

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

MINUTES

December 7, 2006

**TERRY D. DENMON
CHAIRMAN**

BATON ROUGE, LOUISIANA

The following constitute minutes of the Commission Meeting
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Louisiana Department of Wildlife and Fisheries
2000 Quail Drive

Baton Rouge, Louisiana 70808
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**AGENDA
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
BATON ROUGE, LOUISIANA
DECEMBER 7, 2006**

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MINUTES OF THE MEETING
OF
LOUISIANA WILDLIFE AND FISHERIES COMMISSION

Thursday, December 7, 2006

Chairman Terry Denmon presiding.

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

Secretary Bryant Hammett was also present.

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

Under **Commission Special Announcements/Personal Privilege** for this month, Commissioner King presented a plaque to Chairman Denmon on behalf of the Department and Commission in recognition of his service on the Commission.

Commissioner Miller then noted each member received a copy of a report from the Hunting Regulations Committee on the Deer Dog Task Force. The bottom line was the Committee suggested no further meetings be held and the user groups and landowners pursue solutions to their problems through the Legislature. Commissioner Miller added that no consensus was reached on any regulation and that the deer dog issue was one of civil trespass and was beyond the powers of the Commission and Department. Chairman Denmon asked if this report was to be included in the Minutes of the Meeting and Commissioner Miller answered yes. (See Attachment A.)

Commissioner Mouton stated he has talked with fishing guides and bait dealers along the coast. They asked that the live bait net system rules be amended. After talking with Department staff, Commissioner Mouton mentioned that a Notice of Intent would be included on the January or February Meeting agenda.

Commissioner King stated he watched a winter boating safety program presented as a public service announcement in Houma. Enforcement agent Richard Pervis gave a 30

minute presentation which was both interesting and informative. Commissioner King thanked the Enforcement Division and Department for making their resources available for public safety awareness.

Commissioner Morrow stated he attended a wild game cook-off and had the opportunity to visit with Mr. John Sturgis. One of the hunting organizations delivered and donated a trailer for youth to shoot pellet guns during the cook-offs. He then commended Mr. Sturgis for his dedication to his job. Commissioner Morrow added that there was a need to get more youth involved in hunting and fishing and felt this was a great opportunity to do that. He then urged the Department to continue with this type of hunter education. On another point, the Commission voted to close the goose season 2 days before the duck season closed. Commissioner Morrow felt there was not enough public notice since a lot of hunters were cited. Again he urged the Commission to go back to the traditional closing of the goose season simultaneously with the duck season next year. Chairman Denmon asked if that occurred because the Commission moved the goose season earlier. Mr. Helm stated that was correct and it occurred in the East Zone only. It was as a result of changing the dates at the August Commission Meeting to allow for an early opening and this was due to having only a 72 day season for speckled belly geese. With a 72 day season, there has to be either a Monday opener or a Friday closure. Mr. Helm agreed that a better job could have been done in notifying the public. Chairman Denmon knew there were requests from hunters for an earlier speckled belly season in the northeast section of the State which created additional hunting opportunity. He felt the change in the season produced more positive results than negatives. Commissioner Mouton stated he has heard the same positive comments and thought that next year more days could be added to the first split.

Chairman Denmon then took the opportunity to state that he has thoroughly enjoyed his time on the Commission and proceeded to thank everyone. He noted he has been on the Commission under Secretary Jenkins, Secretary Landreneau and for this meeting Secretary Hammett. He added that he has been impressed with the Department and they do a great job. He also mentioned that his fellow Commissioners were a great group and would do good things in the future. Chairman Denmon stated it has been a great experience and he has enjoyed it. His one regret was not working hard enough to create additional opportunities. The Chairman felt wildlife agencies were created to restrain excesses that happened a 100 years ago and it seemed some of that restraint has been retained. If this restraint was not reversed, hunting as everyone knows it would eventually go away. Again, Chairman Denmon requested that everyone open their way of thinking for more opportunities if the resource was available and the practice was ethical.

To receive and consider Hunting Seasons and Regulations Protocol began with Mr. Don Puckett stating a year ago a protocol to consider and promulgate the hunting seasons and regulations was approved. He then asked that a modified version of the protocol be approved. The change involved clarifying the amendments the Commission adopted during the course of their deliberations. Mr. Puckett then went through the protocol's chronology as it was presently written. Commissioner Morrow asked if the only way to change any regulation adopted in May would be upon recommendation from the

Department based on biology. Mr. Puckett stated it would essentially be emergency reasons or unless the Legislative Oversight Committee mandated a change. Chairman Denmon announced to the public that the Commission established the protocol this year on a trial basis to keep the public better informed of changes they made for the hunting seasons. The protocol would limit the changes being made and the public would know at the final meeting all of the amendments that would be voted on. Hearing no further questions, Commissioner Miller made a motion to adopt the protocol and it was seconded by Commissioner Morrow. The motion passed with no opposition. (The full text of the Protocol is included as Attachment B.)

To receive and consider Notice of Intent on Alligator Regulations pertaining to Return Rate and Release Length and further providing with respect thereto was the first of two items for Mr. Noel Kinler. The Department has met with various industry participants over the last several months to build a consensus for this particular rule change and this has been accomplished. The rule change would reduce the required return rate for alligator farmers from 14 percent to 12 percent. This means that 12 percent of the eggs that hatch have to be returned to the wild to maintain the wild populations. The change would limit the sliding scale return rate to a maximum of 54 inches and would allow farmers to return 5 percent of his total returns in the 55 to 60 inch size range. No animals over 60 inches would be accepted for return. The industry felt this change would reduce the total number of alligators a farmer was required to return, it should improve the quality of farm released alligators when they are harvested from the wild, and would reduce the hazard for the staff in handling larger animals over 60 inches. Commissioner Sagrera commented that this had been a long process and he thanked everyone involved both from the Department and industry. Commissioner Miller asked for the rationale behind prohibiting shotguns. Mr. Kinler stated that was a portion of the next proposed rule change. He then noted there were letters of support in each Commissioner's packet from the major industry groups on this proposed rule change.

Chairman Denmon noted Mr. Greg Linscombe with Continental Land, Mr. Darrell Dupont and Mr. Johnnie Price were in favor of the proposed rule change but did not wish to speak.

Mr. Rudy Sparks, President of Louisiana Alligators Marketing Coop, reiterated what Commissioner Sagrera stated. Several years ago, there was a considerable amount of opposition among the various groups in the alligator industry. Over the last several years, Mr. Sparks noted they have worked hard to work out the differences with the Department facilitating the meetings. As a result, Mr. Sparks stated the two Notices of Intent reflect this hard work and everyone working together to do what was best for the industry. The Louisiana Alligator Marketing Coop is comprised of 10 members which are landowners that has alligator habitat in south Louisiana and harvest about 6,000 alligators from the wild and market an additional 3,000 to 4,000 skins. Through the Coop, they market about one-third of the total wild harvest as well as collect in excess of 100,000 eggs from their property each year. Mr. Sparks added that the Coop supports all of the points included in the Notices of Intent particularly the change that would reduce the return rate from 14 percent to 12 percent. The change that would limit the size of the returns down to 54 inches and

not allowing more than 5 percent between 55 and 60 inches and having no animals larger than 60 inches released was a very important proposal for protecting the overall quality of the wild alligator crop. The second Notice of Intent proposal prohibiting the use of shotguns was important and the Coop felt it was appropriate to use rifles to harvest alligators. The move to split the state into an East and West Zone was a progressive move that would help improve the quality of the alligators. Mr. Sparks again thanked the Department in their efforts to facilitate these meetings and felt the results would be a great improvement for the alligator program and in particular for the alligator resource. He concluded noting the Louisiana Alligator Marketing Coop supported both Notices of Intent.

Hearing no further comments, Commissioner King made a motion to adopt the Notice of Intent on alligator return rates and release length. Commissioner Samanie seconded the motion and it passed with no opposition.

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

NOTICE OF INTENT

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

The Wildlife and Fisheries Commission does hereby give Notice of Intent to amend the regulations governing the return rate and release length for farm raised alligators within the Alligator Regulations (LAC 76:V.701).

Title 76

WILDLIFE AND FISHERIES

Part V. Wild Quadrupeds and Wild Birds

Chapter 7. Alligators

§701. Alligator Regulations

14. Alligator Egg Collection

j. The alligator egg collection permittee and the landowner are responsible for the return of the percentage of live alligators to the wild described on the alligator egg collection permit. This requirement is nontransferable. Minimum return rates

will be based upon the state average hatching success which is 78 percent. In no case shall the return rate be less than 44 12 percent at 48 inches total length. Each alligator shall be returned to the original egg collection area within a maximum time of two years from date of hatching. Each alligator shall be a minimum of 36 inches and a maximum of ~~60 inches~~ 54 inches (credit will not be given for inches above ~~60 inches~~ 54 inches, however each farmer will be allowed to return a maximum of 5 percent of their total releases due in any given year in the size range of 55 inches to 60 inches total length; no alligator over 60 inches will be accepted for release) in size total length and the returned sex ratio should contain at least 50 percent females. The alligator egg collection permittee/landowner are responsible for and must compensate in kind for alligator mortality which occurs for Department-authorized return to the wild alligators while being processed, stored, or transported. The Department shall be responsible for supervising the required return of these alligators. A Department transfer authorization permit is not required for return to the wild alligators which are delivered to the farm of origin no more than 48 hours prior to being processed for wild release. Releases back to the wild will only occur between March 15 and August 25 of each calendar year provided that environmental conditions as determined by the Department are favorable for survival of the released alligators. Any farmer who owes 1000 or more alligators at 48 inches must release at least 1/4 of the total owed for that year by April 30; at least another quarter by June 15, at least another quarter by July 31; and the remainder by August 25th. A farmer may do more than the required one-fourth of his releases earlier if available unscheduled days allow. Should an alligator egg collection permittee be unable to release the required number of alligators to the wild from his own stock, he shall be required to purchase additional alligators from another farmer to meet compliance with the alligator egg collection permit and these regulations, as supervised by the Department. Department-sanctioned participants in ongoing studies involving survivability and return rates are exempt from these requirements during the period of the study. Violation of this Subparagraph is a Class Four violation as described in Title 56.

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

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

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

Interested persons may submit comments relative to the proposed Rule to: Philip Bowman, Fur & Refuge Division, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000, prior to Thursday, February 1, 2007.

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

Terry D. Denmon
Chairman

Mr. Noel Kinler then went over his second agenda item, **To receive and consider Notice of Intent on Alligator Regulations pertaining to Firearms, Tag Application Requirements, Tagging Time, Zones, Dates and Report Requirements and further providing with respect thereto.** He went through each change individually and explained the rationale for them. The first proposal was to prohibit the possession of shotguns while hunting or taking alligators except as authorized by the Department for taking nuisance alligators. The alligator dealers and processors have dealt with the problem of pellets lodging in edible portions of the tissue of an alligator. The meat had to go through metal detectors to try to locate the pellets and then remove them. This has become a time consuming problem as well as a marketing issue. The meat, which is a valuable commodity from the wild alligator harvest season, was valued at \$2.5 million. A survey was conducted among 1200 wild alligator hunters with 61 percent responding. The results showed only 8.7 percent said they used a shotgun frequently and 76 percent responded they would not object to a rule change that would prohibit the possession of shotguns. The next proposal dealt with the wild alligator hunting application. The current rule requires the application be notarized when the hunter and landowner submits it to the Department to consider their quota adjustments for wild harvest tags. The change would allow that the application be signed and do away with it being notarized. The third change dealt with tagging farm raised alligator skins. The alligator farmers came with the request due to the 7 step process they go through in skinning and measuring the alligators and it was advantageous to not have the tag on the skin during the process. The current rule allows 48 hours before tagging the alligator and the request was to extend the timeframe to 7 days before tagging the skin. When discussing this change with Enforcement, they requested that during the wild harvest season, a farmer would only have 48 hours for tagging skins and that has been incorporated into the proposal. Next Mr. Kinler read the boundary for dividing the state into an East and West Zone. The opening dates would be the last Wednesday in August for the East Zone and the first Wednesday of September for the West Zone and the season would proceed for 30 days in each zone. Alligator buyers, dealers and processors have expressed their concern of being overloaded at the beginning of the harvest season. The zoning of the state would hopefully help distribute the harvest over a longer period of time. During the survey, hunters were asked how they felt about zoning the state and described the boundary. The statewide response showed that 82

percent of the people were in favor or had no opinion on zoning the state. In the southeastern portion of the state, which would open earlier, 85 percent of the people were in favor or had no opinion on a zone opening. In the southwestern portion of the state, 80 percent were in favor or had no opinion on zoning the state. The last change dealt with farmers reporting the sale of their farm raised alligators in terms of their belly width measurements instead of length measurements. Currently the farm raised alligators bought and sold in the world market were based on the width of the belly skins and not the length of the animal.

Commissioner Miller stated he agreed 100 percent with the changes in this Notice of Intent except for the firearms portion. He felt the prohibition of shotguns would deter the recreational take of alligators that never go to processors. Instead of making it a total ban, the processor could notify all of his hunters that they would not take any more shotgun killed alligators. Commissioner Miller felt this was a market problem and not a resource problem. Chairman Denmon reminded the Commissioners there were letters in their packets mostly in support, but there was one, from Mr. Michael Voss, that was opposed to this same provision on the basis that he alligator hunts while teal hunting. This would mean he would have to complete his teal hunt, go to the bank and swap guns and then go alligator hunting. Mr. Kinler stated that the alligator season in the southeastern part of the state would open at least 3 weeks before the teal season and 95 percent of the alligator hunting was completed by the time teal season opened. He added he did not see much conflict. From the survey, Mr. Kinler reminded the Commission that only a small portion of the hunters use that method to take alligators. Chairman Denmon felt this could limit some people's ability to hunt and wondered if that was significant or not. Commissioner Sagrera answered Mr. Voss was not prohibited from teal hunting, you were just making it a little more difficult for him to hunt both teal and alligators at the same time. Commissioner Samanie stated you have guys going to a camp that will hunt both teal and alligators. Commissioner Morrow suggested passing the Notice of Intent as written and seek additional input on whether or not to strike the prohibition on shotguns. He added he agreed with his fellow Commissioners that this was probably a marketing tool. Chairman Denmon felt Commissioner Morrow's suggestion was reasonable and added he understood the industry and Department's wanting to protect commercial alligator interests. But to prohibit a person from going teal hunting and alligator hunting at the same time was not necessary. Hearing no further comments, Commissioner Morrow made a motion to adopt the Notice of Intent. Commissioner King seconded the motion and it passed with no opposition.

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

NOTICE OF INTENT

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

The Wildlife and Fisheries Commission does hereby give Notice of Intent to amend the regulations governing firearm usage for harvesting wild alligators, application requirements for wild alligator harvest tags, allowing alligator farmers additional time for tagging farm raised alligator skins, establishing East and West Alligator Hunting Zones, establishing wild season opening dates, and requiring that alligator farmers and dealers provide belly width measurements on farm raised alligator skins within the Alligator Regulations (LAC 76:V.701).

Title 76

WILDLIFE AND FISHERIES

Part V. Wild Quadrupeds and Wild Birds

Chapter 7. Alligators

§701. Alligator Regulations

5. Wild Harvest Methods

c. iii. Firearms (the possession of shotguns is prohibited while hunting or taking wild alligators; except as authorized by the Department for taking of nuisance alligators by nuisance alligator hunters).

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

6. Alligator Hide Tag Procurement and Tagging Requirements

b. ii. Land managers and hunters must present a ~~notarized~~ signed document from the landowner verifying their selection to represent that landowner and the total acreage represented to obtain hide tags.

e. A hide tag shall be properly attached and locked using the tag's locking device in the alligator's tail immediately upon possession by an alligator hunter. Alligator farmers, fur buyers and fur dealers may wait until farm raised alligators are skinned prior to tagging, but under no circumstances can the tag be attached using the locking device more than 48 hours after dispatching the alligator during the open wild alligator harvest season, or more than 7 days after dispatching the alligator outside of the open wild alligator harvest season. Live or dead farm raised alligators may be transported with their accompanying tags from a licensed alligator farm to a licensed processing facility, however each shipment shall be accompanied with the exact number of alligator hide tags. In the event that an alligator tag contains a factory defect rendering it unusable for the purpose intended or becomes detached from an alligator or hide, the tag must be reattached to the tail of the alligator/hide. The Department will be responsible for the replacement of reattached tags prior to shipping out-of-state or prior to tanning within the state. It shall be unlawful to tag or attempt to tag an alligator with a tag that has been locked prior to the taking. Locked tags may be replaced upon request at the discretion of the Department. The alteration of hide tags is strictly prohibited and will result in the confiscation of all tags and alligators/hides and the revocation of the violator's alligator hunting license. Violation of this Subparagraph is a Class Four violation as described in Title 56.

7. Open Season, Open Areas, and Quotas

a. Open seasons are as follows:

i. The state shall be divided into the East and West Alligator Hunting Zones by the following boundary: Beginning at the southwestern most part of Point Au Fer Island thence North along the western boundary of Terrebonne Parish to the Atchafalaya River, thence north along the Atchafalaya River to the East Atchafalaya Protection Levee, thence north along the East Atchafalaya Protection Levee, to Interstate 10, thence east along Interstate 10 to Interstate 12, thence east along Interstate 12 to Interstate 55, thence north along Interstate 55 to the Mississippi state line. The season for taking alligators in the wild shall open on the last Wednesday of August in the East Zone and the first Wednesday of September in the West Zone and will remain open for 30 days thereafter in each zone. The Secretary shall be authorized to close, extend, delay, or reopen the season as biologically justifiable.

8. Possession

b. Alligator farmers may request hide tags or shipping labels from the Department to be used on farm-raised alligators that have died and may hold those alligators in freezers until receipt of the requested hide tags or shipping labels. These alligators may be held in freezers for a maximum of 60 days prior to disposal. All farm

raised alligators 24 inches and greater in length that die may be skinned and tagged with an alligator hide tag within 48 hours of death during the open wild alligator harvest season, or within 7 days of death outside of the open wild alligator harvest season. Violation of this Subparagraph is a Class Three violation as described in Title 56.

11. Report Requirements

e. ii. (b). Official shipping manifest including total length in inches (or feet and inches) referenced to CITES tag number of each wild skin in shipment and including total belly width in centimeters (measured at the fifth scute) referenced to CITES tag number of each farm raised alligator skin in shipment. A fully executed (filled out) shipping manifest containing all information required in the buyer/dealer record may be substituted with Department approval for the buyer/dealer record requirement on farm raised alligator skins;

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

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

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

Interested persons may submit comments relative to the proposed Rule to: Philip Bowman, Fur & Refuge Division, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000, prior to Thursday, February 1, 2007.

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

Terry D. Denmon

Chairman

To receive and consider Rule Ratification for the 2007 Turkey Season and further providing with respect thereto began with Mr. Dave Moreland stating to Chairman Denmon they appreciated his work on the Commission. He added that he also appreciated the Chairman's comments on providing hunting opportunity whenever possible. Going on, Mr. Moreland stated the 2007 Turkey Season proposal was presented in August and most hunters appeared to be satisfied with those dates except for a group from West Feliciana Parish. The objective of the current harvest regulations was to stabilize the harvest and to increase the number of adult gobblers in the population. Mr. Larry Savage and Mr. Fred Kimmel have spent many hours looking at the data and research and they, as well as most biologists in the southeast, firmly believe the later seasons are more biologically sound than the early season. It has been pointed out that the turkey population in Louisiana has been improving with more adult gobblers showing up in the harvest. Staff felt the keystone for this increase has been the standardized uniform statewide opening date, which was the fourth Saturday of March. Mr. Moreland then noted their recommendations would be what was presented in August. Mr. Kimmel began asking if anyone had any questions and then noted he would read the opening dates. Before that, Chairman Denmon stated that most of the comments came from the southeast portion of the State and their request was to move the season up at least one week. His objection was the youth weekend occurred on that weekend before the regular season opened and if it was pushed up one week, there would be no gobbling and this could create unsuccessful hunts for the youth. The Chairman did suggest at the last meeting opening the season on the Monday following the youth weekend. However this suggestion created a lot of comments to his office and it appeared those in north and central Louisiana were adamantly opposed to that change. Chairman Denmon stated there was no way to satisfy everyone unless the statewide opening was abandoned. Mr. Kimmel stated that in 1997 a large survey of turkey hunters was conducted and staff plans to do another one this upcoming spring. Commissioner Miller stated he also was inundated with e-mails, telephone calls and letters from turkey hunters saying they wanted the season as it was proposed. The majority of the hunters that want an earlier season seem to be weather driven. He then asked if the Department has pegged the date biologically for the most active portion of the turkey season and hunters have the best opportunity to bag a gobbler. Mr. Kimmel stated gobbling surveys have been conducted since 1999 across the state. Staff has seen a steady increase in gobbling activity from early March up until the season opened. There are 2 gobbling peaks, the first occurs around the end of March and the other happens around the middle of April. The Area A season catches both peaks, and a move up one week would probably miss the second peak. Mr. Kimmel agreed that the weather was hard to predict. He added that they feel strongly that the season is biologically sound, addresses the concerns of the hunters and allows them to hunt turkeys when they should be hunted. Chairman Denmon asked what were the factors that drives turkey activity. Mr. Kimmel stated photo period was what brings turkeys into breeding conditions and gobbling activity was governed day by day by weather. Chairman Denmon then asked that the season dates be read. Mr. Kimmel stated the dates for Area A are March 24 to April 22; Area B - March 24 to April 15; Area C was

March 24 to April 8; and the private lands youth and physically challenged hunt would be March 17 and March 18.

Mr. Duane Cowart began stating he was at the August Meeting along with Representative McVea when they shared letters from other Legislators that are turkey hunters and also wanted to have the season moved up by one week. This request was to coincide with the states of Mississippi and Alabama. With the thought to move the week forward by 5 days would allow about a week and a half of spring turkey season to go along with the 2 or 3 weeks of summer turkey season. Mr. Cowart noted he did not understand the biology of the Eastern Wild Turkey but felt it could not be that different between Baton Rouge and Woodville, Mississippi which opens a week earlier. He then stated there are no uniform seasons in Louisiana, there are 3 zones with 3 different closing dates even though they have the same opening date. He asked the Commission again to consider the 5 additional days but do not infringe on the youth hunt.

Mr. Rick Gottardi stated he understood the turkey season in Washington and St. Tammany Parishes would be reduced by one week due to storm damage and a reduction in the number of young poults. From his personal experience, they have not seen anything that would show a reduction in turkeys on their land. He added that they have had several successful hatches over the last few years. Mr. Moreland stated Washington and St. Tammany Parishes were taken out of Area A and put into Area B. Mr. Larry Savage stated staff has banded turkeys for 10 years as well as conducted brood surveys since 1994. This area has consistently had the lowest brood counts and Mr. Gottardi probably had a small area with good production. But the issue was a regionwide situation with very low reproduction over the last few years and add to that the impact from the hurricane and additional residential development. The local biologist was very concerned with the turkey flock in that region.

Chairman Denmon stated that the Department would conduct a survey next spring. He noted he asked for comments from turkey hunters and did not receive any and now suggestions were coming in. Chairman Denmon suggested watching for the survey and get all of the turkey hunters to list as much data as possible so the Department can furnish that information to the Commission. Hearing no further comments, Commissioner Miller made a motion to adopt the Rule and it was seconded by Commissioner Samanie. The motion passed with no opposition.

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

RESOLUTION
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES

December 7, 2006

The following was adopted by the Louisiana Wildlife and Fisheries Commission at its regular Commission Meeting held in Baton Rouge LA, December 7, 2006.

WHEREAS, it is the constitutional responsibility of the Louisiana Wildlife and Fisheries Commission to establish a hunting season in 2007 for wild turkeys, and

WHEREAS, authority to establish seasons, bag limits, possession limits and other rules and regulations for the hunting, taking and possession of any species of wild game birds is vested in the Commission by R.S. 56:115, and

WHEREAS, this action will provide for the protection and conservation of wild turkeys and allow for recreational opportunities for sport hunting on both public and private lands, and

WHEREAS, the Commission and Department staff have jointly reviewed and considered all available biological information, now

THEREFORE BE IT RESOLVED, that the attached rules, regulations, season dates, and bag limits affecting sport hunting of wild turkeys are hereby adopted by the Louisiana Wildlife and Fisheries Commission.

Terry D. Denmon, Chairman
Wildlife and Fisheries Commission

RULE

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

The Wildlife and Fisheries Commission does hereby amend the turkey rules and regulations for the 2007 season.

Title 76

WILDLIFE AND FISHERIES

Part XIX. Hunting and WMA Regulations

Chapter 1. Resident Game Hunting Season

§113. Turkey Hunting Regulations

A. Daily limit is one gobbler, two gobblers per season. Taking of hen turkeys, including bearded hens, is illegal. Still hunting only. Use of dogs, baiting, electronic calling devices and live decoys is illegal. Turkeys may be hunted with shotguns, including muzzleloading shotguns, using shot not larger than #2 lead or BB steel shot, and bow and arrow but by no other means. Shooting turkeys from a moving or stationary vehicle is prohibited. Shotguns capable of holding more than three shells prohibited.

B. It is unlawful to take from the wild or possess in captivity any live wild turkeys or their eggs. No pen raised turkeys from within or without the state shall be liberated (released) within the state.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 25:2263 (November 1999), amended LR 26:2634 (November 2000), LR 27:2270 (December 2001), LR 28:2375 (November 2002), LR 29:2512 (November 2003), LR 30:2874 (December 2004), LR 31:3167 (December 2005), LR 32: (December 2006).

§115. Statewide Turkey Hunting Areas-Resident Game Birds and Animals

A. Shooting hours: one-half hour before sunrise to one-half hour after sunset.

SPECIES	SEASON DATES	DAILY BAG LIMIT	POSSESSION LIMIT
Turkey	See Schedule	1	2/Season

B. Turkey season will open in designated areas on the fourth Saturday in March. The Area A turkey season will be 30 consecutive days in length, the Area B turkey season will be 23 consecutive days in length, and the Area C turkey season will be 16 consecutive days in length. Wildlife Management Areas, National Forests, National Wildlife Refuges, and U.S. Army Corps of Engineers land may vary from this framework. Deviation from this framework may occur in those years when the fourth Saturday in March falls the day before Easter.

C. Statewide Youth Turkey and Physically Challenged Season on private lands shall be the weekend prior to the statewide turkey season. Only youths younger than 16 years of age or hunters possessing a Physically Challenged Hunter Permit with wheelchair classification may hunt. Youth must possess a hunter safety certification or proof of successful completion of a hunter safety course. Each youth must be accompanied by one adult 18 years of age or older. If the accompanying adult is in possession of hunter safety certification, a valid hunting license or proof of successful completion of a hunter safety course, this requirement is waived for the youth. Adults accompanying youth may not possess a firearm or bow. Youths may possess only one firearm or bow while hunting. Legal weapons and shot are the same as described for the turkey season. The supervising adult shall maintain visual and voice contact with the youth at all times. An adult may

supervise only one youth during this special hunt. Only one gobbler per day may be taken and any gobbler taken by the hunter during this special season counts towards their seasonal bag limit of 2. Contact regional offices for a Physically Challenged Hunter Permit application.

D. 2007 Turkey Hunting Schedule

AREA	SEASON DATES
A	March 24 - April 22
B	March 24 - April 15
C	March 24 - April 8
Private Lands Youth and Physically Challenged Hunter (Wheelchair Confined) Hunt	March 17 - 18

E. 2007 Turkey Hunting Season - Open Only in the Following Areas

1. Area A - March 24 - April 22

a. All of the following parishes are open:

- i. Beauregard;
- ii. Bienville;
- iii. Claiborne (Exception: See Federal Lands Hunting Schedule for Kisatchie National Forest dates);
- iv. East Baton Rouge;
- v. East Feliciana;
- vi. Grant (Exception: See Federal Lands Hunting Schedule for Kisatchie National Forest dates);
- vii. Jackson;
- viii. LaSalle;
- ix. Lincoln;
- x. Livingston;

xi. Natchitoches (Exception: See Federal Lands Hunting Schedule for Kisatchie National Forest dates);

xii. Rapides (Exception: See Federal Lands Hunting Schedule for Kisatchie National Forest dates);

xiii. Sabine;

xiv. St. Helena;

xv. Tangipahoa;

xvi. Union;

xvii. Vernon (Exception: See Federal Lands Hunting Schedule for Kisatchie National Forest dates);

xviii. West Baton Rouge;

xix. West Feliciana (including Raccourci Island);

xx. Winn (Exception: See Federal Lands Hunting Schedule for Kisatchie National Forest dates);

b. Portions of the following parishes are also open:

i. Allen: North of LA 104, west of LA 26 south of junction of LA 104 to US 190, north of US 190 east of Kinder, west of US 165 south of Kinder;

ii. Avoyelles: That portion bounded on the east by the Atchafalaya River, on the north by Red River to the Brouillette Community, on the west by LA 452 from Brouillette to LA 1, on the south by LA 1, eastward to Hamburg, thence by the West Atchafalaya Basin Protection levee southward;

iii. Calcasieu: North of I-10;

iv. Caldwell: West of Ouachita River southward to Catahoula Parish line;

v. Catahoula: South and west of the Ouachita River from the Caldwell Parish line southward to LA 8 at Harrisonburg, north and west of LA 8 from Harrisonburg to the LaSalle Parish line. ALSO that portion lying east of LA 15;

vi. Evangeline: North and west of LA 115, north of LA 106 from St. Landry to LA 13, west of LA 13 from Pine Prairie to Mamou and north of LA 104 west of Mamou;

vii. Franklin: That portion lying east of LA 17 and east of LA 15 from its juncture with LA 17 at Winnsboro;

viii. Iberville: West of LA 1. EXCEPTION: see Sherburne WMA for special season dates on all state, federal and private lands within Sherburne boundaries;

ix. Jefferson Davis: North of US 190 from junction with LA 26 to Kinder, west of US 165 and north of I-10 west from junction of US 165;

x. Madison: That portion lying east of US 65 from East Carroll Parish line to US 80 and south of US 80. Also, all lands east of the main channel of the Mississippi River;

xi. Morehouse: West of US 165 from the Arkansas line to the junction of LA 140 at Bonita, north and west of LA 140 to junction of LA 830-4 (Cooper Lake Road), west of LA 830-4 to US 165 at Bastrop, south of US 165 to junction of LA 3051 (Grabault Road) south of LA 3051 to junction of LA 138, west of LA 138 to junction of LA 134, north of LA 134 to the Ouachita Parish line;

xii. Ouachita: East of LA 143 from Union Parish line to US 80 in West Monroe, north of US 80 to LA 139, west of LA 139 to the Morehouse Parish line;

xiii. Pointe Coupee: All of the parish except that portion bounded on the north by LA Hwy. 1, from Innis to the junction of LA Hwy 417, on the west by LA Hwy. 417 southward toward McCrea, on the south by LA Hwy. 417 from McCrea to its junction with Delhi Lane, then by Delhi Lane to LA Hwy. 418, then LA Hwy. 418 northward to LA Hwy. 1 at Innis. EXCEPTION: see Sherburne WMA for special season dates on all state, federal and private lands within Sherburne boundaries.

xiv. Richland: That portion south of US 80 and east of LA 17;

xv. St. Landry: That portion bounded on the west by the West Atchafalaya Basin Protection Levee and on the east by the Atchafalaya River. EXCEPTION: the Indian Bayou Area, see Federal Lands Hunting Schedule for Indian Bayou Area dates;

xvi. Upper St. Martin: All within the Atchafalaya Basin. EXCEPTIONS: Sherburne WMA and Indian Bayou Area, see WMA Turkey Hunting Schedule for special season dates on all state, federal and private lands within Sherburne WMA boundaries and see Federal Lands Hunting Schedule for Indian Bayou dates;

xvii. Tensas: That portion west of US 65 from the Concordia Parish line to its juncture with LA 128, north of LA 128 to St. Joseph; west and north of LA

605, 604 and 3078 northward to Port Gibson Ferry. Also all lands east of the main channel of the Mississippi River;

2. Area B - March 24 - April 15

a. All of the following parishes are open:

- i. Caddo;
- ii. DeSoto;
- iii. Red River;
- iv. St. Tammany;
- v. Washington.

b. Portions of the following parishes are open:

- i. Ascension: All east of the Mississippi River;
- ii. Bossier: All open except that portion bounded on the north by I-20, on the west by LA 164, on the south by LA 164, and on the east by the Webster Parish Line;
- iii. East Carroll: East of US 65 from Arkansas state line to Madison Parish line;
- iv. Iberville: All east of the Mississippi River;
- v. Webster: All open except that portion bounded on the north by I-20, on the east by U.S. 371, on the south by LA 164, and on the west by the Bossier Parish line (Exception: See Federal Lands Hunting Schedule for Kisatchie National Forest dates);

3. Area C - March 24 - April 8

a. All of the following parishes are open:

- i. Concordia;

b. Portions of the following parishes are open:

- i. Caldwell: All east of the Ouachita River;

- ii. Catahoula: All of the parish EXCEPT for that portion located in Area A;
- iii. Franklin: West of LA 17 from the Richland Parish line southward to Winnsboro, west of LA 15 southward to the Catahoula Parish line;
- iv. Richland: West of LA 17 from Franklin Parish line to Ringle Road, south of Ringle Road to Ferguson Road, south of Ferguson Road to Little Road, south of Little Road to Big Creek, east of Big Creek to Franklin Parish line;
- v. Tensas: East and south of US 65 from Concordia Parish line to LA 128, south of LA 128 to St. Joseph, east and south of LA 605, 604 and 3078 northward to Port Gibson Ferry.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 25:2264 (November 1999), amended LR 26:2634 (November 2000), LR 27:2270 (December 2001), LR 28:2376 (November 2002), LR 29:2513 (November 2003), LR 30:2875 (December 2004), LR 31:3167 (December 2005), LR 32: (December 2006).

§117. 2007 Wildlife Management Area Turkey - Hunting Regulations

A. General

1. The following rules and regulations concerning management, protection and harvest of wildlife have been officially approved and adopted by the Wildlife and Fisheries Commission in accordance with the authority provided in Louisiana Revised Statutes of 1950, Section 109 of Title 56. Failure to comply with these regulations will subject the individual to citation and/or expulsion from the management area.

2. Only those Wildlife Management Areas listed are open to turkey hunting.

3. ATVs, ATCs and motorcycles cannot be left overnight on WMAs EXCEPT in designated camping areas. ATVs are prohibited from two hours after sunset to 3:00 AM. All roads including trails and roads designated as ATV only trails shall be closed to ATVs from March 1 through August 31 unless otherwise specified. ATV off-road or off-trail travel is prohibited. Certain trails may be open during this time period to provide access for fishing or other purposes. These trails will be marked by signs at the entrance of the trail. Otherwise, only walk-in hunting is permitted (bicycles permitted). All ATV trails on Jackson-Bienville WMA will be open for use by holders of Physically Challenged Hunter Permits (wheelchair bound classification only) during the special Physically Challenged Hunter (wheelchair bound classification) turkey season.

4. Bag limits on WMAs are part of the season bag limit. Only one turkey is allowed to be taken during special lottery hunts.

5. WMAs with youth turkey hunts are closed to all activities except turkey hunting by authorized youth hunt participants and fishing on the day(s) of the youth hunt.

B. Permits

1. **Self-Clearing Permits:** All turkey hunts, including lottery hunts, are self-clearing. Hunters must check in daily by obtaining a permit from a self-clearing station prior to hunting. The self-clearing permit must be in the hunter's possession while hunting. Upon completion of each days hunt, the hunter must check out by completing and depositing the hunter report portion of the permit in the check-out box at a self-clearing station before exiting the WMA.

2. **Lottery Hunts:** All or a portion of the turkey season on Bayou Macon, Clear Creek, Loggy Bayou, Sabine, Sherburne, Sicily Island, Tunica Hills, Union and West Bay WMAs are restricted to those persons selected as a result of the pre-application lottery. Special youth only lottery hunts will be held on Big Lake, Bens Creek, Fort Polk/Peason Ridge/KNF Calcasieu Ranger District, Jackson-Bienville, Loggy Bayou, Sherburne, Sicily Island, Spring Bayou, Thistlethwaite, Union and West Bay WMAs. Deadline for receiving complete applications in the Baton Rouge office for all lottery hunts is 4:30 p.m. February 16, 2007. An application fee of \$5 must be sent with each application. Applicants for WMA youth hunts must be at least 8 years old on the day of the hunt. Applicants may submit only one application and will be selected for one WMA Turkey Lottery Hunt annually. Submitting more than one application will result in disqualification. Contact any district office for applications. Hunters must abide by self-clearing permit requirements. Youths chosen for special youth only hunts will be guided by members of the Louisiana Chapter of the National Wild Turkey Federation. One family member may accompany the youth and guide, but may not hunt.

C. Wildlife Management Area Turkey Hunting Schedule*

WMA	Non-Lottery Season Dates	Lottery Dates**	Permit Requirements
Bayou Macon	None	April 7-8	Self-Clearing
Bens Creek ¹	March 24-April 8	None	Self-Clearing
Big Lake	March 24-April 8	None	Self-Clearing
Bodcau	March 24-April 8	None	Self-Clearing
Boeuf	March 24-April 1	None	Self-Clearing
Clear Creek	April 2-22	March 24-25 March 31-April 1	Self-Clearing
Camp Beauregard	March 24-April 1	None	Self-Clearing

Fort Polk	March 24-April 22	None	Self-Clearing
Grassy Lake	March 24-April 8	None	Self-Clearing
Hutchinson Creek	March 24-April 22	None	Self-Clearing
Jackson-Bienville	March 24-April 8	None	Self-Clearing
Lake Ramsey	March 24-April 8	None	Self-Clearing
Little River	March 24-April 8	None	Self-Clearing
Loggy Bayou	None	April 14-15	Self-Clearing
Peason Ridge	March 24-April 22	None	Self-Clearing
Red River	March 24-April 8	None	Self-Clearing
Sabine	None	March 24-25 March 31-April 1	Self-Clearing
Sandy Hollow ¹	March 24-April 8	None	Self-Clearing
Sherburne ²	March 29-April 1	March 24-25 March 26-28	Self-Clearing
Sicity Island	None	March 24-26 March 27-29 March 30-April 1 April 2-4 April 5-8	Self-Clearing
Tangipahoa Parish School Board	March 24-April 22	None	Self-Clearing
Three Rivers	March 24-April 8	None	Self-Clearing
Tunica Hills South Tract	April 9-15	March 24-25 March 31-April 1 April 7-8	Self-Clearing
Tunica Hills Angola Tract ³	April 9-15	March 24-25 March 31-April 1 April 7-8	Self-Clearing
Union	None	April 7-8	Self-Clearing
Walnut Hills	March 24-April 22	None	Self-Clearing
West Bay	None	March 24-25	Self-Clearing

*Only those Wildlife Management Areas listed have a turkey hunting season. All other areas are closed.

**The deadline for receiving applications for all turkey Lottery Hunts on WMAs is February 16, 2007.

¹No turkey hunting within 100 yards of food plots identified by two yellow paint rings around the nearest tree.

²All turkeys harvested on Sherburne WMA must be weighed and checked at WMA headquarters.

³Area closed to all users April 16 – August 31.

D. Wildlife Management Area Youth Hunts

WMA	Lottery Youth Hunt Date
Bens Creek	March 17
Big Lake	March 17
Fort Polk/Peason Ridge/ Calcasieu Ranger Dist.	March 17
Jackson-Bienville	March 17
Loggy Bayou	April 7
Sherburne	March 17-18
Sicity Island	March 17
Spring Bayou	March 17
Thistlethwaite	April 7
Union	March 31
West Bay	March 17

E. Wildlife Management Area Physically Challenged (Wheelchair Confined) Hunt. Jackson-Bienville WMA will be open April 14-20 to physically challenged hunters. Hunters must possess a Physically Challenged Hunter Permit with wheelchair classification. During this special hunt, ATVs may be used by physically challenged hunters on all designated ATV trails in accordance with the Physically Challenged Hunter Permit. Hunters must abide by self-clearing permit requirements. Contact regional offices for a Physically Challenged Hunter Permit application.

F. Federal Lands Turkey Hunting Schedule

1. Kisatchie National Forest (KNF) turkey hunting schedule: Caney Ranger District, March 24-April 8; all remaining KNF lands, March 24-April 15 (including Catahoula and Red Dirt National Wildlife Management Preserves).

2. U.S. Army Corps of Engineers turkey hunting schedule: Indian Bayou Area, March 17-18 physically challenged lottery only hunt, lottery hunt only on March 24-25 and March 26-28, non-lottery hunt March 29-April 1. Contact USCOE at 337-585-0853 for further information. Old River Control and Lock Areas, March 24-April 8. Contact USCOE (225) 492-2690 for further information.

3. National Wildlife Refuges: Bogue Chitto NWR, March 24–April 15; Lake Ophelia NWR, March 24-April 6 hunt ends at 12:00 p.m. each day; Tensas NWR, March 17-18 (youth lottery only), March 24-April 8; Upper Ouachita NWR, March 17 (youth lottery only). Contact the U.S. Fish and Wildlife Service for information regarding NWR hunts.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission LR 25:2265 (November 1999), amended LR 26:2636 (November 2000), LR 27:2272 (December 2001), LR 28:2377 (November 2002), LR 29:2514 (November 2003), LR 30:2876 (December 2004), LR 31:3169 (December 2005), LR 32: (December 2006).

Terry D. Denmon
Chairman

Before moving to the next item, Commissioner Morrow asked if all seasons, which would include turkeys would be set by April or May at the latest. Mr. Don Puckett stated the protocol adopted focused on the fall hunting seasons and was never intended to include turkeys. He noted that something similar could be set up for turkeys though. Commissioner Morrow asked that language be inserted that refers the above protocol to the fall seasons and have another for the turkey season and/or other seasons that occur later in the year. Mr. Puckett stated the Chairman could entertain an oral motion to that effect and amend the protocol and present it in the revised form at the January Meeting. Commissioner Morrow felt it was advisable and made a motion. Chairman Denmon also noted it was a valid point and added that the protocol did cover most seasons but not all of them. He suggested giving this issue some thought and then come back at the January or February Meeting and amend the protocol. Commissioner Morrow agreed with the Chairman to come back with a protocol to cover all aspects of the seasons. Mr. Puckett stated he could amend the approved protocol to make it clear it applies only to the fall hunting seasons and then draft a second protocol to address the turkey season. Commissioner Miller asked if the protocol could be generic rather than just spring turkey season since it basically follows the same chronology as the fall seasons. Commissioner Morrow agreed with Commissioner Miller. Mr. Puckett asked if Commissioner Miller was wanting a generic protocol that did not identify specific months. Commissioner Miller

answered no, he suggested tweaking the protocol just adopted to clarify it was for the fall seasons. Then have a generic protocol to cover any seasons that may be set in the future without specifying months. Chairman Denmon asked Commissioner Miller if his point was to have limitations on changing proposed rules after a certain point in time. Mr. Puckett personally felt it would be better if the months were specified. Commissioner Miller asked if the turkey and spring squirrel proposals would be presented at the same meeting. Mr. Moreland stated the turkey season has to be separate and the squirrel season would become part of the fall season setting process. Commissioner Miller, after hearing Mr. Moreland's comment, asked Commissioner Morrow if it was okay to limit the new protocol to just the turkey season. Commissioner Morrow stated that the protocol for turkeys based on the same premise as the fall hunting season would be good. Mr. Puckett stated he would prepare a draft and have it available for the January Meeting and amend the protocol just adopted to clarify it was for the fall seasons and spring squirrel season.

To receive and consider Notice of Intent on Bird Dog Training Areas and further providing with respect thereto was presented by Mr. Fred Kimmel. He stated that in 2005, a rule was ratified that established bird dog training areas on wildlife management areas. This gave the opportunity for city people a place to train their bird dogs. These areas would be 100 to 200 acres on a wildlife management area and was allowed with a special permit. Live bobwhite quail and pigeons are released to shoot and work the dogs. Bodcau, Sandy Hollow and Lake Ramsey WMAs have these areas established and one was expected on Sherburne WMA soon. There have been preliminary discussions with the U.S. Forest Service to establish an area on Kisatchie National Forest, but the rule as originally adopted was directed only to WMAs. Mr. Kimmel stated they wanted to amend the rule to include not only WMAs but also other public land. Commissioner Miller asked that the Department look at limiting retriever trainers to using only 6 live pen-raised mallards. Hearing no further comments, Commissioner Miller made a motion to adopt the Notice of Intent. It was seconded by Commissioner Sagrera and passed with no opposition.

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

RESOLUTION
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES

December 7, 2006

The following was adopted by the Louisiana Wildlife and Fisheries Commission at its regular Commission Meeting held in Baton Rouge, LA, December, 7 2006.

WHEREAS, many Louisiana bird hunters reside in urban or suburban communities, and

WHEREAS, suitable locations to train bird dogs are often difficult to find in these communities, and

WHEREAS, lack of opportunity for bird dog training is an obstacle to recruiting new bird hunters and retaining current bird hunters, and

WHEREAS, the Department of Wildlife and Fisheries has established Wildlife Management Areas across the state and other public agencies manage and maintain land for conservation and recreation, and

WHEREAS, some of these lands contain sites suitable for bird dog training, and

WHEREAS, bird dog training is a traditional outdoor recreational activity and can be conducted in a manner consistent with the goal and purposes of the Wildlife Management Areas and other public land, and

THEREFORE BE IT RESOLVED, the attached Notice of Intent to amend the Bird Dog Training Areas Rule is adopted by the Louisiana Wildlife and Fisheries Commission.

Terry D. Denmon, Chairman
Wildlife and Fisheries Commission

NOTICE OF INTENT

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

The Department of Wildlife and Fisheries and Wildlife and Fisheries Commission do hereby advertise their intent to amend the rules for bird dog training areas on wildlife management areas.

Title 76

WILDLIFE AND FISHERIES

Part V. Wild Quadrupeds and Wild Birds

Chapter 3. Wild Birds

§321. Bird Dog Training Areas

A. Purpose. Bird dog training areas (BDTA) are established to afford users of Wildlife Management Areas (WMA) and other public land an opportunity to train pointing

dogs and flushing retrievers or spaniels with live released birds. The BDTA is not intended to serve as a hunting preserve. The following regulations are adopted to ensure that users of the BDTA utilize the area as intended, and to minimize the potential for negative impacts on wildlife.

B. Establishment and Posting. BDTAs may be established on any WMA or other public land with written consent of the managing agency. Portions of the WMA/public land without significant wild quail populations, and where wildlife will not be negatively impacted are suitable for establishment of BDTAs. BDTAs must be marked with signs and/or paint clearly indicating the boundaries.

C. Permits and Licenses. Each party using the BDTA for dog training must include at least one permittee, and the permittee must have a valid permit in his/her possession while engaged in dog training on the BDTA. For purposes of this rule, a person or party will be considered to be engaged in dog training if they possess or release live bobwhite quail or pigeons at any time, or if they are present on the BDTA with pointing dogs, spaniels or retrievers during the time quail, woodcock, or waterfowl season is closed on the WMA. Each BDTA requires a unique permit and permits are valid only on the specific BDTA for which the permit is issued. Permits will not be issued to applicants with Class 2 or higher wildlife violation convictions or guilty pleas within 3 years of the date of application. All users of the BDTA must comply with the WMA/public land self-clearing permit requirements. Any person who takes or attempts to take released or wild bobwhite quail or pigeons on the BDTA must comply with applicable hunting license and WMA/public land permit requirements.

D. Dogs. Only recognizable breeds of pointing dogs, spaniels, and retrievers may be trained on the BDTA. All dogs must wear a collar or tag imprinted with the name and phone number of the owner or trainer. Trainers shall not knowingly allow or encourage their dogs to pursue rabbits, raccoons, or other wildlife.

E. Birds. Only bobwhite quail or pigeons may be released for dog training activities on the BDTA. However, use of pigeons may be prohibited on specific BDTAs. Bobwhite quail and pigeons may only be released within the boundaries of the BDTA. Bobwhite quail and pigeons may be shot in conjunction with dog training activities. When WMA/public land hunting seasons are closed, only bobwhite quail and pigeons may be taken and possessed. When the WMA/public land quail or woodcock hunting season is closed, bobwhite quail and pigeons may only be shot within the boundaries of the BDTA. No more than 6 quail per day may be released, taken, or possessed per permittee. For example, a party consisting of 1 permit holder and 2 helpers may not possess, release, or take more than 6 quail per day. Wild quail may be taken on the BDTA at any time the BDTA is open to dog training and must be included in the 6-bird limit. There is no limit on the number of pigeons that may be taken, released, or possessed. All quail must be marked with a Department provided leg band prior to entering the WMA/public land, and if the bird is shot or recaptured, the band must remain on the bird until arrival at the trainer's domicile. Wild quail taken on the BDTA must immediately be marked with a LDWF issued

band. Pigeons are not required to be banded. Bands will be provided by LDWF when the permit is issued. Persons in possession of live bobwhite quail must have a valid game breeders license or bill of sale from a licensed game breeder.

F. Firearms. When the WMA/public land hunting seasons are closed, only shotguns with shells containing shot not larger than lead size 8 or steel size 7 are permitted on the BDTA. Firearms must be encased or broken down upon entering and leaving the BDTA when the WMA hunting seasons are closed. Pistols capable of firing only blanks are also permitted.

G. Seasons. Unless specified, BDTAs are open to dog training all year, except all BDTAs are closed to bird dog training activities during the applicable WMA/public land turkey season and modern firearm either-sex deer season. Additional closure periods may be adopted for some BDTAs. Such closure periods will be listed ~~in the annual hunting regulations pamphlet for the WMA on which the BDTA is located~~ on each BDTA annual permit.

H. Hunter Orange Requirements. Persons engaged in dog training on BDTAs during WMA hunting seasons must comply with WMA/public land hunter orange requirements.

I. Wildlife Management Area/Pubic Land Regulations. Except as provided herein, all rules and hunting seasons applicable to the WMA/public land on which the BDTA is located are also applicable to the BDTA. Additional regulations may be adopted for some BDTAs and will be listed ~~in the annual hunting regulations pamphlet for the WMA on which the BDTA is located~~ on each BDTA annual permit.

J. Violation of Rules. A person who is convicted or enters a guilty plea for violation of any provision of this rule shall be guilty of a Class 2 violation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:109(B), R.S. 56:115, and R.S. 56:141(C).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 31:2268 (September 2005); amended LR 33: .

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

Interested persons may submit written comments on the proposed Rule to Mr. David Moreland, Administrator, Wildlife Division, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000 no later than February 1, 2007.

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

Terry D. Denmon
Chairman

The agenda item, **To receive and hear Enforcement & Aviation Reports/November** was handled by Lt. Col. Keith LaCaze. A total of 1,396 citations and 232 written warnings were issued and agents helped with 57 public assists. The report also showed there were 384 citations and 73 warnings issued on wildlife management areas for the month. Lt. Col. LaCaze noted agents worked on the wildlife management areas to get better compliance with the daily self-clearing permit requirement. Also, there was a lot of waterfowl activity during the month. In November there was one boating accident reported which brought the year to date total to 104, injuries totaled 73 and fatalities remained at 19 for the year. The boating accident occurred in Cameron Parish when the boat hit a submerged object and ejected the occupants. The Aviation Report showed the three Department planes flew a total of 74.3 hours for the month. News Releases discussed were on over the limit case of ducks in Rapides Parish; night hunting activity in Allen Parish; an indecent behavior charge on the swamp walk on Joyce WMA; a hunter killing 4 deer in one day on Maurepas WMA; and a hunter killing a turkey during the closed season. Lt. Col. LaCaze then mentioned that on Friday, December 8, 13 young people would graduate from the Enforcement Academy. Another academy began their training on November 27 also with 13 people. Commissioner King asked if the roe was separated from the 20,000 pounds of mullet that was confiscated. Lt. Col. LaCaze stated he was not sure, but would find out and let him know. Chairman Denmon asked if the deer reporting card was going okay. Lt. Col. LaCaze commented that they have been going well and there has been only one case of falsifying information on the card. This has been an educational year for the deer cards in an effort to get them ready for next year. Chairman Denmon and Commissioner Miller stated all of their feed back on the deer card has been positive.

Mr. Robert Helm began the next agenda item, **To receive and hear Mallard Telemetry Study** stating staff felt it would be good to hear a report on finished mallard telemetry studies that occurred over the last 2 winters. One study happened in northeast Louisiana and the other was in southwest. Each graduate student was busy finishing their thesis work at LSU and would report their preliminary work. Dr. Al Afton was the lead professor and was attending the meeting. The 2 graduate students were Mr. Bruce Davis and Mr. Paul Link; and Mr. Helm noted both students were from North Dakota, the other end of the Mississippi Flyway.

Mr. Paul Link began his presentation stating he has spent the last 2 winters chasing mallards in southwestern Louisiana. His study area was an 80 kilometer radius around Cameron Prairie, Lacassine National Wildlife Refuge and Amoco Pool. Birds were

captured using portable rocket net platforms and rocket nets over bait. Once the birds were captured, they were aged, weighed, marked and fitted with backpack transmitters and then released in groups or pairs at their capture sites within 12 hours. During year 1, they were able to capture and radio mark 67 female mallards and during year 2, 70 female mallards were captured. Daily tracking routine consisted of ground searching using vehicle mounted telemetry systems and towers. Next, Mr. Link showed a general map of the distribution area for 2004-05 and 2005-06. For 2004-05, habitat use was primarily freshwater marsh for both daytime and nighttime locations during the hunting seasons. Following the hunting seasons, the birds primary habitat was marsh during the day, but moved to rice fields at night. For the 2005-06 winter, marsh was again the primary habitat used; as well as shifting after the hunting season to the rice fields. For the 2004-05 and 2005-06 years, the vast majority of the birds were found both daytime and nighttime on non-refuge lands. With respect to foraging flights which was locating a bird during the day and then finding it that night, Mr. Link stated he found no difference in age, hunting period or year for the birds. The mean foraging flight distance was roughly 3 miles, median was just over 1 mile and the ranges varied from a few meters to over 60 miles. For 2004-05, 16 mortalities were observed, 11 of which were from hunting and the remaining 5 were from avian predators. During 2005-06, 11 mortalities were observed all of which were attributed to hunting. Survival rates for 2004-05 was 64 percent and 76 percent for 2005-06. Concluding, Mr. Link acknowledged the supporters and contributors that helped make the project possible.

Mr. Bruce Davis stated the reason for studying mallards in northeastern Louisiana was due to the importance of the Mississippi Flyway to the birds. The Lower Mississippi Alluvial Valley has been named one of the most important wintering areas for mallards in North America. There have been several studies over the last 15 to 20 years conducted on mallard survival rates. This study would show if there has been any change in survival since those previous studies were conducted. The first year of the study was extremely wet with total precipitation almost doubled the average and almost half for the second year. The main objectives of the study were to provide estimates of habitat use rates, survival rates, mortality and emigration rates. Combined, Mr. Davis stated he radio marked 189 female mallards in the 2 years. The birds were caught on the Upper Ouachita National Wildlife Refuge. Each bird was marked with a wire style backpack transmitter and was released at its capture site within 24 hours. Trucks, telemetry towers and airplanes were used to track the birds as often as possible. Mr. Davis classified the lands in his study as open or closed to hunting. About 65 percent of the habitat use was on lands open to hunting during the 2 year study. The habitat the birds used was forested wetlands (63%). Winter on the female birds had no effect as it related to survival. But survival did differ by time periods, which were defined by the hunting seasons. Overall survival rate was 54 percent for female mallards in the Mississippi Alluvial Valley. Half of the mortalities were attributed to hunting and the others were from avian, mammalian and unknown causes. During the first year of the study during the extremely wet winter, emigration rates reached 50 percent around February 15, 2005 whereas, during the second year, emigration reached 50 percent on January 30, 2006. Mr. Davis concluded by acknowledging the groups that helped with his study.

Mr. Mike Olinde, on the next agenda item, **To receive and hear Dove Study and Focus Group** pointed out this report would not be what the Department's recommendation was, it was the results from the focus group and the follow-up surveys. About 2 years ago, a dove focus group was formed in anticipation of the U.S. Fish and Wildlife Service changing the regulations on zoning a state and not restricting by date the south zone. The northern group came together fairly quickly with their ideas but the southern group didn't. In August 2006, the 11 members of the southern focus group met to develop consensus points relative to zoning and how to allocate days within the segments. The preferred zoning option was a mix of the historical original 1973 zone and the existing zone except Highway 12 was used instead of Highway 190. Relative to allocation of days, they preferred 9 days in September, 45 days in the second segment and 16 days in the last segment as well as having Thanksgiving, Christmas and New Years period open. About two-thirds of the 11 members supported the 9 days in the first segment; however the third segment was more diverse. The consensus for the final segment was to go to the first weekend of January. Mr. Olinde then added that the random and web based surveys came back with the same answers. Results of the survey showed 65 percent of the respondents preferred 2 weekends or 9 days in September, 55 to 60 percent preferred a Thanksgiving week opening and another 15 percent slightly supported the Thanksgiving week open while 15 percent strongly opposed. There were similar numbers for Christmas and New Years, the only difference was the opposition was less than 10 percent to having those periods open. Only 17 percent of the respondents did not want a zone. Finally, Mr. Olinde stated that about twice as many people supported the suggested zone by the focus group as the existing zone. The process was not complete. There was plans for a northern focus group meeting and then go through the same process. Mr. Olinde hoped to have those results by the May Commission Meeting and at that time, provide information on a zone line.

The Commissioners agreed to hold the **April 2007 Meeting** on Thursday, April 5, 2007, beginning at 9:30 a.m. at the Baton Rouge Headquarters.

Next item was to receive **Public Comments**. Mr. Glenn Thomas, Vice-President of the State Chapter of the National Wild Turkey Federation, stated that at their last board meeting they discussed the proposed spring squirrel season. They felt it necessary to oppose this issue. A copy of a letter with their points of concern was given to each Commissioner. The spring squirrel season appeared to be inappropriately timed and this was what the Federation was opposed to. The month of May was right in the middle of the wild turkey's peak time. The disruption in the woods could adversely affect the hatch. Mr. Thomas then asked the Commission to consider his comments.

Mr. Kevin Hull stated he wanted to present a petition on behalf of Dog Hunters for Deer. The petition was then read which asked that the Department open suitable wildlife management areas to dog hunting. In the petition the words "suitable wildlife management area" was used, and Mr. Hull stated they understood not all areas would be suitable. The petition contained 579 signatures. Also, Mr. Hull had letters of endorsement from

Representative Smiley, Representative St. Germain, Representative Erdey and Representative White. He expected to receive letters from Representative Lambert, Representative Carter, Senator Fontenot and Senator Amedee. The Dog Hunters would also like to have dialogue with the Department on other off season issues on the areas. Also, Mr. Hull stated they would like to see a dog hunting segment implemented into the Hunter Safety Program for the youth as well as a dog hunting youth day.

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

Bryant O. Hammett, Jr.
Secretary

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