

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

MINUTES

December 1, 2011

STEPHEN W. SAGRERA  
CHAIRMAN

BATON ROUGE, LOUISIANA

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Louisiana Department of Wildlife and Fisheries  
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AGENDA  
LOUISIANA WILDLIFE AND FISHERIES COMMISSION  
BATON ROUGE, LA  
December 1, 2011

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MINUTES OF THE MEETING  
OF  
LOUISIANA WILDLIFE AND FISHERIES COMMISSION

Thursday, December 1, 2011

Chairman Stephen Sagrera presiding.

Ronny Graham  
Stephen Oats  
Patrick Morrow  
Ann Taylor  
Mike Voisin

Secretary Robert Barham was also present.

Chairman Sagrera called for a motion for approval of the **November 3, 2011 Commission Minutes**. A motion for approval was made by Commissioner Voisin and seconded by Commissioner Oats. The motion passed with no opposition.

For the agenda item, **Commission Special Announcements/Personal Privilege**, Chairman Sagrera presented Commissioner Morrow with a plaque and thanked him for his service on the Commission. Secretary Robert Barham thanked Commissioner Morrow for his hard work and presented him as a Honorary State Wildlife Agent. Colonel Winton Vidrine also thanked Commissioner Morrow and presented him with a plaque and a book. Chairman Sagrera also thanked Susan Falcon on behalf of the Commission for her service as the Commission Secretary. Don Puckett and Secretary Barham also thanked Susan for her hard work and professionalism during her time working as the Commission Secretary.

Lt. Col. Jeff Mayne stated, for the agenda item, **To hear Enforcement & Aviation Reports/October**, total of 1,688 cases and 390 written warnings were issued during November and agents helped with 55 public assists. The Department's planes flew a total of 113.6 hours for the month. There were 4 boating accidents reported with 5 injuries and 2 fatalities. The fatalities occurred in St. Mary Parish and no PFD's were worn. News releases discussed were on a man in Ouachita Parish being sentenced for the use of Temik by a federal judge to pay a total of \$5,035, three years of no hunting privileges and six months of home confinement with electronic monitoring, and on November 17<sup>th</sup> the Louisiana Peace Officers Standard and Training (POST) Council recognized the LDWF Enforcement Division for receiving the first

nationally accredited marine law enforcement training program. Louisiana is the first state to receive both state and national accreditation in the National Association of State Boating Law Administrators (NASBLA) Boat Operations and Training (BOAT) program and to adopt the program for all its marine law enforcement officers.

Lt. Col. Jeff Mayne also handled the next agenda item, **Presentation of Maritime Safety and Security Video**. The video highlights the BOAT program and the partnership LDWF has initiated with Louisiana State Police for the Marine Special Response Team (MSRT). Lt. Col Mayne stated that as the state's boating law administrator it has been a goal of his to fill this training gap to provide this training to marine law enforcement agencies. Colonel Vidrine and Colonel Mike Edmonson have given the flexibility to merge the LDWF Enforcement Division and Louisiana State Police to provide this training opportunity. Lt. Col Mayne gave thanks to Joel Courtney, Gabe Giffin and Adam Einck for their efforts in the production of this video, and to Spencer Cole, director of training. After the video was shown Commissioner Oats asked about compliance for PFD's on boats. Lt. Col. Jeff Mayne answered that right now it's above 80% compliance.

Randy Pausina handled the next agenda item, **To hear presentation on Plan for Utilization of Projected Fund Balance in the Artificial Reef Program**. As of a month ago there is a net balance of \$8 million in the fund, but the proposed budget for the Artificial Reef Program for next year is \$8 million to \$9 million. Although there is a projected balance, it is already eaten up in next year's budget. Four years ago there was more money in the fund, and there was a balance above and beyond what was needed for the next year's budget, but that no longer is the case. The bottom line is that the net balance minus everything that is already approved to come out of that fund will be eaten up by next year's budget once it is approved. Commissioner Voisin stated that the information presented in a previous meeting made it seem that there was going to be a significant fund balance remaining at the end of Fiscal Year 12-13. Mr. Pausina stated that it is more complicated than that, and that the fund balance is generally budgeted for the next fiscal year. He stated that the income is not guaranteed, that it is projected, and if the money is not there programs that are in place will have to be cut. Over the past two years or so there have been significant donations on the order of \$6 million to \$8 million each year from the end of the rigs that were finalized in place from Katrina. That is anticipated to slow down. The Department should get about \$8 million of revenue in the fund, which would exactly cover the projected budgets. Mr. Pausina stated that if there were to be a net balance above next year's budget the smart thing to do would be to enhance existing programs, as it is not guaranteed that the money will be there. That would allow greater flexibility depending on what the income is. Mr. Pausina stated that in the future if there are more monies the Department should aggressively attack that surplus and have short term plans that can be put in place, such as artificial reef building. Commissioner Voisin clarified that the projected fund balance from this year is what the legislature is being asked to appropriate for next year. The income dollars for next fiscal year

will be held as balances to pay the following year. He said that makes good logical sense, except that now we are dealing with challenging times, specifically with that fund. Commissioner Voisin asked if in the year there is an income amount greater than what the Department expects to spend the following year how would the Department adjust? What is the plan now strategically? Mr. Pausina stated that the Department would then go back to the legislature and propose a BA-7 with a project that would absorb those funds or make those funds available to spend. Commissioner Voisin asked if that process is triggered through the budget office. Mr. Pausina stated that is correct. He also noted that two years ago the budget authority for this fund was \$1 million, and that it is \$8 million now. He stated that what Commissioner Voisin is suggesting is what has been done over the past two years. In the future if the actual income is greater than what is on the books for next year the Department would try to push additional projects through the BA-7 process. Chris Macaluso with the Louisiana Wildlife Federation came forward with a public comment. He asked if there are projects already engineered and designed that could receive this money quickly, or would the Department be looking to scramble to apply the money to projects that have not been engineered and designed in order to keep the legislature from removing it from the fund and applying it to something else? Mr. Pausina answered that the Department has programs ready, such as building reefs. He stated that the Department has ongoing partnerships, such as with the Coastal Conservation Association (CCA). There are a variety of recreational fisheries and recreational fisheries habitat programs on the shelf that are short-term projects that could be done quickly, given that authority is granted.

Mr. Joey Shepard handled the next two agenda items, **To consider Notice of Intent to Establish a Recreational Offshore Landing Permit and To consider Notice of Intent to Establish Reporting Requirements for Recreationally Harvested Yellowfin Tuna**, together. Mr. Shepard noted that this was on the agenda for last meeting and it was requested that the Department go back and hold meetings with constituents, the recreational fisheries and charter boat industries. That has been done to a limited extent; the Department has touched base with David Cresson of CCA and also with the president of the Louisiana Charter Boat Association and had some brief discussions. Mr. Shepard asked that everyone understand that this is strictly a Notice of Intent, which is just getting the process started. It is difficult to hold public hearings in the middle of the holiday season because nobody will show up. The notices presented here will probably change a lot. Mr. Shepard vowed that the Department will hold public hearings and will continue to meet with everyone. The hope is to build a system that everyone will be satisfied with and that will give the Department the information that is needed to better manage the fisheries. Mr. Shepard asked to just get the notices out there. He reminded the Commission that we have one year them or they go away. Mr. Shepard told the Commission that the Department will come back to them as things are modified and the program is improved and ask to have them passed. Mr. Shepard stated that both items 7 and 8 go hand in hand, and asked the Commission to allow the Department to move both items forward. Commissioner Morrow stated that it seems like this puts an increased burden on the sportsmen, and asked the overall

purpose and intent of requiring the Recreational Offshore Landing Permit? What does the Department hope to accomplish? Mr. Shepard answered that the Department has no mechanism to determine who fishes in outside waters. This permit will provide the ability for the Department to see who the constituency is and what they do. In combination with the reporting of tuna it gives a universe that can be called to get an idea of what the resource is actually like in outside waters. The Federal Government would love to have an offshore permit through them. They raise issues such as the fact that the Department has lifetime licenses for which accurate records are not kept. This permit would require the holder to apply each year, make sure the address is correct, so that the Department can show the Federal Government that we have a system that works. The Department's long term goal is to get more into regional management, to have the Wildlife and Fisheries Commission have more authority over species that are caught in Federal waters but landed in Louisiana. The Feds believe one regulation should fit everyone, the Department does not believe that. Louisiana should be able to have their own seasons for species and to accommodate Louisiana sportsmen. This will allow the Department to prove to the Federal Government that we can go forward with regional management. This is being done in Florida with the Caribbean Spiny Lobster. Commissioner Oats moved to adopt items 7 and 8. The motion was seconded by Commissioner Voisin. There being no further discussion both motions passed with no opposition.

(The full text of the Notices of Intent are made a part of the record.)

## NOTICE OF INTENT

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

The Wildlife and Fisheries Commission does hereby give notice of its intent to promulgate rules and regulations governing the issuance of a recreational offshore landing permit.

## TITLE 76

### WILDLIFE AND FISHERIES

#### PART VII. FISH AND OTHER AQUATIC LIFE

#### Chapter 3. Saltwater Sport and Commercial Fishing

#### §377. Recreational Offshore Landing Permit

A. Any person possessing any one of the following fish species or species groups on board a vessel taken from within or without Louisiana territorial waters shall be required to have obtained and have in their immediate possession a Recreational Offshore Landing Permit. The Recreational Offshore Landing Permit shall be available for inspection by a duly authorized agent of the department.

- 1. Highly Migratory Species:
- a. Tunas
- b. Billfish
- c. Swordfish

B. Permits may be obtained at no cost, from authorized license vendors, by persons who hold any valid license authorizing the taking and possessing of saltwater species of fish. With the exception of those licenses that do not have to be renewed every year, the permits shall be valid for the same duration as the license authorizing saltwater fishing privileges. For those licenses that do have to be renewed every year, the permit shall be valid for one year from the date it was obtained.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6(34).

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 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 Mr. Joey Shepard, Office of Fisheries, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000, prior to Thursday, February 2, 2012.

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).

Stephen W. Sagrera  
Chairman

#### NOTICE OF INTENT

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission



The Wildlife and Fisheries Commission hereby advertises its intent to establish landing restrictions and reporting requirement on recreational possession of yellowfin tuna. Reporting is designed to collect better harvest information on this state and federal cooperatively managed species.

**TITLE 76  
WILDLIFE AND FISHERIES**

**PART VII. FISH AND OTHER AQUATIC LIFE**

**Chapter 3. Saltwater Sport and Commercial Fishing**

**§361. Tuna - Harvest Regulations**

A. – C. ...

D. Permits

1. Recreational: Persons aboard a vessel whether within or outside Louisiana territorial waters possessing any of the following tuna species: Atlantic bluefin tuna, yellowfin tuna, bigeye tuna, skipjack tuna and albacore are required to have a valid federal recreational tuna permit and a recreational offshore landing permit in their immediate possession on board the vessel.

D.2. – E. ...

E. Landing Restrictions

1. When possessing recreationally harvested yellowfin tuna on a vessel within Louisiana territorial waters a written harvest report must be maintained on such vessel indicating the date harvested, time put on board, permit number of the person catching the fish, location of catch and length of the fish. It is the responsibility of the person catching the fish or in the case of a chartered vessel the licensed captain to record and maintain such information on the vessel in order to legally possess the fish. Any person possessing such fish without such documentation shall be considered to be in violation of this section. Harvest report forms will be made available by the department online to recreational offshore landing permit holders, but do not necessarily have to be used as long as the proper information is recorded and maintained and available for immediate inspection on the fishing vessel.

2. No person shall transfer yellowfin tuna at sea. No person shall offload yellowfin tuna from a fishing vessel which were taken or possessed recreationally, prior to being validated by contacting the toll free number provided or other means approved by the department to validate the yellowfin tuna caught and possessed. When such validation is made, an authorization code will be provided which shall be recorded on the harvest report associated with that fish. The information required on the harvest report must be provided when validating the catch in order to

obtain an authorization code. In the case where a minor possesses the yellowfin tuna the guardian of such minor shall be responsible for the documentation and validation. Failure to abide by these rules and regulations shall constitute a violation of this section and shall be fined in accordance with the provisions of a class one violation pursuant to R.S. 56:31.

AUTHORITY NOTE: Promulgated in accordance with R.S.56:6(25)(a), R.S. 56:326.1, R.S. 56:326.3, ~~and~~R.S. 56:320.2(C) and R.S. 56:6(34).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 26:2834 (December 2000), amended LR 27:2269 (December 2001), 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 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 Mr. Joey Shepard, Office of Fisheries, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000, prior to Thursday, February 2, 2012.

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).

Stephen W. Sagrera  
Chairman

The next agenda item, **To consider Declaration of Emergency to close Shrimping in Portions of State Outside Waters**, was handled by Marty Bourgeois. Mr. Bourgeois stated that this Declaration of Emergency asks that shrimping be closed from the western shore of Freshwater Bayou Canal to the U.S. Coast Guard light off the northwest shore of Caillou Boca. The closure would take effect at sunset December 20<sup>th</sup>. Mr. Bourgeois stated that this action is designed to protect small white shrimp that occupy these waters this time of the year and to allow them time to grow to larger, more valuable size, which would be in the spring. He stated that this action would also allow the Secretary to delay the closing date if marketable shrimp remain in these areas, to also close to shrimping any other part of State outside waters if necessary, and to reopen any closed areas when the closure is no longer needed, as well as authorize the Secretary to open and close special shrimp seasons that would not detrimentally impact developing brown shrimp. Commissioner Voisin requested that the Secretary notify the Commission when any of those actions occur. Mr. Bourgeois stated that it is not written in the Declaration but that it can be added. Commissioner Voisin moved to add the amended language that the Secretary notify the Commission when any actions are taken, and Commissioner Oats seconded. Commissioner

Voisin asked Mr. Bourgeois to remain at the podium after for a general question on shrimping. There being no other discussion the Declaration of Emergency with the amended language passed with no opposition.

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

## DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

### Partial Closure of State Outside Waters to Shrimping

In accordance with the emergency provisions of R.S. 49:953 of the Administrative Procedure Act, and under the authority of R.S.56:497 which provides that the Wildlife and Fisheries Commission shall have the authority to open or close state outside waters to shrimping by zone each year as it deems appropriate, the Wildlife and Fisheries Commission hereby orders a closure to shrimping in that portion of state outside waters, south of the Inside/Outside Shrimp Line as described in R.S. 56:495, from the western shore of Freshwater Bayou Canal at 92 degrees 18 minutes 33 seconds west longitude to the U.S. Coast Guard navigational light off the northwest shore of Caillou Boca at 29 degrees 03 minutes 10 seconds north latitude and 90 degrees 50 minutes 27 seconds west longitude. This closure is effective at official sunset, Tuesday, December 20, 2011.

R.S. 56:498 provides that the possession count on saltwater white shrimp for each cargo lot shall average no more than 100 (whole specimens) count per pound except during the time period from October fifteenth through the third Monday in December. Current biological sampling conducted by the Department of Wildlife and Fisheries has indicated that average white shrimp size in this portion of state outside waters is slightly larger than 100 count per pound; however, historical data indicate that significant numbers of smaller size white shrimp occupying coastal lakes and bays migrate into these waters as water temperatures drop in conjunction with the onset of winter. This action is being taken to protect these small white shrimp and provide them the opportunity to grow to a larger and more valuable size.

The Wildlife and Fisheries Commission authorizes the Secretary of the Department of Wildlife and Fisheries to delay the closing date if marketable quantities of shrimp are available for harvest, and to close to shrimping, if necessary, to protect small white shrimp, any part of remaining state outside waters, if biological and technical data indicate the need to do so or if enforcement problems develop, and to reopen any area closed to shrimping when the closure is no longer necessary following notification to the Chairman of the Wildlife and Fisheries Commission; and hereby authorizes the Secretary of the Department of Wildlife and Fisheries to open and close special shrimp seasons in any portion of state inside waters where such a season would not detrimentally impact developing brown shrimp populations following notification to the Chairman of the Wildlife and Fisheries Commission.

Stephen W. Sagrera  
Chairman

Commissioner Voisin asked Mr. Bourgeois for an update on the fall shrimp season. Mr. Bourgeois affirmed that there have been several inquiries, and stated that there is a delay in gathering information associated with compiling trip ticket data. There is a lag from the time the data becomes available and when the analysis is performed to see if there were impacts, and to drill down to see where the impacts occurred. The Department has recently completed a draft report that profiles the spring season through July. The Department hopes to do a similar report early next year to capture and to do the analysis of the impacts of this fall season. Mr. Bourgeois stated that the information simply is not available yet. Commissioner Voisin asked if there is any information from Department employees in the field, on the vessels and docks. He asked Mr. Bourgeois for a gut feel. Mr. Bourgeois responded that as a biologist he always likes to point to data, as speculation can lead to trouble. There are some preliminary data that the Department collects on a monthly basis. Mr. Bourgeois restated that the data is very preliminary. The most recent data from October shows that landings are down, but not as low as in 2010. Mr. Bourgeois stated that there have been lower years recently in terms of the volume of shrimp landings. Mr. Bourgeois stated that this is very general, and there is so much variation, the topic will require further analysis.

The Commissioners agreed to hold the **April 2012 Meeting** on Thursday, April 5, 2012, beginning at 9:30 a.m. at the Baton Rouge Headquarters.

Chairman Sagrera then asked for **Public Comments**. Mr. Bret Acosta asked if the Department has any intentions of opening a handicapped accessible area in the Maurepas Swamp now that the Department has acquired additional land. Assistant Secretary Jimmy Anthony answered that the Department has had a program for several years looking at places where handicapped hunting can be set up across the State, and that the Department will look into Maurepas Swamp. He stated that we acquired almost 29 thousand acres in that acquisition, and that he will direct staff to look into that area as a possible handicapped accessible area. Mr. Acosta stated that the six thousand acres where he hunted was acquired by the Department. Mr. Anthony asked Mr. Acosta to stay after the meeting to discuss. Mr. Acosta agreed. He also voiced a concern about last year's high water closure for deer season south of I-10. He thinks the Department waited too long to close the season, and he stated that there were areas beyond I-10 that were also flooded, which led to more deer being shot that probably wouldn't have been shot if other areas had been closed. Mr. Acosta stated that the high water closure for deer should have been south of 22 rather than south of I-10. Mr. Anthony responded that all floods are different, and that it is a complicated process of gathering information to determine where and when these areas should be closed. Each time there is a flood the Department learns a little more. He told Mr. Acosta that the Department would be more than willing to work with him to get his ideas.

Mr. Lawrence “Squint” Laiche had a question on public oyster areas, but Marty Bourgeois gave him the information he needed before the meeting began.

Mr. Ronald Coco with Avoyelles Wildlife Federation had a question about validating deer. He stated that the validation went from 72 hours to seven days, that now no validation numbers are given, and that the hunters were not notified of this change. Kenny Ribbeck, Administrator of Wildlife Division answered that last year hunters were having a great deal of difficulty trying to validate deer. Investigations with the company that was taking the calls as well as the staff, the Department found that many hunters were in rural areas trying to validate and they would get the call started, but the call would drop. Many of the hunters were actually validating their deer, but the call would drop before they received their confirmation number. In an attempt to alleviate that issue for the hunters the Department still required the hunter to call in to validate the deer, but they no longer have to wait for a confirmation number to write on their tag. The company who supplies the software for the hunting licenses was not able to change the actual license, so the licenses still have a spot for the validation number. Mr. Ribbeck stated that the Department has sent out news releases and spelled out in the hunting pamphlets that hunters still have to call in to validate the deer, but no longer have to wait for the validation number. One way to check that a deer has been validated is to call back and try to re-enter the number which will come back as invalid, go on the internet, or call the offices again. Mr. Coco stated that absolutely no information regarding the change came out in Avoyelles Parish. Mr. Ribbeck encouraged Mr. Coco to have his local news media publish the Department’s news releases, because that is how we send information out. Mr. Ribbeck offered regrets that the information has not gotten out as clearly as the Department hoped, but also directed Mr. Coco to the Department’s website which has a video explaining the process. He told Mr. Coco that the Department would be glad to work with him more in Avoyelles Parish. Commissioner Morrow asked Mr. Ribbeck if the software problem is with the same company from Tennessee that the Department had problems with a few years ago. Mr. Ribbeck answered, “I believe so”. Commissioner Morrow suggested that maybe the Department should look at another company. Lois Azzarello, Undersecretary, answered that last year the Department entered into a corrective action plan with the company, and that everything has been corrected to the Department’s satisfaction. Mr. Coco also voiced a concern that the black bear population is growing in Avoyelles Parish. He stated that Maria Davidson is meeting with the Sherriff because there have been numerous incidents with black bears in Avoyelles Parish. He would like to see a black bear meeting set up in Avoyelles Parish. Secretary Robert Barham commented that one of his goals is to get the black bear delisted in Louisiana. He stated that it is a very slow process because it has to go through the Feds, but that the Department is working very closely and aggressively with them. He urged Mr. Coco to call the Regional Director of the USFWS and ask him the primary focus of the Department of Wildlife and Fisheries, as they will tell you that it is to get the black bear delisted in Louisiana. Secretary Barham stated that before he leaves it is his goal that there will be tags available in Louisiana to once again hunt the black bear. It is not about the hunt so much as the evidence that

we have succeeded in Louisiana and the bear are back. The Department is working very hard to have bear hunting back in Louisiana. Mr. Coco stated that people want to shoot bear that come in their yard. Secretary Barham told him to keep an eye on our website and one day you will be able to apply to hunt bear.

Mr. Randy Lanctet, retired from the Louisiana Wildlife Federation, stated that he was on the original committee that set up the Artificial Reef Development Program in the state of Louisiana back in the 1980's and has followed the program closely since legislation took \$18 million and then \$26 million from the fund. He got the sense that the Department's plan is to scramble to use the money before the legislature could get to it. Mr. Lanctet stated that the Department should not have to try to beat them to the punch, the problem should be solved another way. He suggested that one solution is to amend the statute to make the Artificial Reef Development Fund a sub-account of the Conservation fund, which should have been done originally, so that the money is protected and the Department would have enough time to plan projects and spend the money appropriately. Mr. Lanctet suggested that another alternative is to put the money in the Wildlife and Fisheries Foundation. He recommended that these avenues be pursued going forward. He suggested that it might be possible that the legislature would give back some of that money at some point in the future when the State is in better financial footing. Commissioner Voisin stated that this is an interesting situation and that the Department has done a great job at doing all that it can to be prepared. He stated that the Conservation fund is where the documentation indicated it was going into, but the Artificial Reef Fund actually does not come under protection of the Constitution. Commissioner Voisin stated that he has spoken with Chuck Wilson who was also there when the fund was set up and his indication was that the way to protect the fund was to make it a donation or a grant, which are protected in the Constitution. Commissioner Voisin asked Mr. Lanctet if he remembered any of that. Mr. Lanctet answered that the Louisiana Wildlife Federation always advocated securing anything inside the Conservation fund, but cannot recall what persuaded them otherwise. Mr. Lanctet stated that he does not know what kind of standing the Department or Commission has to get the money back. Commissioner Morrow stated that the goal and the obligation of the Commission is to protect the resource, and that the Rigs to Reef money is a resource. It is the Commission's obligation to protect the fund, and therefore would have standing.

Mr. Joe Macaluso of the Louisiana Outdoor Writers Association stated that there are no updates for the Louisiana Outdoor Writers State top ten fish records but they are considering adding two species of Gar and some Marine Fishes. If anyone has a species they would like to see introduced into the State top ten fish records the committee meets in January, so please forward suggestions to him at the Advocate.

Commissioner Oats made a motion for the Commission to go into **Executive Session to Discuss Prospective Litigation relative to return of Artificial Reef Fund Monies** and it was seconded by Commissioner Morrow. The motion was unanimously approved. Reconvening from the

Executive Session, Chairman Sagrera stated the Commissioners will continue to explore other options.

Commissioner Voisin moved to adjourn and was seconded by Commissioner Oats. There being no further business, Chairman Sagrera **Adjourned** the meeting.

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Stephen W. Sagrera  
Chairman