

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

MINUTES

September 7, 2006

**TERRY D. DENMON
CHAIRMAN**

BATON ROUGE, LOUISIANA

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

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

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MINUTES OF THE MEETING
OF
LOUISIANA WILDLIFE AND FISHERIES COMMISSION

Thursday, September 7, 2006

Chairman Terry Denmon presiding.

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

Undersecretary Janice Lansing was also present.

Commissioner Patrick Morrow was absent from the meeting.

Chairman Denmon called for a motion for approval of the **August 3, 2006 Commission Minutes**. A motion for approval was made by Commissioner Samanie and seconded by Commissioner Sagrera. The motion passed with no opposition.

Under **Commission Special Announcements/Personal Privilege** for this month, Commissioner Miller asked that a letter from Mr. Perry Baris, Catahoula Hunting Club, concerning deer hunting for dogs be made a part of the record of the Task Force for when they meet again. Commissioners Mouton, King, Sagrera and Samanie noted they did not receive a copy of the letter and asked that one be sent.

Chairman Denmon then stated Undersecretary Lansing had a presentation to make. Undersecretary Lansing stated she understood all outgoing Secretary's receives a plaque from the Department and Commission. She asked Former Secretary Landreneau to come back for the meeting so he could receive a plaque which was then read. Former Secretary Landreneau stated that the Governor appointed Mrs. Lansing as the Acting Secretary. He held a lot of confidence in her working as Secretary of the Department. He expressed appreciation for the plaque and noted it was an honor to work with the Commission to support the endeavors of the Department. Former Secretary Landreneau added he was proud to stand behind the Department's staff. Then he stated that on September 18, his first grandson was to be born and he hoped that the agenda item on the spring squirrel season would pass so they could go hunting in May and then go fishing. He mentioned this initiative would give additional opportunities for the citizens of this state to introduce people to hunting. Chairman Denmon stated he enjoyed working with Former Secretary

Landreneau and wished him good luck with his new job. Then the Chairman congratulated Undersecretary Lansing on her new appointment and looked forward to working with her.

Commissioner Mouton asked if a Deer/Dog Task Force meeting would be held in November? Commissioner Miller stated that was his intention and added it would probably be formally announced at the October Commission Meeting.

The agenda item, **To receive and hear Enforcement & Aviation Reports/August** was handled by Lt. Col. Keith LaCaze. A total of 1,435 citations, 277 written warnings were issued during August and agents helped in 62 instances of public assists. Primary activities focused on recreational boating throughout the month as it began winding down after July 4th weekend. The Labor Day weekend marked the opening of dove season and the initial count of 209 citations were issued and they were primarily for hunting over bait, licenses and unplugged guns. There was good hunter participation with no accidents during the weekend. For the monthly boating report, there were 11 accidents, 7 injuries and 2 fatalities. Year to date totals were 86 boating accidents with 56 injuries and 16 fatalities which was about half of what happened in 2005. The 2 fatalities occurred in Terrebonne Parish and Jackson Parish on Caney Lake. The Aviation Report showed the three planes flew a total of 52.5 hours for August. News Releases discussed centered around the illegal kill of a black bear in Avoyelles Parish; 3 fishermen in the Mermentau River speeding and slamming boats into pilings and finding them with undersized red drum and over the limit of red drum; in Madison Parish a father and son were caught with 84 doves and the daily bag limit for mourning doves is 12; and Former Captain Wayne Brescher was promoted to Enforcement Major and he would help with the supervision of the Regions.

To receive and consider Notice of Intent on No Wake Zones and further providing with respect thereto was presented by Lt. Col. Brian Spillman. This action described the physical construction of no wake zone signs to be placed at boat launches accessible to the public. As background for this item, Lt. Col. Spillman stated that during the 2004 Legislative Session, a law was passed that established statewide no wake zones. During the 2006 Regular Legislative Session, the original author amended and reenacted the same law with new language and Paragraph D from that law was then read. The proposed Notice of Intent lists the guidelines the local, municipal and governing authorities would use to establish proper signage statewide. Lt. Col. Spillman stated he would like to see a person take his boat to Lake Bistineau and see a no wake sign and then go to another part of the state and see the same sign and recognize it. Upon ratification of the proposal, the Department would begin working with the Police Jury Association and Municipal Associations in the process of having the signs developed and placed in the waterways. Chairman Denmon asked if the signs could be bought. Lt. Col. Spillman answered yes, the signs were commercially available. Hearing no further questions, Commissioner Miller made a motion to adopt the Notice of Intent and it was seconded by Commissioner Mouton. The motion 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 enact rules governing the physical construction of no wake zone signage to be placed at boat launches accessible to the public in the State of Louisiana.

Title 76

WILDLIFE AND FISHERIES

Part XI. Boating

Chapter 3. Boating Safety

§303. Signage Identifying “No Wake Zone”(s) at Boat Launches Accessible by the Public and Docking Facilities Adjacent to a Boat Launch Accessible by the Public

A. The following regulations shall prescribe the dimensions and physical appearance of signage indicating a “no wake zone” to be placed at boat launches accessible to the public and docking facilities adjacent to boat launches accessible by the public as required by R. S. 34:851.27.

B. For the purposes of being recognized under state law, “no wake zone” signage shall be clearly visible and posted upon a board not less than three feet by three feet square in size having a white colored background. The signage shall have two inch (2”) reflective orange borders along each edge and shall contain a circle in the middle of the sign having border of reflective orange two inches (2”) wide. Within the orange circle shall be the words “SLOW NO WAKE ZONE” in black characters no less than five inches high, with the words “SLOW” on the first line, “NO WAKE” on the second line, and “ZONE” on the third line as depicted on figure 1 (See Attachment 1) in this rule. On the top right hand corner of the signage shall be listed “LA R.S. 34:851.27” or the applicable local ordinance.

C. No wake zones established pursuant to this section shall be clearly marked with prescribed signage, 300 feet in all directions from a boat launch or docking facility adjacent to the boat launch which is open to the general public. Signs shall be posted so as to be read both from the launch and the waterway.

D. Local and parish authorities in their respective jurisdictions shall place and maintain signage as prescribed by “LA R.S. 34:851.27” at the start and end of the no wake zones in safe and visible locations. No wake zone endings may be designated on the rear

of a sign indicating “end no wake zone” and, signs may indicate the established distance of a no wake zone.

E. Regulatory buoys visible no less than thirty inches high above the water line placed in safe and visible locations may be used to identify start and end points of no wake zones. Regulatory buoys shall have proportionate orange markings as described in Subsection B with the words “SLOW NO WAKE ZONE” in black lettering.

F. No person operating a vessel shall violate the provisions of properly established and marked no wake zones. A violation of this section shall constitute a class one violation as provided in LA R.S. 56:851.31 and LA R.S. 56:31.

AUTHORITY NOTE: Promulgated in accordance with R.S. 34:851.27.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, 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 statements, the filing of the notice of intent and final rule and the preparation of reports and correspondence to other agencies of government.

Interested parties may submit comments relative to the proposed rule to: Colonel Winton Vidrine, Law Enforcement Division, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000, prior to Thursday, November 2, 2006.

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

Terry D. Denmon
Chairman

To receive and consider Resolution and Declaration of Emergency for the 2006-07 Fur Trapping Season Dates and Notice of Intent to amend Coastwide Nutria Control Program Rule and further providing with respect thereto was handled by Mr. Edmond Mouton. He stated the packets included results of the 2005-06 trapping season, a Declaration of Emergency to set the 2006-07 season and a Notice of Intent to change the Coastwide Nutria Control Program rule. The changes in the rule was to change the \$4 economic incentive payment to read as “through an incentive payment to participants”. Other wording added was “The incentive payment shall be the amount set by the Coastal Wetlands Planning, Protection and Restoration Act (CWPPRA) Task Force”. In July, the Task Force increased the incentive payment from \$4 to \$5 and the proposal would give the Department the opportunity to adjust that amount annually. The Coastwide Nutria Control

Program harvested 168,843 tails during the 2005-06 season by 216 participants and provided a direct economic incentive value of \$675,372. After the April damage survey, there was 46,181 acres documented as being impacted by nutria. Since this program began four years ago, this acreage figure has dropped by 50 percent from 80,000 plus acres. The number of licensed trappers for the 2005-06 season was 1,504. Comparative take of fur animals for this past season was 25,157 pelts for a total value of \$497,754. The recommended dates for the 2006-07 trapping season would be to open on November 20, 2006 and run through March 31, 2007.

Commissioner Sagrera stated the Fur & Alligator Advisory Council has spent a lot of money on both fur and alligator promotional efforts. Consultants with the Council were being paid several hundred thousand of dollars and were successful in selling their furs (5,021 nutria). Commissioner Sagrera noted he used to buy 5,021 nutria in a day and thought this money could be well spent someplace else. Mr. Mouton stated there was a meeting planned for September 27 in Lafayette to get the trappers, buyers, dealers, auction house personnel and company CEI that implements the Coastwide Nutria Control Program to encourage more fur to be brought out of the marsh, especially nutria. He added the Program was not formulated to promote the sustainable use of fur, but to try to control nutria and prevent damage to wetlands. One problem was that there were less and less trappers willing to do this type of work. Commissioner Sagrera stated he was not questioning the incentive, but the marketing idea has resulted in several million dollars being spent. He added that there are more nutria than anything else and they are not being sold due to the lack of trappers and the lack of a fur market. Mr. Mouton stated there was a market in China for muskrat but there are not many muskrat trappers left. Commissioner Sagrera suggested spending the money teaching the public how to trap. Mr. Mouton agreed with Commissioner Sagrera. Commissioner Sagrera stated the question should be directed to the Council and was not under the domain of Mr. Mouton. Hearing no further comments, Chairman Denmon stated there were two actions to consider, first a Resolution and Declaration of Emergency for the fur trapping season and then a Notice of Intent on the Nutria Control Program and they should be considered separately. Commissioner Sagrera made a motion to adopt the fur trapping season dates and it was seconded by Commissioner Samanie. This motion passed with no opposition. A motion by Commissioner King was made to amend the Notice of Intent on the Nutria Control Program rule. Commissioner Miller seconded the motion and it was unanimously approved.

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

RESOLUTION

2006-2007 Fur Trapping Season
adopted by the
Louisiana Wildlife and Fisheries Commission
September 7, 2006

WHEREAS, R.S. 56:259(A) authorizes the Wildlife and Fisheries Commission to set the open season for the taking of nongame quadrupeds and allows the Commission to extend, curtail or prohibit trapping in any area of the state each year, and

WHEREAS, R.S. 49:953(B) and R.S. 49:967(D) of the Administrative Procedure Act allows the Commission to use emergency provisions to set seasons, and

WHEREAS, Louisiana has historically led the nation in the production of wild fur with value to the trappers as high as \$24 million in some seasons, and

WHEREAS, the harvest of this renewable resource is important in providing supplemental income to citizens of the state while furnishing an essential management tool to reduce nuisance wildlife problems, property damage, the impact of prey species, the incident of density dependent disease and provide a measure of population health and general condition, and

WHEREAS, regulated trapping provides the only practical control of muskrat and nutria populations, an essential part of any effort to protect or enhance coastal wetlands. The role of such trapping cannot be overstated because of the rate of wetland loss and the impact that these wetland grazers are having in southeastern parishes, and

WHEREAS, during the 2006-2007 trapping season the department will continue the Coastwide Nutria Control Program providing an incentive payment of per nutria tail to participants for up to 400,000 nutria with the objective of reducing damage to coastal wetlands, and

WHEREAS, the increased commercial harvest of beaver can play a major role in assisting in the reduction of damage to timber, agriculture, drainage, and wildlife habitat, and

WHEREAS, historical and current information collected by the Department of Wildlife and Fisheries have indicated that the optimum time frame for the harvest of furbearers is between November and March each year, now

THEREFORE BE IT RESOLVED, the Wildlife and Fisheries Commission does hereby set the 2006-2007 trapping season, statewide from November 20, 2006 through March 31, 2007, and

BE IT FURTHER RESOLVED, the trapping season on all of the Department's Wildlife Management Areas will be opened from November 20, 2006, through March 31, 2007, except the Acadiana Conservation Corridor,

Floy Ward McElroy, Elbow Slough and Sandy Hollow WMAs where the trapping season will remain closed, and

BE IT FURTHER RESOLVED, the Wildlife and Fisheries Commission does hereby grant authority to the Secretary of the Department of Wildlife and Fisheries to extend or shorten the trapping season in any area of the state, and

BE IT FURTHER RESOLVED, a Declaration of Emergency setting the 2006-2007 trapping season is attached to and made a part of this resolution.

Terry D. Denmon
Wildlife and Fisheries Commission

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

In accordance with the provisions of R.S. 56:259(A) which authorizes the Wildlife and Fisheries Commission to set the open season for the taking of non-game quadrupeds and allows the Commission to extend, curtail or prohibit trapping in any area of the state each year and in accordance with emergency provisions of R.S. 49:953(B) and R.S. 49:967(D) of the Administrative Procedure Act, which allows the Wildlife and Fisheries Commission to use emergency provisions to set seasons, the Wildlife and Fisheries Commission does hereby set the 2006-2007 trapping season including the Coastwide Nutria Control Program, statewide from November 20, 2006 through March 31, 2007 including all Department Wildlife Management Areas except Acadiana Conservation Corridor, Floy Ward McElroy, Elbow Slough and Sandy Hollow where the trapping season will remain closed.

The coastwide nutria control program objective is to provide economic incentive, by payment of \$5 per nutria tail to participants, to encourage the harvest of up to 400,000 nutria annually from coastal Louisiana. For the purpose of this program, coastal Louisiana is bounded on the north by Interstate 10 from the Louisiana-Texas line to Baton Rouge, Interstate 12 from Baton Rouge to Slidell, and Interstate 10 to the Louisiana-Mississippi line. Any provision of LAC 76:V.123 in conflict herewith is hereby superseded for the duration of this Declaration of Emergency.

The Wildlife and Fisheries Commission does hereby also authorize the Secretary of the Department of Wildlife and Fisheries to extend or shorten the adopted season.

Terry D. Denmon
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 incentive payment portion of the regulations on the Coastwide Nutria Control Program.

Title 76

WILDLIFE AND FISHERIES

Part V. Wild Quadrupeds and Wild Birds

Chapter 1. Wild Quadrupeds

§123. Coastwide Nutria Control Program

The Department of Wildlife and Fisheries does hereby establish regulations governing participation in the coastwide nutria control program. The administrative responsibility for this program shall rest with the Department Secretary; the Assistant Secretary, Office of Wildlife; and the Fur and Refuge Division.

1. The coastwide nutria control program objective is to provide economic incentive, ~~by payment of \$4 per nutria tail to~~ through an incentive payment to participants, to encourage the harvest of up to 400,000 nutria annually from coastal Louisiana. The incentive payment shall be the amount set by the Coastal Wetlands Planning, Protection and Restoration Act (CWPPRA) Task Force. For the purpose of this program, coastal Louisiana is bounded on the north by Interstate 10 from the Louisiana-Texas line to Baton Rouge, Interstate 12 from Baton Rouge to Slidell, and Interstate 10 to the Louisiana-Mississippi line.

* * *

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 28:2205 (October 2002), amended 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 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 relative to the proposed rule to Philip Bowman, Administrator, Fur and Refuge Division, Box 98000, Baton Rouge, LA 70898, prior to Thursday, November 2, 2006.

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

Terry D. Denmon
Chairman

To receive and consider Resolution and Notice of Intent on Spring Squirrel Season and further providing with respect thereto was the first agenda item for Mr. Dave Moreland. Hunters brought the idea of a spring squirrel season to the attention of the Department and details were worked out. Other states already have a spring season in addition to the fall season. Arkansas and Tennessee have seasons that run from May 12 through June 10. Arkansas has an 8 bag limit and Tennessee has a 10 limit. Virginia will start in June 2007 with a season, but it would not be designed for dogs. The concept of a spring squirrel season would provide additional hunting opportunity when other hunting was not happening. This proposal would allow for the training of young squirrel dogs and would get young hunters into the woods. Mr. Moreland noted that a lot of hunting clubs do not allow squirrel hunting beginning October 1 until the end of deer season. One concern was the biology of the squirrel. There are two peak breeding seasons for squirrels in Louisiana; in December with the young being born in February and then weaned after 8 weeks. The second breeding period begins in June. The proposal for the statewide spring squirrel hunting would be to open on May 5 through May 27 for the 2007 season and May 3 through May 25 for the 2008 season. For the 2007 season, the Kisatchie National Forests, the National Wildlife Refuges, and the U.S. Army Corps of Engineers lands would not be open. While being conservative with the proposal, Mr. Moreland asked each Region to select one WMA that would open for squirrel dog hunting and that season would run for 9 days only. The WMA season for 2007 would be May 5 through May 13 and for 2008, May 3 through May 11. The following WMAs will have a spring squirrel season: Bodcau, Boeuf, Clear Creek, Little River, East Tract of Maurepas Swamp, Russell Sage and Sherburne. At this time on the WMAs, feral hogs can not be taken, but can be taken on private lands. The daily limit will be 3 and possession limit will be 6.

Chairman Denmon asked what mechanism would be used to get the word out on this season when it was ratified. Mr. Moreland stated there would be News Releases sent out. Commissioner King stated he agreed with Mr. Moreland in that many hunting clubs do not allow squirrel hunting early in the season. He agreed with the biology and limits. Mr. Moreland stated Mr. Don Puckett provided the following language to be included in the

Notice of Intent under Paragraph 2 “and all WMAs except as provided in Paragraph 3 below”. Commissioner Miller stated this was a superb idea and was a wonderful way to introduce children to hunting and train dogs. He then asked if there would be a problem with fawns and turkeys. Mr. Moreland stated he has hunted woods full of deer and his squirrel dog has never once acted like she wanted to chase a deer. Most of the dogs are very well trained animals. From a turkey standpoint, some turkeys may be flushed from their nest but they should return. He felt most of the hunting should take place in a hardwood area where there was not heavy ground cover. This was a concern on the WMAs, but the staff would develop a survey for hunters to fill out on their success when on the WMAs. Commissioner Miller asked if Texas had a spring squirrel season. Mr. Moreland stated he understood Texas did not have a squirrel season, they could be taken year round. Then Commissioner Miller asked if dogs could be used while squirrel hunting in Texas. Mr. Moreland did not know, but would find out. He added he spoke with a Mississippi representative and asked if they had a spring season and he was told no, they had not been approached about one. Commissioner Mouton agreed in that the proposal creates more hunting opportunities. Chairman Denmon stated there was a lot of talk on hunting squirrels with dogs and asked if the proposal was just to open the squirrel season. Mr. Moreland stated it was just a squirrel season.

Chairman Denmon then stated Mr. Steve Bordelon was in favor of the proposal but did not wish to speak.

Hearing no further comments, Commissioner Miller made a motion to adopt the proposal. Commissioner King seconded the motion. Mr. Moreland asked that the motion include the amended language. Chairman Denmon reminded the Commission of that added language and all understood. The motion passed with no opposition.

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

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

September 7, 2006

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

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

WHEREAS, hunting of squirrels during certain periods in the spring is biologically sound, and

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

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

THEREFORE BE IT RESOLVED, that the attached rules, regulations, season dates, and bag limits affecting spring squirrel hunting are hereby adopted by the Louisiana Wildlife and Fisheries Commission as a Notice of Intent.

Terry D. Denmon, Chairman
Wildlife and Fisheries Commission

NOTICE OF INTENT

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

The Department of Wildlife and Fisheries and the Wildlife and Fisheries Commission do hereby advertise their intent to create and establish rules for a spring squirrel season on private lands and on selected wildlife management areas.

Title 76

WILDLIFE AND FISHERIES

Part XIX. Hunting and WMA Regulations

Chapter 1. Resident Game Hunting Seasons

§103. Resident Game Birds and Animals 2006-2007, 2007-2008

* * *

- H. Spring Squirrel Hunting
 - 1. Season Dates: May 5 - May 27, 2007 and May 3 – May 25, 2008
 - 2. Closed Areas: Kisatchie National Forest, National Wildlife Refuges, and U.S. Army Corps of Engineers property and all WMAs except as provided in Paragraph 3 below.

3. Wildlife Management Area Schedule: Open May 5 – May 13, 2007 and May 3 – 11, 2008 on Bodcau, Boeuf, Clear Creek, Little River, Maurepas Swamp (East Tract), Russell Sage, and Sherburne WMAs only. Dogs are allowed during this season for squirrel hunting. Feral hogs may not be taken on Wildlife Management Areas during this season.

4. Limits: Daily bag limit is 3 and possession limit is 6.

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 .

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 David Moreland, Administrator, Wildlife Division, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000 no later than November 2, 2006.

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

Terry D. Denmon
Chairman

Mr. Dave Moreland began the next item, **To receive and hear Office of Wildlife Activities Report** by stating this would inform the Commission of activities from the past several months. The Office of Wildlife includes the Fur & Refuge Division and Wildlife Division. The big stories for the Office were that hunting season had opened, the alligator season issued 31,815 tags to 1,870 commercial and sport hunters; and an opening day report on the dove season was included in the packets. Teal season will open on September 15, aerial surveys would be conducted by staff around Catahoula and then coastal areas. A publication by the Office dealt with impacts from the two hurricanes to wildlife and its habitat. Another big story was bird trapping and banding with 2,619 doves being trapped which may make Louisiana the leading state in the southeast. Regions 2 and 4 were also

collecting wings from dove hunters to be analyzed for reproduction work. The Fur & Refuge Division banded over 1,000 mottled ducks. Wood duck trapping was highly contested and the Regions have banded over 1,200 birds. The Avian Nongame Section has banded 3,053 song birds on Sherburne and Pearl River WMAs. The Fur & Refuge Division was working on the bobcat survey for the 2005-06 hunting season. The Division also handled 96 bear nuisance complaints. A dove hunting survey has been mailed and also was available on the Department's website. Of the 977 specimens taken for chronic wasting disease, an updated figure of 815 tested negatively. Wildlife Division staff would be conducting 3 quail workshops around the state. Mr. Moreland concluded stating this was still public comment period for the turkey season and to date, no comments were received. Chairman Denmon asked if any chronic wasting specimens have tested positive. Mr. Moreland stated that all of the results have been negative, but there were still more to be tested which should not be a problem. Commissioner Miller wanted to give an "at a boy" and pats on the back to the Bayou Pierre WMA staff for the dove hunt that occurred there. Mr. Moreland stated hunters used to show up to hunt on Bayou Pierre, but with the turn out, now it was changed to a lottery hunt. The same may occur on Red River WMA or the number of hunters may be restricted to provide a safe and quality hunt. Commissioner Miller stated the coverage included photos of women and children and it was a great article.

To receive and consider Resolution and Notice of Intent on Commercial Netting Prohibition in Southeast Louisiana and further providing with respect thereto began with Mr. Gary Tilyou stating this proposal would be a 10 year period moratorium on the use of gill nets, trammel nets and freshwater fish seines in the Florida parishes. The purpose was to reduce the incidental take of Gulf Sturgeon which was listed as a threatened species. Mr. Tilyou then introduced Mr. Howard Rogillio who has studied the fish and worked with the Federal Government on a Recovery Plan. Mr. Rogillio's presentation began with a slide of the Gulf Sturgeon and he stated they have been studying it since 1989 and in 1990 the Commission voted to ban the harvest of all Sturgeon in Louisiana. Since that time there have been studies conducted and more information has been gained and now the Department was asking for further protection due to incidental mortality by netting. The Gulf Sturgeon is an anadromous fish, lives in saltwater, moves into the freshwater areas in early spring to spawn, relocates to its summer resting habitat and then moves back to the coast. The adult fish was more susceptible during the movement times to incidental netting. Females spawn every 2 to 3 years and it takes 8 to 12 years for females to reach maturity when they are about 4 feet long. Population estimates is about 300 fish. Events to protect the Gulf Sturgeon included the 1990 ban, in 1991 the fish was made a threatened species, a Recovery Plan was formulated in 1999 and critical habitat was designated in 2003. The next slide was on the age and growth of the Gulf Sturgeon comparing Florida with Louisiana's information. Population estimates in the Pearl River system varies between 200 and 500 fish. Mr. Rogillio then showed a map of the proposed ban area which included the Florida Parishes. When a Gulf Sturgeon gets caught in a net, it can not breathe and if the net stays out too long, then it eventually kills the fish. The main target for commercial fish was the garfish and between the years 2000 and 2005, entanglement gear only amounted to 20 percent of the catch which meant there were other methods to capture the commercial fish. Mr. Rogillio stated that this ban would not close

commercial fishing, it would eliminate a concern of incidental mortality. Of the 76 fishermen that reported landings, only 7 used entanglement gear. The recommendation was to prohibit the use of gill nets, trammel nets and seines for a 10 year period in the Blind River, Amite River, Tickfaw, Pearl River, Tangipahoa River and Little Lake. Concluding, Mr. Rogillio added that any loss of adult spawners could be bad. There are documented cases of 2 to 4 fish per year being caught in the Pearl River area.

Chairman Denmon asked if the seines being prohibited would include small seines people use to catch bait fish. Mr. Tilyou stated an exclusion was included in the proposal that for bait seines. Commissioner Samanie asked if that was commercial or recreational bait seines. Mr. Tilyou stated commercial fish seines would be included in the ban. Chairman Denmon asked if there were definitions that would separate a bait seine from a fish seine and Mr. Tilyou answered yes. Commissioner Samanie felt this issue was more a habitat issue and he had no confidence that nets was the real problem. Mr. Rogillio agreed that habitat was a problem, but felt it was important to protect the fish when 2 to 4 fish were being killed a year. Commissioner Samanie felt losing one commercial fisherman was important to him. Chairman Denmon asked where did the information come from that 2 to 4 fish were being lost a year. Mr. Rogillio stated that was what they would actually see in nets. Chairman Denmon asked Mr. Rogillio if he had a professional opinion on the number of fish being lost in the nets in a year's time and Mr. Rogillio answered no. Mr. Tilyou added that this was one reason for the 10 year moratorium, staff should be able to determine whether the fish would recover. Chairman Denmon asked if the Department measured the hardship this could place on commercial fishermen. Mr. Tilyou stated that 80 percent of the garfish harvested do not come from nets, they come from other means. Looking statewide, the average of 80 percent of the fish harvested comes from lines. Commissioner Sagrera asked what was the poundage figure for the 80 percent. Mr. Rogillio showed a slide with the average number of pounds of garfish (10,000 pounds which represented 20 percent of harvest). Hearing no further comments, Chairman Denmon asked for public comments.

Mr. Pete Gerica, Lake Pontchartrain Fisherman's Association, stated this was his area and there were still some fishermen that fishes garfish with nets during the cold weather time of the year. He added he did not want to see any more restrictions put on nets especially for a fish that was not being studied correctly. The problems with the Gulf Sturgeon were created by man when the rivers had dams built which created mud sills. Mr. Gerica added he had no confidence in the data from what he has seen. When fishing nets, Mr. Gerica noted he used to have incidental catch, but the fish were all released alive. The Gulf Sturgeon is a very docile and dormant fish. Mr. Gerica stated they need every piece of the fishery to survive.

Dr. Barry Kohl, representing the Pearl River Fish Way and the Audubon Council, stated the Fish Way was funded in 2002 and 2003 by the Gulf of Mexico Foundation to fund a fish bypass for 18 species of migratory fish. He added they strongly endorse the proposal which protects the Sturgeon by prohibiting the use of entanglement nets in southeast Louisiana streams. Hurricane Katrina may have caused significant mortality of Sturgeon on the Pearl

River and Bogue Chitto fish population. The netting ban on these two rivers could help the population recover. Dr. Kohl agreed there has been a decline in the population of Gulf Sturgeon along the Gulf coast. With the entanglement gear not the primary gear for commercial fishermen, the economic impact should be minimum. They were also concerned with livelihoods of the commercial fishermen, but considered themselves conservationists and to protect the Gulf Sturgeon was a conservation program. The continued funding of the staff researching the migration and population of the Gulf Sturgeon was supported. Dr. Kohl stated that based on the Department's research he has read, the program was providing essential data to document the population of Gulf Sturgeon in Lake Pontchartrain, Pearl and Bogue Chitto Rivers. In response to Mr. Gerica's comment on the population, Dr. Kohl noted that the only way to document population was through science, tagging and statistical work. He then asked for the Commission's continued support to protect threatened and endangered species.

Commissioner Miller asked if the Gulf Sturgeon was a threatened fish and was this classification right below endangered and Mr. Tilyou answered yes. He then asked if the effort was to prevent the fish from being listed as endangered and again Mr. Tilyou replied yes. Commissioner Miller asked if the fish was listed as endangered, would it shut down all fishing in the area in which the fish lives. Mr. Tilyou stated that would be an option, but it was not mandatory. Again, Commissioner Miller asked if the fish was listed as endangered, could there be no recreational or commercial fishery in the waterbodies. Mr. Tilyou stated it could happen, but there are other parts of the state that allows fishing with endangered fish in the waters. Mr. Rogillio stated the Recovery Plan covers many items and one was habitat. He added that Hurricane Katrina was not good for the population, but the National Marine Fisheries Service gave the Department money to document the impacts from the hurricane. Chairman Denmon felt the issue was trying to protect the Gulf Sturgeon versus what would the damage be to the commercial fishermen. He then asked Mr. Tilyou to provide substantial information on what the damage to the commercial fishery may be. Mr. Rogillio stated 2 percent of the state's harvest comes from this area. Mr. Tilyou stated that for 2005 there were 3 commercial fishermen that reported landings using gill nets, trammel nets and fish seines from this area. Commissioner Miller noticed that a Fiscal and Economic Impact Statement was filed and asked that a copy be supplied to the Commission. He added that the Commission was concerned with the impact to the resource and to the commercial and recreational fishery. Chairman Denmon agreed with Commissioner Miller. Commissioner Mouton stated he would rather see the Impact Statement before deciding whether to go forward with the proposal. He then made a motion to defer this agenda item until next month when more information was obtained. Commissioner Miller seconded the motion and it passed with no opposition.

Mr. Vince Guillory handled the item, **To receive and consider Resolution and Notice of Intent on 2007 Abandoned Crab Trap Removal Program and further providing with respect thereto.** Over the last 3 years, there have been 7 different clean-ups, with only 1 being held in 2006 due to impacts from Hurricanes Katrina and Rita. The slide shown next was the total traps collected by the public and Department each year as well as the number of volunteer boats that participated in the program. To date, in 7 different areas, a total of

14,452 crab traps have been removed and over 167 volunteer boat days of effort were involved. The Commission's role in the Program was to designate areas of trap closure, who would pick up the traps, where the abandoned crab traps would be deposited and the date of the closure. There are 2 windows for closures, a 16 consecutive day closure from February 1 and March 31 and then up to 14 consecutive days in conjunction with the inshore shrimp season opening. The recommendation for the 2007 program included closing the East Lake Pontchartrain/Lake Borgne area from February 24 through March 5 and the second closure was in the Upper Barataria Bay Estuary from March 3 through March 12. The Crab Task Force formally endorsed the Department's recommendation at their last meeting. Other items in the proposal states that all remaining traps in the closure area during the closed period are considered abandoned; anyone can retrieve the traps between the hours of one-half hour before sunrise to one-half hour after sunset; the traps retrieved from a closed area cannot be possessed outside the closed area; and, the Commission will authorize the Secretary to designate a disposal site for each area. A map of the Lake Pontchartrain closure was shown next and Mr. Guillory described the boundaries which totaled about 271,000 acres. The Upper Barataria Bay map was shown and this closure area included 169,000 acres. The last slide was a highlighted map of the Louisiana coast showing all of the closure areas from past years and the 2007 recommendations.

Commissioner Samanie asked if some of the recovery monies coming back to the State to redo infrastructures could be used to reimburse fishermen for picking up the abandoned crab traps. Mr. John Roussel stated that was one of the things being discussed. Chairman Denmon asked if a dent was being made in the problem. Mr. Guillory answered yes, but even in closure areas, there were many thousands of traps remaining. Chairman Denmon asked if the program continued, would the problem eventually be solved. Mr. Guillory stated it would be a long term process. Commissioner Samanie felt this was one of the better programs to come from the Department. Chairman Denmon stated there was one public comment to be made before voting.

Mr. Pete Gerica, Lake Pontchartrain Fisherman's Association, stated this program was positive. One of the recommended areas was deep water and he hoped to get some of the "stuff" out of the water. One good thing from the closure was you know what traps do not belong there. Chairman Denmon asked Mr. Gerica if he knew any way to increase participation. Mr. Gerica stated more signs were needed at the public boat ramps.

Hearing no further comments, Commissioner Samanie made a motion to adopt the Notice of Intent and it was seconded by Commissioner Sagrera. The motion passed with no opposition.

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

RESOLUTION

2007 ABANDONED CRAB TRAP REMOVAL PROGRAM

September 7, 2006

WHEREAS, Act 48 of the 2003 Regular Legislative Session, R.S. 56:332(N), authorizes the Wildlife and Fisheries Commission to establish a program for the removal of abandoned crab traps from state-owned lake and river beds and other water bottoms of the state, and

WHEREAS, R.S. 56:332(N) authorizes the Wildlife and Fisheries Commission to provide for a prohibition on the use of crab traps and for removal of abandoned traps and their disposal, and

WHEREAS, the Wildlife and Fisheries Commission shall specify the beginning and ending dates for the prohibition on the use of crab traps, shall specify the geographical area within which the use of crab traps shall be prohibited and shall specify who is authorized to remove the abandoned traps, and

WHEREAS, the abandoned crab trap removal program has been highly successful since 2004, with 14,452 abandoned crab traps removed from Louisiana state waters and the Louisiana Crab Task Force has endorsed the proposed 2007 crab trap closure areas and dates, now

THEREFORE BE IT RESOLVED, that the Wildlife and Fisheries Commission does hereby adopt a notice of intent to implement a rule for two crab trap closures during the 2007 abandoned crab trap removal program which is attached to and made a part of this resolution and which will become effective upon promulgation.

BE IT FURTHER RESOLVED, that the Wildlife and Fisheries Commission authorizes the Secretary of the Department of Wildlife and Fisheries to designate the locations where removed and abandoned traps are to be placed for disposal.

BE IT FURTHER RESOLVED, the Secretary of the Department of Wildlife and Fisheries is authorized to take any and all necessary steps on behalf of the Commission to 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.

Terry D. Denmon
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 a rule, LAC 76:VII.367, which provides for an abandoned crab trap removal program. Authority to establish these regulations is vested in the Commission by R.S. 56:332(N). Said rule is attached and made a part of this Notice of Intent.

Title 76

WILDLIFE AND FISHERIES

Part VII. Fish and Other Aquatic Life

Chapter 3. Saltwater Sport and Commercial Fishery

§367. Removal of Abandoned Crab Traps

A. The use of crab traps shall be prohibited from 6:00 a.m., March 3, 2007 through 6:00 a.m. March 12, 2007 within that portion of Lafourche Parish, Jefferson Parish, and Plaquemines Parish as described below:

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

B. The use of crab traps shall be prohibited from 6:00 a.m., February 24, 2007 through 6:00 a.m., March 5, 2007 within that portion of Jefferson Parish, Orleans Parish, St. Bernard Parish, and St. Tammany Parish as described below:

1. From a point originating from the intersection of the Lake Pontchartrain Causeway Bridge and the southern shoreline of Lake Pontchartrain; thence eastward along the southern shoreline of Lake Pontchartrain to Chef Menteur Pass; thence southward

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

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

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

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, and Wildlife and Fisheries Commission LR 30:101 (January 2004), amended LR 31:108 (January 2005), amended LR:32:266 (February, 2006), 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 final rule, including but not limited to, the filing of the fiscal and economic impact statement, the filing of the notice of intent and final rule and the preparation of reports and correspondence to other agencies of government.

Interested persons may submit written comments relative to the proposed rule to Vincent Guillory, Marine Fisheries Biologist Manager, Marine Fisheries Division, Box 189, Bourg, LA 70343, prior to Thursday, November 2, 2006.

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

Terry D. Denmon
Chairman

To receive and consider Notice of Intent on Designation of Little Lake Public Oyster Seed Grounds and further providing with respect thereto began with Mr. Patrick Banks stating a copy of the map area was included in the packets. In mid-August, the Louisiana Oyster Task Force provided a written request to the Commission to designate certain state-owned water bottoms in Jefferson and Lafourche Parishes as the Little Lake Public Oyster Seed Grounds. A similar request was made in 2003 and the Commission responded by designating the area as a temporary natural reef and opened it to oyster harvest that season. There were approximately 4,000 barrels of seed oysters harvested and 12,000 sacks of market sized oysters harvested from the natural reef area. Since the action in 2003 was only temporary, this area was no longer a public oyster area. The proposal being considered would make the area a permanent oyster seed ground. Commissioner Miller again asked that a copy of the Fiscal and Economic Impact Statement be provided to the Commission in advance. Chairman Denmon then asked for public comments.

Mr. Wilson Voisin, Louisiana Oyster Task Force, stated they have discussed this issue many times and Mr. Banks provided the 2003 production numbers when Little Lake was designated as a temporary area. That area produced more than they thought would even with that area being susceptible to fresh waters. He noted production in the State of Louisiana on the public grounds were at an all time low. The Little Lake area will be very productive this year and it was anticipated there would be quite an abundance of product. Mr. Voisin added that the industry was in dire need of the product. When discussing this area, the Oyster Task Force decided to make this a permanent oyster ground and for it to be opened yearly or when the Department felt it would benefit the industry. Mr. Voisin noted the Task Force supports the proposal and hoped to see it opened as quickly as possible.

Hearing no further discussion on this item, Commissioner Sagrera made a motion to adopt the Resolution. Commissioner Samanie seconded the motion and it passed with no opposition.

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

RESOLUTION

DESIGNATION OF THE LITTLE LAKE PUBLIC OYSTER SEED GROUNDS

September 7, 2006

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

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

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

WHEREAS, the Louisiana Oyster Task Force has requested and recommended that these water bottoms be designated as public oyster seed grounds.

THEREFORE BE IT RESOLVED, the Wildlife and Fisheries Commission does hereby promulgate a Notice of Intent to designate the state-owned water bottoms within the areas described as the Little Lake Public Oyster Seed Grounds, and

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

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

Terry D. Denmon, Chairman
Wildlife and Fisheries Commission

NOTICE OF INTENT

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

The Wildlife and Fisheries Commission does hereby give notice of its intent to designate certain state-owned water bottoms within Jefferson and Lafourche Parishes as the Little Lake Public Oyster Seed Grounds. Authority to establish the Little Lake Public Oyster Seed Grounds is vested in the Wildlife and Fisheries Commission by R.S. 56:6(12) and R.S. 56:434(A).

Title 76

WILDLIFE AND FISHERIES

Part VII. Fish and Other Aquatic Life

Chapter 5. Oyster

§521. Public Oyster Seed Grounds – Little Lake

A. The Little Lake Public Oyster Seed Grounds is described as that portion of the state-owned water bottoms within the boundary as shown on a map by the Department of Wildlife and Fisheries, dated August 29, 2006, and more particularly described:

1. Beginning at the intersection of the western shoreline of Barataria Waterway and the northern shoreline of Bayou St. Denis at latitude 29 degrees 29 minutes 41.385 seconds North, longitude 90 degrees 01 minutes 12.443 seconds West; thence southerly to a point at latitude 29 degrees 29 minutes 32.297 seconds North, longitude 90 degrees 01 minutes 08.030 seconds West; thence southerly to a point at latitude 29 degrees 29 minutes 23.314 seconds North, longitude 90 degrees 01 minutes 10.035 seconds West; thence southerly to a point at latitude 29 degrees 29 minutes 09.521 seconds North, longitude 90 degrees 01 minutes 15.178 seconds West; thence westerly to a point at latitude 29 degrees 29 minutes 10.637 seconds North, longitude 90 degrees 01 minutes 29.713 seconds West; thence southerly to a point at latitude 29 degrees 28 minutes 33.134 seconds North, longitude 90 degrees 01 minutes 30.449 seconds West; thence westerly to a point at latitude 29 degrees 28 minutes 40.110 seconds North, longitude 90 degrees 03 minutes 27.833 seconds West, thence southerly to a point at latitude 29 degrees 28 minutes 36.574 seconds North, longitude 90 degrees 03 minutes 29.741 seconds West; thence southwesterly to a point at latitude 29 degrees 28 minutes 22.052 seconds North, longitude 90 degrees 03 minutes 56.413 seconds West; thence southwesterly to a point at latitude 29 degrees 28 minutes 20.369 seconds North, longitude 90 degrees 04 minutes 01.526 seconds West; thence westerly to a point at latitude 29 degrees 28 minutes 19.527 seconds North, longitude 90 degrees 04 minutes 16.811 seconds West; thence westerly to a point at latitude 29 degrees 28 minutes 19.340 seconds North, longitude 90 degrees 04 minutes 23.149 seconds West; thence southwesterly to a point at latitude 29 degrees 28 minutes 12.363 seconds North, longitude 90 degrees 04 minutes 28.498 seconds West; thence westerly to a point at latitude 29 degrees 28 minutes 13.253 seconds North, longitude 90 degrees 04 minutes 33.578 seconds West; thence westerly to a point at latitude 29 degrees 28 minutes 13.533 seconds North, longitude 90 degrees 04 minutes 36.968 seconds West; thence southerly to a point at latitude 29 degrees 28 minutes 11.567 seconds North, longitude 90 degrees 04 minutes 38.407 seconds West; thence southerly to a point at latitude 29 degrees 28 minutes 05.627 seconds North, longitude 90 degrees 04 minutes 38.482 seconds West; thence southerly to a point at latitude 29 degrees 27 minutes 58.698 seconds North, longitude 90 degrees 04 minutes 38.568 seconds West; thence westerly to a point at

latitude 29 degrees 27 minutes 55.110 seconds North, longitude 90 degrees 04 minutes 46.543 seconds West; thence westerly to a point at latitude 29 degrees 27 minutes 52.581 seconds North, longitude 90 degrees 05 minutes 06.066 seconds West; thence southerly to a point at latitude 29 degrees 27 minutes 48.538 seconds North, longitude 90 degrees 05 minutes 03.132 seconds West; thence easterly to a point at latitude 29 degrees 27 minutes 49.851 seconds North, longitude 90 degrees 04 minutes 45.184 seconds West; thence southerly to a point at latitude 29 degrees 27 minutes 37.031 seconds North, longitude 90 degrees 04 minutes 37.154 seconds West; thence southerly to a point at latitude 29 degrees 27 minutes 36.560 seconds North, longitude 90 degrees 04 minutes 36.658 seconds West; thence southerly to a point at latitude 29 degrees 27 minutes 24.833 seconds North, longitude 90 degrees 04 minutes 38.534 seconds West; thence southerly to a point at latitude 29 degrees 27 minutes 18.564 seconds North, longitude 90 degrees 04 minutes 37.351 seconds West; thence westerly to a point at latitude 29 degrees 27 minutes 23.151 seconds North, longitude 90 degrees 04 minutes 54.963 seconds West; thence southwesterly to a point at latitude 29 degrees 27 minutes 11.170 seconds North, longitude 90 degrees 05 minutes 08.473 seconds West; thence southerly to a point at latitude 29 degrees 27 minutes 06.634 seconds North, longitude 90 degrees 05 minutes 08.198 seconds West; thence southwesterly to a point on the southern shoreline of Little Lake at latitude 29 degrees 27 minutes 03.038 seconds North, longitude 90 degrees 05 minutes 14.223 seconds West; thence westerly along the shoreline of Little Lake to the intersection of the western shoreline of Little Lake and the southern shoreline of Bay L'ours at latitude 29 degrees 30 minutes 02.067 seconds North, longitude 90 degrees 12 minutes 02.839 seconds West; thence westerly along the shoreline of Bay L'ours to the intersection of the northern shoreline of Bay L'ours and the western shoreline of Little Lake at latitude 29 degrees 31 minutes 05.281 seconds North, longitude 90 degrees 11 minutes 51.880 seconds West; thence northerly along the western shoreline of Little Lake to the intersection of the northern shoreline of Little Lake and the western shoreline of Bayou Perot at latitude 29 degrees 34 minutes 11.659 seconds North, longitude 90 degrees 10 minutes 13.934 seconds West; thence northerly along the western shoreline of Bayou Perot to a point on the western shoreline of Bayou Perot at latitude 29 degrees 34 minutes 40.000 seconds North, longitude 90 degrees 10 minutes 08.000 seconds West; thence east to a point on the eastern shoreline of Bayou Perot at latitude 29 degrees 34 minutes 40.000 seconds North, longitude 90 degrees 09 minutes 20.000 seconds West; thence southerly along the eastern shoreline of Bayou Perot to the intersection of the eastern shoreline of Bayou Perot and the northern shoreline of Little Lake at latitude 29 degrees 33 minutes 55.686 seconds North, longitude 90 degrees 10 minutes 18.146 seconds West; thence southeasterly along the northern shoreline of Little Lake to the intersection of the northern shoreline of Little Lake and the western shoreline of Turtle Bay at latitude 29 degrees 31 minutes 57.674 seconds North, longitude 90 degrees 08 minutes 55.092 seconds West; thence northeasterly along the shoreline of Turtle Bay to the intersection of the eastern shoreline of Turtle Bay and the northern shoreline of Little Lake at latitude 29 degrees 31 minutes 55.937 seconds North, longitude 90 degrees 06 minutes 28.544 seconds West; thence southeasterly along the northern shoreline of Little Lake to a point on the northern shoreline of Little Lake at latitude 29 degrees 31 minutes 28.031 seconds North, longitude 90 degrees 05 minutes 14.708 seconds West; thence southeasterly to the intersection of

the eastern shoreline of Little Lake and the northern shoreline of Bayou St. Denis at latitude 29 degrees 31 minutes 20.272 seconds North, longitude 90 degrees 04 minutes 50.608 seconds West; thence southeasterly along the northern shoreline of Bayou St. Denis to the point of beginning.

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

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR .

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

Interested persons may submit written comments relative to the proposed rule until 4:30 p.m., Thursday, December 7, 2006 to Patrick D. Banks, Department of Wildlife and Fisheries, Marine Fisheries Division, Box 98000, Baton Rouge, Louisiana, 70898-9000.

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

Terry D. Denmon
Chairman

The Commissioners agreed to hold the **January 2007 Meeting** on Thursday, January 4, 2007, beginning at 9:30 a.m. at the Baton Rouge Headquarters.

Next item was to receive **Public Comments**. Commissioner Mouton asked Commissioner Miller if the Commission was still asking for reports on the Calcasieu Lake oil spill. Commissioner Miller stated he made a "scientific study" of the estuary and found the fish were biting and the water was clean.

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

Janice A. Lansing
Acting Secretary

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