

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

MINUTES

July 2, 2009

**ROBERT J. SAMANIE, III
CHAIRMAN**

BATON ROUGE, LOUISIANA

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

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

Baton Rouge, Louisiana 70808.

For more information, call (225) 765-2806.

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LOUISIANA WILDLIFE AND FISHERIES COMMISSION
BATON ROUGE, LOUISIANA
JULY 2, 2009**

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MINUTES OF THE MEETING
OF
LOUISIANA WILDLIFE AND FISHERIES COMMISSION

Thursday, July 2, 2009

Chairman Robert J. Samanie, III presiding.

Earl King, Jr.
Patrick Morrow
Stephen Oats
Stephen Sagrera

Secretary Robert Barham was also present.

Commissioner Ann Taylor was absent from the meeting.

Chairman Samanie called for a motion for approval of the **June 4, 2009 Commission Minutes**. A motion for approval was made by Commissioner Oats and seconded by Commissioner Morrow. The motion passed with no opposition.

Under **Commission Special Announcements/Personal Privilege** for this month, Commissioner King recognized Representative Tom McVea who stated he would speak on the turkey item.

To receive Presentation of 2008-09 Duck Art from Jeffrey Klinefelter in memory of Robert Helm was handled by Mr. Larry Reynolds. Mr. Helm passed away in September 2008 from brain cancer and when news of his death reached Mr. Klinefelter, he felt the desire to do something in Mr. Helm's memory. Mr. Klinefelter has won several duck stamp competitions across the country as well as in Louisiana (2004 and 2008). He sent the Department a print that was a first in the new executive series for 2008, and added a picture of a hunter with an inscribed gold plate. Mr. Reynolds then presented the donated art to the Commission and Department. Commissioner Morrow felt the print was a deserving honor for Mr. Helm's many years of work and he thanked the artist. Commissioner Oats felt the Department should consider putting the print in a permanent place.

To receive Presentation on the 2008 Shikar-Safari Club International Wildlife Officer of the Year Award began with Lt. Col. Keith LaCaze introducing Mr. Tom Montgomery with Shikar-Safari. The Club annually recognizes the Outstanding Wildlife Officer of the Year and Mr. Montgomery was here this month to make a presentation. Mr. Montgomery

presented Officer Joe Arnaud a certificate and plaque on behalf of the Shikar-Safari Club. He then thanked and congratulated Officer Arnaud for his work and dedication.

To receive and hear Enforcement & Aviation Reports/June began with Lt. Col. Keith LaCaze stating a total of 1,954 cases and 518 written warnings were issued and agents helped with 57 public assists. The general focus this month was on boating safety and enforcement as well as recreational and commercial fishing. There were 16 boating accidents reported for a total of 70 for the year with 5 fatalities bringing that total to 20 for the year. The fatalities occurred in Cameron, Natchitoches and Iberville Parishes. Lt. Col. LaCaze added that the agents would be making a big effort to try to control some of the water activities for the upcoming Fourth of July weekend. The Aviation Report showed the Departments three planes flew a total of 83 hours during June. News Releases discussed included a sentencing for night hunting in Ascension Parish, closed area oyster harvesting, boating violations in Ouachita Parish and an alligator violation in Ouachita Parish. The Department was in the process of hiring 12 new cadets and beginning the training academy in September for positions throughout the state.

Mr. Mike Balboni with Kisatchie National Forest presented the next agenda item, **To receive an update on Deer-Dog Hunting on Kisatchie National Forest**. He announced he would be the new Forest Supervisor on Kisatchie National Forest. While working on the Forest 20 years ago, he met his wife and they are thrilled to be back in Louisiana. He knew of the great working relationship between the Department, Commission and the previous Supervisor and hoped to continue and build that relationship. Mr. Balboni then asked the Commission to modify the deer-dog hunting regulation for the 2009-2010 season. He noted there were a couple of regulations that were problematic for them. The first problem was that it seemed the entire Forest would be open for deer-dog hunting, when in the past, it was only opened on certain Units. Also, establishing a permit system that would comply with the Federal laws was extremely complicated and would take time to implement. Mr. Balboni also noted they were concerned with the precedent this would set since the Federal regulations state that permits for hunting and fishing on National Forests are not required. He then asked the Commission to consider reverting the 2009-2010 deer-dog season only to the regulations approved for the 2008-2009 season (only 7 deer-dog hunting days allowed on certain Units). Going back to the 2008-2009 regulations would be an interim transition step to allow staff to work through concerns with the public and their partners and use their mandated policies. Mr. Balboni knew that he would not make everyone happy, but assured he would listen to all sides and treat people with respect. The Forest Service continued to have concerns on managing deer-dog hunting on Kisatchie and Mr. Balboni hoped the Department and Service could work together on the 2010-2011 season. The process to start setting the 2010-2011 regulations will begin soon with public input and maybe have a decision by the end of the calendar year. He added the deer-dog dates could be 7 or 8 days and did not need to be contiguous. Commissioner King asked if the deer-dog dates of December 19-24 and December 26-27 was the season Mr. Balboni referred to and he was told yes. Commissioner Oats asked Mr. Balboni if he replaced Mr. Lee and he answered yes. He then stated that the Commission was informed the Forest

Service was against deer-dog hunting for this season. Commissioner Oats then asked if Mr. Balboni had the authority to speak for the Forest Service and that the Service wants deer-dog hunting on Kisatchie for the upcoming season. Mr. Balboni stated that was correct and added it would give them time to go through their processes required to propose changes for the future. Commissioner Oats mentioned that they learned from deer-dog hunters they mark their dogs and provided contact information to private landowners and he hoped the Forest Service would help separate the good hunters from the bad. He asked if there was a way the Forest Service could do a “clearinghouse” where hunters could list their phone numbers and give it to a Service employee to support the progress. Mr. Balboni stated when they begin their process, they would consider all types of options. Commissioner Oats then asked he be provided with any documentation that showed the Forest Service was against deer-dog hunting that Mr. Lee represented. Commissioner Morrow asked if the intent of the Service was to take control and set seasons for Kisatchie after the 2009-2010 season. Mr. Balboni answered no, and added he hoped to continue working with the Department and Commission, but they would address the deer-dog hunting issue and decide whether that should continue. Commissioner Morrow commented the Commission would recommend the Department continue with agents patrolling the forest lands as long as they have input in setting the seasons. But if the Forest Service decided to have control over the bag limits and season dates, Commissioner Morrow asked if the Forest Service would be able to man the lands with its own agents. No was the response from Mr. Balboni adding that their intent was to work directly with the Commission and Department. Commissioner King asked if the Kisatchie rules would be handled by unilaterally accepting public comments and the goal was to continue with the Memorandum of Understanding that has worked well for a number of years. Mr. Balboni answered yes.

Commissioner Morrow stated the Commission has a protocol on the Notice of Intent and in order to amend the deer-dog regulations on Kisatchie, he asked if the Commission would need to amend their protocol? Mr. Don Puckett stated the Commission could suspend the rules of the protocol by a 2/3 vote. Commissioner Morrow commented the Commission has refused to suspend the rules in the past so it would not set a precedent. But he asked if the action needed was to withdraw the permit but confirm the season dates as requested by the Forest Service. Mr. Puckett stated the permit requirement would be removed, but there was some change in season dates. He then asked Mr. Randy Myers to present the next item, **To receive and consider Declaration of Emergency and Notice of Intent relative to Deer-Dog Hunting on Kisatchie National Forest** which would explain the change. Mr. Myers began stating there was a Declaration of Emergency and a Notice of Intent to address the issues just discussed. The first change was to remove the permit requirement and the regulation requiring identification and tracking collars for deer-dog hunters. The second change was an adjustment to the season dates since the original dates, approved by the Commission, were one week earlier than what was for Area 2. The Declaration of Emergency and Notice of Intent had season date modifications which changed the Primitive Firearm Season from October 17 to October 24 and 25 and maintained the structure for the deer-dog season. After consulting with Kisatchie’s staff, Mr. Myers noted that an extra weekend was added to the end of the season so the same season structure would be

maintained. Commissioner Morrow asked if the deer-dog season was bucks only and was that the way it was before and Mr. Myers answered yes. Commissioner King asked Mr. Myers if Kisatchie asked to do away with both the permit and tracking collar requirements and he was told yes. Again, Mr. Puckett explained the Commission would need a motion to suspend the rules to consider the Declaration of Emergency and Notice of Intent on deer-dog hunting on Kisatchie. Commissioner Oats asked for public comments before deciding to suspend the rules.

Mr. Dewayne Dobernig stated he did not have a problem with suspending the permit nor collar requirements. He noted he has tracking collars but some hunters may feel there is no need for them with only 7 days to run dogs with the tracking systems being expensive. Commissioner Oats asked Mr. Dobernig if he would have a problem with voluntarily providing his contact information to the Forest Service and Department and he was told no. Then Commissioner Oats asked if Mr. Dobernig spray painted his dogs and he answered not for deer hunting. Mr. Dobernig added that a lot of the complaints were strictly personal since he lived in the middle of the Forest.

Commissioner King asked Mr. Balboni to keep the Commission apprised of the public hearings and process so they could attend if possible.

Mr. Larry Robichaux asked the Commission to honor Kisatchie's original request and not allow dogs on the Forest. This issue has been going on for a long time and he did not know what else could be added that has not already been said. The measures being considered do not eliminate the problems caused by dog hunting, they just try to make them easier to address after they have occurred, commented Mr. Robichaux. Commissioner King stated the Commission hears both sides of the story through public comments and he believed a common ground can be reached through a compromise. Mr. Bobby Knight stated that if the decision was to go back, you end up losing ground. The other hunters on the Forest lands can hunt 93 days. Mr. Knight felt everything favored the private landowners. He would like to see the dog season opened south of Highway 8. Mr. Knight then thought the Government's intent was to completely shut the Forest down with no access for any reason. He asked the Commission to leave the deer-dog hunting as it was.

Commissioner King made a motion to suspend the rules and it was seconded by Commissioner Morrow. The motion passed with no opposition. Next Commissioner King made a motion to adopt the Declaration of Emergency, seconded by Commissioner Morrow and unanimously approved. Then Commissioner Morrow made a motion to approve the Notice of Intent, seconded by Commissioner King and also approved with no opposition.

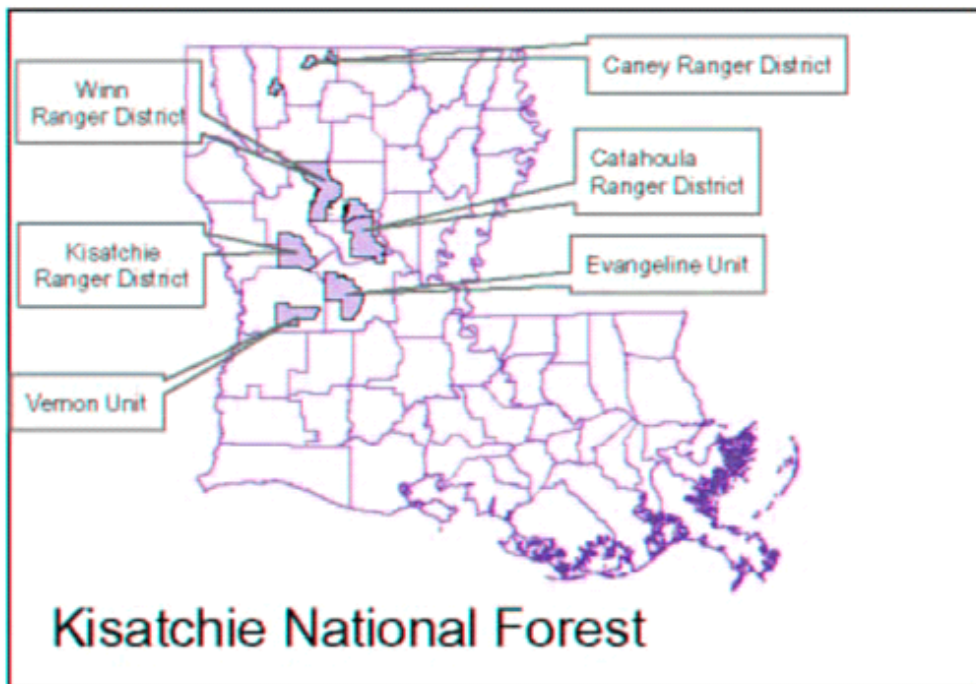
(The full text of the Declaration of Emergency and Notice of Intent are made a part of the record.)

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

In accordance with the emergency provisions of R.S. 49:953(B) of the Administrative Procedure Act, and under the authority of R.S. 56:115, the Secretary of the Department of Wildlife and Fisheries and the Wildlife and Fisheries Commission hereby adopts the following emergency rule.

The hunting season for Kisatchie National Forest during the 2009-2010 hunting season shall be as follows:



KISATCHIE NATIONAL FOREST (KNF)

All Seasons for KNF are for 2009-10 only. Bag Limit = 1 deer of the appropriate sex per day up to the statewide seasonal limit of three antlered and three antlerless deer. All deer must be tagged as required by LDWF regulations. Hunting stand, blind, tripod, etc. regulations applicable to LDWF WMAs are in effect on KNF (refer to "Methods of Taking Game" section of 2009-2010 LDWF Wildlife Management Area Regulations).

Motorized travel off designated roads and trails and outside designated areas is prohibited on the entire KNF. Motor Vehicle Use Maps (MVUM) showing designated roads and trails and associated vehicles and travel seasons are available in all Forest Service offices and on the Kisatchie Web site www.fs.fed.us/r8/kisatchie. ATV travel is allowed between 1 hour before sunrise and 1 hour after sunset; nighttime ATV travel is prohibited.

Game retrieval with an ATV is only allowed within designated 300-foot corridors within the National Wildlife Management Preserves (see MVUM). Camping corridors for highway-legal vehicles to drive within 100 feet of the road and camp are designated on the Caney District and in the National Red Dirt Wildlife Management Preserve.

Catahoula Ranger District (Grant & Rapides Parishes), **Winn Ranger District** (Winn, Grant & Natchitoches Parishes), **Kisatchie Ranger District** (Natchitoches Parish), **Evangeline Unit of the Calcasieu Ranger District** (Rapides Parish):

Deer hunting with dogs on the Catahoula Ranger District shall occur only north of La. 8, excluding the National Catahoula Wildlife Management Preserve. Deer hunting with dogs on the Evangeline Unit shall occur only in the portion of the unit located south of La. 121 from near McNutt southwesterly to Spring Creek, east of Spring Creek southeasterly to US 165, except dogs may be used in Palustris Experimental Forest. National Forest lands within the Evangeline Unit, Calcasieu Ranger District, described in still hunt only area shall be still hunt only.

Deer:

Oct. 24-25, either-sex, primitive firearms, still hunt only.

Oct. 31-Nov. 1, either-sex, still hunt only.

Nov. 2, bucks only, still hunt only

Nov. 7-8, 14-15, 21-26, bucks only, still hunt only.

Nov. 27, either-sex, still hunt only.

Nov. 28-29, bucks only, still hunt only.

Dec. 5-6, 12-13, buck only, still hunt only

Dec. 19-24, 26-27, bucks only, with or without dogs

Jan. 1-3, bucks only, still hunt only.

Jan. 8-10, bucks only, still hunt only.

Vernon Unit of the Calcasieu Ranger District (Vernon Parish, excluding Fort Polk WMA):

Oct. 24-25, either-sex, primitive firearms, still hunt only.

Oct. 31-Nov. 1, either-sex, still hunt only.

Nov. 2, bucks only, still hunt only

Nov. 7-8, 14-15, 21-26, bucks only, still hunt only.

Nov. 27-29 either-sex, still hunt only.

Dec. 5-6, 12-13, 19-24, 26-31, bucks only, still hunt only.

Jan. 1-3, bucks only, still hunt only.

Jan. 8-10, bucks only, still hunt only.

Caney Ranger District (Webster and Claiborne Parishes):

Deer - Same as outside including Youth Hunt (Area 2) except still hunt only. Either-sex entire season.

Other seasons on KNF:

Archery: Vernon Unit, Calcasieu Ranger District: Sept. 19-Jan. 15. Remainder of KNF: Oct. 1-Jan. 31. Either-sex deer may be taken at any time by archers during archery season except when bucks-only firearms seasons are in progress on KNF (archers must hunt only bucks during bucks-only firearm seasons).

All Other Small Game: Same as outside except closed to squirrel hunting during the spring season and waterfowl hunting ceases at 2 p.m.

Unmarked Hogs, Coyotes, Armadillos and Beavers: May be taken incidentally on any KNF hunt by properly licensed hunters with weapons legal for that hunt until the daily or seasonal bag limit of game is taken. The placing of seed, corn, wheat, salt, or other feed to constitute a lure or enticement for any species, including hogs, is prohibited on KNF. Hunting over such feed is prohibited on KNF. Moving deer or hogs with organized drivers and standers, drivers, or making use of noise or noise-making devices is prohibited.

Raccoons and opossums: May be hunted during daylight or nighttime from Oct. 1-Feb. 28 only. A licensed hunter may take raccoon or opossum, one per person per day, except during the trapping season when there shall be no limit. Night-time chase only: May 1–Sept. 30, Tuesdays and Thursdays only. No firearms allowed. Nighttime ATV travel is prohibited.

Crows, blackbirds, grackles, and cowbirds: May be taken September 1-January 1 only.

All hunters (including archers and small game hunters; excluding waterfowl and dove hunters) must display 400 square inches of hunter orange and wear a hunter orange cap during any firearm season for deer. Deer hunters hunting from concealed ground blinds during firearms season must display a minimum of 400 square inches of hunter orange above or around their blinds which is visible from 360 degrees. Rabbit, quail, and woodcock hunters must wear a hunter orange vest or cap outside the firearm seasons for deer. All persons afield during hunting seasons are encouraged to wear hunter orange. Hunting in or within 150 yards of a developed recreation site, campsite, any residence, or any building is prohibited.

Hunting-dog training from Mar. 1-Sept. 30 is allowed only in the following circumstances: dogs are within voice-command distance of handler; dogs are participating in night-time raccoon chases mentioned above; dogs are participating in licensed events conducted by nationally-recognized kennel clubs (KNF permit required – contact Forest Supervisor’s office); dogs are under close control of hikers; and any dog on a leash. The training of deer dogs is prohibited year-round. No firearms allowed while training dogs.

National Catahoula Wildlife Management Preserve and National Red Dirt Wildlife Management Preserve. Owner - U.S. Forest Service: Catahoula Preserve - 36,000 Acres in Grant and Winn Parishes; Red Dirt Preserve - 38,000 Acres in Natchitoches Parish. Season Permit required from Forest Supervisor’s office, Winn, Catahoula or Kisatchie Ranger District offices or www.fs.fed.us/r8kisatchie/hunting/index.html for all hunting. Additionally, weekend permits, available at the check stations, are required for deer gun hunts.

Deer:

Oct. 17-18, special youth hunt, either-sex, still hunt only. Weekend permit required. Youths between the ages of 8-17 inclusive only. Youths 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 may not possess a firearm. Youths may possess only one firearm while hunting. Legal firearms are the same as described for deer hunting. 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. Also, special season for physically-challenged hunters with a LDWF Physically Challenged Hunt Permit, either-sex, still hunt only. Weekend permit required.

Oct. 24-25, primitive firearms, either-sex, still hunt only, weekend permit.

Oct. 31-Nov.1, either-sex, still hunt only, weekend permit.

Nov. 27, either-sex, still hunt only, weekend permit.

Nov. 28-29, bucks only, still hunt only, weekend permit.

Rabbit: Same as outside except beagles allowed for rabbit Jan. 9-Feb. 28 only. Only beagle hounds which do not exceed 15 inches at the front shoulder and which have recognizable characteristics of the breed may be used on the Wildlife Management Preserve.

Squirrel: Same as outside except squirrel hunting with dogs allowed Jan. 9-Feb. 28 only. Hunting parties may not include more than one dog. Closed to squirrel hunting during the spring season.

Raccoon (Nighttime): Dogs allowed Jan. 9-Feb. 28 only.

All Other Game: Consult KNF's Catahoula and Red Dirt Preserve Regulations issued by KNF. To obtain permits and information, visit website listed above or contact: KNF Forest Supervisor's Office, 2500 Shreveport Hwy., Pineville, LA 71360, telephone (318) 473-7160. Office hours 8 a.m. to 4:30 p.m.

A Declaration of Emergency is authorized by LSA R.S. 49:967D and 49:953B, and further is necessary because of recent discussions between the U.S. Forest Service and staff of the Department of Wildlife and Fisheries relative to hunting opportunities for deer dog hunters. Thus, season dates, bag limits and shooting hours must be established and presented immediately.

The aforementioned season dates, bag limits and shooting hours shall become effective August 30, 2009 and shall extend through one-half hour after sunset on December 27, 2009, and shall supplant and supersede those season dates, bag limits and shooting hours for Kisatchie National Forest previously adopted and which will be published in the July 20, 2009 Louisiana Register.

Robert J. Samanie, III
Chairman

NOTICE OF INTENT

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

The Wildlife and Fisheries Commission does hereby give notice of its intent to promulgate rules and regulations governing the hunting of resident game birds and game quadrupeds.

Title 76

WILDLIFE AND FISHERIES

PART XIX. HUNTING AND WMA REGULATIONS

Chapter 1. Resident Game Hunting Season

§103. Resident Game Birds and Animals

A. – G.4. ...

H. The hunting season for Kisatchie National Forest (KNF) during the 2009-2010 hunting season shall be as follows:

1. All Seasons for KNF are for 2009-10 only. Bag Limit = 1 deer of the appropriate sex per day up to the statewide seasonal limit of three antlered and three antlerless deer. All deer must be tagged as required by LDWF regulations. Hunting stand, blind, tripod, etc. regulations applicable to LDWF WMAs are in effect on KNF (refer to "Methods of Taking Game" section of 2009-2010 LDWF Wildlife Management Area Regulations).

2. Motorized travel off designated roads and trails and outside designated areas is prohibited on the entire KNF. Motor Vehicle Use Maps (MVUM) showing designated roads and trails and associated vehicles and travel seasons are available in all Forest Service offices and on the Kisatchie Web site www.fs.fed.us/r8/kisatchie. ATV travel is allowed between 1 hour before sunrise and 1 hour after sunset; nighttime ATV travel is prohibited. Game retrieval with an ATV is only allowed within designated 300-foot corridors within the National Wildlife Management Preserves (see MVUM). Camping corridors for highway-legal vehicles to drive within 100 feet of the road and camp are designated on the Caney District and in the National Red Dirt Wildlife Management Preserve.

3. Catahoula Ranger District (Grant & Rapides Parishes), Winn Ranger District (Winn, Grant & Natchitoches Parishes), Kisatchie Ranger District (Natchitoches Parish), Evangeline Unit of the Calcasieu Ranger District (Rapides Parish):

a. Deer hunting with dogs on the Catahoula Ranger District shall occur only north of La. 8, excluding the National Catahoula Wildlife Management Preserve. Deer hunting with dogs on the Evangeline Unit shall occur only in the portion of the unit located south of La. 121 from near McNutt southwesterly to Spring Creek, east of Spring Creek southeasterly to US 165, except dogs may be used in Palustris Experimental Forest. National Forest lands within the Evangeline Unit, Calcasieu Ranger District, described in still hunt only area shall be still hunt only.

b. Deer:

i. Oct. 24-25, either-sex, primitive firearms, still hunt only.

- ii. Oct. 31-Nov. 1, either-sex, still hunt only.
- iii. Nov. 2, bucks only, still hunt only
- iv. Nov. 7-8, 14-15, 21-26, bucks only, still hunt only.
- v. Nov. 27, either-sex, still hunt only.
- vi. Nov. 28-29, bucks only, still hunt only.
- vii. Dec. 5-6, 12-13, buck only, still hunt only.
- viii. Dec. 19-24, 26-27, bucks only, with or without dogs.
- ix. Jan. 1-3, bucks only, still hunt only.
- x. Jan. 8-10, bucks only, still hunt only.

4. Vernon Unit of the Calcasieu Ranger District (Vernon Parish, excluding Fort Polk WMA):

- a. Oct. 24-25, either-sex, primitive firearms, still hunt only.
- b. Oct. 31-Nov. 1, either-sex, still hunt only.
- c. Nov. 2, bucks only, still hunt only.
- d. Nov. 7-8, 14-15, 21-26, bucks only, still hunt only.
- e. Nov. 27-29 either-sex, still hunt only.
- f. Dec. 5-6, 12-13, 19-24, 26-31, bucks only, still hunt only.
- g. Jan. 1-3, bucks only, still hunt only.
- h. Jan. 8-10, bucks only, still hunt only.

5. Caney Ranger District (Webster and Claiborne Parishes):

a. Deer - Same as outside including Youth Hunt (Area 2) except still hunt only. Either-sex entire season.

6. Other seasons on KNF:

a. Archery: Vernon Unit, Calcasieu Ranger District: Sept. 19-Jan. 15. Remainder of KNF: Oct. 1-Jan. 31. Either-sex deer may be taken at any time by archers during archery season except when bucks-only firearms seasons are in progress on KNF (archers must hunt only bucks during bucks-only firearm seasons).

b. All Other Small Game: Same as outside except closed to squirrel hunting during the spring season and waterfowl hunting ceases at 2 p.m.

c. Unmarked Hogs, Coyotes, Armadillos and Beavers: May be taken incidentally on any KNF hunt by properly licensed hunters with weapons legal for that hunt until the daily or seasonal bag limit of game is taken. The placing of seed, corn, wheat, salt, or other feed to constitute a lure or enticement for any species, including hogs, is prohibited on KNF. Hunting over such feed is prohibited on KNF. Moving deer or hogs with organized drivers and standers, drivers, or making use of noise or noise-making devices is prohibited.

d. Raccoons and opossums: May be hunted during daylight or nighttime from Oct. 1-Feb. 28 only. A licensed hunter may take raccoon or opossum, one per person per day, except during the trapping season when there shall be no limit. Night-time chase only: May 1–Sept. 30, Tuesdays and Thursdays only. No firearms allowed. Nighttime ATV travel is prohibited.

e. Crows, blackbirds, grackles, and cowbirds: May be taken September 1-January 1 only.

7. All hunters (including archers and small game hunters; excluding waterfowl and dove hunters) must display 400 square inches of hunter orange and wear a hunter orange cap during any firearm season for deer. Deer hunters hunting from concealed ground blinds during firearms season must display a minimum of 400 square inches of hunter orange above or around their blinds which is visible from 360 degrees. Rabbit, quail, and woodcock hunters must wear a hunter orange vest or cap outside the firearm seasons for deer. All persons afield during hunting seasons are encouraged to wear hunter orange. Hunting in or within 150 yards of a developed recreation site, campsite, any residence, or any building is prohibited.

8. Hunting-dog training from Mar. 1-Sept. 30 is allowed only in the following circumstances: dogs are within voice-command distance of handler; dogs are participating in night-time raccoon chases mentioned above; dogs are participating in licensed events conducted by nationally-recognized kennel clubs (KNF permit required – contact Forest Supervisor’s office); dogs are under close control of hikers; and any dog on a leash. The training of deer dogs is prohibited year-round. No firearms allowed while training dogs.

9. National Catahoula Wildlife Management Preserve and National Red Dirt Wildlife Management Preserve. Owner - U.S. Forest Service: Catahoula Preserve -

36,000 Acres in Grant and Winn Parishes; Red Dirt Preserve - 38,000 Acres in Natchitoches Parish. Season Permit required from Forest Supervisor's office, Winn, Catahoula or Kisatchie Ranger District offices or www.fs.fed.us/r8kisatchie/hunting/index.html for all hunting. Additionally, weekend permits, available at the check stations, are required for deer gun hunts.

a. Deer:

i. Oct. 17-18, special youth hunt, either-sex, still hunt only. Weekend permit required. Youths between the ages of 8-17 inclusive only. Youths 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 may not possess a firearm. Youths may possess only one firearm while hunting. Legal firearms are the same as described for deer hunting. 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. Also, special season for physically-challenged hunters with a LDWF Physically Challenged Hunt Permit, either-sex, still hunt only. Weekend permit required.

ii. Oct. 24-25, primitive firearms, either-sex, still hunt only, weekend permit.

iii. Oct. 31-Nov.1, either-sex, still hunt only, weekend permit.

iv. Nov. 27, either-sex, still hunt only, weekend permit.

v. Nov. 28-29, bucks only, still hunt only, weekend permit.

b. Rabbit: Same as outside except beagles allowed for rabbit Jan. 9-Feb. 28 only. Only beagle hounds which do not exceed 15 inches at the front shoulder and which have recognizable characteristics of the breed may be used on the Wildlife Management Preserve.

c. Squirrel: Same as outside except squirrel hunting with dogs allowed Jan. 9-Feb. 28 only. Hunting parties may not include more than one dog. Closed to squirrel hunting during the spring season.

d. Raccoon (Nighttime): Dogs allowed Jan.9-Feb. 28 only.

e. All Other Game: Consult KNF's Catahoula and Red Dirt Preserve Regulations issued by KNF. To obtain permits and information, visit website listed above or contact: KNF Forest Supervisor's Office, 2500 Shreveport Hwy., Pineville, LA 71360, telephone (318) 473-7160. Office hours 8 a.m. to 4:30 p.m.

B. The aforementioned season dates, bag limits and shooting hours shall supplant and supersede those season dates, bag limits and shooting hours for Kisatchie National Forest previously adopted and which will be published in the July 20, 2009 Louisiana Register.

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

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 21:707 (July 1995), amended LR 22:585 (July 1996), LR 23:871 (July 1997), LR 24:1324 (July 1998), LR 25:1290 (July 1999), repromulgated LR 25:1526 (August 1999), LR 26:1506 (July 2000), LR 27:1061 (July 2001), LR 28:1615 (July 2002), LR 29:1122 (July 2003), repromulgated LR 29:1521 (August 2003), LR 30:1494 (July 2004), LR 31:1627 (July 2005), LR 32:1254 (July 2006), LR 33:115 (January 2007), LR 33:1399 (July 2007), LR 34:1447 (July 2008), LR 35: (July 2009), LR 35: (July 2009), LR 35: .

Comments will be accepted at regularly scheduled Wildlife and Fisheries Commission Meetings from August through November. Interested persons may submit written comments relative to the proposed rule until 4:30 p.m., Wednesday, November 4, 2009 to Mr. Randy Myers, Wildlife Division, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA, 70898-9000.

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.

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).

Robert J. Samanie, III
Chairman

To receive a Presentation on Delta Waterfowl's Work on ALUS and Adopt-a-Pothole began with Mr. Joel Brice from Delta expressing regret to hear about the recent passing away of Commissioner Miller. He then stated his presentation would cover an overview of Year 1 accomplishments from Grant money received from the Department. The Grant total was almost \$170,000 for the first year with it being split between Adopt-a-Pothole and ALUS programs within Prairie Canada. He then explained that Adopt-a-Pothole was a perpetual wetland easement program, so all of the acreage secured would be protected forever. The program was extremely targeted. Delta's partner in Manitoba was called the Manitoba Habitat Heritage Corporation which receives their money from the Provincial

Government. Their staff's job was to help Delta secure easements and maintain the long term enforcement. Since 1999, there have been 233 agreements signed covering over 33,000 acres of protected ground. Mr. Brice noted wetland drainage was occurring in Prairie Canada and every time that wetland was lost, you lose the breeding potential. Two maps of wetland loss was shown comparing an area from the late 1990's to the same area from 2005. In total, Prairie Canada has lost 85 percent of their wetlands and for the last 4 decades, there has been a 5 percent loss of wetlands per decade. The Year 1 Adopt-a-Pothole allocation from the grant money has gone to one producer involving 7 quarter sections of property. The total cost (about \$54,000) was greater than Louisiana's allocation, which was typical according to Mr. Brice. He then showed photos of easements and signs on an easement with logos showing the different partners.

Next Mr. Brice talked about ALUS, Alternative Land Use Services, which was a proposed national agriculture conservation program for Canada. This program was similar in concept to the U.S. Conservation Reserve Program (CRP) which has put millions of acres of nesting habitat on the grounds of the Dakotas. With the spring flooding in the Dakotas, there was tremendous water conditions which may produce similar production as that seen in the late 1990's. There are about 1 million fewer acres of CRP between the Dakotas. But Mr. Brice noted that the U.S. was only 1/3 of the entire prairie pothole country with Canada having the other 2/3. The future of CRP was uncertain due to the opposition from farmers and conservation groups. The initial purpose of CRP was to take land out of production and to decrease the production of crops and increase the price. What Mr. Brice heard while working on the grounds was that there was no cap for individual enrollments in CRP. He felt ALUS would learn from the successes and stumbles of CRP. ALUS was a farmer developed and farmer delivered program. The important aspect of ALUS was that farmers would be paid for environmental goods and services produced on their property. He then gave an overview of what was happening in all of the areas where Delta was involved with ALUS in Canada. In 2008, Prince Edward Island adopted ALUS as their official government program providing \$750,000 this year and \$1 million next year for the program. In Ontario, a pilot was launched in January 2008 involving 16 funding partners (\$1.5 million)_and about 95 farming, conservation and environmental groups. Mr. Brice then commented Delta was asked by the Province to come up with a proposal on how ALUS could be used to reduce carbon emissions. There are 2 big initiatives going on, the Western Climate Initiative and the potential U.S. and Canada wide restriction on carbon emissions. In Canada, there are 700 registered large carbon emitters and if any of the 2 initiatives come to be, the companies would have to either lower their emissions or purchase credits from a program like ALUS. Establishing protocols was being studied by the Ontario Government. A pilot was launched for Alberta on April 15, 2009. The county of Vermilion River which borders Saskatchewan was the pilot area. Focal treatment for this area was native prairie restoration, buffer strips along wetlands and waterways, and also wetland restoration. Manitoba was the first place this program began with the first purchase of goods and services in Canada. Hopefully by the end of 2009, a pilot area would be identified in Alberta and have it implemented by 2010. Since last year, ALUS has been recognized for matching federal funds with the Prince Edward program. ALUS has been given two awards, the first was a federal award given in November 2007 on behalf of

the Manitoba project and then in November 2008, the same award was given but was on behalf of the work done in Ontario. Mr. Brice stated he was proud of the combination of easements and Canadian ag policy. A final close out report on the first year will be submitted within the next month or so, concluded Mr. Brice. Commissioner Oats asked Mr. Brice what was his professional background. Mr. Brice stated he had a BS in wildlife management and a Master's in Biology.

To receive and consider Notices of Intent on the 2010 Turkey Season and General and WMA Hunting Regulations began with Mr. Larry Savage stating two Notices of Intent were included in the packets. The first Notice of Intent was on the 2010 recommended turkey season dates and the other Notice of Intent was on the 2010 turkey season regulations. The upcoming turkey season in Area A would be a 30 day season opening on March 20 through April 18; and Area B, 23 days, would open on March 20 through April 11. Mr. Savage noted Area B included Washington and St. Tammany Parishes which were impacted from Hurricane Katrina. He hoped that the good poult production would continue this year and possibly rejoin Area A. Area C season would be March 20 through April 4. Daily bag limit was 1 gobbler and season limit was 2 gobblers. The statewide framework from 2002-2009 had a uniform statewide opening date and opening the season on the fourth Saturday in March. Staff felt strong about the uniform statewide opening date which helps distribute hunting pressure across the state. For the 2010 season, the uniform statewide season would be maintained but the opening date was changed to the Saturday nearest March 22. This change was done through public request. The one boundary change was to open a portion of Ouachita Parish west of the Ouachita River. WMA changes included adding a youth season to Grassy Lake; the season for physically challenged wheelchair classification on private lands would be March 13 and 14; physically challenged seasons on Jackson-Bienville on April 10 and 18, and the season for Indian Bayou on March 13 and 14. Next a map was shown of the requested boundary change. There will be 27 wildlife management areas with turkey seasons, 14 with youth lottery, 17 with non-lottery and 10 with combination lottery and non-lottery. The shortest season on a WMA will be a one day youth hunt on Thistlethwaite and the longest will be on Fort Polk and Peason Ridge WMAs. The turkey season on Kisatchie National Forest will be March 20 through April 11; Indian Bayou would have the same season as Sherburne WMA; Old River Control Locks will have the same season as Red River-Three Rivers WMAs; Bogue Chitto's season will be March 20 through April 11; Lake Ophelia will open March 20 and close April 4; Tensas has the same season as Big Lake WMA; and Upper Ouachita will have a youth season on March 13.

Representative Tom McVea publicly thanked the Department and Mr. Savage for their work in getting the season back to normal with an earlier spring turkey season. He concurred with the comments made earlier that there is room for compromise. Representative McVea stated there were other issues that could be addressed later on. He then noted he had 4 friends attending the meeting also in support of the proposals. Representative McVea encouraged the Commission to adopt the proposals.

Mr. Ronald Coco, Avoyelles Wildlife Federation, asked of the 3 WMAs in Avoyelles Parish, was Grassy Lake the only one opening. He noted Pomme de Terre was surrounded by private lands and asked what good would it be to close the area but allow the outside to hunt turkeys. Mr. Savage commented that the population in that area has been affected by agricultural changes. Mr. Coco then asked about the youth hunt on Spring Bayou and Mr. Savage noted it was not recommended by the staff. Mr. Coco asked that a youth hunt be allowed again on Spring Bayou.

Hearing no further comments, Chairman Samanie asked for a motion on the Notice of Intent for turkey seasons and bag limits. Commissioner Sagraera made a motion to adopt and it was seconded by Commissioner King. The motion passed with no opposition. Then the Chairman asked for a motion on the Notice of Intent for General and WMA Turkey Rules and Regulations. Again, Commissioner Sagraera made a motion to adopt, seconded by Commissioner Morrow and unanimously approved.

(The full text of the Notices of Intent are 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 its intent to amend the turkey dates and limits for the 2010 season.

Title 76

WILDLIFE AND FISHERIES

Part XIX. Hunting and WMA Regulations

Chapter 1. Resident Game Hunting Season

§115. Turkey Hunting Areas, Seasons, and Bag Limits

A. Daily limit is one gobbler. Season limit is two gobblers. Turkeys taken on WMAs are part of the season bag limit. Only one turkey may be taken during WMA lottery hunts.

B. Turkey season will open in designated areas on the Saturday nearest March 22 ~~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 Saturday nearest March 22 ~~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.

D. Only those Wildlife Management Areas listed herein are open to turkey hunting. All other Wildlife Management Areas are closed.

E. 2010 ~~2009~~ Turkey Hunting Schedule

AREA	SEASON DATES
A	March <u>20</u> 28 - April <u>18</u> 26
B	March <u>20</u> 28 - April <u>11</u> 19
C	March <u>20</u> 28 - April <u>4</u> 12
Private Lands Youth and Physically Challenged Hunter (Wheelchair Confined) Hunt	March <u>13-14</u> 21-22

F. Wildlife Management Area Turkey Hunting Schedule

WMA	Non-Lottery Hunt Dates	Lottery Hunt Dates
Bayou Macon	None	April <u>10-11</u> 11-12
Bens Creek	March <u>20</u> 28 - April <u>4</u> 12	None
Big Lake	March <u>20</u> 28 - April <u>4</u> 12	None
Bodcau	March <u>20</u> 28 - April <u>4</u> 12	None
Boeuf	March <u>20-28</u> 28 -April <u>5</u>	None
Clear Creek	March <u>29</u> - April <u>18</u> April 6-26	March <u>20-21</u> 28-29 March <u>27-28</u> April 4-5
Camp Beauregard	March <u>20-28</u> 28 -April <u>5</u>	None
Dewey Wills		April <u>10-11</u> 18-19 April <u>17-18</u> 25-26
Fort Polk	March <u>20</u> 28 - April <u>18</u> 26	None
Grassy Lake	March <u>20-28</u> 28 -April <u>5</u>	None
Hutchinson Creek	March <u>20</u> 28 - April <u>18</u> 26	None
Jackson-Bienville	March <u>20</u> 28 - April <u>4</u> 12	None

Lake Ramsey	March <u>20</u> 28 - April <u>4</u> 12	None
Little River	March <u>20</u> 28 - April <u>4</u> 12	None
Loggy Bayou	None	April <u>10-11</u> 18-19
Peason Ridge	March <u>20</u> 28 - April <u>18</u> 26	None
Red River	March <u>20</u> 28 - April <u>4</u> 12	None
Sabine	None	March <u>20-21</u> 28-29 March <u>27-28</u> April 4-5
Sandy Hollow	March <u>20</u> 28 - April <u>4</u> 12	None
Sherburne	March <u>25-28</u> April <u>2-5</u>	March <u>20-21</u> 28-29 March <u>22-24</u> 30 -April 1
Sicity Island	None	March <u>20-22</u> 28-30 March <u>23-25</u> 31 -April 2 March <u>26-28</u> April 3-5 March <u>29</u> - April <u>4</u> 6-12
Tangipahoa Parish School Board	March <u>20</u> 28 - April <u>18</u> 26	None
Three Rivers	March <u>20</u> 28 - April <u>4</u> 12	None
Tunica Hills South Tract	April <u>5-11</u> 13-19	March <u>20-21</u> 28-29 March <u>27-28</u> April 4-5 April <u>3-4</u> 11-12

Tunica Hills North Tract	April <u>5-11</u> 13-19	March <u>20-21</u> 28-29 March <u>27-28</u> April 4-5 April <u>3-4</u> 11-12
Union	None	April <u>10-11</u> 11-12
Walnut Hills	March <u>20</u> 28 - April <u>18</u> 26	None
West Bay	None	March <u>20-21</u> 28-29 March <u>27-28</u> April 4-5

G. Wildlife Management Area Lottery Youth Hunts

WMA	Lottery Youth Hunt Date
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Bens Creek	March <u>13</u> 24
Big Lake	March <u>13</u> 24
<u>Clear Creek</u>	<u>March 13</u>
Fort Polk/Peason Ridge/ Calcasieu Ranger Dist.	March <u>13</u> 24
<u>Grassy Lake</u>	<u>March 13</u>
Jackson-Bienville	March <u>13</u> 24
Loggy Bayou	April <u>3</u> 4
Sherburne	March <u>13-14</u> 21-22
Sicity Island	March <u>13</u> 24
Spring Bayou	March <u>13</u> 24
Thistlethwaite	April <u>3</u> 4
Tunica Hills	March <u>13</u> 24
Union	April <u>3</u> 4
West Bay	March <u>13</u> 24

H. Wildlife Management Area Physically Challenged (Wheelchair Confined) Hunt

1. Jackson-Bienville WMA will be open April 10-18 ~~48-24~~ to holders of valid Physically Challenged Hunter (Wheelchair Classification) Permits.

I. Federal Lands Turkey Hunting Schedule

1. Kisatchie National Forest (KNF) turkey hunting schedule: Caney Ranger District, March 20 ~~28~~ - April 4 ~~42~~; all remaining KNF lands, March 20 ~~28~~ - April 11 ~~49~~ (including Catahoula and Red Dirt National Wildlife Management Preserves).

2. U.S. Army Corps of Engineers turkey hunting schedule: Indian Bayou Area, March 13-14 ~~21-22~~ physically challenged lottery only hunt, lottery hunt only on March 20-21 ~~28-29~~ and March 22-24 ~~30-April 4~~, non-lottery hunt March 25-28 ~~April 2-5~~. Old River Control and Lock Areas, March 20 ~~28~~ - April 4 ~~42~~.

3. National Wildlife Refuges: Bogue Chitto NWR, March 20 ~~28~~ - April 11 ~~49~~; Lake Ophelia NWR, March 20 ~~28~~ - April 4 ~~40~~ hunt ends at 12:00 p.m. each day; Tensas NWR, March 13-14 ~~21-22~~ (youth only), March 20 ~~28~~ - April 4 ~~42~~; Upper Ouachita NWR, March 13 ~~24~~ (youth lottery only).

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 32:2272 (December 2006), LR 33:2470 (November 2007), LR 35:90 (January 2009), LR 35: .

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

Interested persons may submit written comments on the proposed rule to Mr. Kenneth Ribbeck, Wildlife Division, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA, 70898-9000 no later than 4:30 p.m., September 8, 2009.

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).

Robert J. Samanie, III
Chairman

NOTICE OF INTENT

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

The Wildlife and Fisheries Commission does hereby give notice of its intent to amend the turkey rules and regulations for the 2010 season.

Title 76

WILDLIFE AND FISHERIES

Part XIX. Hunting and WMA Regulations

Chapter 1. Resident Game Hunting Season

§113. General and WMA Turkey Hunting Regulations

A. General Regulations. Only gobblers (male turkeys) may be taken. Taking of hen (female) turkeys, including bearded hens, is prohibited. Still hunting only. Use of dogs, 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 approved archery equipment but by no other means. Shooting turkeys from a moving or stationary vehicle is prohibited. Shotguns capable of holding more than three shells

prohibited. The running of coyote with dogs is prohibited in all turkey hunting areas during the open turkey season. No person shall hunt, trap or take turkeys by the aid of baiting or on or over any baited area. Baiting means placing, exposing, depositing or scattering of corn (shelled, shucked or unshucked), wheat or other grain, salt, or other feed so as to constitute a lure, attraction or enticement to, on or over any areas where hunters are attempting to take turkeys. A baited area is any area where corn (shelled, shucked or unshucked), wheat or other grain, salt, or other feed capable of luring, attracting or enticing turkeys is directly or indirectly placed, exposed, deposited, distributed or scattered. Such areas remain baited areas for 15 days following complete removal of all such corn, wheat or other grain, salt, or other feed. Wildlife agents are authorized to close such baited areas and to place signs in the immediate vicinity designating closed zones and dates of closures. No person hunting turkeys more than 200 yards from a baited area will be in violation of the turkey baiting regulation.

B. Tags.

1. Prior to hunting turkeys, all turkey hunters, regardless of age or license status, must obtain turkey tags and have them in their possession while turkey hunting. Immediately upon killing a turkey, hunters must attach a carcass tag to the turkey before it is moved from the site of the kill and must document the kill on the turkey harvest report card. The date of kill and parish of kill must be recorded on the carcass tag. The tag must remain attached to the turkey while kept at camp or while it is transported to the domicile of the hunter or to a cold storage facility. Hunters who keep the carcass or meat at a camp must also comply with game possession tag regulations. Within 72 hours of the kill, the hunter must report the kill and record the validation number on the turkey harvest report card. Hunters may report turkeys by calling the validation phone number or using the validation web site.

2. Turkey hunters purchasing licenses by phone or internet will be given an authorization number and a LDWF identification number that will serve as their license and tags until the physical license and tags arrive by mail. Turkey hunters who have purchased a license with tags, but have not yet received their physical license and tags, must immediately tag their kill with a possession tag before moving it from the site of the kill. The authorization number and LDWF identification number must be recorded on the possession tag. Hunters must retain documentation of any turkeys killed and upon receiving their physical tags and harvest report card, validate their kill as required in these regulations. The tags for turkeys killed prior to receiving the physical tags must be removed from the turkey harvest report card and discarded.

3. Tags removed from the turkey harvest report card prior to killing a turkey are no longer valid and if lost will not be replaced. Duplicate tags and turkey harvest report cards are available to replace lost report cards and attached tags. Hunters will be charged a fee for duplicate turkey harvest report cards and tags. Hunters that have killed a turkey prior to losing their remaining tag and harvest report card must remove and discard

the duplicate tag to account for the original tag that was used and validated. Hunters must record any previously validated turkey on the duplicate turkey harvest report card.

C. Possession of Live Wild Turkeys. No person shall take live wild turkeys or their eggs from the wild. No person shall possess captive live wild turkeys, (Meleagris gallopavo silvestris, M. g. osceola, M. g. intermedia, M. g. merriami, M. g. mexicana) or their eggs, regardless of origin, without a valid game breeder license. No pen-raised turkeys from within or without the state shall be liberated (released) within the state.

D. Statewide Youth and Physically Challenged Season Regulations. Only youths 17 years of age or younger 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 youth younger than 16 years of age. Adults accompanying youth may not possess a firearm or bow. Youths may possess only one firearm or bow while hunting. 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 season bag limit of 2.

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

F. Turkey Hunting Area Descriptions

1. Area A

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 west of LA 115 to US 167, west of US 167 south to LA 10, north of LA 10 west of US 167 to LA 13, west of LA 13 south of LA 10 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: ~~That portion west of the Ouachita River 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

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

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.

4. Turkey season dates on Wildlife Management Areas, National Wildlife Refuges, Kisatchie National Forest and U.S. Army Corps of Engineers land located within Areas A, B, and C may vary from the season set for the parish in which they are located. Seasons for these lands are specified in LAC 76:XIX.115.

G. WMA Turkey Hunting Regulations

1. 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.

2. 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.

3. Lottery Hunts: All or portions of some WMA seasons are designated as lottery hunts and are restricted to hunters selected by pre-application lottery. To apply for these lottery hunts, a hunter must submit a completed official application form to the Baton Rouge office by the deadline printed on the application. A non-refundable fee of \$5 must be sent with each application. Applicants for WMA youth hunts must be 17 years of age or younger and at least 8 years old on the day of the hunt. Applicants may submit only one application and may be selected for only one WMA Turkey Lottery Hunt annually.

Submitting more than one application will result in disqualification. Hunters must abide by self-clearing permit requirements. Hunters chosen for WMA lottery hunts may be accompanied by one person. The person accompanying a lottery hunter shall not possess a firearm/bow or take a turkey, and must remain within a distance that allows normal voice contact with the lottery hunter at all times. Youths chosen for special youth only hunts will be assigned a guide on the day of the hunt. One person may accompany the youth and guide, but may not hunt.

4. WMA Physically Challenged Hunt (Wheelchair Confined): Open only to hunters with a Physically Challenged Hunter Permit with wheelchair classification. During this hunt, ATVs may be used by hunters on all designated ATV trails in accordance with the Physically Challenged Hunter Permit. Hunters must abide by self-clearing permit requirements.

5. Rules Specific to Certain WMAs:

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

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

c. Sherburne: All turkeys taken must be checked at the WMA headquarters.

d. Tunica Hills (North Tract): Area closed to all users one day after close of turkey season until August 31.

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 32:2272 (December 2006), LR 33:2469 (November 2007), LR 35:91 (January 2009), LR .

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

Interested persons may submit written comments on the proposed rule to Mr. Kenneth Ribbeck, Wildlife Division, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA, 70898-9000 no later than 4:30 p.m., September 8, 2009.

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).

Robert J. Samanie, III
Chairman

Mr. Mike Olinde presented the next agenda item, **To receive and consider Resolution on Early Migratory Bird Season Dates (Dove, Teal, Woodcock, Rails and Gallinules)**. He began stating that when the Commission considers the federal regulations, there was a very quick turn around, unlike the normal 120 day review process. The Resolution would empower the Secretary to take the necessary steps to have the seasons adopted at this meeting forwarded to the U.S. Fish and Wildlife Service. The Department's recommendation would be given to the Service by August 1 and when published by mid-August in the Federal Register, that was when the seasons would become official. The seasons for doves, rails, snipe, gallinules, woodcock and teal were adjustments from last season. The dove season only has one option for the upcoming season, 70 days with a bird bag limit of 15. Commissioner Morrow asked if the bag limit was going from 12 to 15 or was it 15 last year. Mr. Olinde stated it was the same as last year. Chairman Samanie asked why did the gallinule and rail seasons not end the same as the regular duck season.

Mr. Olinde explained that there is only a 70 day season and 16 of those days are used during the teal season which leaves 44 days and the season can only be split once. Chairman Samanie asked if there was any thought to allowing the take of whistling ducks during the teal season. Mr. Larry Reynolds stated he has been conducting discussions with the U.S. Fish and Wildlife Service and asked for the whistling ducks in the teal season limit, but their answer was no. The primary reason was a concern on non-target harvest if a big duck was allowed during the teal season. The other reason was a general lack of knowledge. However, at recent discussions, the Service stated they would not entertain any more proposals to the teal season until a 16 day teal season for the Atlantic Flyway was evaluated which may take at least 4 years. Hearing no further comments, Commissioner Oats made a motion to approve the seasons in globo. Commissioner King seconded the motion and it passed with no opposition.

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

RESOLUTION

LOUISIANA WILDLIFE AND FISHERIES COMMISSION
LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES

July 2, 2009

The following was adopted by the Louisiana Wildlife and Fisheries Commission at its regular Commission Meeting in Baton Rouge, LA, July 2, 2009.

WHEREAS, public hearings in Washington, DC have been held on early migratory bird season regulations that include dove, snipe, rail, gallinule, woodcock and teal, and

WHEREAS, the results of this meeting have been discussed with the Louisiana Wildlife and Fisheries Commission, and

WHEREAS, rules and regulations governing early migratory bird season frameworks have been developed by the U.S. Fish and Wildlife Service, and

WHEREAS, the Louisiana Department of Wildlife and Fisheries staff has presented recommendations for migratory species that include season dates, bag limits, and shooting hours, and

WHEREAS, it is the statutory responsibility of the Louisiana Wildlife and Fisheries Commission to establish hunting seasons for these migratory species within constraints established by the U.S. Fish and Wildlife Service framework, now

THEREFORE BE IT RESOLVED, that this Commission does hereby adopt the presented tentative season dates for migratory birds which are made part of this resolution, subject to the following stipulations:

- (1) The Secretary is hereby authorized and delegated the authority to take any and all steps necessary on behalf of the Commission to promulgate and effectuate these seasons as a Declaration of Emergency and preparation of reports and correspondence to other agencies of government; and
- (2) If significant changes occur as a result of changes in the framework established by the U.S. Fish and Wildlife Service or for other reasons, the Secretary is hereby authorized and delegated the authority to alter the attached seasons based upon the recommendations of Department staff, supported by biological and technical data.

Robert J. Samanie, III, Chairman
Wildlife and Fisheries Commission

To receive and hear update on Bobcat Survey began with Mr. Edmond Mouton stating this would be an update to the hunter harvest survey from 5 years of data. Historically, bobcats were first classified as outlaw quadruped prior to 1978. Commissioner King asked if the results was by hunters only or did it include commercial trappers. Mr. Mouton answered it was only from big game hunters. Going on, Mr. Mouton noted bobcats were

reclassified as nongame quadruped in 1978 and then in 2003, the Legislature through Act 1248 requested the Department consider a bobcat hunting season. The Commission set a season to run concurrent with the deer hunting season with a limit of one. The Department committed to monitoring the harvest and evaluating the bobcat population trends in the State. Then in 2006, the Commission changed the regulations to where a big game licensee could not take more than one bobcat during a calendar year. Mr. Mouton then listed some of the bobcat seasons in the adjacent states of Mississippi, Arkansas and Alabama. The Department worked with LSU Experimental Statistics Department to estimate the harvest, harvest distribution and trends within the state. A random sample of 10,000 licensed deer hunters with 6 percent coming from each parish were mailed a survey. After 3 weeks, a second survey was mailed and then a third mailing occurred. There were 2,181 surveys received from the first mailing, 688 from the second and 1,115 from the third for a total of 3,984 surveys returned. The results were divided into 7 regions of the state - northwest, northeast, central, southwest, south central, southeast and coastal. The first season was allowed in 2003-2004 and a total of 9,881 bobcats were harvested with the highest occurring in the northwest region and the lowest in the coastal. For the 2004-2005 season, the total harvest was 10,278 again with the highest in the northwest and the lowest in the coastal region. During the next season, 2005-2006, the harvest was 10,249 with the higher harvest in the northwest region and the lower in the coastal. For the 2006-2007 season, total harvest was 9,642, with the higher harvest in the northwest and the lowest in the coastal region. The last year for the harvest, 2007-2008, the total harvest was 14,194 with the highest region being the northwest and the lowest was the coastal. The average harvest across the 5 years was 10,849 for a total harvest of 54,244. During the 2006-2007 season, the bobcat season went from the deer season to one per calendar year and the graph showed 96 percent was harvested during the deer season and the other 4 percent was outside the season. For the 2007-2008 year, 98 percent were harvested during the harvest season and 2 percent outside. Mr. Mouton noted bobcat sighting trends followed the harvest trends through the years. Concluding, it was noted the harvest increased quite dramatically from last year, there was an increase in the number of bobcat sightings during 2007-2008 season, bobcat populations appeared to have increased in Louisiana as well as the southeast United States and that monitoring must continue. The Department will continue to conduct an annual harvest survey and monitor the harvest and distribution across the state and the bobcat sightings.

Following the presentation, Commissioner King asked if there were any tracking mechanisms for bobcats harvested commercially. Mr. Mouton stated 319 bobcats were harvested by trapping last year for an average price of \$13. The 2008-2009 bobcat survey was just being mailed out. The 10 year average for bobcats harvested prior to the season for big game hunters was 524 for an average price of \$11 (857 was taken during the highest year and 339 was the lowest number taken). The comparative take for the 10 years reported, 1998 through 2008, showed bobcat harvest averaged 636 with an average price of \$20.95. The trapping numbers fluctuated due to the price of fur. Commissioner Morrow stated the Commissioners received a letter from the Louisiana Fur Advisory Council which stated that many hunters were killing more bobcats than was legal. He then asked Mr. Mouton if he knew where that information came from. Mr. Mouton noted their

data comes from the surveys but they may be conservative numbers. Commissioner King wondered if the bobcat harvest was being used for predator control and he was told yes. Chairman Samanie did not think there was any danger to the bobcat, but felt the population was increasing. Mr. Mouton commented that the data does indicate an increasing trend in population due mainly to changes in habitat management. Chairman Samanie asked if there was a need to tag bobcats and Mr. Mouton felt it would be very difficult for those hunted.

Mr. Sam Smith, representing the trappers in Louisiana through the Louisiana Fur Advisory Council, stated it would not be possible to figure out the total bobcats harvested. He then explained that the reason deer hunters were seeing bobcats was because of the practice of planting grass and putting out corn and feed. Mr. Smith felt the trappers were fairly comfortable with one bobcat. He added he would not sell his furs if he only got \$13. Commissioner King asked Mr. Smith if he sells his furs green and how much did he get for them. Mr. Smith answered he sell his green for about \$30 to \$35. He commented that the nutria has been taken from the trappers, which was not a bad thing. But to allow the harvest of 2 bobcat would not be good. Commissioner Sagrera urged the Department to continue monitoring the harvest data so there are no negative impacts to the commercial industry.

For the next item, **Election of Vice-Chairman**, Commissioner Morrow nominated Commissioner Oats for Vice-Chairman. Commissioner King seconded the motion and hearing no other nominations, the motion passed with no opposition.

The Commissioners agreed to hold the **November 2009 Meeting** on Thursday, November 5, 2009, beginning at 9:30 a.m. at the Baton Rouge Headquarters.

Next agenda item was to receive **Public Comments**. Mr. Joe Macaluso stated *The Advocate* for the last 18 years has listed daily the names of individuals cited for driving while intoxicated. He then asked the Commission or Department to let the appropriate news agencies know who has been cited for boating while intoxicated. The reason for the request was that the Baton Rouge Region seemed to lead the state every month. Lt. Col. LaCaze stated that information can be provided. Chairman Samanie asked if it could be broken down by region. Lt. Col. LaCaze stated it could be by region or parish.

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

Robert J. Barham
Secretary

scf