

**LOUISIANA WILDLIFE AND FISHERIES COMMISSION**

**MINUTES**

**March 3, 2011**

**STEPHEN W. SAGRERA  
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.

**AGENDA**  
**LOUISIANA WILDLIFE AND FISHERIES COMMISSION**  
**BATON ROUGE, LOUISIANA**  
**MARCH 3, 2011**

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MINUTES OF THE MEETING

OF

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

Thursday, March 3, 2011

Chairman Stephen Segrera presiding.

Billy Broussard  
Ronny Graham  
Patrick Morrow  
Stephen Oats  
Ann Taylor  
Mike Voisin

Secretary Robert Barham was also present.

Chairman Segrera called for a motion for approval of the **February 8, 2011 Commission Minutes**. A motion for approval was made by Commissioner Oats and seconded by Commissioner Voisin. The motion passed with no opposition.

There were no **Commission Special Announcements/Personal Privilege** for this month.

For the next agenda item, **Public comments on 2011-13 Hunting Seasons and 2011-12 General & WMA Hunting Rules and Regulations and DMAP**, Chairman Segrera asked Representative Nickie Monica to give his comments. Representative Monica began by introducing his daughter, Erin, and asked her to make a statement on the 2011-12 deer season. Ms. Monica stated her younger sister has been hunting since she was 7 and she has been hunting since she was 11 years old. She then asked the Commission to consider changes for the 2011-12 deer season. The changes were to extend the youth hunt to a week instead of the weekend; allow the youth to use a regular rifle during the adult primitive weapon season; and to raise the age of youth to 17 or 18. Ms. Monica felt the changes would encourage youth to continue hunting. Commissioner Voisin asked Representative Monica if he agreed with his daughter and he was told yes. Representative Monica echoed the request of his daughter to extend the youth hunt to 7 days, allow youth to hunt with their regular rifles during primitive weapon season and to raise youth age to 17. Chairman Segrera felt they should try to do anything possible to encourage youth

to get out and enjoy the outdoors.

Mr. Randy Guidroz, President of Louisiana Rabbit Hunters Association, stated his 200+ members adamantly oppose any changes to the hunting season. They did not want any extra days for deer hunting. In an article by Mr. Joe Macaluso in The Advocate, the question was asked how much would a hunter pay to add 30 days to the deer season. Mr. Guidroz felt this was unethical to pay for days to hunt. He wondered if this happened for the deer hunters, would the rabbit hunters also be able to buy extra days? The Commission's main concern should be safety, according to Mr. Guidroz.

Mr. Joseph Guidroz, a hunter in the Atchafalaya Spillway, stated he was bounded on the west side by the Sherburne WMA. After the last Commission meeting, he read in the newspaper that there would be changes made to the DMAP regulations to extend the season. Mr. Guidroz did not think the Commission was at fault on the way the hearing was conducted. He noted that last year there were 327 comments and 307 were opposed to changing the season and now there was another similar proposal this year. He thought it was a back door approach involving DMAP regulations. One good reason to extend the season would allow more DMAP participation which would mean more money for the Department. Mr. Guidroz did not think the deer have changed, he felt that money was what has changed. Reasons to oppose this change were that 94 percent of the comments were opposed to this proposal 9 months ago, and conflicts between landowners. Mr. Guidroz added he did not want to lose the 4 weeks of rabbit hunting if the proposal passed.

Mr. David Moreland stated he read the DMAP proposal and fully supported the regulations. He requested the Commission give the proposal 2 or 3 years and if it produced results, then possibly do something for smaller landowners and hunters not able to participate.

**To receive and hear Enforcement & Aviation Reports/February** began with Major Joey Broussard stating the Department's planes flew a total of 70.5 hours for the month. In February, there were 12 boating accidents reported (19 total for the year) with 7 fatalities. The fatalities occurred in Plaquemines, Orleans, Evangeline, and Ouachita Parishes. A total of 1,067 citations and 317 written warnings were issued during February and agents responded to 54 public assists. Then Major Broussard talked about cases where 145 crappie were seized for allegedly being caught in a hoop net; a littering case which lead to a drug

arrest; and a negligent homicide case. Chairman Sagrera asked if it was a common theme that all 7 fatalities did not use PFD's or kill switches and Major Broussard answered yes.

For the agenda item, **To hear Enforcement Update on BP Oil Spill/Leak**, Lt. Col. Jeff Mayne stated that he would provide a status update on this event and the toll it was taking on the fisheries and enforcement efforts. On the morning of April 20, in response to the accident, several enforcement boats went out to assist Coast Guard to help identify or rescue individuals. The role was to enforce the closures, assist in security with the booming operations, rescue marine life and assist other divisions with their roles, and conduct surveillance in identifying different oiled areas. Maps of the different fisheries closures agents enforced 24 hours a day was shown. Since this disaster was not federally declared, patrol assistance from other states could not be provided as happens with hurricanes. Lt. Col. Mayne added that every agent in the state was trained to work the oil spill. The Department coordinated enforcement efforts with Texas, Mississippi, Alabama and Florida to follow the same types of policies on closures. To date, a total of 615 citations for fishing in a closed area were issued, 371 were for commercial in state waters, 95 commercial federal waters, 120 recreational state waters and 29 recreational federal waters as well as 253 warning citations were issued. The numbers of seafood returned to the waters included: about 50,000 pounds of shrimp, 812 trout and other fish, 1300 pounds of crab and 115 sacks of oysters. To date, over 80,000 hours have been logged and agents have made over 119,000 contacts. Commissioner Voisin asked if the Department has filed a claim for reimbursement of the hours and Lt. Col. Mayne stated that yes the hours are being claimed and that BP has purchased equipment for the agents and Department for different efforts. Commissioner Voisin then asked what activities were continuing. Lt. Col. Mayne noted they continue to enforce the closed areas in recreational, commercial and federal waters. These activities were being handled by the regional agents on an overtime basis. Commissioner Morrow complimented the Department for their efforts with the disaster and felt all employees went beyond the call of duty in protecting the environment and people. He then stated that he has read articles about bottlenose dolphin washing ashore and asked if the kill was related to BP. Mr. Randy Pausina stated the Department collected samples, but NOAA was responsible for the necropsy and to date no cause of death has been received yet. Commissioner Broussard asked if there were on-going sampling in the closed state and federal waters. Lt. Col. Mayne

stated NOAA was responsible for the federal waters. Commissioner Broussard then asked what were the determining factors in keeping the state waters closed. Mr. Pausina stated there is a Gulf States Federal Agreement in place for state waters. Each time there is a request to open state waters, all of the testing data was sent to the FDA and NOAA seafood testing and then a determination was made to reopen or not. The Department continues to see sheen and tar balls, but re-evaluation of the areas continues with communication to the federal government. Commissioner Broussard asked if there were sheen and tar balls still being found and Mr. Pausina stated everyday.

Then Lt. Col. Jeff Mayne handled the **To receive and consider Litter Proclamation**. He stated that the Department and Commission used to support the Zero Tolerance for Litter Campaign weekend in an effort to heighten awareness of litter. On March 17, a public event will be held on the steps of the State Capitol in coordination with the Lt. Governor's office, State Police, Wildlife and Fisheries, Sheriff's Association, Keep Louisiana Beautiful to introduce a new litter slogan. The Proclamation acknowledges that March 18, 19 and 20 as heighten litter awareness campaign days. Commissioner Voisin made a motion to approve the Proclamation, seconded by Commissioner Oats and passed with no opposition.

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

#### **P R O C L A M A T I O N**

**WHEREAS**, the State of Louisiana enjoys a well deserved reputation for possessing a diversity of landscape from the picturesque hills of the northern portion of the state to the sub-tropical marshes of the south, and

**WHEREAS**, for many years, the abundant and varied scenery of Louisiana has attracted thousands of visitors annually to enjoy both nature at its finest and the many living resources and natural wonders, and

**WHEREAS**, litter scattered around the beautiful landscape of our great state, has been not only an eyesore for local residents, but has greatly detracted from the state's flourishing tourist industry and negatively effects our states ecosystem, and

**WHEREAS**, the State of Louisiana, Keep Louisiana Beautiful, the Louisiana Wildlife and Fisheries Law Enforcement Division, the Louisiana State Police, and innumerable local civic agencies have initiated a heightened enforcement initiative in 2005 to better inform local residents of the importance of keeping our state litter free, and

**WHEREAS**, the Louisiana Wildlife and Fisheries Commission applauds the efforts of Louisiana's Law Enforcement Officers and members of Keep Louisiana Beautiful in their attempt to bring about a cleaner, more attractive environment for all citizens and visitors, and

**NOW, THEREFORE** the Louisiana Wildlife and Fisheries Commission hereby proclaims March 18<sup>th</sup>, 19<sup>th</sup> & 20<sup>th</sup> of 2011 to be "Heightened Enforcement on Littering Weekend" in the state of Louisiana.

And that all hunters, fishers, boaters and natural resource enthusiasts join the Louisiana Wildlife and Fisheries Law Enforcement Division, Louisiana State Police and Keep Louisiana Beautiful members in helping our state reach its potential as a litter free state.

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Stephen W. Sagrera  
Commission Chairman

Chairman Sagrera asked that the agenda item, **Public comments on 2011-13 Hunting Seasons and 2011-12 General & WMA Hunting Rules and Regulations and DMAP**, be revisited with amendments from the Department. Mr. Randy Myers stated, based on the comments of Representative Monica and his daughter, they looked at the Notice of Intent and wanted to make 2 recommendations. The first was to change the wording in the regulation "youth 17 or younger may hunt deer with ~~shotguns using slugs~~" to "any weapon during the primitive firearms season in each deer hunting area" on the Special Youth Deer Shotgun Season. The second amendment was to add that the Special Youth Deer Hunt in each deer area 1-8 would extend for 7 days instead of 2 days (opening on a Saturday and closing on a Friday). This proposal was to be implemented for the 2011-2012 season. Mr. Myers added that the other request, allowing for youth 17 or younger, was already in place. Commissioner Oats asked if all youth would be referred to as youth 17 or younger and Mr. Myers stated that was correct. Commissioner Morrow asked if the season extension from 2 to 7

days included waterfowl and Mr. Myers stated this would apply to deer only. Commissioner Oats made a motion to approve both amendments in globo and it was seconded by Commissioner Morrow. The motion passed with no opposition.

**To hear general presentation on Forest Stewardship Program** was handled by Mr. Cody Cedotal. He began stating that the Forest Stewardship Program was designed to provide private forest landowners management assistance. Also, the overall objective was to encourage landowners to actively manage their natural resources in a manner that was sustainable for future generations. There are many agencies that participate in this program and they include the Louisiana Department of Agriculture and Forestry (foresters provide timber management advice for landowners); the Louisiana Department of Wildlife and Fisheries (provide assistance on wildlife habitat improvements and species and develop a newsletter sent to all participants twice a year); and the USDA Natural Resources Conservation Service (occasionally assist with soil and water quality issues that may arise). The two most common management objectives are timber production for pine and hardwood stands and wildlife habitat enhancement for several species. Mr. Cedotal noted that timber management was the best tool to improve wildlife habitat. Other objectives include aesthetic and recreation. The initial part of the Forest Stewardship Program was developing a management plan which includes a site inspection and learning the objectives of the landowners, looking at the present conditions on the tract, and then design a plan designed to cover 10 years. Some of the recommendations include participation in other programs such as the NRCS Wildlife Habitat Incentive Program, the Agriculture and Forestry Forest Productivity Program, the East and West Gulf Coastal Plain Prescribed Burning Initiative and DMAP which leads to long term working relationships. An example of property in East Feliciana Parish and summary table was explained by Mr. Cedotal. Once some of the management objectives are accomplished, the property could be certified as a stewardship forest. A team composed of all agencies involved and any consultants would determine whether practices have been carried out in a manner conducive to good stewardship. If the practices are done properly and the land was certified, a sign and a plaque was given to the landowner to display. In Louisiana to date, 1,284 management plans have been developed for approximately 145,000 acres. There have been 290 properties certified as Stewardship Forests. The program enables the Department to develop long term working relationships with many landowners that will benefit the agency's overall mission. Mr. Cedotal concluded stating that this program was beneficial to

landowners, governmental agencies and forest and wildlife resources throughout the state.

The next agenda item, **To receive and consider Notice of Intent to make Freshwater Recreational Fishing Regulations for Border Waters with Texas Consistent**, began with Ms. Melissa Kaintz stating this action would standardize recreational freshwater regulations on Louisiana-Texas border waters. The boundary waters between Texas and Louisiana support excellent recreational fishing and attracts thousands of anglers each year. But the recreational fishing regulations were not consistent and the line separating the two states was not marked. In July 2010, the Department entered into a Memorandum of Understanding with Texas Parks and Wildlife to cooperatively do research that would end with joint management measures. Also, during the 2010 Legislative Session, House Concurrent Resolution 124 by Representative Armes passed that urged and requested the Sabine River Authority and the Department work with Texas officials to develop consistent fishing regulations for Toledo Bend Reservoir. In October 2010, Department personnel met with Texas biologists to develop standardized recreational fishing regulations on all border waters (Toledo Bend, Caddo Lake and Sabine River from the Toledo Bend dam to Interstate 10). This will be the first time that Louisiana and Texas have agreed on all standardized regulations on all border waters. The Texas Parks and Wildlife Commission approved the recommended agreement in January 2011 subject to approval by the Louisiana Wildlife and Fisheries Commission members. Hearing no comments, Commissioner Oats made a motion to approve the Resolution and Notice of Intent and it was seconded by Commissioner Graham. Commissioner Voisin asked how significant were the changes on the Louisiana side and Ms. Kaintz stated there were no significant changes and a lot of compromise from both sides. Commissioner Voisin then asked how the public would be educated on this change. Ms. Kaintz stated there will be 3 public hearings held to explain the changes and listen to any comments. Hearing no further questions, 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 modify the recreational harvest regulations for freshwater game fish on the waters of the Louisiana-Texas border, specifically Toledo Bend Reservoir, Caddo Lake, and the Sabine River, in accordance with the reciprocal agreement between Texas and Louisiana.

## Title 76

### WILDLIFE AND FISHERIES

#### Part VII. Fish and Other Aquatic Life

##### Chapter 1. Freshwater Sports and Commercial Fishing

##### §110. Texas Border Waters Recreational Creel, Size, and Possession Limits ~~Toledo Bend Reciprocal Agreement~~

###### A. Purpose

1. Pursuant to Louisiana Revised Statute 56:673 and the July 1, 2010 Memorandum of Understanding between Louisiana Department of Wildlife and Fisheries and Texas Parks and Wildlife, the Commission hereby ratifies and enters into an agreement with the Texas Parks and Wildlife Department to establish uniform and reciprocal regulations for the recreational harvest of freshwater game fish on the waters of the Louisiana-Texas border, specifically Toledo Bend Reservoir, Caddo Lake, and the Sabine River. Those regulations are as follows:

###### B. Toledo Bend Reservoir

1. The recreational daily creel limit (daily take) for largemouth bass (*Micropterus salmoides*) and spotted bass (*Micropterus punctulatus*) is set at eight fish, in aggregate. The minimum total length limit for largemouth bass (*M. salmoides*) is 14 inches. There is no minimum length limit on spotted bass. For enforcement purposes, a spotted bass shall be defined as a black bass with a tooth patch on its tongue.

2. The daily creel limit for white bass (*Morone chrysops*) is twenty-five (25) fish and there is no minimum ~~total~~ length limit.

3. There is no limit on the daily take of Yellow

Bass (*Morone mississippiensis*).

4. The recreational daily creel limit for black crappie (*Pomoxis nigromaculatus*) and white crappie (*Pomoxis annularis*) is set at twenty-five (25) fish, in the aggregate, and there is no minimum length limit.

5. The recreational daily creel limit for channel catfish (*Ictalurus punctatus*) and blue catfish (*Ictalurus furcatus*) is set at fifty (50) fish in the aggregate, there is no minimum length limit and not more than five (5) fish may exceed twenty (20) inches in total length.

6. The recreational daily creel limit for flathead catfish (*Pylodictis olivaris*) is set at ten (10) fish. The minimum length limit is eighteen (18) inches.

### C. Caddo Lake

1. Harvest regulations for black basses (largemouth bass, *Micropterus salmoides* and spotted bass, *Micropterus punctulatus*) on Caddo Lake are as follows:

a. Largemouth bass size limits - fourteen to eighteen (14-18) inch slot. A 14-18 inch slot limit means that it is illegal to keep or possess a largemouth bass whose maximum total length is between 14 inches and 18 inches, both measurements inclusive.

b. Spotted bass size limits - no minimum length limit. For enforcement purposes, a spotted bass shall be defined as a black bass with a tooth patch on its tongue.

c. The daily creel limit (daily take) for black bass (*Micropterus spp.*) is set at eight (8) fish, in the aggregate, of which no more than four (4) largemouth bass may exceed eighteen (18) inches maximum total length.

2. The daily creel limit for white bass (*Morone chrysops*) is twenty-five (25) fish and there is no minimum length limit.

3. There is no daily creel limit on yellow bass (*Morone mississippiensis*), and there is no minimum length limit.

4. The recreational daily creel limit for black crappie (*Pomoxis nigromaculatus*) and white crappie (*Pomoxis*

annularis) is set at twenty-five (25) fish, in the aggregate, and there is no minimum length limit.

5. The recreational daily creel limit for channel catfish (*Ictalurus punctatus*) and blue catfish (*Ictalurus furcatus*) is set at fifty (50) fish in the aggregate, there is no minimum length limit and not more than five (5) fish may exceed twenty (20) inches in total length.

6. The recreational daily creel limit for flathead catfish (*Pylodictis olivaris*) is set at ten (10) fish. The minimum length limit is eighteen (18) inches.

D. Sabine River

1. For purposes of this Section the Sabine River shall be defined as River proper from the Toledo Bend Dam downstream to the Interstate 10 Bridge and the River proper upstream from Toledo Bend Reservoir to the point at which the entire river enters Texas as marked by state line sign.

2. The recreational daily creel limit (daily take) for largemouth bass (*Micropterus salmoides*) and spotted bass (*Micropterus punctulatus*) is set at eight fish, in aggregate. The minimum length limit for largemouth bass (*M. salmoides*) is 14 inches. There is no minimum length limit on spotted bass. For enforcement purposes, a spotted bass shall be defined as a black bass with a tooth patch on its tongue.

3. The daily creel limit for striped bass (*Morone saxatilis*) is set at five (5) fish. There is no minimum length limit and only two (2) fish may be over thirty (30) inches in total length.

4. The daily creel limit for white bass (*Morone chrysops*) is twenty-five (25) fish and there is no minimum length limit.

5. There is no daily creel limit on yellow bass (*Morone mississippiensis*), and there is no minimum length limit.

6. The recreational daily creel limit for black crappie (*Pomoxis nigromaculatus*) and white crappie (*Pomoxis annularis*) is set at twenty-five (25) fish, in the aggregate, and there is no minimum length limit.

7. The recreational daily creel limit for channel

catfish (*Ictalurus punctatus*) and blue catfish (*Ictalurus furcatus*) is set at fifty (50) fish in the aggregate, there is no minimum length limit and not more than five (5) fish may exceed twenty (20) inches in total length.

8. The recreational daily creel limit for flathead catfish (*Pylodictis olivaris*) is set at ten (10) fish. The minimum length limit is eighteen (18) inches.

E. Daily Possession Limit: Toledo Bend Reservoir, Caddo Lake, and the Sabine River

1. The following possession limits apply to all persons while on the waters of Toledo Bend Reservoir, Caddo Lake, or the Sabine River. No person shall possess any species of fish in excess of a one day creel limit. No person shall at any time possess in excess of the daily creel limit of any species, except that a two day creel limit may be possessed on the land, if the fish were caught on more than one day and no daily creel limits were exceeded. No person shall possess any fillets of any fish species while on the water.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6 (25) (a), R.S. 56:325 (C), R.S. 56:326.3, R.S. 56:673.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 14:548 (August 1988), amended LR 17:278 (March 1991), LR 17:1123 (November 1991), LR 19:790 (June 1993), LR 23:999 (August 1997), LR 31:948 (April 2005), LR 37: .

#### **§149. Black Bass Regulations-Daily Take and Size Limits**

A. The Wildlife and Fisheries Commission establishes a statewide daily take (creel limit) of 10 fish for black bass (*Micropterus spp.*). The possession limit shall be the same as the daily take on water and twice the daily take off water.

B. In addition, the Commission establishes special size and daily take regulations for black bass on the following water bodies:

B.1. - B.4.b.i. ...

5. Louisiana-Texas Border Waters - Toledo Bend Reservoir, Caddo Lake, and Sabine River:

a. The size, daily take, and possession limits

for black bass for water bodies located on the Louisiana-Texas border (Toledo Bend Reservoir, Caddo Lake and the Sabine River) are established in Section 110 of this Chapter.

\*Maximum total length - The distance in a straight line from the tip of the snout to the most posterior point of the depressed caudal fin as measured with mouth closed on a flat surface.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6 (25) (a), R.S. 56:325(C), R.S. 56:326.3, and R.S. 56:673.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 14:364 (June 1988), amended LR 17:278 (March 1991), repromulgated LR 17:488 (May 1991), amended LR 17:1122 (November 1991), LR 20:796 (July 1994), LR 23:1168 (September 1997), LR 24:505 (March 1998), LR 26:97 (January 2000), LR 28:104 (January 2002), LR 29:373 (March 2003), LR 30:2339 (October 2004), repromulgated LR 30:2495 (November 2004), amended LR 37: .

#### **§167. Black Bass Regulations, Caddo Lake**

Repealed.

~~Harvest regulations for black bass (*Micropterus spp.*) on Caddo Lake located in Caddo Parish, Louisiana are as follows:~~

~~1. Size limit: 14 inch 17 inch slot. A 14 17 inch slot limit means that it is illegal to keep or possess a black bass whose maximum total length is between 14 inches and 17 inches, both measurements inclusive.~~

~~2. Daily take: 10 fish of which no more than four fish may exceed 17 inches maximum total length.~~

~~3. Possession limit: On Water Same as daily take.  
Off Water Twice the daily take.~~

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6(25) (a), R.S. 56:325(C), R.S. 56:326.3.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 19:790 (June 1993), repealed LR 37:

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).

Interested persons may submit written comments of the Notice of Intent to Mr. Mike Wood, Director, Inland Fisheries Section, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000 no later than 4:30 p.m., Thursday, May 5, 2011.

Stephen W. Sagrera  
Chairman

The Commissioners agreed to hold the **July 2011 Meeting** on Thursday, July 7, 2011, beginning at 9:30 a.m. at the Baton Rouge Headquarters.

There were no **Public Comments** for this meeting.

There being no further business, Chairman Sagrera **Adjourned** the meeting.

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Stephen W. Sagrera  
Chairman

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