

**LOUISIANA WILDLIFE AND FISHERIES COMMISSION**

**MINUTES**

**October 5, 2006**

**EARL P. KING, JR.  
VICE-CHAIRMAN**

**BATON ROUGE, LOUISIANA**

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

2000 Quail Drive

Baton Rouge, Louisiana 70808

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**AGENDA**  
**LOUISIANA WILDLIFE AND FISHERIES COMMISSION**  
**BATON ROUGE, LOUISIANA**  
**OCTOBER 5, 2006**

		Page
1.	Roll Call	1
2.	Approval of Minutes of September 7, 2006	1
3.	Commission Special Announcements/Personal Privilege	1
4.	To receive and hear Enforcement & Aviation Reports/September	1
5.	To recognize a donation made by the National Wild Turkey Federation to the Hunter Education Program	2
6.	To receive and hear Public Comments on the 2007 Turkey Season and Spring Squirrel Season	2
7.	To receive and consider Consumptive Component White Lake Wetlands Conservation Area Management Plan and further providing with respect thereto	3
8.	To receive and hear Office of Wildlife Activities Report	6
9.	To receive and hear Oyster Industry Request to open Sister Lake Public Oyster Seed Reservation for Limited Harvest	7
10.	To receive and consider Resolution and Notice of Intent to Prohibit Commercial Gill Nets, Trammel Nets and Fish Seines in the freshwater areas of the Florida Parishes and further providing with respect thereto	7
11.	Set February 2007 Meeting Date	9
12.	Receive Public Comments	9
13.	Adjournment	9

MINUTES OF THE MEETING  
OF  
LOUISIANA WILDLIFE AND FISHERIES COMMISSION

Thursday, October 5, 2006

Vice-Chairman Earl King Jr. presiding.

Frederic Miller  
Henry Mouton  
Wayne Sagrera  
Robert Samanie, III

Acting Secretary Janice Lansing was also present.

Chairman Terry Denmon and Commissioner Patrick Morrow were absent from the meeting.

Vice-Chairman King called for a motion for approval of the **September 7, 2006 Commission Minutes**. A motion for approval was made by Commissioner Miller and seconded by Commissioner Samanie. The motion passed with no opposition.

Under **Commission Special Announcements/Personal Privilege** for this month, Commissioner Miller announced that the Deer Dog Task Force would meet following the regularly scheduled November Commission Meeting beginning at 1 PM. He then asked the Department get the appropriate notices to the Task Force members.

The agenda item, **To receive and hear Enforcement & Aviation Reports/September** was handled by Lt. Col. Keith LaCaze. Before beginning with the reports, he noted a copy of the revised No Wake Zone Signage Notice of Intent was in their packets that showed an editorial change. Main activity for the month was hunting season kicking off with dove and teal. He mentioned there were 125 cases of hunting over bait for dove and 22 cases of over the limit for dove. A total of 1,247 citations, 228 written warnings were issued during September and agents helped in 40 instances of public assists. The Aviation Report showed the three planes flew a total of 82.2 hours for the month. There were 9 boating accident reports for the month which totaled 95 for the year; 8 injuries for the month and 64 for the year; and 2 fatalities in September which brought that total to 18 for the year. The fatalities occurred in Lafourche and Iberia Parishes. News Releases centered around finding an individual with 44 teal in his possession; an illegal oyster harvest in closed seed grounds in Sister Lake in Terrebonne Parish; and multiple agencies joined together in "Operation Lilypad" which was a rehearsal of search and rescue. This was an exercise with simulated human and pet victims in the New Orleans area. The operation had oversight

from FEMA and Lt. Col. LaCaze felt it went very well with a lot of positive response from all participating agencies.

**To recognize a donation made by the National Wild Turkey Federation to the Hunter Education Program** was handled by Mr. John Sturgis. He stated he wanted to recognize the National Wild Turkey Federation for 2 contributions. The first was the donation of archery equipment to be used for the National Archery in the Schools Training Program. These 8 kits totaled \$19,008 in value. The training kits will allow hunter education personnel to train teachers that would then offer it to their students. The second donation was a mobile air rifle trailer that valued \$6,192. This will help with the problem of finding a range in metropolitan areas so students can participate in the live fire portion of the education class. Mr. Sturgis then stated that both donations totaled \$25,200. He recognized the Federation and introduced Mr. Glenn Thomas and Mr. Mike Rainwater.

Mr. Rainwater thanked the Commission for allowing the time for the presentation. He also noted there has been a long and rewarding relationship with the Department, but not quite as rewarding as working with the young people. The Federation believed the future of hunting was dependent on the younger generation. He expressed they were proud to work with Mr. Sturgis and his staff.

Mr. Dave Moreland began the next item, **To receive and hear Public Comments on the 2007 Turkey Season and Spring Squirrel Season**, by stating there was only 1 comment received on the turkey proposal. The comment was to reduce the season in Washington and St. Tammany parishes from 30 days to 23 days. Commissioner Miller asked if Mr. Moreland received a letter from Patrick Butler from St. Francisville. Mr. Moreland stated Mr. Butler was part of the group that came to the first meeting requesting the season open earlier. He added the staff was still looking into that issue. With regard to the spring squirrel season, Mr. Moreland stated he has received 22 comments, noting 1 was from Representative Karen St. Germain. Of the comments, there were 4 against the proposal, 2 persons commented that illegal outlaws would not abide by the limits set, 1 individual believed this season would kill too many females and reduce the fall population; and 17 comments were in favor of the proposal.

Vice-Chairman King stated Mr. Philip Daigle, Sr., a squirrel hunter, was against the spring squirrel season proposal but did not wish to speak.

Commissioner Mouton explained a telephone call he received from an individual working for a pipeline company in Evangeline Parish about his employees not working that weekend which was the first weekend for squirrel hunting and most everyone would be out in the woods.

**To receive and consider Consumptive Component White Lake Wetlands Conservation Area Management Plan and further providing with respect thereto** began with Mr. Parke Moore stating a framework for the public's use of the consumptive

resources was detailed in their packets. Specific activities such as alligators, waterfowl and fishing were the key elements for the consumptive resource activities on White Lake. He then asked the Commission to adopt the Notice of Intent in order to develop the plan. Staff worked with the Legal Section and White Lake Advisory Board on the framework items. Commissioner Mouton asked if Rockefeller was reimbursed for the use of their equipment on White Lake following the hurricane. Mr. Moore stated equipment from Rockefeller as well as the maintenance crew were used to do work on all refuges across the state. Reimbursement has been made for the labor from the maintenance crew and the consumable resources. Commissioner Mouton asked if White Lake Board family members would be allowed to hunt on the area. Mr. Moore stated the Board agreed that would not be allowed. Commissioner Sagrera felt both of the alligator figures were off with the revenues from the alligator harvest not enough and those from alligator egg harvest was way too much. Mr. Moore stated that was correct and for the 2006-2007 season the harvest would be approximately \$40,000 and for the egg collection that would be about \$177,000. The number for the 2005-06 egg harvest should have been \$75,000 to \$80,000. Commissioner Sagrera felt the Department was overlooking an opportunity to gain more funds by not putting the alligator eggs up for bid. Mr. Moore expressed appreciation to Commissioner Sagrera for his authority. Hearing no further comments, Commissioner Miller made a motion to adopt the Notice of Intent. 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 its intent to promulgate as a Rule the general framework for public use of consumptive resources of the White Lake Wetlands Conservation Area for the 2006-2007 Season.

### **Title 76**

#### **WILDLIFE AND FISHERIES**

#### **Part III. State Game and Fish Preserves and Sanctuaries**

#### **Chapter 3. Particular Game and Fish Preserves, Wildlife Management Areas, Refuges and Conservation Areas**

#### **§335. White Lake Wetlands Conservation Area**

A. The general framework for public use of consumptive resources of the White Lake Wetlands Conservation Area Management Plan for the 2006-2007 season is as follows:

WHITE LAKE WETLANDS CONSERVATION AREA MANAGEMENT PLAN

General Framework for

Public Use of Consumptive Resources

2006-2007 Season

<u>Specific Activities</u>	<u>Season</u>	<u>Number/Quantity</u>	<u>Cost (\$), each</u>
<b>Alligators</b>			
Wild Alligator Harvest	Sept. 6-Oct. 5	375 alligators	40% of sale price
Alligator Egg Collection	June & July	10,000 eggs	Bid \$20.10
<b>Waterfowl</b>			
Teal Lottery Hunts	LDWF Season	108 hunters	\$100 per gun
Youth/Physically Challenged Hunts	First Weekend	14 hunters	no cost
Marsh Lottery Hunts	LDWF Season	120 hunters	\$150 per gun
Rice Lottery Hunts	LDWF Season	207 hunters	\$150 per hunt (up to 3 per hunted area)
Group Hunts	LDWF Season	12 groups	\$25,000 per group
<b>Fishing</b>	March 15-August 1	75 permits	\$30 per group
<b>Negotiated</b> - Natural or Facilities (i.e. services involving personnel, equipment, and/or structures)			

AUTHORITY NOTE: Promulgated in accordance with Act 613 of the 2004 Regular Legislative Session.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, 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 L. Brandt Savoie, Deputy Assistant Secretary, Office of Wildlife, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000 no later than Thursday, January 4, 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).

Earl P. King, Jr.  
Vice-Chairman

**To receive and hear Office of Wildlife Activities Report** began with Mr. Phil Bowman stating the dove, teal and alligator seasons kicked off during the month. A report on the teal season was included in the packets. The waterfowl survey indicated about 356,000 teal were in the state primarily located in southwest Louisiana. The state was still going through dry times, commented Mr. Bowman. The alligator season began on September 6 and their activity during the month was relatively high and hunters were able to quickly fill their tags. The Department issued about 32,026 tags and it was projected the harvest to be around 30,500. Mr. Bowman then noted one alligator harvested in Tensas Parish was a 12' 6" recapture from a farm that had been out in the wild for 13 years and grew about 8" per year. Another item in the packets was a bear pamphlet which gave "hints" to people that may encounter a bear while deer hunting. Staff was continuing to work with architects in developing specifications for repair of the Department's facilities due to Hurricanes Katrina and Rita. The 2 main projects being worked now were on Rockefeller Refuge and Pass-a-Loutre WMA. Both administrative and field staff were involved in preparing for the 2007-2008 budget request. With the high price of oil, there has been an increased interest in oil activities on Department properties.

Mr. Bowman then asked Mr. Noel Kinler to show alligator hides to the Commission. He noted there was a disease that affects farmed alligators called "PIX" in which the hide looks like it has been stabbed or jabbed with an ice pick. Staff has been working with LSU and the University of Florida in hopes to learn what causes this disease. Preliminary indications

are that it is associated with the West Nile Virus. Alligator farmers working with LSU Veterinary School have seen a decline in this condition.

Mr. Bowman then asked Mr. Kenny Ribbeck to talk about mast crop production and a survey the Department conducts. Mr. Ribbeck stated samples of red oak, white oak and soft mast was given to the Commissioners. Every year technical staff conduct mast surveys and it was used as a base index on habitat quality going into the hunting seasons. Deer, bear and squirrel's production was related to the mast crop that was available each year. The last week of September and the first week of October are when the mast productions are rated. Of particular interest from the reports received so far was the impact from the hurricanes to the coastal areas. The ratings are based on a 0 to 3 scale, with 0 being no production noted. The red oaks from the coastal areas showed a 0.7 and 0.6 for white oak production. Moving further inland, white oak production showed a 1.1 average and red oak averaged 1.6. This year the bottom and upland inland areas were showing a good mast crop but with the drought, lots of the crop was not maturing fully. Also, staff was seeing leaves dropping early especially in the oaks and they would continue to monitor this situation.

Commissioner Miller asked if the culprit was found that killed the black bear. Lt. Col. Keith LaCaze stated they were still working on that case.

Mr. Carl Gremillion asked how many black bears are there in the state. Mr. Bowman stated there has been an increase in population along the coastal parishes but he did not know an exact number. He added that the bear repatriation project was still ongoing.

Vice-Chairman King stated that requests from 2 oyster associations were received **To receive and hear Oyster Industry Request to open Sister Lake Public Oyster Seed Reservation for Limited Harvest** but those representatives were not at the meeting.

Next on the agenda was **To receive and consider Resolution and Notice of Intent to Prohibit Commercial Gill Nets, Trammel Nets and Fish Seines in the freshwater areas of the Florida Parishes and further providing with respect thereto.** Vice-Chairman King advised that the Commission tabled this item at their September Meeting and asked for more information. Mr. Gary Tilyou began stating they met with the commercial fisherman opposed to the proposal and the environmental groups and have worked out a compromise. The recommendation was for a 10 year prohibition on the use of freshwater gill nets, trammel nets and seines from March 1 to November 30 of each year. One change was removing Orleans and Jefferson Parishes from the recommended prohibition area since no Gulf Sturgeon have been captured from that area. The second change was going from a year round prohibition to a season so fishermen could use those nets during December, January and February. These months coincided with the timeframe adult Gulf Sturgeon were not in the rivers. The juveniles that may be in the area would be able to escape the nets, added Mr. Tilyou. The question of why was this being presented was

answered with the fact that Gulf Sturgeon are a threatened species by the U.S. Fish and Wildlife Service and National Marine Fisheries Service. The proposed action would reduce the incidental mortality of Gulf Sturgeon but staff was not sure by how much and this was the reason for the 10 year prohibition. Mr. Tilyou reminded the Commission that in 1990, the Commission took action to prohibit the take of all sturgeon; in 1991, sturgeon was listed; in 1995 a Gulf Sturgeon Recovery Plan was prepared. A map of rivers where Gulf Sturgeon were captured and a map of areas currently closed to netting was shown. The proposed closure area went from the Mississippi border east and north, down Thompson's Creek to the Mississippi River, follows the Mississippi River to Jefferson Parish line, then over to St. Tammany Parish to the Mississippi line. The Fiscal and Economic Impact Statement was included in the packets as requested. Also, information from landings which was the only method to determine the value of this fish to commercial fishermen was presented. In 2000, 76 fishermen reported landings from any gear and of those 76, 7 used either gill net, trammel net or fish seines. In 2005, 45 fishermen reported landings in this area and only 3 used the restricted gear. The average catch for all fishermen using the gear each year was 16,000 pounds with a value of \$8,300 per year. The Gulf Sturgeon regulations from Mississippi, Alabama and Florida was explained by Mr. Tilyou. Vice-Chairman King asked where was the summer resting habitat for the Gulf Sturgeon. Mr. Tilyou stated it was in the upper stretches of the river. Vice-Chairman King then asked if they spawn and rest in the same place. Mr. Howard Rogillio stated the adult fish comes in from offshore, moves up the Pearl River and spawns in Mississippi and then settles back in the resting habitat of Pools Bluff and Bogue Chitto Sills. He added there were two different summer habitat areas, one for the adults and the other for the young. Vice-Chairman King asked how many months are between the spawning and resting. Mr. Rogillio stated they are in saltwater areas between December, January and February and the fish start moving in after March 1<sup>st</sup> until June. They leave the summer habitat in September and continue until November. Vice-Chairman King asked if there was about a six month process between the spawning and resting period. Mr. Rogillio felt it was a 9 month process. Commissioner Miller stated this was a time and area closure as opposed to the original complete closure. He noted that Mr. Pete Gerica did not wish to make comments, and asked if everyone involved was satisfied with the compromise. Mr. Tilyou stated that was his understanding. Vice-Chairman King stated that since he has been on the Commission, they have sought ways to create more opportunities to harvest fish recreationally, but to take the right to use legal gear from 60 commercial fishermen, this created a negative economic impact. The Vice-Chairman then asked the Commission's pleasure on this item. Commissioner Miller made a motion to adopt the compromised Notice of Intent. The motion died for lack of a second.

The Commissioners agreed to hold the **February 2007 Meeting** on Thursday, February 1, 2007, beginning at 9:30 a.m. at the Baton Rouge Headquarters.

Vice-Chairman King asked to receive **Public Comments** and none were heard.

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

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Janice A. Lansing  
Acting Secretary

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