

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

MINUTES

August 2, 2007

**PATRICK C. MORROW
VICE-CHAIRMAN**

BATON ROUGE, LOUISIANA

The following constitute minutes of the Commission Meeting
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Louisiana Department of Wildlife and Fisheries
2000 Quail Drive
Baton Rouge, Louisiana 70808
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**AGENDA
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
BATON ROUGE, LOUISIANA
AUGUST 2, 2007**

		Page
1.	Roll Call	1
2.	Approval of Minutes of July 9, 2007	1
3.	Commission Special Announcements/Personal Privilege	1
4.	Presentation of Possible Funding Sources for Coast Clean-Up Post Katrina/Rita	1
5.	To receive and hear Enforcement & Aviation Reports/July	5
6.	To receive and consider 2007-2008 Waterfowl Seasons	5
7.	To receive and consider Resolution and Declaration of Emergency to fix the Opening and Closing Dates for the 2007 Fall Inshore Shrimp Season	11
8.	To receive and consider Resolution and Declaration of Emergency for the 2007-2008 Oyster Season on Public Grounds, Seed Reservations and Tonging Areas	14
9.	To receive and consider Resolution and Notice of Intent on Designation of Additional Lake Merchant Public Oyster Seed Grounds	20
10.	Set December 2007 Meeting Date	24
11.	Receive Public Comments	24
12.	Adjournment	24

MINUTES OF THE MEETING
OF
LOUISIANA WILDLIFE AND FISHERIES COMMISSION

Thursday, August 2, 2007

Vice-Chairman Patrick Morrow presiding.

Frederic Miller
Henry Mouton
Stephen Oats
Wayne Sagrera
Robert Samanie, III

Secretary Bryant Hammett, Jr. was also present.

Chairman Earl King, Jr. was absent from the meeting.

Vice-Chairman Morrow called for a motion for approval of the **July 9, 2007 Commission Minutes**. A motion for approval was made by Commissioner Oats and seconded by Commissioner Miller. The motion passed with no opposition.

Under **Commission Special Announcements/Personal Privilege** for this month, Vice-Chairman Morrow commended and thanked the Enforcement Division for their PFD Loaner Program. In the program, if an agent comes upon a boat without sufficient life jackets, they would loan the occupants life jackets and write them a warning citation. If the PFD's were not returned with 10 days, then a citation would be issued. Commissioner Miller echoed Vice-Chairman Morrow's comments, but asked if there was a way to track who borrows a life vest? Col. Winton Vidrine stated the warning citation would have a person's name on it.

Commissioner Mouton stated he rode with Lt. Glen Gremillion and checked several boats with children wearing their PFD's. The agent gave the children a t-shirt which were given to the parents. Commissioner Mouton felt this was also a great program. Vice-Chairman agreed with Commissioner Mouton and added that boating safety was one of the top priorities in educating the public.

Presentation of Possible Funding Sources for Coast Clean-Up Post Katrina/Rita began with Mr. Tim Osborn, NOAA thanking the Commission for the opportunity to talk. The National Oceanic and Atmospheric Administration (NOAA) was tasked to help work along the northern Gulf of Mexico dealing with the large issue of marine debris hazards in the water. This debris has become an impediment for shippers, oyster fishermen, crabber,

shrimper, etc. Mr. Osborn then explained that the Office of Coast Survey is the oldest science agency in America starting in 1807 from a charter from President Thomas Jefferson to map and chart the nation's waters. The Office maintains tens of thousands of charts, doing about \$30 million a year of surveying across the country. Supplemental funding has been granted to focus on surveying coastal and near shore bays and offshore areas for the states of Louisiana, Alabama and Mississippi. The Office of Response and Restoration has been working with Mr. Osborn's group to work on debris removal and provide the information in a more friendly way. The first year of receiving the supplemental fund, the agency received \$20 million to work in the areas of Alabama, Mississippi and Lake Borgne, Louisiana. This money was paying for surveys right now in south Plaquemines Parish between Empire and Venice. Mr. Osborn noted they would run two boats out of Venice about 4,000 line miles doing a 200 percent coverage of the water bottoms using side scan sonar and multi-beam identifying and characterizing the hazards. So far there have found about 120 objects from about 20 percent of the covered area. In the area of the Empire Channel, the biggest complaint was trying to get out of the channel into the fishing grounds. This year's money, \$24 million, will be used for surveying and support in providing data to the public in getting the debris and hazards out of the water. Advice on where to survey was provided by the Department of Wildlife and Fisheries, Louisiana Sea Grant Extension Service, local fishermen and local community groups working in the areas. Then Mr. Osborn talked about project areas that were done recently, which included the Lake Borgne area and how the Campo Family helped NOAA which was a very successful project. In the Empire Area, NOAA leased one of the only standing homes in the area as well as the Venice Marina as bases of operation. Mr. Osborn explained that his Office completely surveys by imaging the water bottoms. Survey requirements were to first find the objects and hazards, tell them where it is, identify it, and help people avoid it; and second was to provide a means of reporting and data dissemination. Along with the Office of Response and Restoration, the Office of Coast Survey established a marine debris website, which is available to the public at any time. The website is updated on a weekly basis which meant some of the information from Plaquemines Parish was on the website already. Knowing what may be in the water will allow contractors to know what equipment to bring to get that object out of the water. Next, Mr. Osborn talked about the Marine Salvage Program by stating this could do a lot of things. What does storm surge do? How bad is it? A map of debris density by geographic region was shown. Mr. Osborn noted that Lake Borgne probably would not be a high impact debris dense area. Pictures of debris found in the waters were shown. NOAA has worked with many states across the northern Gulf of Mexico. The State of Mississippi went to FEMA to get funding to pay for debris removal across all of their waters. Alabama worked for about 3 or 4 months to pull what they could out of the waters and then was reimbursed with FEMA money. Louisiana, in working with the Louisiana Recovery Authority, the Office of Homeland Security and Emergency Preparedness, the Department of Wildlife and Fisheries and the Department of Natural Resources, was provided the supporting materials from NOAA to allow the state to decide which practice they would like to follow. Mr. Osborn stated they have the ability to begin with a new series of surveys covering Louisiana right now. Areas they could work would include Plaquemines Parish, Vermilion, Lake Calcasieu and West Cove, and the middle grounds of Lake Catherine to

Lake Pontchartrain. The goal for the presentation was to understand Louisiana's requirements. Before turning the presentation over to Mr. Andy Kopplin, Mr. Osborn thanked Secretary Hammett and his staff for their work with all of the involved groups. Commissioner Oats asked if there was any survey work being conducted in areas affected by Hurricane Rita. Mr. Osborn stated Calcasieu Lake would be an interesting area due to the fact that south Cameron Parish was literally erased. Commissioner Oats then asked if there had yet been any work done in that area. Mr. Osborn answered no, but added that they want to do Calcasieu Lake and West Cove very quickly. Commissioner Mouton stated that some of the debris that have been marked have disappeared due to the currents. Mr. Osborn stated there are 2 problems with water, it is incompressible and it is heavy. He added removing marine debris is harder than removing land debris but was just as important since people make their living working on the water. Commissioner Samanie asked what portion of the \$24 million would be spent on debris removal versus mapping. Mr. Osborn stated they would like to use all of the money for surveying if funding for debris removal was available from another source. Commissioner Samanie felt it was more important to have clean lakes than to have maps of dirty ones. Mr. Osborn totally agreed.

Mr. Andy Kopplin, Louisiana Recovery Authority (LRA), stated they have been working hard with NOAA, the Department of Wildlife and Fisheries and the Department of Natural Resources for the last several months identifying how to get the full resources from the Federal Government. He added the mission assignment by definition was to be done by FEMA when the scope of the work was so large and the urgency was so great. It did not require a request from the State. In fact, FEMA gave mission assignments after the hurricanes to the Coast Guard to pick up debris. In Louisiana, they focused on traditional navigation channels to clear the debris. A much more robust debris pick-up program was asked for, but FEMA responded by stating they would pick up the major debris, but the other objects would not be covered under this mission assignment. When Congress appropriated money it caused concern at LRA when it was used for debris removal instead of being used for habitat restoration when the Stafford Act clearly states that FEMA must pay for debris removal. In Mississippi, \$220 million was being used for debris removal according to FEMA's own press releases. Officials in Louisiana wanted to see this state receive the same task order or mission assignment for debris removal that Mississippi received. The LRA passed a Resolution to extend its task force to the Coast Guard to cover marine debris removal out to 4 miles just as they were doing in Mississippi. Mr. Kopplin stated they have had some very productive meetings with FEMA, but they had to be reminded that the Stafford Act required that they be fair to all disaster victims. The Department of Wildlife and Fisheries and Department of Natural Resources have agreed to work with FEMA. NOAA has helped in terms of documenting what was being done in Mississippi so we could ask for the same thing. Mr. Kopplin hoped that the Commission's support for this would be helpful. The bottom line was that there are limited resources and there was the need to let those resources be used for habitat restoration and other programs. Another commitment from FEMA was that the work the Department of Wildlife and Fisheries has started to do and the Department of Natural Resources has already done should be reimbursable. Commissioner Miller asked where was the money. Mr. Kopplin

stated that the Federal Government under FEMA was required to pay for marine debris removal and Louisiana has asked FEMA to task the Coast Guard with doing the job. The federally comprehensive coordinated effort led by the Coast Guard as seen in Mississippi was needed in Louisiana so the state's limited resources would not have to be used. Mr. Kopplin added that the Commission's support would be terrific and helpful. Commissioner Mouton felt Mr. Kopplin was right and the Commission should do a Resolution. But he added that the area south of I-12 should be included as well as south of I-10 and have this listed as an item on the September agenda. Mr. Don Puckett asked if September would be good enough to meet the time constraints. Mr. Kopplin noted they were hoping for an answer from FEMA within a week's time. He felt vocal approval would be good. Mr. Puckett then suggested the Commission consider a motion directing the Secretary to send a letter on behalf of the Commission. Mr. Kopplin answered the question of what do we need by reading: FEMA to grant Louisiana a 100 percent mission assignment for removal of all debris in the public waterways, bayous, lakes, rivers and shore of the State, and to identify and post hazards to navigation I-10 and I-12 southward 4 miles; confirmation from FEMA that costs already borne by local, parish and state government for marine debris would be reimbursed; and let FEMA communicate publically that they are responsible for marine debris removal payments so the agencies could use their budgets for restoration. Commissioner Mouton felt another area north of I-10 bridge needed to be included. Mr. Kopplin stated they have not specified an area to FEMA, but would recommend any area where there was storm surge. Commissioner Oats made a motion to authorize the Secretary to draft a Resolution of support along the lines of discussion demanding FEMA's full support and funding of the Stafford Act for all marine debris related to Hurricanes Katrina and Rita and to delegate the approval of the document to the Secretary. Commissioner Samanie seconded the motion. Commissioner Miller clarified that the letter would basically say what Mr. Osborn and Mr. Kopplin reported, it would be prepared by the staff but for the Chairman's signature, and added that a copy be sent to each member of the Congressional delegation. Hearing no further discussion, the motion passed with no opposition. Secretary Hammett asked if the letter was for both the Chairman and Secretary to sign and Commissioner Oats stated the intent was for both to sign the letter. Secretary Hammett then stated he would have a letter drafted and send it to each Commissioner for their comments.

Mr. Rusty Gaude', Louisiana Sea Grant Agent for marine fisheries for Plaquemines, St. Bernard and Orleans Parishes, stated he has been working closely with Mr. Osborn and NOAA on the survey program and eventually with the removal program. A pamphlet on the marine debris program was handed out to alert mariners of the hazards in St. Bernard Parish. Mr. Gaude' added that even though Lake Borgne was completed, the density of debris was 2.8. In the area of Plaquemines Parish that has been surveyed, the debris was nearly double that found in Lake Borgne. From the mission which included the deep water channel from Empire, there have been 11 major obstacles found. Vice-Chairman Morrow stated that everyone recognizes the seriousness of the matter from a safety and economic standpoint.

Vice-Chairman Morrow stated he had a comment card from Ms. Lynn Bankston, Louisiana Recovery Authority, but she did not have anything further to add.

Moving on to the next item, **To receive and hear Enforcement & Aviation Reports/July**, Lt. Col. Keith LaCaze stated main activities were centered around boating, but there were a couple of alligator cases and a deer case. The DWI cases for the month included 16 in the Region 7 area; 2 in Region 9; 3 in Region 5; 1 in Region 3 and 6 in Region 2. Total cases for the month was 1363 with 307 written warning and agents helped with 57 public assists. The Aviation Report showed one plane was down for engine repair and the other 2 planes flew a total of 67.0 hours. There were 14 boating accidents reported for July making a total of 97 to date. There were 2 boating fatalities in July, one occurred in St. Tammany Parish and the other was in Franklin Parish. News Releases covered were on interstate shipping of over 7,000 pounds of dried shark fins without the required license; a 12 foot alligator taken in the Morganza area; and the life jacket (PFD) loaner program. With this program, every officer was carrying 4 life jackets. It was noted that 70 percent of the deaths associated with boating was from drowning and of those 80 percent did not wear a PFD. Then Lt. Col. LaCaze announced that during August there would be dove field seminar days. One seminar would occur on August 9 in Welch and another on August 14 from 2-4 PM at the Lafayette Parish Sheriff's Garden. Vice-Chairman asked if a notice on the dove seminars was posted on the Department's website and Lt. Col. LaCaze answered yes.

Mr. Robert Helm handled the next item, **To receive and consider 2007-2008 Waterfowl Seasons**. The harvest results showed Louisiana went up 35 percent from 900,000 to almost 1.3 million last year. The mallard harvest was down last year as expected with surveys verifying low numbers wintering in Louisiana. The top 3 birds were again blue-winged, green-winged and gadwalls. On average the number of birds taken increased from 18 to 24 last year which Mr. Helm felt was a good indicator. Also there was an increase in the number of hunters in Louisiana jumping from 48,000 to 56,000. There was excellent hunting particularly in southwest Louisiana. The saltwater sitting on the marshes from Hurricanes Katrina and Rita helped to transform the area and provided a much better habitat for waterfowl and as a result was exceptional hunting. The submerged vegetation which has been missing since the storms seem to be coming on strong and "the table appears to be set" for this year, commented Mr. Helm. Nationwide, Louisiana was #2 for harvest behind California and #1 in the Mississippi Flyway just above Arkansas. At this point, a status video provided by the U.S. Fish and Wildlife Service was shown. Commissioner Oats asked the date on the video. Mr. Helm stated it was produced about 2 weeks ago. Following the video, Mr. Helm stated that one of the things cut from the video was information on geese. Geese were dependent on the spring thaw in the high Arctic and this year, the thaw appeared to be late which consequently meant that goose production was off. The breeding populations were up by over 14 percent with green-winged, blue-winged, shovelers and gadwalls at or above record levels dating back to 1955. Pintail and scaup were still below the long-term average. Pond numbers were well above the long-term average both in Canada and the United States. The ponds in Saskatchewan were maintained due to summer rains and they were expecting a good late

nesting effort and good brood survival. As a result of the good news, all 4 Flyway Councils recommended the liberal package and for the Mississippi Flyway that would be a 60 day season with 6 bird bag limit. This will be the 11th year in a row to have the liberal package. Mr. Helm noted there would be no changes from last year. However, the Flyways have requested a canvasback limit of 2, but the final word had not been received as of the meeting. There would be a full season on canvasback and pintails this year. The framework ending date would be the last Sunday of January which would be January 27 for this season. Mr. Helm cautioned that the good news did not necessarily equate to excellent hunting in the blinds this year. Other issues out of anyone's control such as weather patterns both here and in north-central United States would determine hunt success. Tentative season dates were then read by Mr. Helm.

Commissioner Miller asked about the scaup population continued downward slide. Mr. Helm stated that scaup were still ranked #3 and were relatively abundant. He added that there was no indication scaup harvest had anything to do with the declining population level. Even with the reduction of the scaup bag limit, the population continued to decline. The biologists felt this was more environmentally related to the habitat. LSU's Dr. Al Afton was leading an effort directed at scaup. Mr. Helm noted that the U.S. Fish and Wildlife Service recommended 1 scaup, but all 4 Flyways recommended 2 and the Service has gone with the 2. Commissioner Miller asked if the scientists had a tipping point on scaup before they close the season. Mr. Helm answered no. Then Commissioner Miller wondered about the 3 mottled duck limit and asked if the staff was second guessing this limit. Mr. Helm felt secure with the 3 bird limit. He added that they were initiating 2 PhD mottled duck projects and hoped to update the Commission as the season got closer. Then Commissioner Miller stated he provided each Commissioner a print out of the seasons from Arkansas' website which was basically the same as last year. However he noted that Arkansas published their tentative dates in July which gave the public an opportunity to comment. But Louisiana residents that do not attend this meeting do not get a chance to comment on the dates. Commissioner Miller asked the staff to put the information out to the public in July with the appropriate disclaimers before setting the seasons in August. Vice-Chairman Morrow asked Mr. Puckett if the dates would be ratified at the September meeting as a Declaration of Emergency. Mr. Puckett felt the seasons were being presented as an action item subject to change, but that was unlikely. Commissioner Miller asked if the Commission sets the dates and then they were sent to the Fish and Wildlife Service for approval. Mr. Helm stated that was correct. He added he was just given a note that there probably would be a second canvasback in the bag limit. Vice-Chairman Morrow asked Mr. Helm if he wanted to amend the recommendations. Mr. Helm answered yes, with the caveat that if the extra canvasback was approved that they go with the second canvasback. Hearing no further questions, public comments were accepted.

Mr. Perry Scioneaux requested one deviation and that was to offer more days in December for hunting. Mr. Helm's recommendation was to close on December 2. Mr. Scioneaux requested that the season close for only 5 days and reopen again on December 8. He felt there was a significant increase of birds in Louisiana at that time

as shown by the Department surveys. Again Mr. Scioneaux asked to shorten the split to 5 days in between the segments. As a point of information, he noted that the Commission did go with his recommendation in 1998-99 and 2000-01. During the 2000-01 season, there was a record number of mallards harvested. This year the conditions are favorable in numbers and it could lead to another record year if given those dates. Since the Service authorized a later closing date in January for the State, the mallard harvest has not increased, in fact it decreased. Vice-Chairman Morrow asked Mr. Scioneaux what area he hunts and was told it was the East Zone in Central Louisiana.

Commissioner Oats asked the Department's response to the request to move the East Zone. Mr. Helm stated the popular request was to give an extended split of at least 12 days to give the ducks a rest as well as the hunters. The effect would move the ending dates which would move the closing date of the second split accordingly. The harvest survey consistently showed that the number one comment was to have later waterfowl hunting dates. The margin of 5:1 was not for earlier but later duck hunting. Vice-Chairman Morrow asked if the steel shot on snipe would be taken up at the next meeting. Mr. Helm stated that a recommendation was passed to require non-toxic shot for rails, snipe and gallinules on the WMAs. Vice-Chairman Morrow stated they have received a lot of e-mails on that issue. Hearing no further discussion, Commissioner Oats made a motion to approve with the intent to add a second canvasback if approved by the Service. Commissioner Samanie seconded the motion and it passed with no opposition.

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

RESOLUTION

LOUISIANA WILDLIFE AND FISHERIES COMMISSION
LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES
August 2, 2007

The following was adopted by the Louisiana Wildlife and Fisheries Commission at its regular Commission Meeting in Baton Rouge, Louisiana, August 2, 2007.

WHEREAS, public hearings have been held to discuss the status of waterfowl, including ducks, coots, and geese in Washington, D.C., and

WHEREAS, rules and regulations governing waterfowl season framework have been developed by the U.S. Fish and Wildlife Service, and

WHEREAS, the Department of Wildlife and Fisheries staff has presented recommendations for waterfowl including season dates, bag limits and shooting hours, and

WHEREAS, it is the constitutional responsibility of the Wildlife and Fisheries Commission to establish hunting seasons for waterfowl within the constraints of the U.S. Fish and Wildlife Service framework, now

THEREFORE BE IT RESOLVED, that on this date, the Wildlife and Fisheries Commission does hereby tentatively adopt the attached season dates, bag limits and shooting hours, and

BE IT FURTHER RESOLVED, that these tentative dates will be ratified by Declaration of Emergency unless significant changes are mandated by the U.S. Fish and Wildlife Service and the Secretary is hereby authorized and delegated the authority to take any and all steps necessary on behalf of the Commission to promulgate and effectuate these seasons as a Declaration of Emergency; and

BE IT FURTHER RESOLVED, that these dates will be forwarded to the U.S. Fish and Wildlife Service as regulations set for Louisiana's 2007-2008 Migratory Bird Hunting Regulations.

Patrick C. Morrow, Vice-Chairman
Wildlife and Fisheries Commission

**TENTATIVE SEASON RECOMMENDATIONS
FOR DUCKS, COOTS, GEESE, RAILS, GALLINULES AND SNIPE 2007-08**

DUCKS AND COOTS:

West Zone: Nov. 10 (Sat.) – Dec. 2 (Sun.) (23 days)
(60 days) Dec. 15 (Sat.) - Jan. 20 (Sun.) (37 days)

East Zone: Nov. 17 (Sat.) – Dec. 2 (Sun.) (16 days)
(60 days) Dec. 15 (Sat.) - Jan. 27 (Sun.) (44 days)

Youth Waterfowl Weekend - Nov. 3-4 in West Zone, Nov. 10-11 in East Zone

Daily Bag Limits

The daily bag limit on ducks is 6 and may include no more than 4 mallards (no more than 2 of which may be females), 1 pintail, 3 mottled ducks, 1 black duck, 2 wood ducks, 2 scaup, 1 canvasback and 2 redheads. Daily bag limit on coots is 15.

Mergansers - The daily bag limit for mergansers is 5, only 2 of which may be a hooded merganser. Merganser limits are in addition to the daily bag limit for ducks.

Possession Limit - The possession limit on ducks, coots and mergansers is twice the daily bag limit.

GEESE:

LIGHT GEESE (SNOW, BLUE and ROSS'S) and WHITE-FRONTED GEESE

West Zone: Nov. 10 (Sat.) – Dec. 2 (Sun.) (23 days)
(72 days) Dec. 15 (Sat.) - Feb. 1 (Fri.) (49 days)

East Zone: Nov. 5 (Mon.) - Dec. 2 (Sun.) (28 days)
(72 days) Dec. 15 (Sat.) - Jan. 27 (Sun.) (44 days)

Daily bag limit on light geese (snow, blue and Ross's): 20
Possession limit on light geese (snow, blue and Ross's): None

Daily Limit on white-fronted geese: 2
Possession Limit on white-fronted geese: 4

CANADA GEESE: CLOSED IN THE AREA DESCRIBED BELOW

Jan. 12 (Sat.) - Jan. 27 (Sun.) (16 days)

Daily Limit on Canada geese: 1
Possession limit on Canada geese: 2

The Canada Goose Season will be open statewide except for a portion of southwest Louisiana. The closed area is described as follows: Beginning at the Texas State Line, proceeding east along Hwy. 82 to the Calcasieu Ship Channel, then north along the Calcasieu Ship Channel to its junction with the Intracoastal Canal, then east along the Intracoastal Canal to its juncture with LA Hwy. 82, then south along LA Hwy. 82 to its juncture with Parish Road 3147, then south and east along Parish Road 3147 to Freshwater Bayou Canal, then south to the Gulf of Mexico, then west along the shoreline of the Gulf of Mexico to the Texas State Line, then north to the point of beginning at LA Hwy. 82.

A special permit shall be required to participate in the Canada Goose Season. A permit is required of everyone, regardless of age, and a non-refundable \$5 administrative fee will be charged. This permit may be obtained from any license vendor.

CONSERVATION ORDER FOR LIGHT GEESE (SNOW, BLUE AND ROSS'S):

West Zone: Dec. 3 (Mon.) - Dec. 14 (Fri.) (12 days)
(49 days) Feb. 2 (Sat.) - Mar. 9 (Sun.) (37 days)

East Zone: Dec. 3 (Mon.) - Dec. 14 (Fri.) (12 days)
(54 days) Jan. 28 (Mon.) - Mar. 9 (Sun.) (42 days)

Only snow, blue and Ross's geese may be taken under the terms of the Conservation Order, which allows the use of electronic calls and unplugged shotguns and eliminates the daily bag and possession limits. During the Conservation Order, shooting hours begins one-half hour before sunrise and extends until one-half hour after sunset.

RAILS: Nov. 10 (Sat.) – Jan. 2 (Wed.) (54 days)
KING AND CLAPPER: Daily bag limit 15 in the aggregate, Possession 30.
SORA AND VIRGINIA: Daily bag and possession 25 in the aggregate.

GALLINULES: Nov. 10 (Sat.) – Jan. 2 (Wed.) (54 days)
Daily bag limit 15, Possession limit 30

SNIPE: Nov. 3 (Sat.) - Dec. 3 (Mon.) (31 days)
Dec. 15 (Sat.) - Feb. 28 (Thur.) (76 days)
Daily bag limit 8, Possession limit 16

Shooting Hours: One-half hour before sunrise to sunset, except at the Spanish Lake Recreation Area in Iberia Parish where shooting hours, including the Conservation Order, end at 2 p.m.

EXTENDED FALCONRY SEASONS FOR DUCKS, RAILS AND GALLINULES:

STATEWIDE: (91 days) Nov. 3 (Sat.) - Feb. 1 (Fri.)

Sixteen days of the total season lengths for rails, gallinules and extended falconry seasons were used during the September teal season.

To receive and consider Resolution and Declaration of Emergency to fix the Opening and Closing Dates for the 2007 Fall Inshore Shrimp Season was handled by Mr. Marty Bourgeois. He stated that the Department's recommendation was to open Shrimp Management Zone I and Shrimp Management Zone II on Monday, August 13, and to open Shrimp Management Zone III on Monday, August 6. The action would close the season at official sunset on Tuesday, December 18 except for the open waters of Breton and Chandeleur Sounds which would close at 6 AM on March 31, 2008. Authority would be given to the Department's Secretary to change the closing dates if biological or technical data or enforcement problems occur. Authority would also be given to close and reopen all or parts of the state's inside and outside waters if significant numbers of white shrimp are found. Mr. Bourgeois noted that the opening times were left blank not knowing the wishes of the Commission. He added that the Department received a number of comments on the noon opening. Commissioner Oats asked what was the Department's recommendation. Mr. Bourgeois stated they would be okay with an official sunrise opening as would the

majority of the fishermen. The Department's recommendation would be for an official sunrise opening. Commissioner Samanie asked Col. Winton Vidrine for his comments on a 12 noon opening versus sunrise. Col. Vidrine commented they would prefer a noon opening. Vice-Chairman Morrow then asked for public comments.

Mr. Joseph Verdin stated that when the shrimp season opened on the third Monday, it was better for the fishermen. If open on the second week, the shrimp are small. With Texas opening their season and if Louisiana would open theirs the second week of August, there would be no money for the little shrimp. Mr. Verdin knew that the story that the shrimp leaves was not true, the area around Bayou LaButte in Terrebonne Parish holds the shrimp and they get bigger. He also suggested getting rid of skimmers which kill not only the small shrimp, but larger shrimp and fish too.

Mr. Lance Nacio suggested opening the season at 6 PM since they do the majority of their shrimping at night.

Mr. Christopher Areas requested opening the season the next day to allow the shrimpers to get back to work. No fisherman would drag for smaller shrimp, they would go looking for the larger shrimp. He at first wanted an early morning opening, but the previous speaker suggested an evening opening and Mr. Areas was in favor of the 6 PM opening.

Mr. Bourgeois stated there are certain areas in the State that restricts nighttime trawling such as that portion between the Atchafalaya River to the western shore of Vermilion Bay and a portion of the Calcasieu Lake system. Those segments of the industry would be impacted by a 6 PM opening. Vice-Chairman Morrow asked again for the Department's recommendation on opening the season. Mr. Bourgeois stated that the Marine Fisheries staff was favorable to an official sunrise opening. Commissioner Samanie asked if there would be a problem in having the prohibited areas open in the morning and the other areas open in the evening. Mr. Bourgeois felt it could cause conflict and confusion with the shrimpers. Commissioner Oats asked if the 6 PM opening has been explored. Mr. Bourgeois stated he does not recall a season opening at 6 PM. Since the 2006 spring season, the Commission adopted the noon opening which originated over concern for navigation and potential hazards in the water. Another reason for the noon opening was it was a better method to assure compliance among shrimpers that may jump start the season. Commissioner Samanie asked the reason for no night shrimping in Vermilion Bay. Mr. Bourgeois stated the community felt the shrimp could not withstand fishing 24 hours a day, 7 days a week for the length of the season. If they did not trawl at night, the shrimpers were assured of better catches during the day. Mr. Bourgeois added that the community was successful in getting legislation that created the prohibition on nighttime shrimping. As far as the biology on an opening goes, there is little difference. Then Mr. Bourgeois mentioned that staff has heard the industry was for an official sunrise opening. Hearing no further discussion, Commissioner Samanie made a motion to follow the recommendations of the staff on season dates with an official sunrise opening. The motion failed for lack of a second. Then Commissioner Miller made a motion to open the shrimp seasons at noon on

the dates recommended and it was seconded by Commissioner Oats. The motion passed with no opposition.

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

RESOLUTION

2007 Fall Shrimp Season
Louisiana Wildlife and Fisheries Commission
August 2, 2007

WHEREAS, R.S. 56:497 authorizes the Wildlife and Fisheries Commission to fix no less than two open shrimp seasons each calendar year for all inside waters by zone, and

WHEREAS, R.S. 56:497 provides that shrimp season openings shall be based on biological and technical data which indicate that marketable shrimp, in sufficient quantities, are available for harvest, and

WHEREAS, R.S. 56:498 provides that the minimum legal possession count on saltwater white shrimp shall average no more than 100 whole specimens to the pound (100 count per pound), except during the time period from October fifteenth through the third Monday in December when there shall be no possession count, and

WHEREAS, historical and current biological sampling conducted by the Department of Wildlife and Fisheries has indicated that white shrimp in Shrimp Management Zone 3 will average 100 count per pound minimum legal size or larger by the first Monday in August and white shrimp in Shrimp Management Zones 1 and 2 will average 100 count per pound minimum legal size or larger by the third week of August, now

THEREFORE BE IT RESOLVED, a Declaration of Emergency setting the 2007 Fall Shrimp Season in the inside waters of Zones 1, 2 and 3 is attached to and made a part of this resolution.

BE IT FURTHER RESOLVED, the Commission grants authority to the Secretary of the Department of Wildlife and Fisheries to change the closing dates if biological or technical data indicate the need to do so or if enforcement problems develop and to close and reopen all or parts of state inside and outside waters if significant numbers of small white shrimp are found in these waters.

Patrick C. Morrow, Vice-Chairman
Wildlife and Fisheries Commission

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

2007 Fall Shrimp Season

In accordance with the emergency provisions of R.S. 49:953(B) and R.S. 49:967 of the Administrative Procedure Act which allows the Wildlife and Fisheries Commission to use emergency procedures to set shrimp seasons and R.S. 56:497 which provides that the Wildlife and Fisheries Commission shall fix no less than two open seasons each year for all or parts of state inside waters and shall have the authority to open or close state outside waters, the Wildlife and Fisheries Commission does hereby set the 2007 Fall Shrimp Season in inside waters to open as follows:

Shrimp Management Zone 1, that portion of Louisiana inside waters from the Mississippi-Louisiana state line to the eastern shore of South Pass of the Mississippi River, to open at 12 noon, August 13, 2007, and

Shrimp Management Zone 2, that portion of state inside waters from the eastern shore of South Pass of the Mississippi River to the western shore of Vermilion Bay and Southwest Pass at Marsh Island, to open at 12 noon, August 13, 2007, and

Shrimp Management Zone 3, that portion of state inside waters from the western shore of Vermilion Bay and Southwest Pass at Marsh Island to the Louisiana-Texas state line, to open at 12 noon, August 6, 2007.

The Commission also hereby sets the closing date for the 2007 Fall Shrimp Season in inside waters in Zones 1, 2 and 3 at official sunset December 18, 2007 except in the open waters of Breton and Chandeleur Sounds as described by the double-rig line (LA R.S. 56:495.1(A)2) which shall remain open until 6:00 a.m., March 31, 2008. The Commission also grants authority to the Secretary of the Department of Wildlife and Fisheries to change the closing dates if biological and technical data indicate the need to do so or if enforcement problems develop and to close and reopen all or parts of state inside and outside waters if significant numbers of small white shrimp are found in these waters.

Patrick C. Morrow
Vice-Chairman

To receive and consider Resolution and Declaration of Emergency for the 2007-2008 Oyster Season on Public Grounds, Seed Reservations and Tonging Areas was the first of two items for Mr. Patrick Banks. He began stating each summer biologists work to

gather data that produces the annual stock assessment report. The goals for management of the public grounds was to maintain the health of the public oyster resource, provide seed oysters for transplant from the public grounds to leases, and provide sack oyster, when available, that are taken directly to the market. Accomplishing the goals involved diving onto the reefs and seeing how many oysters are available which then determines the annual stock size. When funds are available, the staff would also perform reef building activities or cultch planting. Last year there were record lows of market size oyster available on the public grounds, but it was a strong year for seed sized oysters which means an increase in market sized oysters for this year. Mr. Banks reported that there may be a 25 percent decrease in seed sized oysters, but about a 140 percent increase in market sized oysters. Overall, there will be about 87,000 barrels of oysters or about 4 percent increase. Distribution of oysters along the coast showed that Coastal Study Area 1 had 22 percent of the seed resources and 15 percent of the sack oysters; in the traditional fishing grounds of Black Bay area, they held about 1/3 of the resources of seed and sack oysters; the Barataria Bay area held about 1 percent of the resources; Coastal Study Area 4 held less than 1 percent; Coastal Study Area 5, which consists of Sister Lake, Bay Junop and Lake Mechant held about 7 percent of the seed and 14 percent of the market sized resources; for Coastal Study Area 6, there was incomplete reef information but samples showed a stronger year for this season; Coastal Study Area 7 which comprises Calcasieu Lake held 36 percent of the seed resource and 37 percent of the market sized oysters. The Department's recommended season dates were: east of the Mississippi River will be September 5-21, then reopen on November 12-April 1; Hackberry Bay will be September 5-21; Little Lake will be in September and reopen on November 12; Lake Chien and Lake Felicity will be October 24-26; Lake Mechant will be October 24-31; Sister Lake will be November 12-December 5; Vermilion Bay will be September 5-April 1; Calcasieu Lake (West Cove) will be October 15-April 30; and Calcasieu Lake (East Cove) will be November 1-April 30. Hearing no questions from the Commission, Vice-Chairman Morrow asked for public comments.

Ms. Lynette Bagala, speaking on behalf of her husband who is a member of the Oyster Task Force, stated she agreed with the recommendations except for one area. She asked that the Sister Lake Seed Reserve open on September 5 along with Black Bay areas and that it be for transplanting only. One of the reasons for the request was to reseed the reefs in the Terrebonne area. Another reason to open was timing in getting the area reseeded since the Department of Health and Hospitals line usually changes in November and their leases are closed. Ms. Bagala added that with November comes lower tides with the north winds pushing the water out of Sister Lake and the private leases. She stated they would like to get the oysters on their reefs in September before the spatting occurred. She asked that the season open for at least two weeks, but if not, maybe 10 days. Vice-Chairman Morrow asked Mr. Banks for a response to Ms. Bagala's request. Mr. Banks stated that from a biological perspective, it was difficult to recommend an opening in such a small bay with heavy pressure during September when the oysters were reproducing which makes them weak and their offspring were trying to settle and get tougher. This area is only about 7,000 acres and it could have as many as 70 to 100 boats during an opening. Commissioner Sagrera asked what was the conflict that occurs in November. Mr. Banks

felt she was talking about water levels; in September, the water levels are higher and fishermen can move more freely around in the marsh. In November, the pollution line may fall due to water quality issues and this could close some leases which would put them off limits.

Hearing no further questions, Commissioner Sagrera made a motion to adopt the oyster seasons as proposed. Commissioner Oats seconded the motion and it passed with no opposition.

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

RESOLUTION
2007/2008 Oyster Season on the Public Oyster Grounds
August 2, 2007

WHEREAS, Louisiana Revised Statutes (R.S.) 56:433 provides that the Public Oyster Seed Grounds may be fished starting on the first Wednesday following Labor Day which in 2007 is September 5, and

WHEREAS, the oyster resources on the public oyster areas of Louisiana have been biologically monitored and evaluated, and the available supply and size variation has been determined, and

WHEREAS, R.S. 56:433(B.2) mandates a sacking only area on the Public Grounds east of the Mississippi River, and

WHEREAS, R.S. 56:435.1.1(D) authorizes the Commission to set the harvest limit in the Calcasieu Lake public oyster ground to be no more than 25 sacks of oysters per day per licensed vessel, and

WHEREAS, the Commission has considered the recommendations of the Louisiana Oyster Task Force as provided for in R.S. 56:433(B.1),

THEREFORE BE IT RESOLVED, that the 2007/2008 oyster season on Louisiana public oyster areas is detailed in the attached Declaration of Emergency, and

BE IT FURTHER RESOLVED, that the Secretary of the Department of Wildlife and Fisheries is authorized to take emergency action, if necessary, to close areas if oyster mortalities are occurring, or to delay the season or close areas where significant spat catch has occurred with good probability of survival, or where it is found that there are excessive amounts of non-living reef material in seed oyster loads, or if oyster resources and/or reefs are being adversely impacted, or if enforcement problems are encountered, and

BE IT FURTHER RESOLVED, that the Secretary of the Department of Wildlife and Fisheries is authorized to take emergency action to reopen areas previously closed if the threat to the resource has ended or may open areas if substantial oyster resources are located, and

BE IT FURTHER RESOLVED, that the notice of any opening, delaying, or closing of a season will be made by public notice at least 72 hours prior to such action, unless such closure is ordered by the Louisiana Department of Health and Hospitals for public health concerns, and

BE IT FURTHER RESOLVED, a Declaration of Emergency setting the 2007/2008 oyster seasons on the public oyster areas is attached to and made part of this resolution.

Patrick C. Morrow, Vice-Chairman
Wildlife and Fisheries Commission

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

In accordance with the emergency provisions of the Administrative Procedure Act, Louisiana Revised Statutes (R.S.) 49:953(B) and 967(D), and under the authority of R.S. 56:433, R.S. 56:435.1, and R.S. 56:435.1.1(D) notice is hereby given that the Secretary of the Department of Wildlife and Fisheries and the Wildlife and Fisheries Commission hereby declare:

The 2007/2008 oyster season in the primary public oyster seed grounds east of the Mississippi River, as described in Louisiana Administrative Code (LAC) 76:VII.511 and LAC 76:VII.513, including the sacking only area of the public grounds which is generally Lake Fortuna and Lake Machias to a line from Mozambique Point to Point Gardner to Grace Point at the Mississippi River Gulf Outlet, and including the Bay Gardene Public Oyster Seed Reservation, as described in R.S. 56:434.E, shall open one-half hour before sunrise on September 5, 2007 and close one-half hour after sunset on September 21, 2007. These areas shall then re-open at one-half hour before sunrise on November 12, 2007 and shall close one half-hour after sunset on April 1, 2008. The 2007 cultch plant locations in Black Bay and Turkey Bayou within the following coordinates shall remain closed:

Black Bay – Plaquemines Parish

1. 29 degrees 37 minutes 30 seconds N latitude
89 degrees 33 minutes 29 seconds W longitude

2. 29 degrees 37 minutes 30 seconds N latitude
89 degrees 33 minutes 00 seconds W longitude
3. 29 degrees 37 minutes 00 seconds N latitude
89 degrees 33 minutes 00 seconds W longitude
4. 29 degrees 37 minutes 00 seconds N latitude
89 degrees 33 minutes 30 seconds W longitude

Turkey Bayou – St. Bernard Parish

1. 30 degrees 05 minutes 05.51 seconds N latitude
89 degrees 19 minutes 06.05 seconds W longitude
2. 30 degrees 05 minutes 42.24 seconds N latitude
89 degrees 18 minutes 30.04 seconds W longitude
3. 30 degrees 05 minutes 30.76 seconds N latitude
89 degrees 18 minutes 14.56 seconds W longitude
4. 30 degrees 04 minutes 54.03 seconds N latitude
89 degrees 18 minutes 50.58 seconds W longitude

The oyster season in the Hackberry Bay Public Oyster Seed Reservation as described in R.S. 56:434.E shall open one-half hour before sunrise on September 5, 2007 and shall close one-half hour after sunset on September 21, 2007.

The oyster season in the Little Lake Public Oyster Seed Grounds as described in LAC 76:VII:521 shall open one-half hour before sunrise on September 5, 2007 and shall close one-half hour after sunset on September 21, 2007. Little Lake shall then re-open at one-half hour before sunrise on November 12, 2007 and shall close one half-hour after sunset on April 1, 2008.

The oyster season in the Lake Felicity and Lake Chien Public Oyster Seed Grounds as described in LAC 76:VII.517 shall open one-half hour before sunrise on October 24, 2007 and shall close one-half hour after sunset on October 26, 2007.

The oyster season in the Lake Mechant Public Oyster Seed Grounds as described in LAC 76:VII.517 shall open one-half hour before sunrise on October 24, 2007 and shall close one-half hour after sunset on October 31, 2007.

The oyster season in the Sister Lake Public Oyster Seed Reservation as described in R.S. 56:434.E shall open one-half hour before sunrise on November 12, 2007 and shall close one-half hour after sunset on December 5, 2007.

The Vermilion/East and West Cote Blanche/Atchafalaya Bay Public Oyster Seed Grounds, as described in LAC 76:VII.507 and LAC 76:VII.509, shall open one-half hour before sunrise on September 5, 2007 and shall close one-half hour after sunset on April 1, 2008.

The oyster season in the Calcasieu Lake public oyster area, as described in R.S. 56:435.1 and R.S. 56:435.1.1, is detailed as follows:

1. Calcasieu Lake West Cove Conditional Management Area (west side of Calcasieu Ship Channel) shall open one-half hour before sunrise on October 15, 2007 and shall close one half-hour after sunset on April 30, 2008.
2. Calcasieu Lake Conditional Management Area (east side of Calcasieu Ship Channel) shall open one-half hour before sunrise on November 1, 2007 and shall close one half-hour after sunset on April 30, 2008.

The sack limit for Calcasieu Lake is set at 15 sacks per day as provided for in R.S. 56:435.1.1. However, these conservation actions shall not supercede public health closures.

The following areas will remain closed for the 2007/2008 oyster season: the Bay Junop Public Oyster Seed Reservation (as described in R.S. 56:434.E), the Barataria Bay, Deep Lake, and Lake Tambour Public Oyster Seed Grounds (as described in LAC 76:VII:517), and the Sabine Lake Public Oyster Tonging Area as described in R.S. 56:435.1.

The Secretary of the Department of Wildlife and Fisheries is authorized to take emergency action as necessary to close areas if oyster mortalities are occurring or to delay the season or close areas where significant spat catch has occurred with good probability of survival, or where it is found that there are excessive amounts of non-living reef material in seed oyster loads, or if oyster resources and/or reefs are being adversely impacted, or if enforcement problems are encountered.

The Secretary is authorized to take emergency action to reopen areas previously closed if the threat to the resource has ended, or may open areas if substantial oyster resources are located.

Notice of any opening, delaying or closing of a season will be made by public notice at least 72 hours prior to such action unless such closure is ordered by the Department of Health and Hospitals for public health concerns.

Patrick C. Morrow
Vice-Chairman

Then Mr. Patrick Banks handled the item, **To receive and consider Resolution and Notice of Intent on Designation of Additional Lake Mechant Public Oyster Seed Grounds**. At the last meeting, Mr. Banks stated he proposed this same issue. The request stemmed from an industry request to the Department to expand the Lake Mechant Public Oyster Seed Grounds by approximately 500 acres. The Commission disagreed with the request to proceed under a Declaration of Emergency. This action was a Notice of Intent to expand the Lake Mechant Public Oyster Seed Grounds as per the coordinates listed. Hearing no questions or discussion, Commissioner Samanie made a motion to adopt the Notice of Intent, it was seconded by Commissioner Oats and unanimously approved.

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

RESOLUTION

EXPANSION OF THE LAKE MECHANT PUBLIC OYSTER SEED GROUNDS

August 2, 2007

WHEREAS, R.S. 56:6(12) provides that the Commission shall improve, enlarge, and protect the natural oyster reefs of this state as conditions may warrant, and

WHEREAS, R.S. 56:434(A) provides that the Commission shall designate and set aside area from the water bottoms of the state as it judges best adapted to the planting, propagation, growth, and policing of seed oysters, and

WHEREAS, the additional public oyster resources would assist the oyster industry in rehabilitation efforts on the private oyster leases to help recover from the 2005 hurricane impacts, and

WHEREAS, portions of un-leased water bottoms in Lake Mechant that are not part of the current Lake Mechant Public Oyster Seed Ground as described in LAC 76:VII.517 contain harvestable oyster resources, and

WHEREAS, the current oyster lease moratorium effectively prohibits harvest of this oyster resource as these water bottoms are not available for lease, and

WHEREAS, the proposed additional acreage would create a contiguous seed ground by adding acreage to the existing Lake Mechant Public Oyster Seed Ground that could be effectively managed and patrolled in the best interest of the state, and

WHEREAS, the Louisiana Oyster Task Force has recommended that the additional acreage be added to the Lake Mechant Public Oyster Seed Ground, and

WHEREAS, the oyster resource in this area would be immediately placed under active state management for the long-term benefit of the resource and protection of the natural reefs, and this would allow harvest of this resource during an open oyster season providing rehabilitation and economic benefit to the oyster industry,

THEREFORE BE IT RESOLVED, the Wildlife and Fisheries Commission does hereby promulgate a Notice of Intent to declare additional public oyster seed ground acreage on those public water bottoms of Lake Mechant within the areas described in the attached Notice of Intent, and

BE IT FURTHER RESOLVED, the Secretary of the Department of Wildlife and Fisheries is authorized to take any and all necessary steps on behalf of the Commission to effectuate and promulgate this notice of intent and the final rule, including but not limited to, the filing of the fiscal and economic impact statement, the filing of the notice of intent and final rule and the preparation of reports and correspondence to other agencies of government, and

BE IT FURTHER RESOLVED, a Notice of Intent describing the additional Lake Mechant Public Oyster Seed Grounds is attached to and made part of this resolution.

Patrick C. Morrow, Vice-Chairman
Wildlife and Fisheries Commission

NOTICE OF INTENT

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

The Wildlife and Fisheries Commission does hereby give notice of its intent to designate additional Lake Mechant Public Oyster Seed Grounds in Terrebonne Parish to be added to the Lake Mechant Public Oyster Seed Ground as described in Louisiana Administrative Code (LAC) 76:VII.517. Authority to establish this addition to the Lake Mechant Public Oyster Seed Ground is vested in the Wildlife and Fisheries Commission by R.S. 56:6(12) and R.S. 56:434(A).

Title 76

WILDLIFE AND FISHERIES

Part VII. Fish and Other Aquatic Life

Chapter 5. Oyster

§517. Public Oyster Seed Grounds – Portions of Lake Mechant, Lake Tambour, Lake Chien, Lake Felicity, Deep Lake, and Barataria Bay

The following areas are designated as oyster seed grounds:

1. a. Lake Mechant, Terrebonne Parish: The state waterbottoms within a ~~six (6) sided figure~~ with the following corners:

29° 19' 45.36273" N	90° 58' 19.84034" W
29° 18' 52.50955" N	90° 57' 32.90680" W
29° 18' 41.04086" N	90° 55' 58.95532" W
29° 16' 47.29750" N	90° 56' 44.37133" W
29° 18' 33.55333" N	90° 57' 37.82946" W
29° 18' 46.69380" N	90° 59' 21.09926" W

b. Additional portions of the Lake Mechant Public Oyster Seed Grounds are described as follows:

i. Addition 1: Beginning at a point on the border of the existing Lake Mechant Public Oyster Seed Grounds at latitude 29 degrees 18 minutes 33.5533 seconds N and longitude 90 degrees 57 minutes 37.8295 seconds W; thence southerly to a point at latitude 29 degrees 18 minutes 14.8543 seconds N and longitude 90 degrees 57 minutes 39.1397 seconds W; thence southerly to a point at latitude 29 degrees 18 minutes 03.4928 seconds N and longitude 90 degrees 57 minutes 38.8965 seconds W; then southerly to a point at latitude 29 degrees 17 minutes 42.1030 seconds N and longitude 90 degrees 57 minutes 28.7632 seconds W; thence southwesterly to a point at latitude 29 degrees 17 minutes 36.2469 seconds N and longitude 90 degrees 57 minutes 35.9244 seconds W; thence southerly to a point at latitude 29 degrees 17 minutes 29.3388 seconds N and longitude 90 degrees 57 minutes 30.9068 seconds W; thence southerly to a point at latitude 29 degrees 17 minutes 18.0878 seconds N and longitude 90 degrees 57 minutes 26.2988 seconds W; thence southerly to a point at latitude 29 degrees 17 minutes 12.1229 seconds N and longitude 90 degrees 57 minutes 22.7942 seconds W; thence southeasterly to a point at latitude 29 degrees 17 minutes 04.4969 seconds N and longitude 90 degrees 56 minutes 57.2000 seconds W; thence southeasterly to a point at latitude 29 degrees 17 minutes 01.3854 seconds N and longitude 90 degrees 56 minutes 51.4572 seconds W; thence northwesterly along the existing Lake Mechant Public Oyster Seed Grounds border to the point of beginning.

ii. Addition 2: Beginning at a point on the border of the existing Lake Mechant Public Oyster Seed Grounds at latitude 29 degrees 18 minutes 41.0409 seconds N and longitude 90 degrees 55 minutes 58.9553 seconds W; thence southerly to a point at latitude 29 degrees 18 minutes 30.9866 seconds N and longitude 90 degrees 56 minutes 01.3860 seconds W; thence southeasterly to a point at latitude 29 degrees 18 minutes 15.9476 seconds N and longitude 90 degrees 55 minutes 53.2347 seconds W; thence southerly to a point at latitude 29 degrees 17 minutes 59.3179 seconds N and longitude 90 degrees 56 minutes 07.0156 seconds W; thence southerly to a point at latitude 29 degrees 17 minutes 21.1676 seconds N and longitude 90 degrees 56 minutes 21.2961 seconds W; thence southerly to a point at latitude 29 degrees 16 minutes 47.2975 seconds N and longitude 90 degrees 56 minutes 44.3713 seconds W; thence northerly along the border of the existing Lake Mechant Public Oyster Seed Grounds to the point of beginning.

* * *

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6(12) and R.S. 56:434(A).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 27:214 (February 2001), repromulgated LR 27:431 (March 2001), amended LR 33: .

The Secretary of the Department of Wildlife and Fisheries is authorized to take any and all necessary steps on behalf of the Commission to promulgate and effectuate this notice of intent and the final rule, including but not limited to, the filing of the fiscal and economic impact statement, the filing of the notice of intent and final rule and the preparation of reports and correspondence to other agencies of government.

Interested persons may submit written comments relative to the proposed rule until 4:30 p.m., Thursday, October 4, 2007 to Patrick D. Banks, LDWF Marine Fisheries Division, Box 98000, Baton Rouge, Louisiana, 70898-9000.

In accordance with Act 1183 of 1999, the Department of Wildlife and Fisheries/Wildlife and Fisheries Commission hereby issues its Family Impact Statement in connection with the preceding Notice of Intent: This Notice of Intent will have no impact on the six criteria set out in R.S. 49:972(B).

Patrick C. Morrow
Vice-Chairman

The Commissioners agreed to hold the **December 2007 Meeting** on Thursday, December 6, 2007, beginning at 9:30 a.m. at the Baton Rouge Headquarters. Next item was to receive **Public Comments**. Commissioner Miller stated the packets had a number of comments concerning steel shot for snipe. He asked that the staff hold those in a file.

Secretary Hammett stated that when Governor Blanco appointed him it was to go through January 15, 2008. He added that this has been “one of the coolest gigs I’ve ever had” working with an agency that does a whole lot that the public did not understand. Knowing that his appointment ends January 15, Secretary Hammett stated he would be on leave without pay from the first of September to mid-October to pursue personal interests. He added that he would be available in the event of a hurricane. After mid-October, the Secretary would be back in the office to help with the transition into the next administration. Vice-Chairman Morrow noted that the Secretary would be missed by all and he expressed hope that his endeavor would be successful.

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

Bryant O. Hammett, Jr.
Secretary

scf