

Louisiana Wildlife and Fisheries Commission Meeting Minutes

September 03, 2015

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

Audio files 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

1. Roll Call
2. Approval of Minutes of August 6, 2015
3. Commission Special Announcements/Personal Privilege
4. Recognition and Presentation of Five Civilian Meritorious Service Awards
5. Presentation on the Youth Hunter of the Year Contest
6. To hear Enforcement Reports August 2015
7. To Consider the Department of Wildlife and Fisheries staff evaluation of the three proposals for use of Breeding Habitat Statutory dedicated funding
8. To Consider a Resolution to rename the Sicily Island Hills Wildlife Management Area to the J.C. "Sonny" Gilbert Wildlife Management Area
9. To Consider a Resolution to add the Kennedy Rice Dryers Tract to the Russell Sage Wildlife Management Area
10. To Consider a Resolution to add the Steele Tract to the Bayou Pierre Wildlife Management Area
11. To Consider a Notice of Intent for the 2016 Abandoned Crab Trap Removal
12. To Consider a Declaration of Emergency to Set the 2015-2016 Oyster Season on the Public Oyster Areas of Louisiana
13. To Consider a Resolution of Support for the Reauthorization of the Land and Water Conservation Fund
14. Set January 2016 Meeting Date
15. Receive Public Comments
16. Adjournment

Call to Order

The regular meeting of the Louisiana Department of Wildlife and Fisheries Commission was called to order at 9:30AM on September 03, 2015 in Baton Rouge, LA by Chairman, Pat Manuel.

1. Roll Call

Wendy Brogdon conducted a roll call. The following persons were present:

Pat Manuel

Dan Davis

Billy Broussard

Ronnie Graham

Chad Courville

Bart Yakupzack

Secretary Barham

2. Approval of Minutes

The minutes of the August 6, 2015 meeting were prepared by Wendy Brogdon and distributed.

Chairman Manuel called for approval

Commissioner Courville stated that there are a couple of typographical revisions were given to Wendy Brogdon for correction. These were not substantive changes, only typographical.

A motion was made by Commissioner Broussard and seconded by Commissioner Courville. Chairman Manuel called for a vote and the motion passed.

The minutes were unanimously approved

3. Commission Special Announcements / Personal Privilege

Commissioner Yakupzack noted that the state recently lost a Louisiana State Trooper in the line of duty during a routine traffic stop – Trooper Steven Vincent. In May, WLF Agent Scott Bullitt was shot during a similar traffic stop near Wham Brake in the Monroe area. He stated that nothing is routine in law enforcement and to point out that the WLF Department served a large role in Trooper Vincent's procession. Commissioner Yakupzack personally thanked Region 5 for their role and thanked the WLF Administration for their leadership and allowing the participation. He thanked all the WLF Agents for their work and sent condolences to LSP Colonel Mike Edmonson and Trooper Vincent's family

Commissioner Yakupzack also spoke on a much lighter note- Saturday August, 15th there was a National Wild Turkey Foundation (NWTF) JAKES event hosted by the Avoyelles Parish Chapter of NWTF and the leader, Jessica Hayes and her team. The event lasted from 8AM until 1PM which Commissioner Yakupzack attended. There were over two hundred kids in attendance. The kids were served lunch and all left with door prizes.

3. Commission Special Announcements / Personal Privilege continued

The kids participated in events exposing them to the outdoors such as skeet shooting, archery opportunities, cast netting, casting, alligator skinning, turkey calling, rocket net demonstration and more. Yakupzack commended WLF Secretary Robert Barham and his staff and the volunteer team including the hunter education instructors for their participation in the event. There were over six WLF Staff members and three Enforcement Agents in attendance. Yakupzack stated he hopes this type of participation continues to help educate the youth of our state.

4. Recognition and Presentation of Five Civilian Meritorious Service Awards

Lt. Col Sammy Martin, LDWF Enforcement

The Louisiana Department of Wildlife and Fisheries (LDWF) awarded five people with Citizens Meritorious Service Awards - Paul L. Page, 17, of Bogalusa, Diane Leach, 34, of Covington, Timothy Rodosta, 42, of Covington, Chad Thompson, and A. J. Holmes, for helping save three children following a boating incident in the Pearl River Navigational Canal on March 28 in St. Tammany Parish. The mother of the three children, Jonie Morgan, 31, of Folsom, and her boyfriend, Terry O'Keefe Jr., 41, of Folsom, passed away as a result of the incident.

Lt. Col. Martin stated, "We are here today to recognize five individuals for their actions that resulted in saving the lives of three young children. All five individuals involved exhibited leadership, good judgment, and discipline. All five people should be recognized for their heroic actions during a tragic event".

Morgan and O'Keefe Jr., with eight and six year old boys and a five year old girl pushed off from the bank of the Pearl River Canal up river of a low head damn (sill) in a 14 foot vessel shortly after 5 p.m. on March 28. Unable to start the motor their vessel drifted to the sill and capsized putting all five occupants into the water.

Page came upon the scene and saw two boys, one girl and Morgan in the water near their capsized vessel. While trying to help, his vessel also capsized sending him into the water. While in the water, Page was able to grab onto the two boys while Morgan was holding her five year old daughter. Page then spotted a vessel with Leach and Rodosta on board waved them over to help and when he looked back Morgan and her five year old daughter had disappeared. Leach and Rodosta were able to get Page and the two boys into their vessel and safely onto shore.

LDWF Enforcement Agents Sgt. Keith Francis and Senior Agent Joel Crompt arrived on scene at the upstream side of the sill. While the agents were interviewing witnesses near the sill, the five year old girl floated out from under the capsized vessel. Agents noticed a vessel on the downstream side operated by Thompson and Holmes and directed them to the girl's position. Thompson and Holmes were able to pull the girl from the water and bring her safely to shore.

Recognition and Presentation of Five Civilian Meritorious Service Awards continued

All three children and Page were wearing personal flotation devices and are in good health. Search and rescue crews found the body of O'Keefe Jr. on March 29 and Morgan on April 1. O'Keefe Jr. and Morgan were not wearing PFDs.



5. Presentation on the Youth Hunter of the Year Contest

Bo Boehringer, LDWF Communications

Dave Moreland, Louisiana Outdoor Writers Association

The 2014 Louisiana Male and Female Youth Hunters of the Year (YHOY) were recognized at the 2015 Louisiana Outdoor Writers Association (LOWA) Conference in Morgan City on Aug. 8.

Mya Gravois of Lakeland received the award for the 2014 Female YHOY and William Morrison of Natchitoches received the award for the 2014 Male YHOY. Both young hunters received their awards from Glynn Harris, distinguished LOWA writer and 2015 Arthur Van Pelt Award Winner.

YHOY Program sponsors include the Louisiana Wildlife Federation, the South Louisiana Branch of the Quality Deer Management Association, the Louisiana Chapter of the National Wild Turkey Federation, Harrison Law LLC, the BR Chapter of Delta Waterfowl and Bowie Outfitters in Baton Rouge.

Twelve-year-old Mya is the daughter of Hank and Aleisha Gravois. Mya began the 2014 hunting season by harvesting a 13-foot alligator that is currently on display at the Swamp Shop in Grosse Tete. She harvested the gator on Indian Bayou Wildlife Management Area (WMA). Mya continued her memorable season harvesting cat squirrels on Sherburne WMA and then completed her 2014 hunting experience by harvesting three deer with three shots over the course of the season.

In her essay submitted, Mya wrote about the variety of great hunting experiences with her father and the excitement of each season within the season, a testimony to the wonderful outdoor opportunities that both boys and girls have in the Bayou State.

Twelve-year-old William's story actually began in 2012 on a spring turkey hunt on family land in Arkansas. A gobbler came strutting right to him, he pulled the trigger and his gun did not fire. His older brother killed the tom and William was disappointed in his bad luck, but very excited for his brother and determined to harvest a turkey at his next opportunity.

He had no luck during the 2013 season, but on a turkey hunt in Louisiana in 2014 William made the shot with his new shotgun and bagged his first gobbler. His dad did the calling and his brother documented the hunt with his camera. William's first turkey serves as a reminder that good things happen to those who persevere. William is the son of William and Emily Morrison.

“These two youngsters and the families who provided their opportunities are fine examples that the Louisiana hunting tradition is alive and well,” said David Moreland, YHOY Program co-coordinator. “The goal of the program is to get youth involved in the outdoors and develop their appreciation for a sport that can last a lifetime.”

Presentation on the Youth Hunter of the Year Contest continued

The two winners received plaques recognizing their achievement and a gift card from Bowie Outfitters.

The 2015 YHOY competition started during the 2015 spring turkey season and continues when the 2015-16 dove season begins in September. LDWF and LOWA encourage all youth hunters, 15 years old or younger, to participate in the Youth Hunter Registry Program and the Youth Hunter of the Year Program.



Mya Gravois, Dave Moreland (LOWA) and William Morrison

6. Enforcement Reports: August 2015
Lt. Col Sammy Martin, LDWF Enforcement

Enforcement Case Report:

Written Citations:	596
Written Warnings:	316
Public Assistance:	33

Monthly Boating Crash / Incident Report:	<u>Month</u>	<u>Year to Date</u>
Boating Incidents:	15	82
Number of Injuries:	9	48
Number of Fatalities:	0	12

News Releases:

Two Jefferson Parish Men Arrested for Crab Trap Theft

Louisiana Department of Wildlife and Fisheries Enforcement Division Agents arrested two men on Aug. 11, for alleged commercial fishing violations in Plaquemines Parish. Agents arrested Shane Rogers, 32, and Terryl Perez, 27, both from Lafitte for theft of crab traps, illegal removal of the contents of crab traps, harassment of a legal fisherman and intentional littering.

Agents investigated the two men after being shown photos of the men in the Bay Round area of Plaquemines Parish cutting the corks off crab traps. The men would replace the cut corks with their own and then throw the original fishermen's corks in the water.

After looking at the photos, agents conducted interviews where the men admitted to cutting the other fisherman's corks. Agents then secured warrants for the men and booked in the Jefferson Parish Jail waiting to transfer to Plaquemines Parish.

Theft of crab traps and illegal removal of contents of crab traps carries up to a \$950 fine and 120 days in jail for each offense. Harassment of a person lawfully fishing carries up to a \$350 fine and 60 days in jail.

Three Men Cited for Closed Season Turkey Violations

Louisiana Department of Wildlife and Fisheries Enforcement Division agents cited three men for alleged closed season turkey violations on Aug. 16 in Bienville Parish.

Agents cited James Kearney, 29, of Ringgold, Daniel Hollis, 25, of Arcadia, and Michael Foster, 51, of Sibley, for hunting from a public road. Kearney was also cited for taking a turkey illegally during a closed season. Hollis and Foster were also cited for possession of an illegally taken turkey.

Responding to an anonymous tip, agents were able to make contact with Hollis and Foster at Hollis' residence. Upon questioning, the two men admitted to be in a truck when Kearney shot a turkey from Pietsch Road near Ringgold on Aug. 15. The two men also told the agent that the turkey was in an ice chest in Hollis' front yard.

Agents involved in the case are Bryant Coburn, Jared McIver and Mike Kelley. Taking turkey during a closed season brings a \$900 to \$950 fine and up to 120 days in jail. Possession of an illegally taken turkey carries a \$400 to \$950 fine and up to 120 days in jail. Hunting from a public road brings a \$100 to \$350 fine and up to 60 days in jail.

The turkey season for Bienville Parish ended in late April of 2015 and won't reopen until March 26 of 2016.

Six Men Arrested for Closed Season Oyster Violations in St Bernard Parish

Louisiana Department of Wildlife and Fisheries (LDWF) Enforcement Division agents arrested six subjects on board two vessels for alleged oyster violations in St. Bernard Parish on Aug. 28.

Agents arrested Glenn J. Cascio Sr., 54, and Glenn J. Cascio Jr., 35, both of St. Bernard, from one vessel and Baron T. Navarro, 40, of Mereaux, Sotelo A. Galdino, 36, of Seabrook, Texas, Rigoberto Badillo-Gomez, 38, Mereaux, and Jose Camalgo, 18, of of Seabrook, Texas, from another vessel for taking oysters during a closed season. Navarro was also cited for failing to comply with refrigeration requirements.

Due to numerous complaints of illegal oyster harvesting on the State Seed Grounds in Drum Bay, agents set up surveillance nearby and at 3:30 p.m. observed two oyster vessels enter the area and begin dredging. The Drum Bay public grounds are currently closed to all oyster harvesting.

Agents stopped both vessels and found each to have loose oysters on their decks and in their dredges. Agents seized all four dredges and a total of 136 sacks of oysters, which were returned to the water.

All men were booked into the St. Bernard Parish Jail.

Taking oysters during a closed season brings a \$900 to \$950 fine and up to 120 days in jail. Any person convicted of this violation may only harvest oysters from a vessel that employs a vessel monitoring system monitored by LDWF for a period of one year. Failing to comply with refrigeration requirements carries a \$400 to \$950 fine and up to 120 days in jail

7. To Consider the Department of Wildlife and Fisheries staff evaluation of the three proposals for use of Breeding Habitat Statutory dedicated funding

Paul Link, LDWF Waterfowl Program, North American Waterfowl Management Plan Coordinator



Mr. Link began with a PowerPoint presentation.

Since 1965, LDWF has funded habitat work for breeding waterfowl in Canada and the northern United States. We are here today to decide where we are going to invest our funding for the next 3 years.

Why have we spent over 10 million dollars on habitat work on the breeding grounds? Because Louisiana hunters harvest more ducks than any other state, and the overwhelming majority of those birds were raised somewhere else. The security and productivity of those breeding habitats are imperative to assuring the waterfowl resource remains healthy enough to continue enjoyment at those levels.

In recognition of that, Louisiana Revised Statute R.S. 56:104(A)(1)(b) states:
An amount equal to ten percent of the fees collected from the sale of hunting licenses shall be dedicated by the commission to the development and preservation of breeding grounds for migratory waterfowl, the funds to be expended for such purposes through To

Consider the Department of Wildlife and Fisheries staff evaluation of the three proposals for use of Breeding Habitat Statutory dedicated funding continued

Ducks Unlimited, Inc. or under the direction of the Louisiana Wildlife and Fisheries Commission at its discretion

In April, the Commission issues a Request for Proposals as the first step in a process to allocate funding for breeding waterfowl habitat work over the next 3 years

- LWF Commission issued RFP April 2, 2015 with a submission deadline of May 22, 2015
- Proposals were presented to Commission by submitting parties on June 4 2015
- Evaluation of proposals by Waterfowl Section and Conservation partners
- Presentation of evaluation to Commission and a funding decision scheduled for July 2, 2015 was delayed until today's meeting

Three proposals were received in response to the RFP

- i. United Prairie Foundation
 - a. Native Prairie Mapping and Restoration
- ii. Delta Waterfowl
 - a. Wetland/Grassland Easements
 - b. Upland Restoration
 - c. Wetland Restoration
- iii. Ducks Unlimited
 - a. Wetland/Grassland Securement
 - b. Upland Restoration
 - c. Wetland Restoration
 - d. Habitat Asset Management

Evaluation Procedure

11 Professional Biologist from LDWF, USFWS, Gulf Coast Joint Venture and LSU evaluated the proposals for

- Consistency with statute and regional conservation plans
- Value of proposed work to breeding waterfowl
- Project area link to Louisiana
- Probability of successful completion
- Cost effectiveness for securing, restoring and enhancing the most possible habitat

There was no formal scoring platform and each professional brought his own values and expertise to the evaluation

Each biologist provided a ranking of the three proposals

Consider the Department of Wildlife and Fisheries staff evaluation of the three proposals for use of Breeding Habitat Statutory dedicated funding continued

United Prairie:

United Prairie (UP) requested \$35,000 to support restoration of 400 acres of highly-diverse native mixed-grass prairie habitat in North and South Dakota (6 percent of requested funds). The project included mapping existing native prairie to identify seed sources, harvest of those seeds, renting agricultural land (preferably soy-bean fields), and restoring those fields to native prairie (94 percent of requested funds). The goal is to increase nesting habitat for migratory waterfowl and all prairie-nesting birds, but also to provide additional seed sources for future restoration.

Proposal included \$30,093 in matching funds from North Dakota Game and Fish, Sand Lake NWR Wetland Management District, and UP as well as additional in-kind services from UP.

Delta Waterfowl:

Delta Waterfowl proposal was to fund conservation activities within their Alternative Land Use Services program utilizing half of the available funding

Delta requested \$480,000 over 3 years that combined with \$795,000 in matching funds from private contributions, National Conservation Plan, and Delta Waterfowl gives \$1,275,000 to provide 1,975 acres of wetland leases, 28 acres of wetland restoration, 550 acres of existing grassland protection, and 550 acres of grassland establishment. The wetland and grassland easements are all for 5-10 years with an opt-out clause that requires repayment for years not completed.

- 1) Wetland Easements (39% of total funds)
1,975 acres in 5-10 year agreements
- 2) Wetland Restoration (4% of total funds)
28 acres in 5-10 year agreements
- 3) Grassland Easements (10% of total funds)
550 acres in 5-10 year agreements
- 4) Grassland Restoration (47% of total funds)
550 acres in 5-10 year agreements

Ducks Unlimited:

Ducks Unlimited (DU) proposal looked very similar to past work with a much stronger emphasis on permanent habitat protection through land purchase and perpetual easements DU Canada requested \$975,000, which will be matched by DU Inc. in the United States, and the total will be matched by NAWCA to give \$3,900,000 to provide 10,500 acres of Habitat Retention (conservation easements, land purchase, revolving land program, and wetland rebuilds), 200 acres of wetland restoration, 2,700 acres of Upland Restoration (grassland conversion, winter wheat incentives), and 275,000 acres of Habitat Asset Management (structure operation and maintenance, nesting cover management, inspections).

- 1) Habitat Securement (71% of total funds)
 - a. 9,450 acres of purchase/perpetual easements:
 - i. 2,300 wetland and 7,150 grassland
 - b. 1,050 acres of 10-year agreements:
 - i. 250 wetland and 800 grassland
- 2) Wetland Restoration (5 % of total funds)
 - a. 200 acres in perpetual to 10-year agreements
- 3) Upland Restoration (11% of funds)
 - a. 2,300 acres converted to grassland forage in 10 year agreements
 - b. 400 additional acres of winter wheat
- 4) Habitat Asset Management (13% of funds)
 - a. Management of 275,000 acres of wetland and grassland currently under conservation agreement to maintain value to breeding waterfowl

Concerns and Considerations

All Proposals Are:

- 1) Consistent with funding statute
- 2) In geographic areas of high value to breeding waterfowl and linkages to Louisiana
- 3) Employ conservation actions with established benefits to waterfowl and associated species, are incorporated into NAWMP implementation plans, and are eligible for matching funds

Concerns and Considerations

United Prairie Foundation:

- 1) Targets one of the most imperiled habitats in a way that enables future conservation
- 2) Small, inexpensive project
- 3) \$20,000 matching funds from ND Game and Fish was not approved
- 4) Native prairie is not necessary to raise ducks
- 5) Concern about re-establishing prairie to the point of harvesting seeds in only 4 years
- 6) Uncertainly about project without matching funds

Concerns and Considerations

Delta Waterfowl:

- 1) Targets most important concern for breeding waterfowl in Canada by protecting 2,003 acres of wetlands (65% of project acres)
- 2) Adds 550 acres of grassland habitat, and protects 3,103 acres for 5-10 years
- 3) Nearly 1.7 to 1 additional matching funds for project work
- 4) Uses strictly short-term agreements with an opt-out clause
- 5) Little mention of coordination with large-scale waterfowl conservation plans or landscape level site-selection tools
- 6) Costs for both wetland restoration and upland restoration substantially higher than in DU proposal
- 7) Payments for landowners doing what they are already doing is disconcerting in short-term agreements
- 8) 2009 Economic analysis showed annual payment programs like ALUS were less cost-effective than other Ecological Goods and Services programs

There is concern over the short term conservation agreements and especially the opt out clause. Although payment is required, this not a high priority conservation strategy

Concerns and Considerations

Ducks Unlimited:

- 1) Provides permanent protection to 2,350 acres of wetlands and 7,100 acres of grasslands, 10-year protection to another 260 acres of wetlands and 790 acres of grassland
- 2) Adds 2,300 acres of grassland habitat, and protects a total of 13,000 acres, 9,450 of it permanently
- 3) 3 to 1 additional matching funds for project work
- 4) Extensive use of landscape-level site-selection tools and coordination with large-scale conservation plans
- 5) Proposal was vague and required extensive follow-up to determine specific acreages
- 6) Although only 13% of the total funding, habitat asset management is considered a very low priority

Ducks Unlimited proposal requests all available funds, but permanently protects 2,350 acres of wetlands and over 3 times the total habitat as Delta's proposal. Most of the reviewers were not excited about funding habitat asset management

Proposal Ranking

11 Professional Rankings:

Based strongly on the amount of permanent habitat protection, here is the rank order for all reviewers with 7 ranking the proposals DU first, Delta second, and United Prairie third. It was not unanimous, but the results were conclusive.

Rankings: From Highest (1) to Lowest (3)

	1	2	3
1 member -	UP	Delta	DU
1 member -	Delta	DU	UP
2 members -	DU	UP	Delta
7 members -	DU	Delta	UP

Average Ranks:

Ducks Unlimited	1.27
Delta Waterfowl	2.09
United Prairie	2.64

Chairman Manuel called for questions

Q: Commissioner Courville

Does the Ducks Unlimited Ten year Agreement have an annual “opt out” option?

A: Dave Kostersky, Ducks Unlimited Canada

“Money is paid up front on ten year contracts. The contract is identified as a permanent ten year contract. There is not an “opt-out”, but we have negotiated and people have come after a number of years, but certainly we only give them what we get”.

Chairman Manuel called for Public Comments

Jerry Holden

In favor of the DU proposal

Robert Garraty

Attended the June Commission meeting. “One of the bills in the “hopper” was to strip Wildlife and Fisheries of its dedicated funding. The question from one of the Commissioners was “What Senator proposed that”. When his name was mentioned, we all knew that the stripping of dedicated money would lead to more money going into the general budget. When money goes to a government its like putting it into a death star. We never know where it goes. Ducks Unlimited does what they say we are going to do. There is a proposal to give our money to the Canadian Government to distribute to people in Canada. Please don’t give our money to a foreign government. You are just giving it to another black hole and it will be no difference than a shrinkage at a major retail outlet”.

Eric Beier

“Has been involved with Ducks Unlimited since 1972 and knows three of the National Presidents - Herman Taylor, Dr. Mayeaux and John Newman personally. All upstanding men and volunteers that do what the organization says they do. On the DU projects, you will know that Richard Yancey and Allen Ensminger have been up there and looked at the project that yall have paid for and they produce ducks. That’s what this is about and I think you need to make sure to give the money to DU”.

Jonathon Jimney

“The worst part about this project is that it has become a competition. For someone to insist that maybe Delta Waterfowl or someone in this room, one of these organizations don’t belong here basically is egregious. We all buy stamps and we all pay license fees, this portion is to be given how it can be used best. Both of these organizations have the same things in mind – and that’s to help the duck hunter. How is one of them bad and one of them good? How should this be monopolized? There’s no way guys. The fair thing to do is look at both these programs. If you think they’ll work, let’s give them both a chance, not say well let’s not change and do anything different. And there’s no reason. I pulled up in this parking lot and you have trucks with stickers from both organizations on the back window. That’s how it should be. For both duck hunter organizations, let’s give this new program – yes, it’s not long standing, yes, it’s not been around 125 years. Let’s give it a shot at getting these farmers to work with us on a little bit different standards and prove that it can work. It’s just a little different way of doing what we all want. Correct? And that’s more water fowling abilities going forward. Neither of these organizations is great or wonderful, nobody needs to point the finger at the other. It shouldn’t be a competition. We are all voters, we are all hunters, and we pay these fees as part of our license fees so let’s see what both of these organizations can do in partnership to help us”.

John Devney

When you talk about the Canadian breeding grounds you are referring to about 120 million acres with far less wetlands today than five years ago, ten years ago and twenty years ago. I am not going to stand up here and assert Delta Waterfowls values over Ducks Unlimited. I am a member of Ducks Unlimited, I collaborate with Ducks Unlimited staff greatly in the Great Plains Office in Bismarck North Dakota. They are a good organization and do good work. However I point out the risk in peril of having one strategy to deal with 120 million acres landscape. The reality is, we are going to have a hard time securing that landscape in perpetuity. We are going to have to find a way to work with private landowners. ALUS does this cost effectively; it’s paving a new path forward working with farmers to get their buy in and the capacity in political will to do these sorts of things and its hard. I urge the Commission to balance the approach when you consider the distribution of these funds. Thank you to the staff for their assessment and we look forward to your outcome.

Bryan Leach

Wants to correct something; this money that you are appropriating will not be going to – it will be under the direct oversight of Delta Waterfowl. It will not be going to the oversight of the Provincial Government. We are one of the top rated nonprofits in the country and we spend your money and the volunteer’s money very wisely, and some say we do it the best of anybody. In comparing the ALUS program to one of the greatest conservation initiatives in the country, the CRP program which put about 5 million acres in the landscape in the US PPR which a lot of biologist agree that’s why we have the ducks we do today. ALUS is comparative in that it is flexible. A lot of farmers love the flexibility because they don’t like their farms in permanent easements. They want their kids and grandkids to be able to do what they want to do with their farms in the future. We have been working on this program for 20 years and all the major farming groups in three major provinces of the PPR are for ALUS. They like the flexibility and they like these new great ideas. We just ask for your consideration of jumping on board of something that we think is going to be the next greatest thing in conservation.

Commissioner Broussard asked Chairman Manuel if he was going to go over the other comment cards received for those that did not wish to speak. Although they don’t want to speak, we should hear their comment

❖ MOTION by Commissioner Broussard

Commissioner Broussard made a Motion to accept the recommendation of the independent panel

A Point of Order

Joe Macaluso, *The Advocate*

Joe Macaluso stated that this was not listed on the agenda. Macaluso stated “it is to consider” and “there is no approval here listed in the agenda to take up this motion to spend this money”

Chairman Manuel

Stated “I didn’t write this”

Commissioner Broussard

Stated “I agree with you Joe”

Joe Macaluso

Stated “I am going to make a Point of Order here because when we read this agenda item, this is to consider the staff evaluation – that’s what is listed on the agenda. This agenda was posted as per law before this meeting was held. If you want to take a vote, you are going to have to suspend the rules to take a vote on this matter because your vote is not what is listed on this agenda.”

Chairman Manuel asked for guidance from Fred Whitrock, Legal Counsel

Fred Whitrock

Legal Counsel

Stated, “It is my opinion that the wording of the agenda item is sufficient to allow the Commission to vote on the proposal. If the Commission is concerned about that – the Commission can suspend the rules and move to add an agenda item to wording that is more specific than what is listed on the agenda item. If it is what you’d like to do, you do stand the possibility that if that does not pass unanimously it could not be added to the agenda.”

Commissioner Broussard

“Is that in the form of a Declaration of Emergency or just a one hundred percent vote to amend the agenda to change?”

Fred Whitrock

“You need to amend the agenda to allow for the vote”

Commissioner Broussard

“Do we need to re-word the motion?”

Fred Whitrock

“In order to reword this agenda item”

Joe Macaluso

“I’m going to ask that we know what you’re voting on here and there be some public comment. This agenda item does not indicate that you are going to spend money today. That’s the only thing. The folks here that you are going to donate three hundred thousand dollars of our money – there needs to be some consideration of the proposal before you vote”

Chairman Manuel

“Joe, it’s in the Statute”

Joe Macaluso

“I understand that, the statute is not the question. The question is, that item that you’re going to donate money is not listed on this agenda.”

Commissioner Graham

“Well, it says, the use of dedicated funds”

Joe Macaluso

“That’s not what it says Ronnie, that’s not what this agenda item says”

Chairman Manuel

“I don’t know what to tell him. Fred, would you suggest that we suspend the rule and make the motion to spend the money?”

Fred Whitrock

“My opinion is that the agenda item as it is written in the agenda is sufficient for the Commission to vote on spending the money.”

❖ MOTION by Commissioner Broussard

Commissioner Broussard

“My initial motion was to go with the recommendation of the independent panel of professionals and give one hundred percent of the money to Ducks Unlimited.”

Commissioner Graham

Seconded the Motion made by Commissioner Broussard

Chairman Manuel called for Public Comment

Chairman Manuel

“I just want to note that in the RFP, I think it said the staff would be the evaluators. There are some people on that list that are not members of the staff - Just as a note of caution. I just want to make a note that some people on the list are not members of our staff.”

Commissioner Yakupzack

“I would just like to make a comment on that – If the Department decided to deviate from the RFP of this Commission. The Commission said that the waterfowl staff would consider these proposals and give us a report. Now we’ve got a much more broader consideration from randomly or arbitrarily picked folks to consider these proposals and base this data on which this department relies on, on the recommendation. That’s my only question – It’s not adversarial, I’m just deciding if we make an RFP, how do we get to the point where we change and decide where we change what will be in the RFP?”

Commissioner Graham

“Let’s visit on this second. Would you feel more comfortable in putting this off until next month and let the staff in the meantime come back and give us their proposal? It shouldn’t be real hard as the staff was part of this thing the first time.”

Commissioner Broussard

“If there was a deviation off of the RFP, it needs to be addressed.”

Chairman Manuel called again for any Comments / Public Comments

Commissioner Davis

“This is a very important decision and the future of our ducks. Several people have mentioned our objective up here is to preserve for future generations and the hunting for our kids and grandkids. I have been a member of Ducks Unlimited Houma Chapter for 35 years. I’ve been on the committee for 30 years and the Master of Ceremonies for 25 years. I am a proud sponsor – the club I am in has donated over 20,000 dollars also. As a young man coming up in the oil field business, I was a small fish in a big sea and several times people didn’t give me a chance. Once I was given that chance and established myself and have done quite well and been prosperous in the oil field business. Somebody gave me a chance. After listening to everything today – yes, Ducks Unlimited proposal; I’m quite familiar with the history and they have been very very beneficial, but I would like to see us dedicate some of this funding and give these other guys a chance. Not because I’m pro DU, I’m a proud member. I’ve got a DU Sponsor plate. I think we all need to take a chance sometimes and give everybody a chance. Let’s give them some money and see what they can do. With the proper verbiage that we could opt out of the funding after one year if their standards were not up to our criteria after one year. I think we need to give all these guys a few dollars.”

Commissioner Yakupzack

“I appreciate the comments by Commissioner Davis; I want to start by making the comment that I am FTD – for the ducks. I am a member of each organization; I’ve participated on committees of each organization, meaning Delta and DU. This thing shouldn’t be about one or the other; it should be about ducks and duck hunting. There’s a long standing principal in the management of ducks and the prairie pot hole region that as long as we have some form of water there we are gonna have ducks in huntable numbers. It might not be as many as we like, we might not get the limit every time but it’s about more than that. It’s about the hunt, the experience. I think we find ourselves here adversarial about the spending of this money when the much bigger point is that ducks are resilient. They are gonna be there and find ways to make more ducks. It may not be in the numbers we want. We have a much bigger point. The bigger point is we need to be focused on duck hunters. We need to be focused on recruiting kids and recruiting adults who haven’t had the opportunity, women, children, veterans; folks that could have an interest in duck hunting that haven’t. Both organizations do that very well. Both are vying for these funds. There is one with a much larger membership. I think it was quoted at the June meeting that DU has about twenty two thousand Louisiana members, but it was also quoted that Delta has about six thousand paying members. These are all duck hunters. You heard Mr. Reynolds say last month that we have over one hundred thousand in the state. So let’s add twenty two and six and that’s twenty eight thousand. That’s less than a third of the ducks hunters that spend money in addition to license fees on conservation, stewardship and putting more ducks in the sky. I’m faced here with this decision and these two proposals. One conventional, one a little less conventional and the more conventional one is more certainty; relies more on perpetual, less risk. Delta’s proposal is less certainty, shorter time period, but has the potential to affect the landscape scale, a much larger scale than perpetually putting easements on very small tracts of land. I personally think they are both very good proposals, I think they are worth a shot and I think like Mr. Davis said – I would be most comfortable with a division of the funds in some fashion – I’m comfortable with the American way of competition. Again, I am a member of both – help me understand why there shouldn’t be competition on this issue, if that is the case. Competition fuels innovation, it fuels accountability, it fuels quality. Let’s inspire the best of minds in the world between both of the organizations to drive each other to do the best for the resource. Thank you.”

Commissioner Graham

I'm gonna speak from my prospective and each one of yall can and will do as you'd like to do. I'm just looking at my position as being on the Wildlife and Fisheries Commission and what we're charged with today. My charge is to do what I think in my best interest and the thing to be the overall process of the resource. We're in charge of money in this particular case so it's not about what I think about duck hunting or DU or Delta. Its what I'm gonna get when I invest my money in a project. I do development work. You're either gonna invest your money and get a good return on your money or you're gonna make a bad deal. My process is I look at the history of what we've been saying and when I look at the proposals that was made. In my mind, there is no competition in it, granted they all got different plans. The plan that Delta's got may be great. Go do it for a while and if it turns out to be better than what we been doing for the last fifty years I'd be quick to vote to give them the money. That's not the case. Right now I seconded the motion for DU because I know DU is funded, has been there and done that and been successful doing it. It's not about whether you like somebody or you don't like somebody. Our charge in my opinion is the investment of our state Wildlife and Fisheries money where you get the biggest bank for the buck. Three to one turnover over his money in my opinion is a good return. Thank you."

Commissioner Courville

"I will give my ten cents for whatever its worth. I'm pretty familiar with a lot of these programs, but the thing that drives home for me is the perpetual nature of one and the annual opt-out of the other. If there was no good duck producing ground up in prairie Saskatchewan left to secure for the long term, then absolutely you have to look at other alternatives. It's my understanding that there are some options out there and some willing land owners that want to participate. Until we run out of securing the best of the best, we don't have much of a choice in my view. Thank you."

Chairman Manuel called upon Wendy Brogdon, Commission Secretary, to conduct a roll call vote of each Commissioner for the Motion by Commissioner Broussard to dedicate one hundred percent of the funding to Ducks Unlimited.

Wendy Brogdon proceeded with a roll call vote

Commissioner Yakupzack, No

Commissioner Courville, Yes

Commissioner Graham, Yes

Commissioner Broussard, Yes

Commissioner Davis, No

Chairman Manuel, No

Consider the Department of Wildlife and Fisheries staff evaluation of the three proposals for use of Breeding Habitat Statutory dedicated funding continued

Chairman Manuel

“This is why I’m going to vote. I’m a life time member, life sponsor of both organizations. They both do good, both aggravate me sometimes; But I think the money need to be split so I vote No.”

Wendy Brogdon

Commission Secretary

For the standing motion, there are three (3) Yays and three (3) Nays – tie vote
Motion does not pass

Chairman Manuel

“Tie vote, we don’t have a seventh member. Fred (Whitrock) has an opinion he has given me – This is Fred’s official legal opinion; Funds to be expended through Ducks Unlimited are under the direction of Wildlife and Fisheries at its discretion defaults to Ducks Unlimited for one year. The continuation for one year and will be revisited in one year.”

Commissioner Yakupzack

“Mr. Chairman, what’s the basis of your opinion Mr. Whitrock?”

Fred Whitrock

“The clear wording of the statute – repeating what is in the statute. If you read the statute it states, the funds to be expended for such purposes through Ducks Unlimited, Inc. or under the direction of the Louisiana Wildlife and Fisheries Commission at its discretion. That indicates the funds do go to Ducks Unlimited unless the Commission decides to disburse the funds in a different manner.”

Chairman Manuel

“Does that answer your question Commissioner Yakupzack?”

Commissioner Yakupzack

“It answered my question as to what he is basing his opinion on, but I don’t agree with it as a Commission. The wording of that statute is, discretion requires action and action has been had here. The action is that a motion has failed. The motion did not pass. That is not action under discretion. So, that is my opinion. I’m not trying to make this a legal argument, but I do not think inaction is using discretion by any means. Basically what we have here today is inaction. We have a failed vote. We have a failed motion.

Consider the Department of Wildlife and Fisheries staff evaluation of the three proposals for use of Breeding Habitat Statutory dedicated funding continued

Commissioner Yakupzack Comments continued

Perhaps maybe a more productive way to deal with it would be to open the floor to see if another Commissioner wishes to make a motion. Maybe there is an opportunity for compromise amongst this Commission to deal with this today.”

Fred Whitrock

“There is no prohibition on another motion.”

Commissioner Davis

“I would like to make a motion to present seventy five percent of the money to DU, twenty percent to Delta and five percent to UP Habitat.”

Commissioner Yakupzack

“I am a little bit hesitant about the third organization based on things we heard, but I will second the motion. As an alternative I think we could consider if somebody else, if another Commissioner can’t get behind that because of the five percent that the alternative be a seventy five, twenty five split. I could get behind either of those if we want to have some more discussion on that.”

Commissioner Davis

“If I can amend my motion to seventy-five, twenty-five.”

Commissioner Yakupzack

“I will second that motion and I think it’s a value compromise on two good projects.”

❖ MOTION by Commissioner Davis

Commissioner Davis

Disburse seventy-five (75) percent of the funds to Ducks Unlimited and twenty-five (25) percent of the funds to Delta Waterfowl

Commissioner Yakupzack

Seconded the Motion made by Commissioner Davis

Chairman Manuel called for Public Comment

Ashton Eschette

“Most of yall have seen my email about diversifying the fund and you mentioned about doing projects and contracts and making yourself established and establishing a history. I think Mr. Dan’s motion is very fair and we really appreciate that. If you don’t start somewhere – it’s the duck before the egg. Which one came first? You got to start somewhere to establish a history so we appreciate the motion. Thank you.”

Bryan Leach

“I just would like to recommend that the Commission revise the statute going forward that I just want to state that this is not Ducks Unlimited’s funds. We have a significant presence in this state and this is all the duck hunters in this state. I would just like to see if it is possible in the future to revise that to make that the “states” funds from the ten percent of the license sales. Thank you for the consideration.”

Chairman Manuel

“That would have to go to the Legislature for that change”

Chairman Manuel

We have a Motion on the floor by Commissioner Davis and a Second to the Motion by Commissioner Yakupzack. Chairman Manuel instructed Wendy Brogdon to call the roll for a roll call vote

Wendy Brogdon proceeded with a roll call vote

Commissioner Yakupzack, Yes
Commissioner Courville, No
Commissioner Graham, No
Commissioner Broussard, No
Commissioner Davis, Yes
Chairman Manuel, Yes

Chairman Manuel

“There was no comprise we have three to three again. Motion does not pass”
Chairman Manuel asked Mr. Whitrock for guidance

Fred Whitrock

“You are back in the same boat”

Chairman Manuel

“It is the legal opinion that with a no action that the money will automatically go to the Ducks Unlimited Organization for one (1) year and will revisit it in one (1) year from the original consideration, either May or June”

Commissioner Yakupzack

“In my opinion, the correct action would be to; that no action is taken today. Motions have failed; the matter is simply not dealt with. The matter will then be put on another agenda.”

Commissioner Broussard

“Should this be something for an independent review? Should this go to the Attorney General’s Office for an opinion?”

Fred Whitrock

“That is a possibility. You still have the discretion to defer this until next month, you can defer it for another month.”

Commissioner Broussard

“What are we deferring? The vote, because I think we voted and the vote is dead locked. So I think what needs to be figured out is, we are going to be leaving here with – obviously Commissioner Yakupzack is not satisfied and we are dealing in terminologies as far as should the money be spent - Should this year’s money be spent on DU or stay in the coffer until we have a deciding vote.”

Fred Whitrock

“You could move a motion to do that”

Commissioner Broussard

“At least leave the money untouched until we get an Attorney General opinion from the AG’s office.”

Fred Whitrock

“If that is the desire of the Commission we can do that. I’m not sure how in practical terms that would work. The Attorney General could come back with one of two answers.

(1) Is my opinion right or wrong or (2) Is Commissioner Yakupzack right Does the money go to Ducks Unlimited or does the money not get expended. In practical terms I am not certain how that would work. In terms of, if you want to defer and wait for an opinion of the Attorney General”

Commissioner Broussard

“I’m trying to defer potential litigation. I would rather hold off on giving out the money and then trying to go back and get it back to make sure. It is the author’s intent when the statute was written.”

Fred Whitrock

“I don’t think there is any prohibition on deferring this matter or placing it on the agenda again next month and in that time we can acquire the Attorney General’s opinion if that’s the desire of the Commission.”

Commissioner Broussard

“I think what I would want to do is put it on the agenda. I wouldn’t want to put it on the agenda and have to bring all these folks in from Canada. I think the voting portion of it is done. Let’s get an opinion form the Attorney General’s Office letting us know that before the money goes out that he (AG) agrees with your (Fred Whitrock) interpretation of the statute.”

Fred Whitrock

“You can move on that if you’d like and put that in the form of a motion and vote on it.”

Commissioner Broussard

“I need to amend the agenda”

Fred Whitrock

“I still believe it falls under item #7 of the agenda, I don’t think you need to amend the agenda to do that.”

Commissioner Broussard

“Why don’t we go ahead and amend the agenda just to be safe. I want to amend the agenda where nothing happens with the money until we have confirmed the interpretation of the Departments (LDWF) Legal as for the direction of the funds to go for one year.”

Fred Whitrock

“Mr. Chairman, you need to make a motion to amend the agenda.”

❖ MOTION by Commissioner Broussard

Commissioner Broussard

“Mr. Chairman, I would like to make a motion to amend the agenda”

Commissioner Graham

Seconded the motion made by Commissioner Broussard to amend the agenda

Chairman Manuel called for Public Comment

Commissioner Yakupzack

“There is another alternative to what you are suggesting. That’s simply if this Commission had a seventh member, this vote would be decided today or whenever there’s a seventh member. So, I’m not comfortable with – I think you should rule out more voting all together if the Commission has a seventh appointee, there is going to be a prevailing vote. It will not result in a tie. There will be the opportunity for some action to be taken. I think if you are comfortable with receiving an opinion from the Attorney General that’s good, but there is another alternative and that is – there is a seventh appointee and another motion is made.”

Commissioner Broussard

“The only problem I have with that is we have been slow to get replacement members. I don’t know if anyone in here can tell me when we are going to get a new member or if we will even have an appointed Commissioner by January 1 due to the election year. This has been drug out way too long.”

Commissioner Yakupzack

“Mr. Chairman, we have delayed this decision already once – we have to do something”

Commissioner Broussard

“The worst thing that can happen is three of us aren’t going to get our desired result for one year.”

Chairman Manuel

“Can the monies be put in an escrow account until such time as decisions are made by the Commission and/or the Attorney General’s Office that we accept?”

Commissioner Broussard

“What Commissioner Yakupzack is saying is, let’s just wait for the seventh guy. We can just vote again when we have the seventh Commissioner. I would be ok with that if I knew we would have a seventh Commissioner at the next meeting or the meeting after that. Maybe Secretary Barham can shed some light on that.”

Secretary Barham

“I can’t tell you when the appointment will be made. That’s at the discretion of the Governor. We hope it would be made soon, but it could go until the end of the year and the whole Commission could change. I can’t speak to that matter.”

Chairman Manuel

“We have a Motion to Amend the Agenda and a Second to that Motion.”

Commissioner Yakupzack

“What are you adding to the agenda?”

Fred Whitrock

“You need a Motion to amend the agenda to add an agenda item, but you do need to specify what the agenda is.”

Commissioner Broussard

“The Motion is going to be that the money not be touched. According to Fred Whitrock’s opinion based off of the statute – they were going to have to defer the money to DU because of no action. We want to table that. We want no action to be taken at all until we get an opinion from the AG Office stating that his opinion of Fred’s interpretation of the statute is also meets his muster. The money will not be touched until we get an opinion from the Attorney Generals’ Office saying yes, that is their opinion as well that this money goes automatically to DU for one year. If he says no it’s not that it stays in limbo, then we maybe will try and do something else.

❖ MOTION by Commissioner Broussard

Commissioner Broussard

“Mr. Chairman, I would like to make a motion to amend the agenda”

Commissioner Graham

Seconded the motion made by Commissioner Broussard to amend the agenda

Chairman Manuel called for a vote and the Motion passed with no opposition

❖ MOTION by Commissioner Broussard

Commissioner Broussard

Not to touch the money until we have an opinion from the Attorney General

Commissioner Graham

Seconded the motion made by Commissioner Broussard

Chairman Manuel called for Public Comments

Mr. Gauthier (sp) (Note: No public comment card on file)

“The RFP was given by the Commission and within that, the Commission charged the staff of LDWF to help with the assessment of these proposals. The question was raised is that everybody on that panel was in fact LDWF staff. This has raised another question, another layer there. Ultimately though, the Commission did charge the staff to come up with a recommendation for you guys. If the guys that are not staff are pulled off of that recommendation and it goes by strictly staff recommendation which I have no idea what that is – would that open up any conversation there that you can vote with one hundred percent confidence that this is your staff recommendation that this is what should be done. It’s just an idea.”

Chairman Manuel

“We have voted against staff recommendation before as a Commission”

Chairman Broussard

“You vote against staff recommendation. When it comes from the staff of LDWF, it becomes a bias from this whole department. This way, the department can be viewed as independent of the decision making or of the recommendation and that it isn’t biased.” If its an issue, we can clean that up later in the RFP. “I’m not comfortable of putting the staff in the position of telling us how to vote on something that is so volatile.”

Commissioner Graham

“This is truly our call and not the staff based on the proposals that were submitted.”

Commissioner Yakupzack

“Let me make sure I understand what happens. After we get an AG’s opinion, its going to say yes, the one year extension continues and this group decides in 2016 on a whole new set of; we look at this issue again. If he says no, then the money is not spent at all. That is my understanding of this motion, is that correct?”

Chairman Manuel

“That is the intent of the motion”

Commissioner Broussard

“We are going to get the AG’s opinion and it may be entirely different. The two points that were brought up by our house attorneys here were; one thinks that no action should be taken. One thinks it follows the continuance of what’s been going on.”

Commissioner Yakupzack

“ok”

Commissioner Broussard

“Because the statute we use and the wording in the statute. I think we should go to the top attorney in the state and get his recommendation and he has to come up with reasons as to why he chose the way he decides.”

Commissioner Yakupzack

“I don’t have the statute in front of me, but as a point of clarity, I want to say – I recall the statute says Ducks Unlimited, Inc., and as trivial as that may be if we are going to rely on that statute I think that the AG ought to look at that and the entity here making the proposal and asking for this money today is Ducks Unlimited Canada. Two different organizations, but that needs to be looked at because it might not be as simple as staff attorneys..”

Commissioner Broussard

“I think someone in the Attorney General’s office will be competent enough to make that determination. It’s perfectly within your right to contact them with your concerns.”

Fred Whitrock

“Mr. Chairman a Point of Order – In looking at the statute it states that the money has to be expended – it must be expended.”

Commissioner Broussard

“Does it give a deadline on the timeline? Does it has to be annually or could be a two year layover. Has to be extended means it can’t stay in perpetuity or put in a savings account somewhere. That to will be covered in the AG’s interpretation I think.”

Fred Whitrock

“I would suggest to clear that up, that you essentially – we can get an Attorney General opinion within a month and come back next month with that Attorney General opinion and then you will know whether – what the issue is.”

Chairman Manuel

“Can we have an answer by next meeting?”

Fred Whitrock

“I can’t account for the Attorney General’s office but I think it is pretty much guaranteed that we can have a response from the Attorney General’s office within a month.”

Commissioner Graham

“Why don’t we just let it go for another year?”

Commissioner Broussard

“Because we can’t – He just said it has to be expended.”

Commissioner Graham

“Just let DU have it. You gonna have another guy on the Commission and everything will be fine.”

❖ MOTION by Commissioner Broussard

Commissioner Broussard

Not to spend the money until we have an opinion from the Attorney General – As part of that opinion, also give us the timeline as to how soon the money needs to be spent and does it defer to DU or can it wait for a subsequent vote in 2016

Commissioner Courville

Second to the motion made by Commissioner Broussard

Chairman Manuel called for a Vote and the Motion passed with no opposition

8. To Consider a Resolution to rename the Sicily Island Hills Wildlife Management Area to the J.C. “Sonny” Gilbert Wildlife Management Area

Thomas Bates, LDWF Attorney

The Sicily Island Hills Wildlife Management Area was established by Resolution of the Director of the Louisiana Wildlife and Fisheries Commission dated February 2, 1981. This property contains approximately 7,524 acres of valuable wildlife habitat and its protection and proper management is critical to the State’s conservation and wildlife management efforts.

Senate Concurrent Resolution No. 83 urges and requests the Louisiana Wildlife and Fisheries Commission to change the name of the Sicily Island Hills Wildlife Management Area to the J. C. “Sonny” Gilbert Wildlife Management area.

It is altogether fitting to honor the memory of J. C. “Sonny” Gilbert as a distinguished legislator, farmer, businessman, and outdoorsman, a graduate of Wisner High School. He attended Northeastern Junior College, now known as the University of Louisiana at Monroe, and Louisiana State University and Agricultural and Mechanical College, and other than proudly serving his country in the United States Army during World War II, he dedicated the rest of his life to his beloved state, upon his return from military duty.

He settled in Sicily Island where he began his family business of farming. In 1956, Sonny Gilbert began a career of public service that would span twenty-six years with his election to the Catahoula Parish Police Jury. During his distinguished years of service, he would serve in both houses of the Louisiana Legislature serving with distinction under four governors, Earl K. Long, Jimmie H. Davis, John J. McKeithen, and Edwin W. Edwards.

He served three consecutive terms in the Louisiana State Senate from 1960 until 1972, having represented the parishes of Franklin, Richland, and Catahoula with service as the chairman of the committee on agriculture, forestry, aquaculture, and rural development, and the committee on transportation, highways, and public works.

He was elected for a single term to the House of Representatives in 1972, from the newly reapportioned Twenty-First District representing Catahoula and Concordia parishes. While in the legislature, Sonny Gilbert was a vocal supporter of farming interests and agricultural initiatives. He concluded his public service career as a member of the Louisiana Wildlife and Fisheries Commission from 1976 until 1982, and served as its chairman for his last two years.

During his long life, he made many contributions to the Sicily Island area economy as a rice and cotton farmer, rancher, and founding director of the Jonesville Bank and Trust.

The Legislature of Louisiana does hereby urge and request the Louisiana Wildlife and Fisheries Commission to honor the life and memory of J. C. “Sonny” Gilbert and the many great contributions he has made to the state of Louisiana by changing the name of the Sicily Island Hills Wildlife Management Area to the J. C. “Sonny” Gilbert Wildlife Management Area.

To Consider a Resolution to rename the Sicily Island Hills Wildlife Management Area to the J.C. "Sonny" Gilbert Wildlife Management Area continued

❖ MOTION by Commissioner Broussard

Commissioner Courville

Second to the motion made by Commissioner Broussard

Chairman Manuel called for a Vote and the Motion passed with no opposition

(The full Resolution is made part of the record)

DRAFT

RESOLUTION

**Renaming the Sicily Island Hills Wildlife Management Area to the
J. C. “Sonny” Gilbert Wildlife Management Area
Adopted by the
Louisiana Wildlife and Fisheries Commission
September 3, 2015**

- WHEREAS, the Sicily Island Hills Wildlife Management Area was established by Resolution of the Director of the Louisiana Wildlife and Fisheries Commission dated February 2, 1981,
- WHEREAS, this property contains approximately 7,524 acres of valuable wildlife habitat and its protection and proper management is critical to the State’s conservation and wildlife management efforts,
- WHEREAS, Senate Concurrent Resolution No. 83 urges and requests the Louisiana Wildlife and Fisheries Commission to change the name of the Sicily Island Hills Wildlife Management Area to the J. C. “Sonny” Gilbert Wildlife Management area, as more fully described below and attached hereto as Exhibit A,
- WHEREAS, it is altogether fitting to honor the memory of J. C. “Sonny” Gilbert as a distinguished legislator, farmer, businessman, and outdoorsman,
- WHEREAS, a graduate of Wisner High School, he attended Northeastern Junior College, now known as the University of Louisiana at Monroe, and Louisiana State University and Agricultural and Mechanical College, and other than proudly serving his country in the United States Army during World War II, he dedicated the rest of his life to his beloved state,
- WHEREAS, upon his return from military duty, he settled in Sicily Island where he began his family business of farming,
- WHEREAS, in 1956, Sonny Gilbert began a career of public service that would span twenty-six years with his election to the Catahoula Parish Police Jury,
- WHEREAS, during his distinguished years of service, he would serve in both houses of the Louisiana Legislature serving with distinction under four governors, Earl K. Long, Jimmie H. Davis, John J. McKeithen, and Edwin W. Edwards,
- WHEREAS, he served three consecutive terms in the Louisiana State Senate from 1960 until 1972, having represented the parishes of Franklin, Richland, and Catahoula with service as the chairman of the committee on agriculture, forestry, aquaculture, and rural development, and the committee on transportation, highways, and public works,

WHEREAS, he was elected for a single term to the House of Representatives in 1972, from the newly reapportioned Twenty-First District representing Catahoula and Concordia parishes,

WHEREAS, while in the legislature, Sonny Gilbert was a vocal supporter of farming interests and agricultural initiatives,

WHEREAS, he concluded his public service career as a member of the Louisiana Wildlife and Fisheries Commission from 1976 until 1982, and served as its chairman for his last two years,

WHEREAS, during his long life, he made many contributions to the Sicily Island area economy as a rice and cotton farmer, rancher, and founding director of the Jonesville Bank and Trust,

WHEREAS, it is right to honor the distinguished life of J. C. "Sonny" Gilbert for his outstanding public service, his many accomplishments, his tireless spirit, and his unwavering dedication to the public good,

WHEREAS, that the Legislature of Louisiana does hereby urge and request the Louisiana Wildlife and Fisheries Commission to honor the life and memory of J. C. "Sonny" Gilbert and the many great contributions he has made to the state of Louisiana by changing the name of the Sicily Island Hills Wildlife Management Area to the J. C. "Sonny" Gilbert Wildlife Management Area, and

WHEREAS, it is the recommendation of the Secretary of the Louisiana Department of Wildlife and Fisheries, in order to recognize J. C. "Sonny" Gilbert's many contributions to the wildlife management of the State of Louisiana, that the Sicily Island Hills Wildlife Management Area be renamed to the J. C. "Sonny" Gilbert Wildlife Management Area.

THEREFORE BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission does hereby rename Sicily Island Hills Wildlife Management Area to the J. C. "Sonny" Gilbert Wildlife Management Area, and

BE IT FURTHER RESOLVED, that the Louisiana Wildlife and Fisheries Commission authorizes the Secretary of the Louisiana Department of Wildlife and Fisheries, on behalf of the Louisiana Wildlife and Fisheries Commission, to take all actions necessary in furtherance of this resolution.

Edwin "Pat" Manuel, Chairman
Louisiana Wildlife and Fisheries Commission

Robert J. Barham, Secretary
Louisiana Department of Wildlife and Fisheries

Exhibit A

2015 Regular Session

SENATE CONCURRENT RESOLUTION NO. 83

BY SENATORS THOMPSON, ADLEY, ALARIO, AMEDEE, APPEL, BROWN,
BUFFINGTON, CHABERT, CORTEZ, CROWE, DONAHUE, ERDEY,
GALLOT, KOSTELKA, LAFLEUR, LONG, MILLS, MORRISH,
MURRAY, NEVERS, RISER, WALSWORTH, WARD AND WHITE
AND REPRESENTATIVES ANDERS AND PYLANT



ORIGINATED

IN THE

SENATE

RECEIVED
BY SECRETARY OF STATE

MAY 26 2015

PUBLICATIONS DIVISION

A handwritten signature in black ink, appearing to be "J. B. ...", is written over a horizontal line. Below the line, the text "SECRETARY OF THE SENATE" is printed.

6-213 (R83)

2015 Regular Session

ENROLLED

SENATE CONCURRENT RESOLUTION NO. 83

BY SENATORS THOMPSON, ADLEY, ALARIO, AMEDEE, APPEL, BROWN, BUFFINGTON, CHABERT, CORTEZ, CROWE, DONAHUE, ERDEY, GALLOT, KOSTELKA, LAFLEUR, LONG, MILLS, MORRISH, MURRAY, NEVERS, RISER, WALSWORTH, WARD AND WHITE AND REPRESENTATIVES ANDERS AND PYLANT

A CONCURRENT RESOLUTION

To urge and request the Louisiana Wildlife and Fisheries Commission to change the name of the Sicily Island Hills Wildlife Management Area to the J.C. "Sonny" Gilbert Wildlife Management Area.

WHEREAS, it is altogether fitting to honor the memory of J.C. "Sonny" Gilbert as a distinguished legislator, farmer, businessman, and outdoorsman; and

WHEREAS, a graduate of Wisner High School, he attended Northeastern Junior College, now known as the University of Louisiana at Monroe, and Louisiana State University and Agricultural and Mechanical College, and other than proudly serving his country in the United States Army during World War II, he dedicated the rest of his life to his beloved state; and

WHEREAS, upon his return from military duty, he settled in Sicily Island where he began his family business of farming; and

WHEREAS, in 1956, Sonny Gilbert began a career of public service that would span twenty-six years with his election to the Catahoula Parish Police Jury; and

WHEREAS, during his distinguished years of service, he would serve in both houses of the Louisiana Legislature serving with distinction under four governors, Earl K. Long, Jimmie H. Davis, John J. McKeithen, and Edwin W. Edwards; and

WHEREAS, he served three consecutive terms in the Louisiana State Senate from 1960 until 1972, having represented the parishes of Franklin, Richland, and Catahoula with service as the chairman of the committee on agriculture, forestry, aquaculture, and rural development, and the committee on transportation, highways, and public works; and

SCR NO. 83

ENROLLED

WHEREAS, he was elected for a single term to the House of Representatives in 1972, from the newly reapportioned Twenty-First District representing Catahoula and Concordia parishes; and

WHEREAS, while in the legislature, Sonny Gilbert was a vocal supporter of farming interests and agricultural initiatives; and

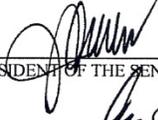
WHEREAS, he concluded his public service career as a member of the Louisiana Wildlife and Fisheries Commission from 1976 until 1982, and served as its chairman for his last two years; and

WHEREAS, during his long life, he made many contributions to the Sicily Island area economy as a rice and cotton farmer, rancher, and founding director of the Jonesville Bank and Trust; and

WHEREAS, it is right to honor the distinguished life of J.C. "Sonny" Gilbert for his outstanding public service, his many accomplishments, his tireless spirit, and his unwavering dedication to the public good.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby urge and request the Louisiana Wildlife and Fisheries Commission to honor the life and memory of J.C. "Sonny" Gilbert and the many great contributions he has made to the state of Louisiana by changing the name of the Sicily Island Hills Wildlife Management Area to the J.C. "Sonny" Gilbert Wildlife Management Area.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the chairman of the Louisiana Wildlife and Fisheries Commission.



PRESIDENT OF THE SENATE



SPEAKER OF THE HOUSE OF REPRESENTATIVES

9. To Consider a Resolution to add the Kennedy Rice Dryers Tract to the Russell Sage Wildlife Management Area

Thomas Bates, LDWF Attorney

The Russell Sage Wildlife Management Area was established by Resolution of the Director of the Louisiana Wildlife and Fisheries Commission, dated February 8, 1962.

The Wildlife and Fisheries Commission and the Department of Wildlife and Fisheries on July 8, 2015 acquired a tract of land, comprised of a 2,766.94 acres, more or less, located in Ouachita and Caldwell Parishes (described and depicted in Exhibits A and B), and adjacent to the Russell Sage Wildlife Management Area

This property contains valuable wildlife habitat which the protection and proper management of which is critical to the State's conservation and wildlife management efforts.

It is the recommendation of the Secretary of the Department of Wildlife and Fisheries that in order to enhance wildlife habitat in the State and provide for public use and recreational opportunities on these lands, including water bottoms, that they be selected and established as a wildlife management area and included in the Russell Sage Wildlife Management Area.

It is the further recommendation of the Secretary of the Department of Wildlife and Fisheries that the Wildlife and Fisheries Commission confirm and reaffirm that all State-owned lands, including water bottoms located within the property description of the Russell Sage Wildlife Management Area, as described in the Resolution of the Director of the Louisiana Wildlife and Fisheries Commission, dated February 8, 1962, and including all acquisitions through January 8, 2015, were previously selected and established as a wildlife management area.

It is the further recommendation of the Secretary of the Department of Wildlife and Fisheries that the Wildlife and Fisheries Commission select all State-owned lands, including water bottoms located within the Kennedy Rice Dryers Tract, acquired on July 8, 2015, and all adjacent State-owned water bottoms be established as a wildlife management area and included in the Russell Sage Wildlife Management Area.

To Consider a Resolution to add the Kennedy Rice Dryers Tract to the Russell Sage Wildlife Management Area
continued

❖ MOTION by Commissioner Broussard

Commissioner Davis

Second to the motion made by Commissioner Broussard

There were no questions or comments heard

Chairman Manuel called for a Vote and the Motion passed with no opposition

(The full Resolution is made part of the record)

DRAFT

RESOLUTION

Adding Certain Acquired Property to the Russell Sage Wildlife Management Area

**Adopted by the
Louisiana Wildlife and Fisheries Commission
September 3, 2015**

WHEREAS, the Russell Sage Wildlife Management Area was established by Resolution of the Director of the Louisiana Wildlife and Fisheries Commission, dated February 8, 1962,

WHEREAS, the Wildlife and Fisheries Commission and the Department of Wildlife and Fisheries on July 8, 2015 acquired a tract of land, comprised of a 2,766.94 acres, more or less, located in Ouachita and Caldwell Parishes (described and depicted in Exhibits A and B), and adjacent to the Russell Sage Wildlife Management Area,

WHEREAS, this property contains valuable wildlife habitat which the protection and proper management of which is critical to the State's conservation and wildlife management efforts,

WHEREAS, it is the recommendation of the Secretary of the Department of Wildlife and Fisheries that in order to enhance wildlife habitat in the State and provide for public use and recreational opportunities on these lands, including water bottoms, that they be selected and established as a wildlife management area and included in the Russell Sage Wildlife Management Area,

WHEREAS, it is the further recommendation of the Secretary of the Department of Wildlife and Fisheries that the Wildlife and Fisheries Commission confirm and reaffirm that all State-owned lands, including water bottoms located within the property description of the Russell Sage Wildlife Management Area, as described in the Resolution of the Director of the Louisiana Wildlife and Fisheries Commission, dated February 8, 1962, and including all acquisitions through January 8, 2015, were previously selected and established as a wildlife management area, and

WHEREAS, it is the further recommendation of the Secretary of the Department of Wildlife and Fisheries that the Wildlife and Fisheries Commission select all State-owned lands, including water bottoms located within the Kennedy Rice Dryers Tract, acquired on July 8, 2015, and all adjacent State-owned water bottoms be established as a wildlife management area and included in the Russell Sage Wildlife Management Area.

THEREFORE, BE IT RESOLVED, that the Wildlife and Fisheries Commission, in accordance with the laws of the State of Louisiana, particularly Title 56, Section 109 and Section 781, *et seq.*, of the Revised Statutes of 1954, does hereby confirm and reaffirm the selection and establishment of the Russell Sage Wildlife Management Area, and does select all land, including water bottoms within the Kennedy Rice Dryers Tract acquired on July 8, 2015, including adjacent lands and water bottoms owned by the State, and does establish such lands, including water bottoms, as a wildlife management area to be added to and included in the Russell Sage Wildlife Management Area, so that all land including water bottoms described in the Exhibit "A" attached hereto, and identified on the attached map as Exhibit "B" including water bottoms, are included in the Russell Sage Wildlife Management Area.

BE IT FURTHER RESOLVED, that this property shall be used exclusively for wildlife management purposes and, as such, is perpetually dedicated to the protection, conservation, and management of fish and wildlife and their habitat, and such public recreation including, but not limited to, hunting, fishing, and trapping, which is consistent with these purposes.

BE IT FURTHER RESOLVED, that the Wildlife and Fisheries Commission authorizes the Secretary of the Department of Wildlife and Fisheries, on behalf of the Commission, to take all actions necessary in furtherance of this resolution.

Edwin "Pat" Manuel, Chairman
Louisiana Wildlife and Fisheries Commission

Robert J. Barham, Secretary
Louisiana Department of Wildlife and Fisheries

EXHIBIT "A"
LEGAL DESCRIPTION

2766.94-ACRE TRACT
FOR
STATE OF LOUISIANA
DEPARTMENT OF WILDLIFE AND FISHERIES
IN
SECTIONS 3 & 4, T-14-N, R-4-E
SECTIONS 22, 23, 26, 27, 33, 34 & 35, T-15-N, R-4-E
CALDWELL PARISH, LOUISIANA
AND
SECTIONS 14 & 15, T-15-N, R-4-E
OUACHITA PARISH, LOUISIANA

Commencing from a found 1 ½" iron pipe at the East quarter corner of Section 16, T-15-N, R-4-E, Ouachita Parish, Louisiana; thence, North 89°42'55" East, a distance of 3596.49 feet to a set 1" pipe and being the POINT OF BEGINNING; thence S 82°43'12" E, a distance of 1843.04 feet to a point at the center of a gravel road; thence N 7°32'21" W along the center of a gravel road, a distance of 90.51 feet; thence N 13°20'27" W, a distance of 58.24 feet; thence N 6°48'41" W a distance of 33.04 feet; thence N 4°11'45" E, a distance of 58.87 feet to a point intersecting the south right of way of Bosco Lane; thence S 82°37'13" E along the south right of way of Bosco Lane, a distance of 401.66 feet; thence S 79°22'23" E, a distance of 334.58 feet; thence S 85°46'26" E, a distance of 285.44 feet; thence S 71°39'39" E, a distance of 132.59 feet; thence S 43°19'01" E, a distance of 685.79 feet; thence S 35°30'14" E, a distance of 205.27 feet; thence S 45°51'37" E, a distance of 199.05 feet to a point on the centerline of Bayou Lafourche; thence the following calls along the centerline of Bayou Lafourche: S 44°08'23" W, a distance of 889.66 feet; thence S 57°30'17" W, a distance of 337.11 feet; thence S 49°00'51" W, a distance of 148.63 feet; thence S 13°49'44" W, a distance of 110.87 feet; thence S 1°39'37" W, a distance of 317.40 feet; thence S 26°50'50" E, a distance of 417.44 feet; thence S 14°26'26" E, a distance of 270.45 feet; thence S 4°45'49" W, a distance of 137.34 feet; thence S 15°04'07" W, a distance of 76.78 feet; thence S 40°23'37" W, a distance of 213.40 feet; thence S 45°51'00" W, a distance of 339.77 feet; thence S 54°10'00" W, a distance of 467.93 feet; thence S 34°53'03" W, a distance of 278.86 feet; thence S 31°22'32" W, a distance of 476.58 feet; thence S 22°21'43" W, a distance of 243.57 feet; thence S 9°45'36" W, a distance of 496.19 feet; thence S 3°37'17" E, a distance of 564.27 feet; thence S 6°34'55" W, a distance of 186.57 feet; thence S 9°07'04" W, a distance of 584.79 feet; thence S 1°25'30" E, a distance of 716.63 feet; thence S 5°50'22" E, a distance of 630.57 feet; thence S 7°41'46" W, a distance of 532.30 feet; thence S 2°12'09" E, a distance of 185.48 feet; thence S 18°26'06" E, a distance of

270.50 feet; thence S 27°17'17" E, a distance of 1010.65 feet; thence S 21°15'02" E, a distance of 550.69 feet; thence S 36°39'07" E, a distance of 937.39 feet; thence S 19°19'23" E, a distance of 581.65 feet; thence S 4°05'08" E, a distance of 300.16 feet; thence S 13°37'37" W, a distance of 242.05 feet; thence S 29°34'40" W, a distance of 303.27 feet; thence S 37°30'15" W, a distance of 386.38 feet; thence S 20°46'20" W, a distance of 221.10 feet; thence S 2°19'18" E, a distance of 527.94 feet; thence S 4°56'41" E, a distance of 323.23 feet; thence S 2°25'26" W, a distance of 543.64 feet; thence S 10°17'10" W, a distance of 788.61 feet; thence S 13°55'42" W, a distance of 555.17 feet; thence S 16°34'02" W, a distance of 836.53 feet; thence S 10°15'49" W, a distance of 895.15 feet; thence S 8°29'55" W, a distance of 632.00 feet; thence S 4°21'15" W, a distance of 567.78 feet; thence S 0°21'15" E, a distance of 1162.49 feet; thence S 10°04'21" E, a distance of 88.10 feet to a point intersecting the section line common with Section 2 and Section 3, T-14-N, R-4-E; thence S 13°02'27" W leaving the centerline of Bayou Lafourche and along the section line, a distance of 531.91 feet to a set 1" pipe; thence, S 13°02'27" W along the section line, a distance of 1114.02 feet to a set 1" pipe; thence S 13°02'27" W along the section line, a distance of 228.49 feet to a point intersecting the centerline of a ditch as shown on Plat 30-B Ownership Map 1, Louisiana Department of Public Works and dated April 17, 1954; thence the following calls along the ditch centerline: N 88°57'41" W, a distance of 360.24 feet; thence N 65°29'25" W, a distance of 176.33 feet; thence N 89°06'46" W, a distance of 159.22 feet; thence S 51°22'28" W, a distance of 129.59 feet; thence S 41°35'26" W, a distance of 787.54 feet; thence S 68°54'48" W, a distance of 3602.96 feet; thence S 75°42'50" W, a distance of 130.95 feet; thence N 84°00'47" W, a distance of 230.81 feet; thence N 73°27'46" W, a distance of 5004.16 feet; thence N 40°18'29" W, a distance of 152.51 feet; thence N 11°33'23" W, a distance of 157.11 feet; thence N 0°31'38" W, a distance of 1799.33 feet to a set 1" pipe; thence leaving the said ditch, S 89°04'36" E parallel and south of an existing farm road, a distance of 1341.58 feet to a set 1" pipe; thence, continuing S 89°04'36" E, a distance of 1341.58 feet to a set 1" pipe; thence N 0°00'27" W, a distance of 1504.49 feet to a set 1" pipe; thence N 0°00'41" E, a distance of 2698.70 feet to a point that is in the centerline of an existing flume ditch; thence, N 0°36'32" W along the centerline of a flume ditch, a distance of 2498.73 feet to a set 1" pipe; thence N 89°16'29" E parallel and south of an existing farm road, a distance of 2620.25 feet to a set 1" pipe; thence, continuing N 89°16'29" E parallel and south of the existing farm road, a distance of 2620.25' to a set 1" pipe at the intersection of the centerline of an existing flume ditch; thence N 0°34'16" W along the centerline of the existing flume ditch, a distance of 10640.74 feet to a point intersecting the centerline of an existing ditch common to Caldwell Parish and Ouachita Parish; thence S 88°35'22" W along the centerline of said existing parish ditch, a distance of 234.67 feet to a point on the centerline of said existing parish ditch; thence N 1°20'04" W parallel and east of an existing farm road, a distance of 1451.28 feet to a set 1" pipe; thence S 83°26'58" E parallel and south of an existing farm

road, a distance of 1220.91 feet to a set 1" pipe; thence N 1°14'48" W along the centerline of a ditch, a distance of 1254.11 feet back to a set 1" pipe and the POINT OF BEGINNING. The above described parcel contains ± 2766.94 acres (120527981.95 sq. ft.), and being the tract depicted on the Plat titled: The State of Louisiana, Department of Wildlife and Fisheries El Centro Hospitality, L.L.C, Denmon Engineering, Inc., 2/4/2015.

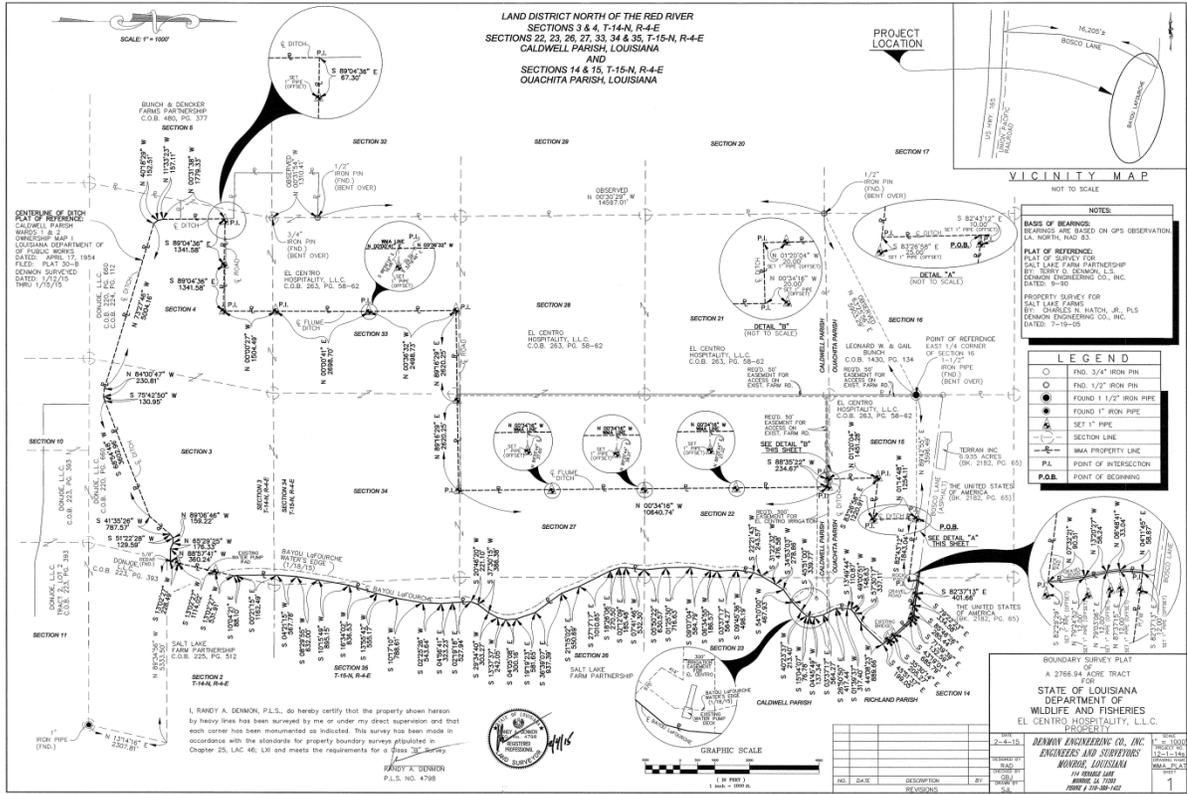
TRACT INCLUDES: A 50 foot ingress/egress easement for the State of Louisiana Department of Wildlife and Fisheries across parent tract, El Centro Hospitality, L.L.C. property, C.O.B. 263, Pg. 58-62, as shown on the Plate: State of Louisiana Department of Wildlife and Fisheries El Centro Hospitality, L.L.C., Denmon Engineering, Dated 2/4/15.

LESS AND EXCEPT: A 300 foot wide ingress/egress and irrigation easement and pump site easement for El Centro Hospitality, L.L.C. as shown on the Plat: State of Louisiana Department of Wildlife and Fisheries El Centro Hospitality, L.L.C., Denmon Engineering, Dated 2/4/15.

DRAFT

EXHIBIT "B"

(SURVEY MAP)



10. To Consider a Resolution to add the Steel Tract to the Bayou Pierre Wildlife Management Area

Thomas Bates, LDWF Attorney

The Bayou Pierre Wildlife Management Area was established by Proclamation of the Governor, dated March 12, 1993,

The State, through the Wildlife and Fisheries Commission and the Department of Wildlife and Fisheries on October 8, 1999 acquired a tract of land, located in DeSoto Parish, and adjacent to Bayou Pierre Wildlife Management Area, which was selected and established as a Wildlife Management Area and included in the Bayou Pierre Wildlife Management Area by Resolution of the Wildlife and Fisheries Commission dated August 7, 2008.

The State, through the Wildlife and Fisheries Commission and the Department of Wildlife and Fisheries on April 5, 2011 acquired a tract of land, comprised of 583.54 acres, more or less, located in Red River Parish, and adjacent to Bayou Pierre Wildlife Management Area.

This property contains valuable wildlife habitat, the protection and proper management of which is critical to the State's conservation and wildlife management efforts

It is the recommendation of the Secretary of the Department of Wildlife and Fisheries that in order to enhance wildlife habitat in the State and provide for public use and recreational opportunities on these lands, including water bottoms, that they be selected and established as a wildlife management area and included in the Bayou Pierre Wildlife Management Area.

It is the further recommendation of the Secretary of the Department of Wildlife and Fisheries that the Wildlife and Fisheries Commission confirm and reaffirm that all State owned lands, including water bottoms, located within the property description of the Bayou Pierre Wildlife Management Area, described in the Governor's Proclamation dated March 12, 1993 and in Louisiana Wildlife and Fisheries Commission Resolution dated August 7, 2008; and which were previously selected and established as a wildlife management area.

❖ MOTION by Commissioner Broussard

Commissioner Graham

Second to the motion made by Commissioner Broussard

There were no questions or comments heard

Chairman Manuel called for a Vote and the Motion passed with no opposition

(The full Resolution is made part of the record)

RESOLUTION

Adding Certain Acquired Property to the Bayou Pierre Wildlife Management Area

Adopted by the
Louisiana Wildlife and Fisheries Commission
September 3, 2015

WHEREAS, the Bayou Pierre Wildlife Management Area was established by Proclamation of the Governor, dated March 12, 1993,

WHEREAS, the State, through the Wildlife and Fisheries Commission and the Department of Wildlife and Fisheries on October 8, 1999 acquired a tract of land, located in DeSoto Parish, and adjacent to Bayou Pierre Wildlife Management Area, which was selected and established as a Wildlife Management Area and included in the Bayou Pierre Wildlife Management Area by Resolution of the Wildlife and Fisheries Commission dated August 7, 2008,

WHEREAS, the State, through the Wildlife and Fisheries Commission and the Department of Wildlife and Fisheries on April 5, 2011 acquired a tract of land, comprised of 583.54 acres, more or less, located in Red River Parish, and adjacent to Bayou Pierre Wildlife Management Area,

WHEREAS, this property contains valuable wildlife habitat, the protection and proper management of which is critical to the State's conservation and wildlife management efforts,

WHEREAS, it is the recommendation of the Secretary of the Department of Wildlife and Fisheries that in order to enhance wildlife habitat in the State and provide for public use and recreational opportunities on these lands, including water bottoms, that they be selected and established as a wildlife management area and included in the Bayou Pierre Wildlife Management Area,

WHEREAS, it is the further recommendation of the Secretary of the Department of Wildlife and Fisheries that the Wildlife and Fisheries Commission confirm and reaffirm that all State-owned lands, including water bottoms, located within the property description of the Bayou Pierre Wildlife Management Area, described in the Governor's Proclamation dated March 12, 1993 and in Louisiana Wildlife and Fisheries Commission Resolution dated August 7, 2008; and which were previously selected and established as a wildlife management area, and

WHEREAS, it is the further recommendation of the Secretary of the Department of Wildlife and Fisheries that the Wildlife and Fisheries Commission select all State-owned lands, including water bottoms, located within the property acquired on April 5, 2011, comprised of 582.40 acres, more or less, and all adjacent State-owned water bottoms, be established as a wildlife management area and included in the Bayou Pierre Wildlife Management Area.

THEREFORE BE IT RESOLVED, that the Wildlife and Fisheries Commission, in accordance with the laws of the State of Louisiana, particularly Title 56, Section 109 and Section 781, *et seq.*, of the Revised Statutes of 1954, does hereby confirm and reaffirm the selection and establishment of the Bayou Pierre Wildlife Management Area, and does select all land, including water bottoms, acquired on April 5, 2011, including adjacent lands and water bottoms owned by the State, and does establish such lands, including water bottoms, as a wildlife management area to be added to and included in the Bayou Pierre Wildlife Management Area, so that all land including water bottoms described in Attachment A hereto, and identified on the attached map, including water bottoms, are included in the Bayou Pierre Wildlife Management Area.

BE IT FURTHER RESOLVED, that this property shall be used exclusively for wildlife management purposes and, as such, is perpetually dedicated to the protection, conservation, and management of fish and wildlife and their habitat, and such public recreation, including, but not limited to, hunting, fishing, and trapping, which is consistent with these purposes.

BE IT FURTHER RESOLVED, that the Wildlife and Fisheries Commission authorizes the Secretary of the Department of Wildlife and Fisheries, on behalf of the Commission, to take all actions necessary in furtherance of this resolution

Edwin "Pat" Manuel, Chairman
Louisiana Wildlife and Fisheries Commission

Robert J. Barham, Secretary
Louisiana Department of Wildlife and Fisheries

11. To Consider a Notice of Intent for the 2016 Abandoned Crab Trap Removal Program

Jeff Marx, LDWF Biologist, Marine Fisheries

Awarded a Grant in July to use side scan sonar to locate traps under the water. The Volunteer program is used as the muscle for the program.

With this sonar, we will be able to get nice bottom mapping and finding those on the water bottoms.

Derelict Crab Trap Removal Program

Legislation (LA R.S. 56:332)

Commission to Designate

Area of trap closure
Who will pick traps up
Disposal Sites
Dates of trap closure

Authorized Dates

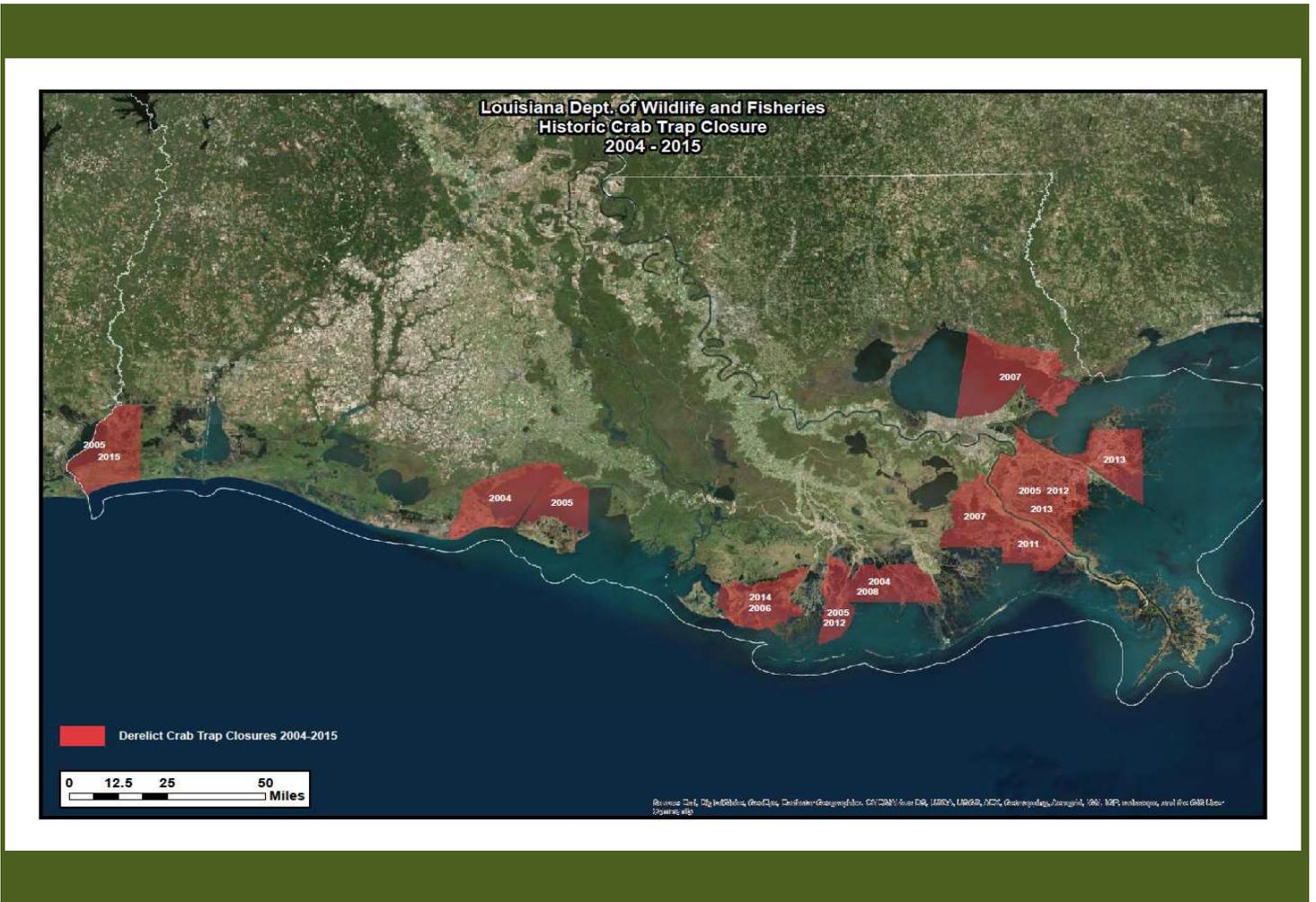
Winter

Up to 16 days between February 1 – March 31

Spring

Up to 14 days

in conjunction with inshore shrimp season opening



2004-2014 Trap Cleanup Results

Year	Area(s)	Traps	Boat-days
2004	2	6,894	90+
2005	4	4,623	50+
2006	1	2,935	31+
2007	2	1,495	15
2008	1	1,234	3
2009	1	788	NA
2010	1	477	NA
2011	1	1,100	NA
2012	2	2,798	66
2013	2	969	32
2014	1	1,051	24
2015	1	422	9
Total	19	24,786	320+

6 Derelict Trap Program Recommendations

Area/Time

Lake Pontchartrain, Lake Catherine and portions of Jefferson Parish, Orleans Parish, St. Bernard Parish, and St. Tammany Parish

6:00 am Feb 12, 2016 – 6:00 am Feb 21, 2016

Volunteer Days

Saturday Feb 13, 2016

Saturday Feb 20, 2016

Other

Remaining traps are considered abandoned

Anyone may retrieve traps

Traps may be removed between ½ hour before sunrise to ½ hour after sunset

Traps cannot be possessed outside of closure area

Traps must be brought to designated disposal sites

To Consider a Notice of Intent for the 2016 Abandoned Crab Trap Removal Program continued



Commissioner Courville

Q: What happens to a derelict trap if it has an ID Tag on it?

Jeff Marx

A: Once the closure is in effect, they are considered abandoned, collected and crushed

Commissioner Courville:

Q: What happens if you pick up 100 traps with the same ID Tag

Jeff Marx

Texas has a program where they will issue a bill to a fisherman who has left his traps

Area/Time

Bayou Rigolets, Bayou Perot, portions of Little Lake
Portions of Lafourche Parish, Jefferson Parish,
Plaquemines Parish and Cameron Parish
Sabine Lake (coincide with TX closure)

6:00 am Feb 19, 2016 – 6:00 am Feb 28, 2016

Volunteer Days

Saturday Feb 20, 2016

Saturday Feb 27, 2016

Other

Remaining traps are considered abandoned

Anyone may retrieve traps

Traps may be removed between ½ hour before sunrise to ½ hour after sunset

Traps cannot be possessed outside of closure area

Traps must be brought to designated disposal sites

To Consider a Notice of Intent for the 2016 Abandoned Crab Trap Removal Program continued



To Consider a Notice of Intent for the 2016 Abandoned Crab Trap Removal Program continued



Commissioner Broussard

Q: Side Scan Sonar – Will that be done before the closure?

Jeff Marx

A: We will be using the sonar throughout the year. Working in small areas – we will GPS mark the area

Chairman Manuel called for Public Comments

There were none heard

❖ MOTION by Commissioner Broussard

Commissioner Graham

Second to the motion made by Commissioner Broussard

There were no other questions or comments heard

Chairman Manuel called for a Vote and the Motion passed with no opposition

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

NOTICE OF INTENT

**Department of Wildlife and Fisheries
Office of Fisheries
Wildlife and Fisheries Commission**

**Removal of Abandoned Crab Traps
(LAC 76:VII.367)**

Notice is hereby given in accordance with the Administrative Procedure Act, R.S. 49:950 et. seq., and through the authority granted in R.S. 56:322(N), that the Wildlife and Fisheries Commission proposes to amend LAC 76:VII.367 to temporarily close a portion of state inside waters to the use of crab traps in order to facilitate the removal of abandoned crab traps in these waters.

The Wildlife and Fisheries Commission has amended the provisions in LAC 76:VII.367 governing the locations of temporary crab trap closures to address problems in portions of state waters resulting from large numbers of abandoned and derelict crab traps (*Louisiana Register, Volume 30, Number 1; Volume 31, Number 1; Volume 32, Number 2; Volume 33, Number 1; Volume 34, Number 1; Volume 36; Number 1; Volume 38, Number 1; Volume 38, Number 12; Volume 40, Number 1*). The Wildlife and Fisheries Commission now proposes to amend the provisions to describe a new portion of state waters to be temporarily closed to the use of crab traps for the purpose of conducting a crab trap cleanup.

LAC Title 76

WILDLIFE AND FISHERIES

Part VII. Fish and Other Aquatic Life

Chapter 3. Saltwater Sport and Commercial Fishery

§367. Removal of Abandoned Crab Traps

A. The use of crab traps shall be prohibited from 6:00 a.m., Friday, February 12, 2016 through 6:00 a.m. Sunday, February 21, 2016 within that portion of Jefferson Parish, Orleans Parish, St. Bernard Parish, and St. Tammany Parish as described below:

From a point originating from the intersection of the Lake Pontchartrain Causeway Bridge and the southern shoreline of Lake Pontchartrain; thence eastward along the southern shoreline of Lake Pontchartrain to Chef Menteur Pass; thence southward along the western shoreline of Chef Menteur Pass to Lake Borgne; thence due south a distance of one-half mile from the Lake Borgne shoreline; thence eastward and then northward a distance of one-half mile from the Lake Borgne shoreline to a point due east of Catfish Point; thence northwesterly across Rigolets Pass to the southeastern most point of land on Hog Island; thence westward along the northern shoreline of Rigolets Pass to its intersection with U.S. Highway 90; thence northward along U.S. Highway 90 to its intersection with U.S. Highway 190 (Fremaux Avenue); thence westerly along U.S. Highway 190 to Military Road; thence northward on Military road to U.S. Highway 190 (Gause Boulevard); thence westward on U.S. Highway 190 (Gause Boulevard) to Causeway Boulevard; thence southward along Causeway Boulevard and then the Lake Pontchartrain Causeway Bridge and terminating at its intersection with the southern shoreline of Lake Pontchartrain.

B. The use of crab traps shall be prohibited from 6:00 a.m., Friday, February 19, 2016 through 6:00 a.m. Sunday, February 28, 2016 within that portion of Lafourche Parish, Jefferson Parish, Plaquemines Parish, and Cameron Parish as described below:

1. From a point originating from the intersection of the Gulf Intracoastal Waterway and the northern shoreline of Hero Canal; thence due north to a point along the northern shoreline of the Gulf Intracoastal Waterway; thence southward and then westward along the northern shoreline of the Gulf Intracoastal Waterway to a point opposite the western shoreline of Bayou Perot; thence due south to the western shoreline of Bayou Perot; thence southward along the western shoreline of Bayou Perot to Little Lake; thence southward along the western shoreline of Little Lake to 29 degrees, 30 minutes, 00 seconds north latitude; thence eastward along 29 degrees, 30 minutes, 00 seconds north latitude to the eastern shoreline of Wilkinson Canal; thence northward along the eastern shoreline of Wilkinson Canal to its termination; thence due north to the western shore of the Mississippi River; thence northwestward along the western shore of the Mississippi River to a point due east of the northern shoreline of Hero Canal; thence due west to the northern shoreline of Hero Canal; thence westward along the northern shoreline of Hero Canal and terminating at its intersection with the Gulf Intracoastal Waterway.

2. From a point originating from the intersection of the southern side of LA Highway 82 and the eastern shore of Sabine Lake, thence north along the eastern shoreline of Sabine Lake to its intersection with East Pass, thence due north to Sabine Island, thence west along the southern shoreline of Sabine Island to its westward most point, thence due west to the Texas state line, thence south along the Louisiana / Texas

state line to its intersection with LA Highway 82, thence east along the southern side of LA Highway 82 and terminating at its intersection with the eastern shore of Sabine Lake.

C. All crab traps remaining in the closed area during the specified period shall be considered abandoned. These trap removal regulations do not provide authorization for access to private property; authorization to access private property can only be provided by individual landowners. Crab traps may be removed only between one-half hour before sunrise to one-half hour after sunset. Anyone is authorized to remove these abandoned crab traps within the closed area. No person removing crab traps from the designated closed areas during the closure periods shall possess these traps outside of the closed area. The Wildlife and Fisheries Commission authorizes the Secretary of the Department of Wildlife and Fisheries to designate disposal sites.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:332(N).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission LR 30:101 (January 2004), amended LR 31:108 (January 2005), LR 32:266 (February 2006), LR 33:113 (January 2007), LR 34:97 (January 2008), LR 36:77 (January, 2010), LR 38:146 (January, 2012), LR_38:12 (December, 2012), LR 40:96 (January, 2014).

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

Family Impact Statement

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

Poverty Impact Statement

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

Provider Impact Statement

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

Public Comments

Interested persons may submit written comments relative to the proposed Rule to Mr. Jeff Marx, Marine Fisheries Biologist DCL-B, Marine Fisheries Section, 2415 Darnall Rd., New Iberia, LA 70560, or via email to jmarx@wlf.la.gov prior to November 1, 2015.

Edwin "Pat" Manuel

Chairman

12. To Consider a Declaration of Emergency to set the 2015-2016 Oyster Season on the Public Oyster Areas of Louisiana

Patrick Banks, LDWF Biologist, Marine Fisheries

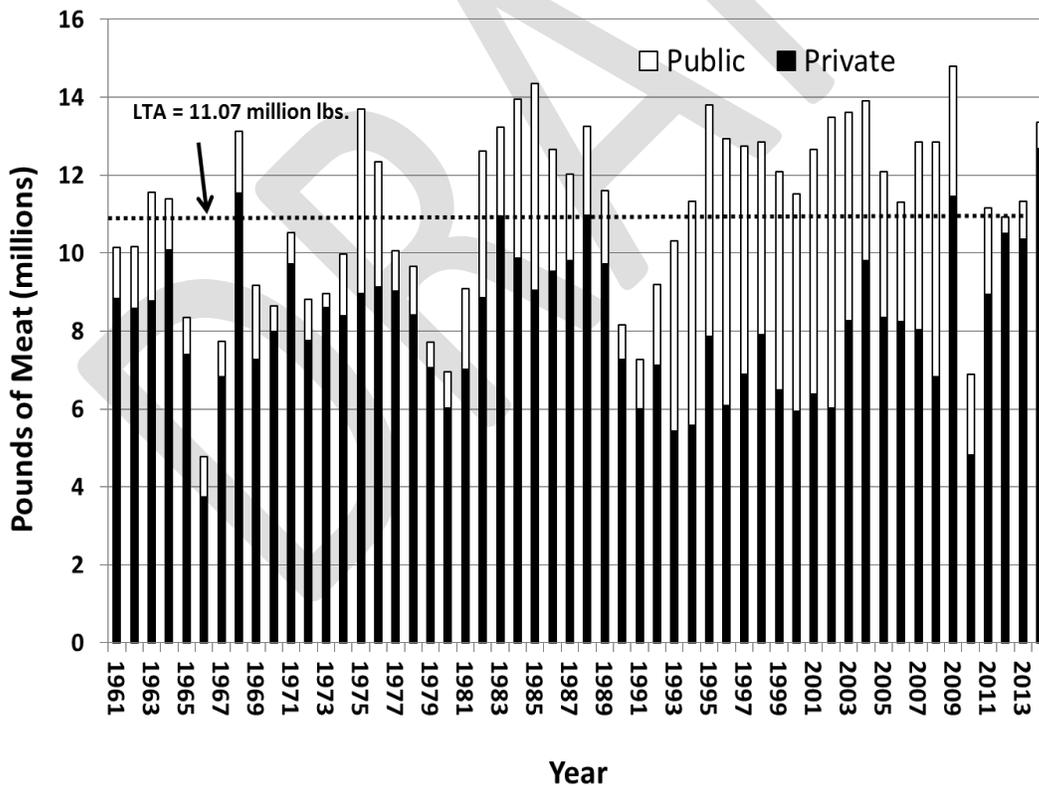
Presenting the Annual Oyster Stock information and the Departments recommendations for the 2015-2016 Oyster Season on the public oyster grounds of Louisiana

Overview

- Historical Oyster Harvest (Landings)
- Management Goals
- Oyster Stock Size Estimate
- Oyster Stock Distribution among public Oyster areas
- Oyster Season recommendations

The public grounds make up a sizable contribution
 In 2014 – 95% of all oysters landed in Louisiana came from private leases

Historical Louisiana Oyster Landings



Management Goals

1. Manage, conserve and promote the wise use of the public oyster resource
2. Provide seed oysters (<3") for transplant to leases
3. Provide sack oysters to be taken directly to market

How?

1. Habitat enhancement (cultch planting = reef rehabilitation)
2. Harvest restrictions/regulations
3. Enforcement
4. Biological sampling (determines annual oyster stock size)
5. Recommend seasonal framework

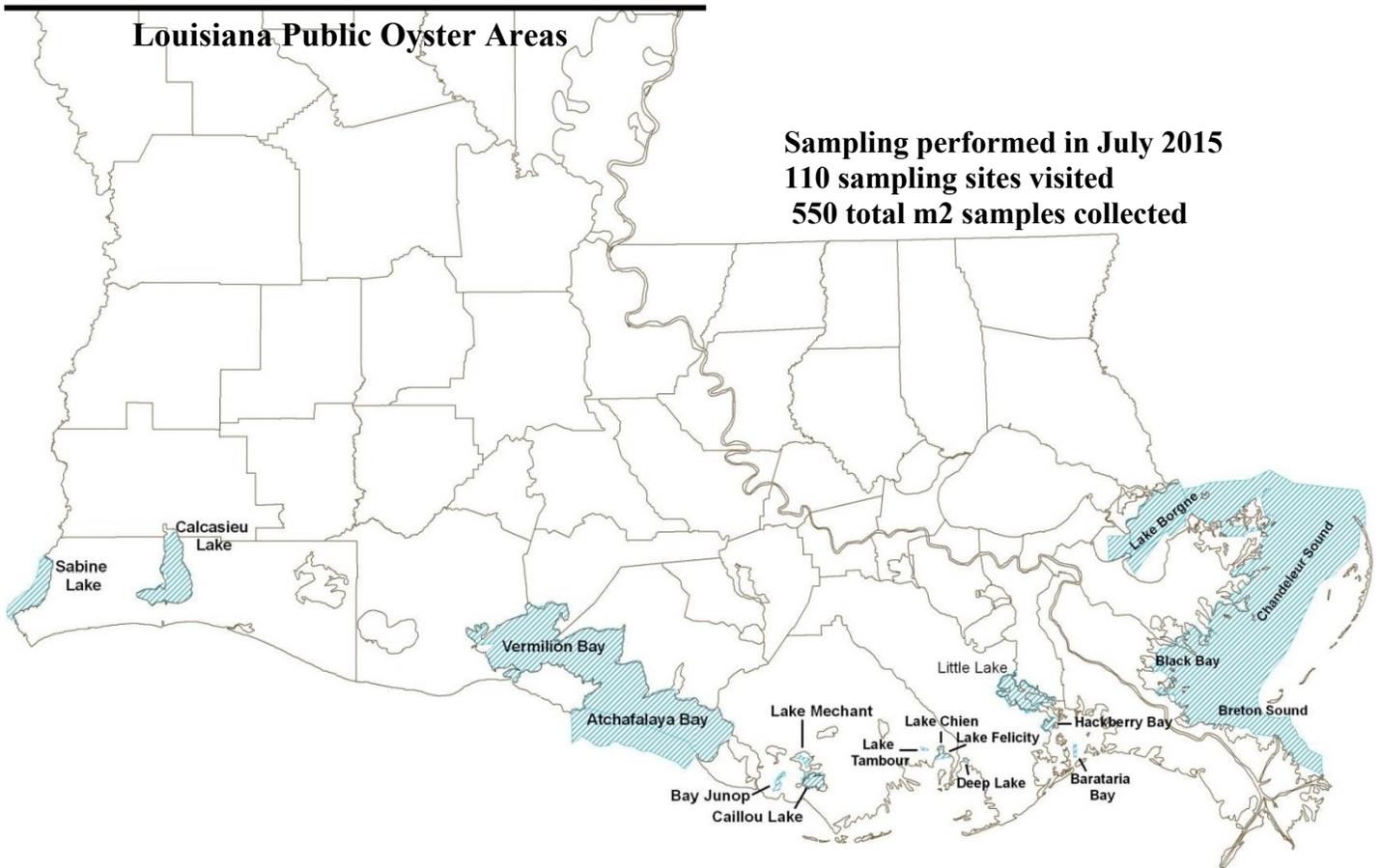
Chairman Manuel

Q: What is the time frame from after the clutch planting from when they can be harvested?

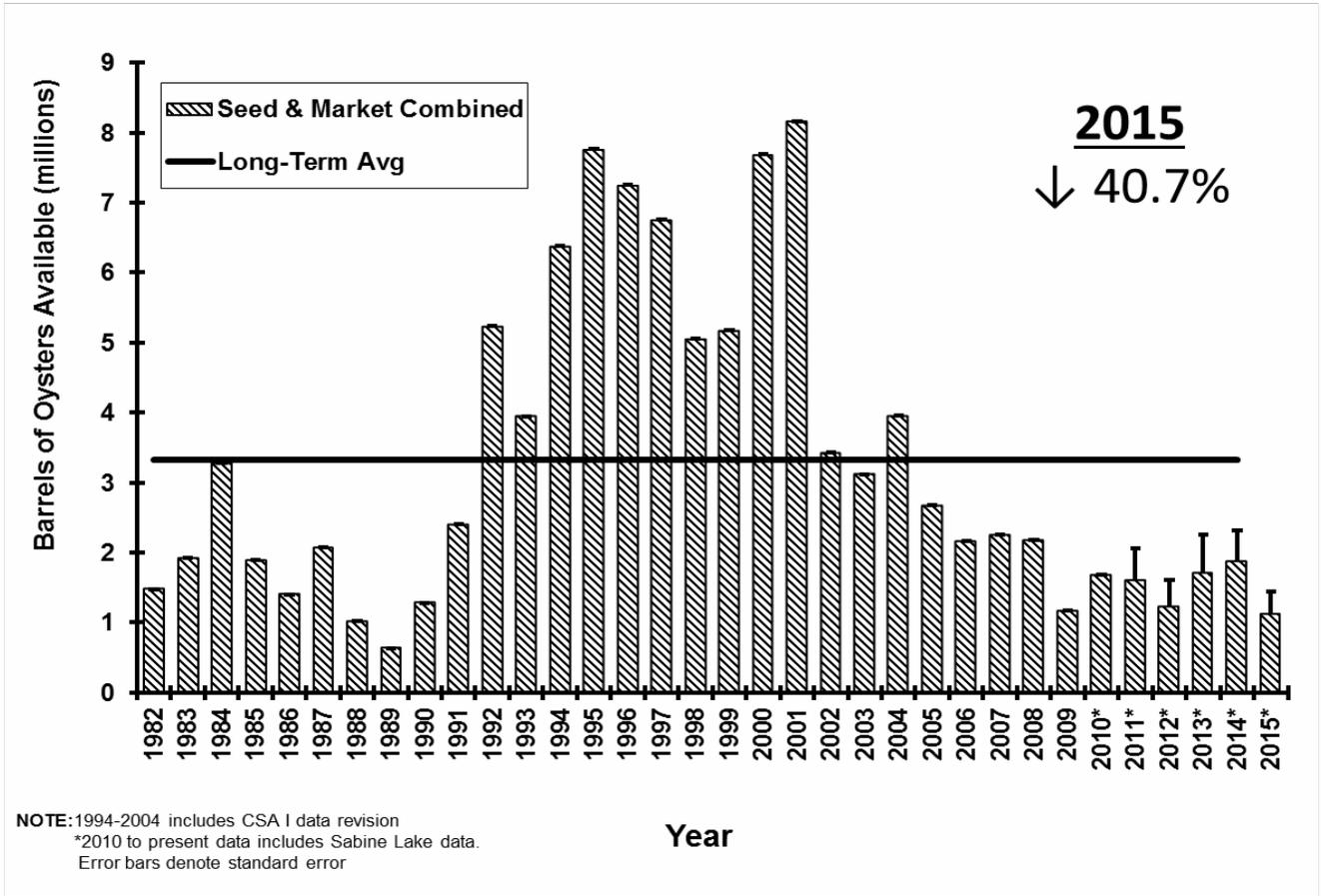
Patrick Banks

A: Typically 18-24 months is the grow out period, but it all depends on the environmental period. Could be longer, could be shorter

To Consider a Declaration of Emergency to set the 2015-2016 Oyster Season on the Public Oyster Areas of Louisiana
continued

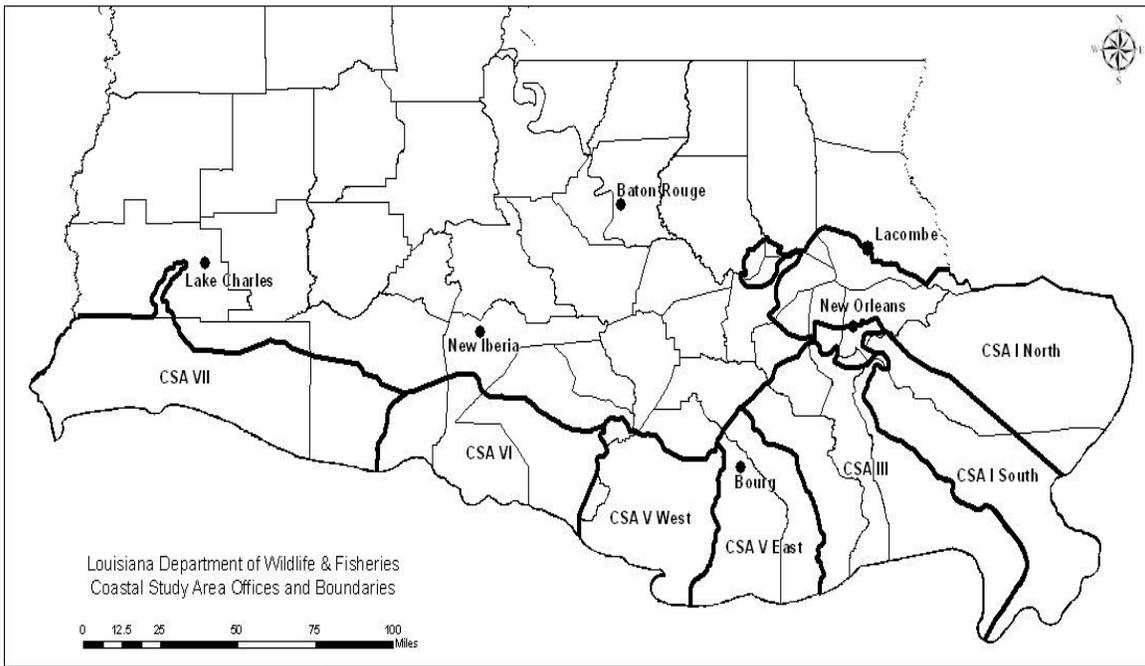


Stock Assessment Results



To Consider a Declaration of Emergency to set the 2015-2016 Oyster Season on the Public Oyster Areas of Louisiana continued

Coastal Study Areas (CSAs)



CSA	Seed	Seed %	Sack	Sack %	Total	Total %
1N	<i>336,732</i>	54.8%	171,735	34.2%	<i>508,468</i>	45.6%
1S	<i>5,059</i>	0.8%	<i>45,572</i>	9.1%	<i>50,631</i>	4.5%
3	<i>9,267</i>	1.5%	8,397	1.7%	<i>17,663</i>	1.6%
5E	<i>1,348</i>	0.2%	706	0.1%	<i>2,054</i>	0.2%
5W	<i>141,923</i>	23.1%	58,615	11.7%	<i>200,539</i>	18.0%
7	<i>119,646</i>	19.5%	<i>216,484</i>	43.2%	<i>336,130</i>	30.1%
Total	<i>613,975</i>		<i>501,509</i>		<i>1,115,484</i>	

BOLD indicates increases over 2014 levels; *Italicized* indicates decreases

Availability in barrels (1 barrel = 2 sacks)

CSA Description

- 1N = Lake Borgne/MS Sound
- 1S = East of MS River, South of MRGO
- 3 = Hackberry Bay
- 5E = Lake Chien/Felicity
- 5W = Sister Lake/Bay Junop/Lake Mechant
- 7 = Calcasieu & Sabine Lakes

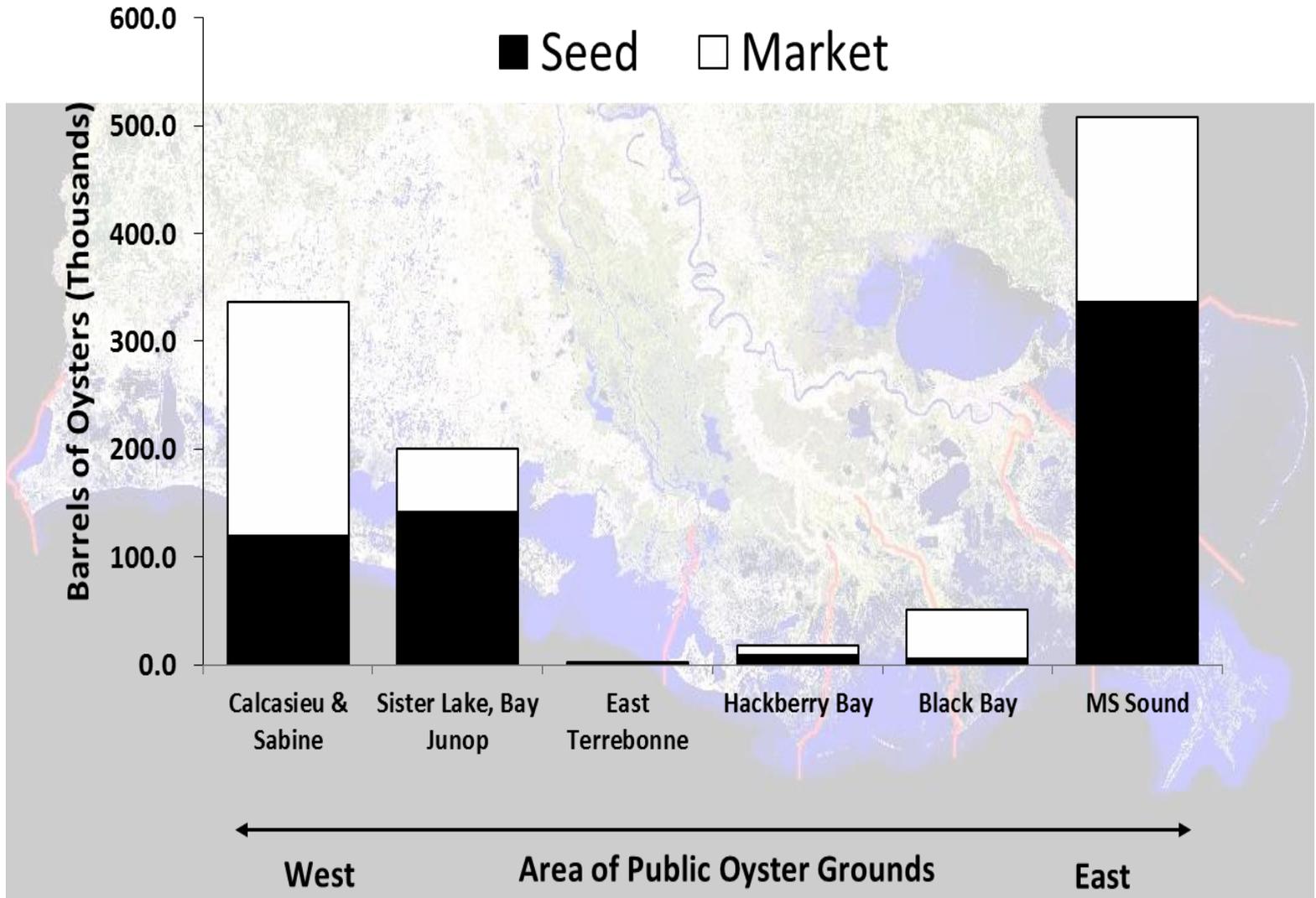
Commissioner Courville

Q: Do you think that the harvesting of the seed leads to the reduction – is that what’s showing up in reduction to seed availability; is that being reflected?

Patrick Banks

A: It certainly plays a part. Seed production is not only what is harvested but how well the environment produced new recruits in that year. Recruitment far out ways any kind of signal you would see from harvest

2015 Oyster Stock Distribution





2015-2016 Oyster Season

Public Oyster Areas of Louisiana
Status as of 9-3-15



Areas designated as "open" may be closed by the Louisiana Department of Health and Hospitals (LDHH) for public health reasons. Consult the LDHH Molluscan Shellfish Program for more information.

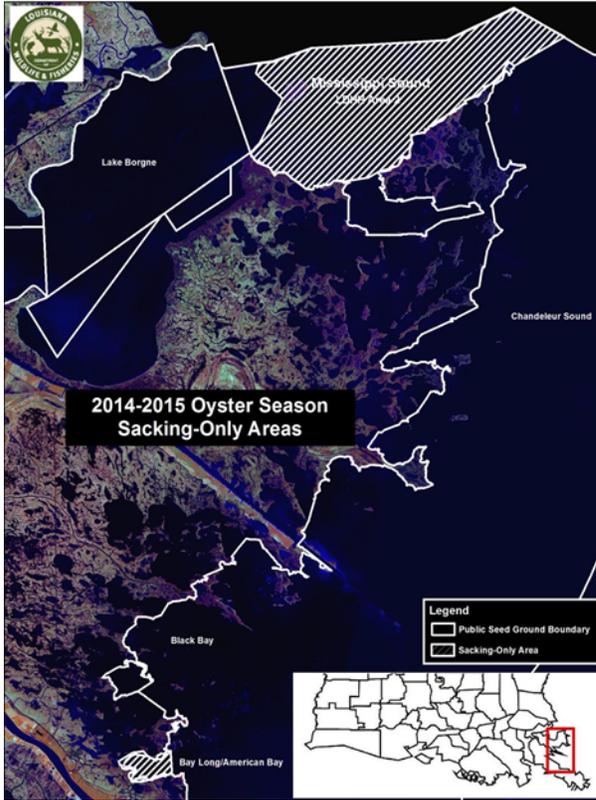
September 9, 2015: Little Lake, Barataria Bay, Deep Lake, Lake Tambour, Vermilion/East & West Cote Blanche/Atchafalaya Bays
October 19, 2015: All Public Grounds East of MS River, Hackberry Bay, Lake Chien, Lake Felicity, Sister Lake, Lake Mechant
November 1, 2015: West Cove of Calcasieu Lake

Sack Limits: 50 sacks daily and possession limit statewide, except West Cove of Calcasieu Lake where daily sack limit is 7 sacks

Sacking-Only Areas: LDHH Harvest Area 2 (MS Sound); Bay Long/American Bay

CLOSED: 2014 Hackberry Bay Cultch Plant; Bay Junop; East Side of Calcasieu Lake, Sabine Lake





Restrictions to Help Enforce Sack Limits

1. No sacks or other containers allowed on bedding vessels
2. Vessels are prohibited from harvesting for market sales on the same day
3. When harvesting on public grounds, all oysters on board are deemed to have been taken from the public grounds
4. Cargo vessels not subject to possession limit, BUT are not allowed to harvest at same time

2015-2016 Oyster Season

1st Opening:

By law, required to open the first Wednesday after Labor Day which is September 9, 2015 for Little Lake, Barataria Bay, Deep Lake, Lake Tambour, Vermilion East/West & West Cote Blanche/Atchafalaya Bays

2nd Opening:

October 19, 2015: All public grounds east of MS River, Hackberry Bay, Lake Chien, Lake Felicity, Sister Lake, Lake Mechant

3rd Opening:

West Cove of Calcasieu Lake

Sack Limits:

50 sacks daily and possession limit statewide, except West Cove of Calcasieu Lake where daily sack limit is 7 sacks

Sacking Only Areas:

LDHH Harvest Area 2 (MS Sound); Bay Long/American Bay

CLOSED:

2014 Hackberry Bay Cultch Plant; Bay Junop; East Side of Calcasieu Lake, Sabine Lake

Sacking Only Areas/Sack Limits

No sacks or other containers on board vessels that are taking seed oysters (Enforcement purposes)

Vessels have to do seeding or sacking

Cannot do both on same day

When harvesting on public ground – all oysters on the vessel are assumed to be from the public ground. Especially in sack limit situations

Cargo Vessels

Vessels that transport oysters from other vessels or refrigerate oysters from other vessels. They are not subject to the possession limit. Not allowed to harvest on the same day. This helps keep recording keeping clear

Commissioner Davis

Q: Why are cargo vessels not allowed to harvest and load at the same time. What is the problem? Is it an enforcement issue?

Patrick Banks

A: Yes, it's more of an enforcement question and not a biological one. I would like to defer to enforcement to answer this

Commissioner Davis

If there is a boat in the area with the proper documentation and large enough to move the oysters from point A to point B – why can't he harvest when he's in the area also?

Lt Col Sammy Martin

A: Whatever the Commission decides to do, we will be good with. That type of vessel operating with two hats is – you can imagine trying to enforce this; All of the different types of paperwork to be kept – comingling the oysters as far as enforcement would be a problem. Enforcing this is very difficult. We can do it if you choose, but it will be difficult. This is just an opinion as far as enforcement goes.

Commissioner Davis

“This is a little confusing. The oystermen have contacted me about this”

Commissioner Broussard

“I'm prepared to make a Motion based on the Departments recommendation. If you want to change it, you need to ask to change it.”

Commissioner Davis

“How many times have you gone onto a Cargo vessel and found differences in the trip tickets?”

Lt Col Martin

“Last year this concern came up; We haven't had many problems in the past, but looking forward we foresee more boats and are trying to prevent a problem.”

Commissioner Courville

“What is the penalty for doctoring a trip ticket? If you are in this situation and you decide the rules don't apply to me – what would be the theoretical penalty, the maximum allowable by law? Is that a fair question? What kind of number are we talking about? Do you lose your license, your privileges for “x” amount of time?”

Lt Col Martin

“That is up to a judge and the District Attorney. We will lose the product and the money involved with that.”

John Tesvich

Chairman, Oyster Taskforce

“This is an important issue. We understand Enforcement concerns. It is very complicated. The documentation is unbelievable. Let us work with the department and Enforcement to set protocols and requirements of these cargo vessels to make it easier to enforce and clear for the industry members of what they are required to do. You can treat it like a pilot program. If it doesn’t work, enforcement can pull the plug. Industry has to abide by the protocol. Let’s do something positive for the industry”

Commissioner Broussard

“Is it your recommendation that we amend this, or that we go against the departments recommendations and allow the boats to harvest as well.”

John Tesvich

“I recommend amending it for Cargo Vessels. It’s not going against the department. Its allowing us to work with the department. I also have another recommendation”

Commissioner Courville

“Do you anticipate a big increase in the use of cargo vessels? Do you anticipate going from two to twenty or are you saying going from two to four?”

John Tesvich

“Cargo vessels come into play when you are talking about harvesting in remote locations. There are only a couple of areas that come into play – Area Coastal 1 in the Mississippi Sound. It’s about four hours’ drive one way. The economics makes it almost unfeasible. That’s where cargo vessels may make it feasible
In the same spirit of cooperation, that we allow oystermen with refrigerator vessels with the documentation to allow a two day possession. These people have invested thousands of dollars and should be able to stay overnight.
If the Commission would allow us to work with the Department to set up these protocols to allow a two day possession in these remote areas – just in the remote areas; not in the areas where you are close to the docks”

Commissioner Broussard

“There are ways around this. Im trying to help you but seems to be a lot of loop holes. If there is no date on these tags, anyone can pull tags and change dates. I want you to be able to make money, but there are ways.....”

John Tesvich

“Yes, there are ways to get around it. You are thinking like a crook. We have to presume that people will do the right thing.”

Commissioner Broussard

“That is Enforcements job to think like a crook to stop the crooks”

Chairman Manuel

“Whose responsibility will it be - The oystermen or the Cargo Boat?
Do you understand what the problems would be for enforcement? “

John Tesvich

“Yes, the Cargo vessel is a whole other issue. Its not the norm.”

Chairman Manuel

“From the public grounds to the private grounds – there is no limit to the owner of a private lease correct?”

Patrick Banks

“Correct. Self-imposed limit”

Chairman Manuel

“Can you go to a public ground after you have harvested from private ground?”

Patrick Banks

“By the way we have structured this DE, you are not allowed to go harvest on the public grounds and exceed your limits. All oysters on deck are assumed to have been harvested on public grounds once your dredge hits public grounds”

Chad Courville

“Mr. Chairman, can you flip that? Can you start on the public ground and then go to a private lease?”

Patrick Banks

“Yes sir”

Chad Courville

“You could just go nuts at that point.”

Patrick Banks

“The issue is not going to the private leases and harvesting. There is not a limit there. The issue for us biologically is going the way which is why it’s structured one way”

Commissioner Davis

“I think what has happened is we’ve gotten into several different discussions. My initial concern was about cargo vessels; I would like to see the cargo rule changed. Next the idea of refrigeration and the two day possession limit. That is another concern, but my main concern was the cargo vessels.”

Chairman Manuel

“Are you making that a Motion?”

Commissioner Davis

“Yes”

Commissioner Broussard

“Does your motion include the two day limit?”

Commissioner Davis

“No, that is something that really needs to be researched”

❖ MOTION by Commissioner Davis

Commissioner Broussard

Second to the motion made by Commissioner Davis

Chairman Manuel called for Public Comments

Willie Daisy

“I have been in the oyster business for 45 years; Owner of W&E Oysters. I have no problem with the cargo vessel for the long distance of travel in certain areas. There are two aspects for different areas. I recommend not allowing cargo vessels in Sister Lake but allow in the Lake Borne, Grand Pass area because of the long distance between dock and fishing ground. You can allow them to fish their fifty sacks, but allow them all together in Sister Lake area because of the distance.”

Chairman Manuel

“So, you are in favor of the proposal as presented by the staff”

Willie Daisy

“Yes, but separate areas”

Mark Naquin

“Limit on Sister Lake – instead of fifty sacks I would like to see a forty sack limit”

Adley Dyson Sr.

“Calcasieu Lake; Has 119,645 sacks of seed, 226,484 sacks for sacking. We do not seed in Calcasieu Lake. These seeds are next year’s oysters and it will replace what’s there this year. That seed doesn’t matter in Calcasieu Lake. We don’t fish it so I’d like to see Calcasieu Lake. We agreed with Patrick on seven sacks and open on November 1st. We agreed on that. What I don’t agree with him is the East side of the lake. We had plenty an oyster on the east side but it’s not as good as it should be but you have drills in there. The drills are killing the oysters as fast as they produce. The only answer is to get the drills out. This lake will never come back if we don’t fish it. Should fish in January and February. Should open the East side and watch it close.”

Adley Dyson Jr.

Wants to open Calcasieu Lake on the east side “because it’s going to spread the fisherman out - As many people won’t be fishing the west side if the east side is open.”

Commissioner Broussard

“Is Calcasieu managed as two separate entities between West Cove and the East side?”

Patrick Banks

“We do have the ability and law to manage them separately. Historically we haven’t had to until the last four or so years.”

Commissioner Manuel

“When was the East side closed?”

Patrick Banks

“The end of 2010/2011 Season - Closed it a month early after we saw some problems and it hasn’t reopened.”

Commissioner Manuel

“What were the problems?”

Patrick Banks

“We saw major decreases in oyster availability, our sample numbers...”

Commissioner Broussard

“If memory serves me, this coincides with the Oil Spill”

Commissioner Courville

“Do yall have plans for the East side, where you have some plans for that area – could you expand on that a little?”

Patrick Banks

“Yes, we have been working in the East side since that closure. We’ve had three straight years of putting hatchery raised animals to try and bring it back; we have completed the cultch plant near Lamberts Bayou as a way; closed harvest there; considering oyster transplants from the northern part of the lake to bring large live animals reproducing size into the southern end. There is a lot of rehabilitation work ongoing which is part of the reason we have requested to keep it closed to try and continue those efforts without throwing harvest on top of it.”

Commissioner Courville

“Do you gauge success or failure on side scan sonar?”

Patrick Banks

“We have developed a shell budget model through the University of New Orleans, granted this is not the only metric we look at for the lake or for any of our public grounds. That model takes into account live animals, the size, harvest pressures, expected harvest pressures, natural mortality, natural reproduction and things of that matter. It provides us with a harvest threshold for each and every area. Even the East side has a harvest threshold but it’s very very low. We are making some strides.”

Commissioner Yakupzack

“Your recommendation is to not open the East side but to open West Cove on November 1st. Can you delineate the numbers in West Cove from the general CSA7 as to how many, what our numbers look like there?”

Patrick Banks

“Of the roughly... it’s about ninety percent of the entire Calcasieu resource is on the west side, West Cove”

Commissioner Yakupzack

“What is that number of market oysters other than this chart? Do you remember?”

Patrick Banks

“Around fifty four thousand sacks– Our shell budget model indicates when the market is there and also the seeds coming up behind it we can harvest about thirty three thousand sacks and not impact the reef mass itself.”

Commissioner Yakupzack

“How many sacks were taken last year based on trip tickets?”

Patrick Banks

“About forty three thousand”

Commissioner Yakupzack

“When we dealt with the Secretary and the Assistant Secretary on the area east of the river on the MRGO in March, we all were very careful with that and you had the same similar concern as you have for West Cove now and basically we were going to watch it very closely. What are some things your staff can do to watch that and to help these guys out?”

Patrick Banks

“The main thing that occurs is actually what you guys do, you all give the Secretary the authority to close very quickly and historically have done this. This is the biggest tool we have because if we see a problem we can close quickly.”

Chairman Manuel

“In this declaration, we are giving the Secretary the authority to close any of these places within 72 hours. Enforcement is going to be watching this along with the biologist on separate vessels?”

Patrick Banks

“Yes, we have a very good working relationship”

Commissioner Yakupzack

“Does the department have the resources to come up with a draft plan for Calcasieu area before next season so we can get a pulse on the situation?”

Patrick Banks

“We are making the steps this year, looking very hard at the water daily. It gives us an opportunity to start the process of putting forth a specific plan for Calcasieu Lake.”

Willie Daisy

“Recommend a forty (40) sack limit in Sister Lake”

John Tesvich

“For the record, The Oyster Taskforce met on August 26th and recommended a second opening on October 15th.”

Adelyn Dyson

Recommend Electronic Trip Tickets

Chairman Yakupzack

“Does the Department have a position on either 40 or 50 sacks for Sister Lake?
Is the Department opposed to the two day possession limit?”

Patrick Banks

“Biologically, we are not opposed to either one.”

Lt Col Martin

“Recommend a one day possession limit for the purpose of enforcement but we will do whatever the Commission asks of us”

Chairman Manuel

“The Motion is to accept the recommendation of the Department with the exception or the change in allow the Cargo Vessel to harvest while in the area”

Commissioner Broussard

“I’m uncomfortable doing without some additional monitoring on the vessels. I think we have to give Enforcement a chance. Just doing it under the guides that says the right thing should be done by everybody presents challenges.

The fifty sacks was already established in the Declaration

If somebody wants to change that they can do it in a substitute motion.”

Randy Pausina

LDWF Assistant Secretary, Fisheries

“The 40 day sack limit would only be for Sister Lake was the recommendation. The rest of the state would still be 50. Sister Lake only”

Chairman Manuel

“The Motion on the floor is to allow the Cargo Vessels to fish and store along with the proper documentation, refrigeration and all that and to limit Sister Lake to 40 sacks.”

Chairman Manuel called for a Vote and the Motion passed with no opposition

(The full Declaration of Emergency is made part of the
record)

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

September 3, 2015

In accordance with the emergency provisions of the Administrative Procedure Act, Louisiana Revised Statutes (R.S.) 49:953, 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 2015/2016 oyster season as follows:

The Little Lake Public Oyster Seed Grounds, as described in Louisiana Administrative Code (LAC) 76:VII:521, the Barataria Bay, Deep Lake, and Lake Tambour Public Oyster Seed Grounds, as described in LAC 76:VII:517, and the Vermilion/East and West Cote Blanche Bay/Atchafalaya Bay Public Oyster Seed Grounds, as described in LAC 76:VII:507 and 76:VII:509 shall open one-half hour before sunrise on Wednesday, September 9, 2015. As per R.S. 56:433.B(1), no harvest of oysters for market sales is allowed on any public oyster area prior to the second Monday in October, which is October 12, 2015. Therefore, any and all vessels harvesting on the open public oyster seed grounds between September 9, 2015 and October 11, 2015, both dates inclusive, shall be harvesting seed oysters for bedding purposes only and shall not have sacks or other containers typically used to hold oysters on board the harvest vessel.

All remaining public oyster seed grounds and reservations, as described in R.S. 56:434, LAC 76:VII.511, LAC 76:VII.513, and LAC 76:VII.517, including Lake Borgne, Bay Gardene, Hackberry Bay, Lake Chien, Lake Felicity, Sister Lake, Lake Mechant, and the Sacking-Only Area in the American Bay area, which is that portion of the public grounds within Bay Long west of a line running generally north/south from a point at 29 degrees 31 minutes 13.78 seconds N latitude, 89 degrees 34 minutes 9.79 seconds W longitude to a point at 29 degrees 29 minutes 40.67 seconds N latitude, 89 degrees 34 minutes and 8.48 seconds W longitude, shall open at one-half hour before sunrise on Monday, October 19, 2015.

During the 2015/2016 open oyster season, the following provisions shall be in effect:

1. The take of oysters from the Louisiana Department of Health and Hospitals' Shellfish Harvest Area 2 (Mississippi Sound) shall be restricted to harvest for market sales only (sacking-only).
2. Any vessel from which any person(s) takes or attempts to take oysters from the public oyster seed grounds and reservations described above shall:
 - a. Be limited to a daily take and possession limit not to exceed 50 sacks of oysters per vessel, except for in the Sister Lake Public Oyster Seed Reservation where the limit shall not exceed 40 sacks per vessel and except for in the West Cove portion of Calcasieu Lake where the limit shall not exceed 7 sacks per person per vessel per day. A sack of

oysters for the purposes of this declaration of emergency shall be defined as the size described in R. S. 56:440. The daily take and possession limit shall not apply to vessels harvesting seed oysters for bedding purposes. The possession limit shall not apply to vessels operating under a valid Oyster Cargo Vessel Permit.

- b. Be limited to either harvesting market oysters for direct sale (sacking) or harvesting seed oysters for bedding purposes on any one day and is specifically prohibited from doing both.
3. If any person on a vessel takes or attempts to take oysters from the public oyster seed grounds or reservations described above, all oysters contained on that vessel shall be deemed to have been taken from said seed ground or reservation from the time harvest begins until all oysters are off-loaded dockside.

The oyster season in the west cove portion of the Calcasieu Lake public oyster area, as described in R.S. 56:435.1.1, shall open one-half hour before sunrise on Sunday, November 1, 2015. The sack limit for west cove portion of Calcasieu Lake is set at 7 sacks per person per vessel per day as provided for in R.S. 56:435.1.1. However, these conservation actions shall not supersede public health closures.

The following areas shall remain closed for the entire 2015/2016 oyster season:

1. The 2014 Hackberry Bay Cultch Plant within the following coordinates:
 - A. 29 degrees 25 minutes 23.58 seconds
90 degrees 01 minutes 21.00 seconds

- B. 29 degrees 25 minutes 16.43 seconds
90 degrees 01 minutes 14.59 seconds
- C. 29 degrees 25 minutes 07.91 seconds
90 degrees 01 minutes 27.41 seconds
- D. 29 degrees 25 minutes 15.33 seconds
90 degrees 01 minutes 33.71 seconds
- 2. The Bay Junop Public Oyster Seed Reservation;
- 3. The east side of the Calcasieu Lake Public Oyster Area;
- 4. The 2015 Calcasieu Lake West Cove Cultch Plant within the following coordinates:
 - A. 29 degrees 52 minutes 39.66 seconds
93 degrees 23 minutes 42.14 seconds
 - B. 29 degrees 52 minutes 28.94 seconds
93 degrees 23 minutes 42.20 seconds
 - C. 29 degrees 52 minutes 39.60 seconds
93 degrees 23 minutes 31.92 seconds
 - D. 29 degrees 52 minutes 29.01 seconds
93 degrees 23 minutes 31.92 seconds
- E. Sabine Lake Public Oyster 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:

1. 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,
2. Adjust daily take and/or possession limits as biological or enforcement data indicate a need; and,
3. Adjust sacking-only areas and/or restrict the taking of seed oysters as biological or enforcement data indicate a need.
4. Reopen an area previously closed if the threat to the resource has ended, or may open areas if substantial oyster resources are located.

The Secretary shall notify the Chairman of the Wildlife and Fisheries Commission of his intention to make any or all of the changes indicated above.

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

13. To Consider a Resolution of Support for the Reauthorization of the Land and Water Conservation Fund

Doug Daigle, Land and Water Conservation Fund (LWCF)

Land and Water Conservation Fund (LWCF)
Passed by Congress 1964 – Expires September 2015
Dedicated to publicly accessible sites for outdoor recreation

Has funded thousands of projects, from National Parks to neighborhood ballfields
In Louisiana, the LWCF has helped fund creation and/or enhancement of two National Parks, 12 National Wildlife Refuges – and over 700 state and local projects

In Louisiana, the LWCF has helped fund creation and/or enhancement of two National Parks, 12 National Wildlife Refuges – and over 700 state and local projects

LWCF Funding

Relies on offshore oil production revenues – 12.5% GOMESA

Authorized cap of \$900 million a year – but rarely met

2015: White House budget: full funding
House of Representatives Mark up: \$250 million

LWCF Structure

Federal and state components

State component has formula geared to population, works through matching grants

Bogalusa Boat Launching Ramp (1966)
Spring Bayou Game Management Area (1967)
Saline Camping & Picnic Area (1967)
Red River Wildlife Management Area (1967)
Spring Bayou Boat Ramp (1968)
Spring Bayou Everhart (1968)
Lake Bistineau Boat Ramp (1968)
Long Lake Boat Ramp (1968)
Sabine Boat Ramp (1968)
Spring Bayou Everhart (1968)
Lake Bistineau Boat Ramp (1968)
Long Lake Boat Ramp (1968)
Sabine Boat Ramp (1968)
Black River Lake (1968)

Delcambre Boat Ramp (1968)
Iberia Boat Ramp (1968)
Berwick Boat Ramp (1968)
Bayou Dorchat Boat Ramp (1968)
Magnolia Wildlife Management Area (1970)
Poitevent Game Management Area (1971)
Cowley Game Management Area (1972)
Pointevent Addition (1973)

LWCF Future Potential

If reauthorized, the Land and Water Conservation Fund can play a major role in meeting the future wildlife conservation and outdoor recreation needs and opportunities of Louisiana, and also enhance efforts for coastal restoration and resilience

An annual source of funding – can be matched with funds from BP settlement, Coastal Trust Fund, etc.

Deadline for Congressional reauthorization: September 30, 2015

Chairman Manuel called for Public Comments

There were no questions or comments heard

❖ MOTION by Commissioner Broussard

Commissioner Courville

Second to the motion made by Commissioner Broussard

Chairman Manuel called for a Vote and the Resolution passed with no opposition

14. To set the January 2016 Meeting Date

A discussion took place and the January meeting is set for January 7, 2016

15. To receive Public Comment

There were no questions or comments heard

16. Adjournment

Chairman Manuel called for Public Comments

There were none heard

❖ MOTION by Commissioner Broussard to adjourn

Commissioner Davis

Second to the motion made by Commissioner Broussard

There were no other questions or comments heard

Chairman Manuel called for a Vote and the Motion passed with no opposition and the meeting was adjourned