAs. This regulation was initiated by the waterfowl program to keep lead out of impoundments, moist soil units and marsh habitat WMAs. Mr. Moreland felt if there were people that hunted snipe in dove fields, exemptions could be made. But again he noted it was good management to keep lead out of waterfowl impoundments.

Mr. Ralph Pausina, Chairman of the Oyster Task Force, presented the next item, **To receive and hear Oyster Water Bottom Lease Moratorium as presented by Oyster Task Force**. He wanted to inform the Commission on action being taken to lift the moratorium on accepting applications that went into effect 7 or 8 years ago. At that time, the moratorium was placed to get a handle on the oyster lease situation as it related to impacts from coastal restoration projects. During the last Governor's administration, action was taken where no oyster leaseholder could taken action against the State for any adverse impacts by the projects. Mr. Pausina felt this latest action removed the need for a moratorium. This Department and the Department of Natural Resources have been working to find a way to get things back the way it was prior to the moratorium and work through it in phases. A copy of the proposed legislation was included in the packets. Some of the leases in areas where projects already existed but not renewed are no longer in effect however could be used for seed oysters. In order to re-lease those areas, legislation would be required since there are no laws that would allow this. Some of the leases in



areas where projects are operating are renewed annually which gives the State a good handle on the leases. In order to change the timeframe from 1 year to 15 years also required legislation. There are also leases that have projects on them that have been funded and approved but not yet implemented. These leases have been given life for 2 to 14 years. Mr. Pausina stated two situations have occurred, one was idle leases along shorelines which have washed away and the Department would like to straighten those lines. Also there are leases that border public grounds that the Department would like to make neater. A 50 feet buffer zone was established between leases, but this has not worked so legislation was needed to remove that area and either both or one of the leaseholders could pick up those areas. Once the Legislation passed, the Department would be given time to develop a plan on the lifting of the moratorium. Mr. Pausina assured the Commission there was no intent to take any authority away from them. He then apologized on behalf of the Oyster Task Force if the Commission was offended in any way or at any time. Chairman Morrow asked once the moratorium was lifted, would the leaseholder or his heirs have the right of first refusal. Mr. Pausina stated it would only apply to the immediate prior owner. Chairman Morrow then asked if the lessees were paid for the cancellation when the moratorium went into effect. Mr. Pausina stated that would not be addressed at all. Commissioner Samanie stated he had a problem with Phase 3 of the legislation which allows a leaseholder adjacent to an open area just take it in. He thought it was on a first come first serve basis. Mr. Puckett stated the current statute was first come first serve, so the first applicant to apply for a waterbottom would be first to have it surveyed and leased. Commissioner Samanie felt the Commission had been trying to create opportunity but this was not creating anything by lifting the moratorium and letting leaseholders gobble up adjacent waters. Mr. Pausina added that the former leaseholder would be given the opportunity to release the area, but if he does not choose to, then it becomes public grounds. Chairman Morrow read Phase 3 from the proposed legislation. Mr. Pausina explained that this would apply to areas such as those that may have eroded along a shoreline which would allow the leaseholder that extra area. This was actually a first draft that was being proposed, but Mr. Pausina stated they would work with the Department on it. Commissioner King stated he had a great deal of respect for the Oyster Task Force and felt they did a good job and were a help to the Commission and Department.

The Commissioners agreed to hold the **August 2008 Meeting** on Thursday, August 7, 2008, beginning at 9:30 a.m. at the Baton Rouge Headquarters.

Next item was to receive **Public Comments**. Mr. Marlin Troxell stated he married a southern belle and has been in Louisiana since 1959. He added that before hunting season last year he came to the Department looking for a special permit for Sherburne WMA. Mr. Troxell's son found a 4 wheeler that was different from an ATV and this was what the special permit was for. When he went to meet with Mr. Tony Vidrine and an Enforcement Agent, he knew that his ATV did not meet Department regulations. His problem was getting his deer stand into the woods to which the vehicle could help. Mr. Vidrine told him he did not have the authority to issue a special permit and that he needed to talk to an administrator in the Baton Rouge office. Mr. Troxell stated the tire size was the

only thing in compliance with the Department's regulations. Even though the vehicle was a bit wider, it would still go through the gate at Sherburne. He then asked if a different vehicle could be used on a WMA to help with deer stands and bringing out a downed deer.

Chairman Morrow thought there was an amendment in the regulations this year that would allow the picking up of deer by handicapped hunters. Mr. Anthony stated this regulation would be allowed for all hunters except for those on Sherburne. The reason for the exemption was that the Corps of Engineers and U.S. Fish and Wildlife Service own most of Sherburne and they have regulations against cross country riding on their lands. The Department felt it would be very confusing to allow hunters to pick up their deer only on state-owned property. Chairman Morrow then asked about the waiver. Mr. Anthony stated permits have been issued, by the Secretary, for persons with a physically challenged handicapped permit. Mr. Troxell stated he was told the vehicle weighed more than a regular ATV. But he noted he has seen a 4-wheel Dodge truck on the same road while hunting. Mr. Troxell also thought it should be legal for ATV riders to use the trail if they camped on Sherburne. Then he talked about the Louisiana state park at Grand Isle and the trash that was between the water and the camping areas. Chairman Morrow stated that was under State Parks and Recreation. Mr. Troxell concluded stating he wanted the Department to buy Elmer's Island.

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

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Robert J. Barham  
Secretary

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