

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

MINUTES

August 1, 2013

Ronald "Ronny" Graham
CHAIRMAN

Billy Broussard
VICE-CHAIRMAN (presiding)

GRAND ISLE, 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

LOUISIANA WILDLIFE AND FISHERIES COMMISSION
GRAND ISLE, LA
AUGUST 01, 2013

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MINUTES OF THE MEETING
OF
LOUISIANA WILDLIFE AND FISHERIES COMMISSION

Thursday, August 01, 2013

Vice-Chairman Billy Broussard presiding

Pat Manuel
Will Drost
Dan Davis

Secretary Barham was also present

Vice Chairman Broussard called for a motion for approval of the **July 02, 2013 Commission Minutes**. A motion for approval was made by Commissioner Manuel and seconded by Commissioner Davis. Vice Chairman Broussard called for a vote and the motion passed with no opposition.

For the agenda item, **Commission Special Announcements/Personal Privilege**, there were none heard.

Lt. Col. Joey Broussard stated, for the agenda item, **To Hear Enforcement & Aviation Reports/July**, the department's planes flew a total of 57.3 aviation hours for the month. There were Twelve (12) boating accidents reported with Seven (7) injuries and Four (4) fatalities. There were 1,776 total cases for the month of July with 901 Written Warnings issued and 61 Public Assistance.

Three (3) news releases were discussed.

First, on July 12, agents cited a Kentwood couple for alleged fishing violations in Jefferson Parish. During a vessel inspection, agents found the couple in possession of 49 spotted sea trout of which 40 were undersized.

The second News Release from Tangipahoa parish involved agents arresting a Vicksburg, MS man for his alleged role as an operator of a vessel during a boating crash that severely injured a six year girl on the Natalbany River. The driver was arrested for operating or driving a vessel while intoxicated (DWI) with two children under the age of twelve, two counts of negligent injury and reckless operation of a vessel and booked him into the Tangipahoa Parish jail.

The third release involves a Deville man who was reported missing in the Dewey Wills Wildlife Management Area (WMA) in LaSalle Parish. LDWF agents found the man on the banks of North Fork Bayou after searching for over fifteen (15) hours. The search and rescue teams used dogs, boats, a helicopter and infrared thermal imaging devices in the search.

The next item, **To Consider a Declaration of Emergency for the 2013-2014 Waterfowl Season Dates**, was handled by Mr. Larry Reynolds. Mr. Reynolds began by explaining that after much consideration, review of the hunter-opinion survey, review of available harvest data, and review of Arkansas' proposed seasons; Mr. Reynolds presented 2 sets of season dates: the most popular dates on the hunter-opinion survey, and the dates recommended by LDWF for the 2013-14 duck season.

Coastal Zone: Most popular from the Hunter Opinion survey: Nov. 16 - Dec. 8 and Dec. 21 - Jan. 26

Recommended by LDWF: Nov. 9 - Dec. 1 and Dec. 14 - Jan. 19. Youth Hunt: Nov 2, 3

East Zone:

Most popular from the Hunter-opinion survey: Nov. 23 - Dec. 1 and Dec. 7 - Jan. 26

Recommended by LDWF: Nov. 23 - Dec. 8 and Dec. 14 - Jan. 26. Youth Hunt: Nov. 16 and Feb. 1

West Zone:

Most popular from the Hunter-opinion survey: Nov. 16 - Dec. 8 and Dec. 21 - Jan. 26

Recommended by LDWF: Nov. 16 - Dec. 15 and Dec. 21 - Jan. 19. Youth Hunt: Nov. 9 and Jan. 25

There were no questions or comments. A motion for approval was made by Commissioner Drost and seconded by Commissioner Manuel. Vice Chairman Broussard called for a vote and the motion passed with no opposition.

(The full Text of the Declaration of
Emergency is made part of the record)

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

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

The hunting season for ducks, coots and geese during the 2013-2014 hunting season shall be as follows:

DUCKS AND COOTS: 60 days

Coastal Zone: November 9 – Dec. 1
 December 14 – January 19

West Zone: November 16 – December 15
 December 21 - January 19

East Zone: November 23 – December 8
(Including December 14 - January 26

Catahoula Lake)

Youth Waterfowl Weekend - November 2-3 in the Coastal Zone, Nov. 9 and Jan. 25 in the West Zone, November 16 and Feb. 1 in East Zone.

Daily Bag Limits: The daily bag limit on ducks is 6 and may include no more than 4 mallards (no more than 2 of which may be females), 2 canvasback, 1 mottled duck, 1 black duck, 3 wood ducks, 3 scaup, 2 redheads, and 2 pintails.

Daily bag limit on coots is 15.

Mergansers - The daily bag limit for mergansers is 5, only 2 of which may be hooded mergansers. Merganser limits are in addition to the daily bag limit for ducks.

Possession Limit - The possession limit on ducks, coots and mergansers is three times the daily bag limit.

GEESE:

LIGHT GEESE (SNOW, BLUE and ROSS') and WHITE-FRONTED GEESE

Coastal Zone: November 9 – December 1

(74 days) December 14 – February 2

West Zone: November 16 – December 15

(74 days) December 21 - February 2

East Zone: November 9 – December 8

(74 days) December 14 – January 26

Daily bag limit on light geese (snow, blue and Ross'): 20

Possession limit on light geese (snow, blue and Ross'): None

Daily Limit on white-fronted geese: 2

Possession Limit on white-fronted geese: 6

NOTE: During the open Canada goose season, the daily bag limit is 3 dark geese (White-fronted and Canada) no more than 2 of which may be White-fronted geese.

CANADA GEESE: CLOSED IN THE AREA DESCRIBED BELOW

Coastal Zone: November 9 – December 1

(72 days) December 14 - January 31

West Zone: November 16 – December 15

(72 days) December 21 – January 31

East Zone: November 9 – December 8

(74 days) December 14 – January 26

Daily Limit on Canada geese: 3 in aggregate with White-fronts

Possession limit on Canada geese: 9

NOTE: During the open Canada goose season, the daily bag limit is 3 dark geese (White-fronted and Canada) no more than 2 of which may be White-fronted geese.

The Canada goose Season will be open statewide except for a portion of southwest Louisiana. The closed area is described as follows: Beginning at the Texas State Line, proceeding east along Hwy. 82 to the Calcasieu Ship Channel, then north along the Calcasieu Ship Channel to its junction with the Intracoastal Canal, then east along the Intracoastal Canal to its juncture with LA Hwy. 82, then south along LA Hwy. 82 to its juncture with Parish Road 3147, then south and east along Parish Road 3147 to Freshwater Bayou Canal, then south to the Gulf of Mexico, then west along the shoreline of the Gulf of Mexico to the Texas State Line, then north to the point of beginning at LA Hwy. 82.

CONSERVATION ORDER FOR LIGHT GEESE (SNOW, BLUE AND ROSS’S):

Coastal Zone: December 2 – December 13

February 3 – March 2

West Zone: December 16 - December 20

February 3 - March 2

East Zone: December 9 – December 13

January 27 – March 2

Only snow, blue and Ross’s geese may be taken under the terms of the Conservation Order, which allows the use of electronic calls and unplugged shotguns and eliminates the daily bag and possession limits. During the Conservation Order, shooting hours begins one-half hour before sunrise and extends until one-half hour after sunset.

RAILS: November 9 – January 1

KING AND CLAPPER: Daily bag limit 15 in the aggregate, Possession 45.

SORA AND VIRGINIA: Daily bag 25 in the aggregate and possession 75.

GALLINULES: November 9 - January 1

Daily bag limit 15, Possession limit 45

SNIPE:

Coastal Zone: November 2 – December 1

December 14 – February 28

West Zone: November 9 - December 15

December 21 - February 28

East Zone: November 9 – December 8

December 14 – February 28

Daily bag limit 8, Possession limit 24

Shooting Hours: One-half hour before sunrise to sunset, except at the Spanish Lake

Recreation Area in Iberia Parish where shooting hours, including the Conservation Order, end at 2 p.m.

EXTENDED FALCONRY SEASONS FOR DUCKS, RAILS AND GALLINULES:

STATEWIDE: November 4 - February 2

(16 days of the total season lengths for rails, gallinules and extended falconry seasons were used during the September teal season.)

A Declaration of Emergency is necessary because the U.S. Fish and Wildlife Service establishes the framework for all migratory species. In order for Louisiana to provide hunting opportunities to the 200,000 sportsmen, selection of season dates, bag limits and shooting hours must be established and presented to the U.S. Fish and Wildlife Service immediately.

The aforementioned season dates, bag limits and shooting hours will become effective November 1, 2013 and extend through one-half hour after sunset on March 2, 2014.

Billy Broussard, Acting Chairman

The next item, **To Hear a Notice of Intent to Repeal the Closure of Hunting in a portion of Orleans Parish** was handled by Mr. Kenny Ribbeck. Mr. Ribbeck explained this NOI will repeal the previous rule closing all hunting or shooting by any means or device in Orleans parish

There were no questions or comments. A motion for approval was made by Commissioner Manuel and seconded by Commissioner Davis. Vice Chairman Broussard called for a vote and the motion passed with no opposition.

(The full text of this Notice of Intent is made a part of the record)

NOTICE OF INTENT

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

Orleans Parish Hunting Closure (LAC 76:III.320) The Wildlife and Fisheries Commission does hereby repeal the rule closing all hunting or shooting by any means or device in Orleans Parish.

Title 76

WILDLIFE AND FISHERIES

Part III. Game and Fish Preserves and Sanctuaries

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

§320. Orleans Parish Closure

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6 and 115.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 17:208 (February 1991), repealed LR 39:

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,

Family Impact Statement

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).

Poverty Impact Statement

The proposed Rule should not have any known or foreseeable impact on any child, individual or family as defined by R.S. 49:973(B). In particular, there should be no known or foreseeable effect on:

1. the effect on household income, assets, and financial security;
2. the effect on early childhood development and preschool through postsecondary education development;
3. the effect on employment and workforce development;
4. the effect on taxes and tax credits;
5. the effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

Public Comments

Interested persons may submit comments relative to the proposed Rule to Tommy Tuma, Wildlife Division, Department of Wildlife and Fisheries, P.O. Box 98000, Baton Rouge, LA 70898-9000 or via email to ttuma@wlf.la.gov prior to Thursday, November 7, 2013.

Billy Broussard
Vice-Chairman

Vice Chairman Broussard announced the next item, **To Consider a Declaration of Emergency to Repeal the Closure of Hunting in a Portion of Orleans Parish** to be handled by Mr. Kenny Ribbeck. Mr. Ribbeck explained this Declaration of Emergency will make the repeal effective immediately for 120 days which will in effect allow hunting opportunities to begin this fall hunting season while still allowing public comment on the final LWFC ruling on the NOI.

There were no questions or comments heard. A motion for approval was made by Commissioner Drost and seconded by Commissioner Manuel. Vice Chairman Broussard called for a vote and the motion passed with no opposition.

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

DECLARATION OF EMERGENCY

Repeal the Closure of Hunting in a Portion of Orleans Parish

Louisiana Department of Wildlife and Fisheries

Wildlife and Fisheries Commission

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

The Wildlife and Fisheries Commission does hereby repeal the rule closing that portion of Orleans Parish east of the Jefferson-Orleans Parish line, northward to the southern shoreline of Lake Pontchartrain, northeast along the southern shoreline of Lake Pontchartrain to South Point, east-southeast along the southern shoreline of Lake Pontchartrain to Chef Pass, the southern shoreline of Chef Pass eastward to the western shoreline of the Intra-Coastal Waterway, the western shoreline of the Intra-Coastal Waterway southward to the Industrial Canal, the Industrial Canal south to the Mississippi River, and the Mississippi River to the Orleans-Jefferson Parish line to all hunting or shooting by any means or device effective September 01, 2013.

The Commission hereby grants authority to the Secretary of the Department of Wildlife and Fisheries to indicate the need to do so, or as needed to effectively implement the provisions herein.

Billy Broussard, Vice Chairman

Vice Chairman Broussard announced the next item, **To Consider a Notice of Intent on Tripletail Harvest Regulations**, to be handled by Jason Adriance. Mr. Adriance provided the new Commercial and Recreational Take and Possession Limits for Tripletail

A. Recreational Take and Possession Limits

1. The recreational bag limit for the possession of tripletail whether caught within or without Louisiana waters shall be 5 fish per person, per day.

B. Commercial Take and Possession Limits

1. No person shall take, harvest, land, or possess aboard a harvesting vessel tripletail in excess of a recreational bag limit unless that person is in possession and has in his immediate possession a valid commercial fishing license, commercial gear licenses (if applicable) and a valid commercial vessel license. The holder of such valid commercial licenses (if applicable) shall not take, possess, land, sell, barter, trade or exchange or attempt to take, sell, barter, trade or exchange tripletail, whole or eviscerated, in excess of 100 pounds on any one day or on any trip, or from any trip. For the purposes of this section a trip is any fishing trip, regardless of number of days duration, that begins with departure from a dock, berth, beach, shoreline, seawall or ramp.

2. No person aboard any vessel shall transfer or cause the transfer of tripletail between vessels on state or federal waters.

3. No person shall sell, purchase, barter, trade or exchange or attempt to sell, purchase, barter, trade or exchange tripletail, whole or eviscerated, in excess of 100 pounds. Except that such limitation shall not apply to the resale of tripletail by a validly licensed wholesale/retail seafood dealer who purchased such tripletail in compliance with the regulations and requirements of this Section and in compliance with other requirements of law.

C. Size Limits

1. The recreational and commercial minimum size limit for Tripletail shall be 18 inches total length.

There were no questions or comments heard. A motion for approval was made by Commissioner Davis and seconded by Commissioner Drost. Vice Chairman Broussard called for a vote and the motion passed with no opposition.

(The full text of this Notice of Intent is made a part of the record)

NOTICE OF INTENT

Department of Wildlife and Fisheries Wildlife and Fisheries Commission Tripletail – Harvest Regulations (LAC 76:VII.379)

The Wildlife and Fisheries Commission does hereby give notice of its intent to promulgate a Rule, LAC 76:VII.379, Tripletail - Harvest Regulations. Authority for adoption of this Rule is included in R.S. R.S.56:6(25)(a), R.S. 56:326.1, R.S. 56:326.3, and R.S. 56:320.2(C). Said Rule is attached to and made part of this Notice of Intent.

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.

Title 76 WILDLIFE AND FISHERIES Part VII. Fish and Other Aquatic Life

Chapter 3. Saltwater Sport and Commercial Fishery

379. Tripletail – Harvest Regulations

A. Recreational Take and Possession Limits

1. The recreational bag limit for the possession of tripletail (*Lobotes surinamensis*) whether caught within or without Louisiana waters shall be 5 fish per person, per day.

B. Commercial Take and Possession Limits

1. No person shall take, harvest, land, or possess aboard a harvesting vessel tripletail in excess of a recreational bag limit unless that person is in possession and has in his immediate possession a valid commercial fishing license, commercial gear licenses (if applicable) and a valid commercial vessel license. The holder of such valid commercial licenses (if applicable) shall not take, possess, land, sell, barter, trade or exchange or attempt to take, sell, barter, trade or exchange tripletail, whole or eviscerated, in excess of 100 pounds on any one day or on any trip, or from any trip. For the purposes of this section a trip is any fishing trip, regardless of number of days duration, that begins with departure from a dock, berth, beach, shoreline, seawall or ramp.

2. No person aboard any vessel shall transfer or cause the transfer of tripletail between vessels on state or federal waters.

3. No person shall sell, purchase, barter, trade or exchange or attempt to sell, purchase, barter, trade or exchange tripletail, whole or eviscerated, in excess of 100 pounds. Except that such limitation shall not apply to the resale of tripletail by a validly licensed wholesale/retail seafood dealer who purchased such tripletail in compliance with the regulations and requirements of this Section and in compliance with other requirements of law.

C. Size Limits

1. The recreational and commercial minimum size limit for Tripletail (*Lobotes surinamensis*) shall be 18 inches total length.

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).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 39.

Family Impact Statement

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)

Poverty Impact Statement

The proposed rulemaking will have no impact on poverty as described in R.S. 49:973.

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,

Public Comments

Interested persons may submit comments relative to the proposed Rule to: Jason Adriance, Fisheries Division, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000, or via e-mail to: jadriance@wlf.la.gov prior to Wednesday, September 11, 2013.

Billy Broussard, Vice Chairman

Vice Chairman Broussard announced the next item, **To Consider a Notice of Intent to Modify the Rules of Recreational Offshore Landing Permits**, to be presented by Mr. Jason Adriance. Mr. Adriance highlighted the changes;

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—bluefin, albacore, yellowfin, skipjack, bigeye, blackfin;
 - b. billfish—blue marlin, white marlin. sailfish and longbill spearfish;
 - c. swordfish;

2. reef fish species:
 - a. any species of snapper;
 - b. any species of amberjack;
 - c. any species of grouper or hind.

3. Pelagics:
 - a. any species of dolphinfish
 - b. cobia
 - c. wahoo

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

There were no questions or comments heard. A motion for approval was made by Commissioner Manuel and seconded by Commissioner Drost. Vice Chairman Broussard called for a vote and the motion passed with no opposition.

(The full text of this Notice of Intent is made a part of the record)

NOTICE OF INTENT
Department of Wildlife and Fisheries
Wildlife and Fisheries Commission
Recreational Offshore Landing Permit
(LAC 76:VII.377)

The Wildlife and Fisheries Commission does hereby give notice of its intent to amend a Rule, LAC 76:VII.377, modifying existing Recreational Offshore Landing Permit regulations. Authority for adoption of this Rule is included in R.S. 56:6(34). Said Rule is attached to and made 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

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—bluefin, albacore, yellowfin, skipjack, bigeye, blackfin;
 - b. billfish—blue marlin, white marlin, sailfish and longbill spearfish;
 - c. swordfish;
2. reef fish species:
 - a. any species of snapper;
 - b. any species of amberjack;
 - c. any species of grouper or hind.
3. Pelagics:
 - a. any species of dolphinfish
 - b. cobia
 - c. wahoo

B. Permits may be obtained at no cost, from the Department of Wildlife and Fisheries, or authorized method, by persons who hold any valid license authorizing the taking and possessing of saltwater species of fish. Permits shall be valid for the same duration as the license authorizing saltwater fishing privileges. For those licenses that do not 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 38:3249 (December 2012), LR 39.

The proposed rulemaking will have no impact on poverty as described in R.S. 49:973.

Family Impact Statement

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).

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,

Public Comments

Interested persons may submit comments relative to the proposed Rule to: Jason Adriance, Fisheries Division, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000, or via e-mail to: jadriance@wlf.la.gov prior to Wednesday, September 11, 2013.

Billy Broussard, Vice Chairman

Vice Chairman Broussard announced the next item, **To Consider a Notice of Intent to Modify the Rules of Tuna Harvest Regulations**, to be presented by Mr. Jason Adriance. Mr. Adriance highlighted the changes;

Bag and Possession limits, Recreational

| Species | Bag and Possession Limit |
|-------------------|---|
| 1. Yellowfin Tuna | 3 fish per person |
| 2. Bluefin Tuna | 1 fish per vessel per year as incidental catch during open seasons. |

Size Limits, Recreational and Commercial

| Species | Minimum Size Limit |
|-------------------|------------------------------------|
| 1. Yellowfin Tuna | 27 inches Curved Fork Length (CFL) |
| 2. Bigeye Tuna | 27 inches Curved Fork Length (CFL) |
| 3. Bluefin Tuna* | 73 inches Curved Fork Length (CFL) |

*The size class of a bluefin tuna found with the head removed shall be determined using pectoral fin curved fork length (PFCFL) multiplied by a conversion factor of 1.35.

NOTE: Curved Fork Length (CFL): the length of a fish measured from the tip of the upper jaw to the fork of the tail along the contour of the body in a line that runs along the top of the pectoral fin and the top of the caudal keel. Pectoral Fin Curved Fork Length (PFCFL) means the length of a beheaded fish from the dorsal insertion of the pectoral fin to the fork of the tail measured along the contour of the body in a line that runs along the top of the pectoral fin and the top of the caudal keel.

C. No person shall take or have in their possession any species of tuna less than the minimum size or in excess of the take or possession limits. The possession limit on tunas applies to tuna taken within or outside Louisiana territorial waters. No person shall transfer or cause the transfer of tuna between vessels on state or federal waters.

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.

2. Commercial. Persons harvesting the following tuna species: Atlantic bluefin tuna, yellowfin tuna, bigeye tuna, skipjack tuna and albacore whether within or outside Louisiana state territorial waters for commercial purposes or possessing such tuna species in excess of a recreational take limit are required to have a valid federal commercial tuna permit in their immediate possession on board the vessel. No person shall sell, barter, trade or exchange or attempt to sell, barter, trade or exchange any species of tuna without a valid federal commercial tuna permit. No person shall purchase, barter, trade or exchange or attempt to purchase barter, trade or exchange any species of tuna from any person who harvested tuna without a valid federal commercial tuna permit.

There were no questions or comments heard. A motion for approval was made by Commissioner Manuel and seconded by Commissioner Drost. Vice Chairman Broussard called for a vote and the motion passed with no opposition.

(The full text of this Notice of Intent is made a part of the record)

NOTICE OF INTENT

**Department of Wildlife and Fisheries
Wildlife and Fisheries Commission
Tuna – Harvest Regulations
(LAC 76:VII.361)**

The Wildlife and Fisheries Commission does hereby give notice of its intent to amend a Rule, LAC 76:VII.361, modifying existing Recreational Offshore Landing Permit regulations. Authority for adoption of this Rule is included in R.S. R.S.56:6(25)(a), R.S. 56:326.1, R.S. 56:326.3, R.S. 56:320.2(C) and R.S. 56:6(34). Said Rule is attached to and made 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

361. Tuna – Harvest Regulations

A. Bag and Possession limits, Recreational

| Species | Bag and Possession Limit |
|-------------------|---|
| 1. Yellowfin Tuna | 3 fish per person |
| 2. Bluefin Tuna | 1 fish per vessel per year as incidental catch during open seasons. |

B. Size Limits, Recreational and Commercial

| Species | Minimum Size Limit |
|-------------------|------------------------------------|
| 1. Yellowfin Tuna | 27 inches Curved Fork Length (CFL) |
| 2. Bigeye Tuna | 27 inches Curved Fork Length (CFL) |
| 3. Bluefin Tuna* | 73 inches Curved Fork Length (CFL) |

*The size class of a bluefin tuna found with the head removed shall be determined using pectoral fin curved fork length (PFCFL) multiplied by a conversion factor of 1.35.

NOTE: Curved Fork Length (CFL): the length of a fish measured from the tip of the upper jaw to the fork of the tail along the contour of the body in a line that runs along

the top of the pectoral fin and the top of the caudal keel. Pectoral Fin Curved Fork Length (PFCFL) means the length of a beheaded fish from the dorsal insertion of the pectoral fin to the fork of the tail measured along the contour of the body in a line that runs along the top of the pectoral fin and the top of the caudal keel.

C. No person shall take or have in their possession any species of tuna less than the minimum size or in excess of the take or possession limits. The possession limit on tunas applies to tuna taken within or outside Louisiana territorial waters. No person shall transfer or cause the transfer of tuna between vessels on state or federal waters.

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.

2. Commercial. Persons harvesting the following tuna species: Atlantic bluefin tuna, yellowfin tuna, bigeye tuna, skipjack tuna and albacore whether within or outside Louisiana state territorial waters for commercial purposes or possessing such tuna species in excess of a recreational take limit are required to have a valid federal commercial tuna permit in their immediate possession on board the vessel. No person shall sell, barter, trade or exchange or attempt to sell, barter, trade or exchange any species of tuna without a valid federal commercial tuna permit. No person shall purchase, barter, trade or exchange or attempt to purchase barter, trade or exchange any species of tuna from any person who harvested tuna without a valid federal commercial tuna permit.

E. No person who, pursuant to state or federal law, is subject to the jurisdiction of this state shall violate any federal law, rule or regulation particularly those rules and regulations enacted pursuant to the Magnuson-Stevens Fishery Conservation Act and published in the Code of Federal Regulations as amended title 50 and 15, for tunas while fishing in the EEZ, or possess, purchase, sell, barter, trade, or exchange tunas within or without the territorial boundaries of Louisiana in violation of any state or federal law, rule or regulation particularly those rules and regulations enacted pursuant to the Magnuson-Stevens Fishery Conservation Act and published in the Code of Federal Regulations as amended title 50 and 15 law.

AUTHORITY NOTE: Promulgated in accordance with R.S.56:6(25)(a), R.S. 56:326.1, R.S. 56:326.3, 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 37:3540 (December 2011), LR 38:1419 (June 2012), LR 39:.

Family Impact Statement

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).

Poverty Impact Statement

The proposed Rule should not have any known or foreseeable impact on any child, individual or family as defined by R.S. 49:973.B.

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,

Public Comments

Interested persons may submit comments relative to the proposed Rule to: Jason Adriance, Fisheries Division, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000, or via e-mail to: jadriance@wlf.la.gov prior to Monday, September 9, 2013.

Billy Broussard, Vice Chairman

Vice Chairman Broussard announced the next item, **To Consider a Notice of Intent to Modify the Rules of Reef Fish Harvest Regulations**, to be presented by Mr. Jason Adriance. Mr. Adriance highlighted the changes;

Recreational bag limits regarding the harvest of reef fish: triggerfishes, amberjacks, grunts, wrasses, snappers, groupers, sea basses, tilefishes, and porgies, within and without Louisiana's territorial waters:

| <u>Species</u> | <u>Recreational Bag Limits</u> |
|--|---|
| 3. Vermilion snapper, lane snapper, gray triggerfish, almaco jack, goldface tilefish, tilefish, blackline tilefish, anchor tilefish, blueline tilefish | 20 per person per day (in aggregate) with not more than 2 gray triggerfish and not more than 10 vermilion snapper per person included in the bag limit. |

Reef Fish Permits:

All persons who do not possess a permit issued by the National Marine Fisheries Service under the Federal Fishery Management Plan for the harvest of Gulf of Mexico Reef Fish resources are limited to the recreational bag limit. To commercially harvest, sell, barter, trade or exchange or possess for commercial purposes all species of reef fish including dwarf sand perch and sand perch, but (excluding queen triggerfish, black seabass, porgies, and grunts) requires a valid Federal Reef Fish Vessel Permit be on board the vessel and in the immediate possession.

For a person aboard a vessel operating as a charter vessel or headboat to fish for, or harvest, or possess, in or from the EEZ, any species of reef fish including dwarf sand perch and sand perch (but excluding queen triggerfish, black seabass, porgies, and grunts) a valid Federal Charter Vessel/Headboat Reef Fish Permit must have been issued to the vessel and must be on board the vessel and in immediate possession.

Commercial Trip Limits shall include those limits listed below. For the purposes of this rule, a trip is defined as a fishing trip, regardless of the number of days duration, that begins with departure from a dock, berth, beach, seawall or ramp and that terminates with return to a dock, berth, beach, seawall or ramp.

| <u>Species or Group</u> | <u>Trip Limit</u> |
|-------------------------|-------------------|
| a. Gray Triggerfish | 12 fish |
| b. Greater Amberjack | 2,000 pounds |

Recreational and commercial minimum and maximum size limits, unless otherwise noted.

| Species | Minimum Size Limits |
|--|--|
| 1. Red snapper | 16 inches total length (Recreational) 13 inches total length (Commercial) |
| 2. Gray, yellowtail, cubera, dog, mahogany snapper, and schoolmaster | 12 inches total length |
| 3. Lane snapper | 8 inches total length |
| 4. Mutton snapper | 16 inches total length |
| 5. Vermilion snapper | 10 inches total length |
| 6. Red grouper | 20 inches total length (Recreational) 18 inches total length (Commercial) |
| 7. Yellowfin grouper | 20 inches total length |
| 8. Gag grouper | 22 inches total length |
| 9. Black grouper | 22 inches total length (Recreational) 24 inches total length (Commercial) |
| 10. Scamp | 16 inches total length |
| 11. Greater amberjack | 30 inches fork length (Recreational) 36 inches fork length (Commercial) |
| 12. Black seabass | 8 inches total length |
| 13. Hogfish | 12 inches fork length |
| 14. Banded rudderfish and lesser amberjack | 14 inches fork length (minimum size) 22 inches fork length (maximum size) |
| 15. Gray triggerfish | 14 inches fork length |

Seasons

Seasons for the commercial harvest of reef fish species or groups shall be closed during the periods listed below. Possession of reef fish in excess of the daily bag limit while on the water is prohibited during the specified closed season. Any reef fish harvested during the closed season shall not be purchased, sold, traded, bartered or exchanged or attempted to be purchased, sold, traded, bartered or exchanged. This prohibition on sale/purchase does not apply to reef fish that were harvested, landed ashore, sold and purchased prior to the closed season. Nothing shall prohibit the possession or sale of fish legally taken prior to the closure providing that all commercial dealers possessing reef fish taken legally prior to the closure shall maintain appropriate records in accordance with R.S. 56:306.5 and R.S. 56:306.6.

| Species or Group | Closed Season |
|----------------------|-------------------------------------|
| a. Greater Amberjack | March 1 through May 31 |
| b. Gray Triggerfish | June 1 through July 31 of each year |

Seasons for the recreational harvest of reef fish species or groups listed below shall be closed during the periods listed below.

| Species or Group | Closed Season |
|--|---|
| | [See Prior Text in c-d] |
| a. Gag | January 1 through June 30 of each year. |
| b. Black, red, yellowfin, and yellowmouth groupers, rock hind, red hind, and scamp | February 1 through March 31 of each year in waters seaward of the 20 fathom boundary. |
| e. Gray Triggerfish | June 1 through July 31 of each year |

There were no questions or comments heard. A motion for approval was made by Commissioner Manuel and seconded by Commissioner Drost. Vice Chairman Broussard called for a vote and the motion passed with no opposition.

(The full text of this Notice of Intent is made a part of the record)

NOTICE OF INTENT

**Department of Wildlife and Fisheries
Wildlife and Fisheries Commission
Reef Fish – Harvest Regulations
(LAC 76:VII.335)**

The Wildlife and Fisheries Commission does hereby give notice of its intent to amend a Rule, LAC 76:VII.335, modifying existing reef fish harvest regulations. Authority for adoption of this Rule is included in R.S. 56:6(25)(a), 56:320.2, 56:326.1 and 56:326.3. Said Rule is attached to and made part of this Notice of Intent.

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.

**Title 76
WILDLIFE AND FISHERIES
Part VII. Fish and Other Aquatic Life**

Chapter 3. Saltwater Sport and Commercial Fishery

335. Reef Fish - Harvest Regulations

A. Recreational bag limits regarding the harvest of reef fish: triggerfishes, amberjacks, grunts, wrasses, snappers, groupers, sea basses, tilefishes, and porgies, within and without Louisiana's territorial waters:

B. Reef Fish Permits:

1. All persons who do not possess a permit issued by the National Marine Fisheries Service under the Federal Fishery Management Plan for the harvest of Gulf of Mexico Reef Fish resources are limited to the recreational bag limit. To commercially harvest, sell, barter, trade or exchange or possess for commercial purposes all species of reef fish including dwarf sand perch and sand perch, but (excluding queen triggerfish, black seabass, porgies, and grunts) requires a valid Federal Reef Fish Vessel Permit be on board the vessel and in the immediate possession.

2. For a person aboard a vessel operating as a charter vessel or headboat to fish for, or harvest, or possess, in or from the EEZ, any species of reef fish including dwarf sand perch and sand perch (but excluding queen triggerfish, black seabass, porgies, and grunts) a valid Federal Charter Vessel/Headboat Reef Fish Permit must have been issued to the vessel and must be on board the vessel and in immediate possession.

B 3. – D 7. ...

D 8. Commercial Trip Limits shall include those limits listed below. For the purposes of this rule, a trip is defined as a fishing trip, regardless of the number of days duration, that begins with departure from a dock, berth, beach, seawall or ramp and that terminates with return to a dock, berth, beach, seawall or ramp.

| Species or Group | Trip Limit |
|----------------------|--------------|
| c. Gray Triggerfish | 12 fish |
| d. Greater Amberjack | 2,000 pounds |

C – D 1-7 ...

E. Recreational and commercial minimum and maximum size limits, unless otherwise noted.

| Species | Minimum Size Limits |
|--|--|
| 1. Red snapper | 16 inches total length (Recreational) 13 inches total length (Commercial) |
| 2. Gray, yellowtail, cubera, dog, mahogany snapper, and schoolmaster | 12 inches total length |
| 3. Lane snapper | 8 inches total length |
| 4. Mutton snapper | 16 inches total length |
| 5. Vermilion snapper | 10 inches total length |
| 6. Red grouper | 20 inches total length (Recreational) 18 inches total length (Commercial) |
| 7. Yellowfin grouper | 20 inches total length |
| 8. Gag grouper | 22 inches total length |
| 9. Black grouper | 22 inches total length (Recreational) 24 inches total length (Commercial) |
| 10. Scamp | 16 inches total length |
| 11. Greater amberjack | 30 inches fork length (Recreational) 36 inches fork length (Commercial) |
| 12. Black seabass | 8 inches total length |
| 13. Hogfish | 12 inches fork length |
| 14. Banded rudderfish and lesser amberjack | 14 inches fork length (minimum size) 22 inches fork length (maximum size) |
| 15. Gray triggerfish | 14 inches fork length |

F. Definitions. Federal regulations 50 CFR Part 622.2 defines charter vessels and headboats as follows.

Charter Vessel—a vessel less than 100 gross tons that meets the requirements of the U.S. Coast Guard to carry six or fewer passengers for hire and that carries a passenger for hire at any time during the calendar year. A *charter vessel* with a commercial permit is considered to be operating as a *charter vessel* when it carries a passenger who pays a fee or when there are more than four persons aboard, including operator and crew.

Headboat—a vessel that holds a valid certificate of inspection issued by the U.S. Coast Guard to carry passengers for hire. A *headboat* with a commercial vessel permit is considered to be operating as a headboat when it carries a passenger who pays a fee or, in the case of persons aboard fishing for or possessing coastal migratory pelagic fish or Gulf reef fish, when there are more than four persons aboard, including operator and crew.

G. Seasons

1. Seasons for the commercial harvest of reef fish species or groups shall be closed during the periods listed below. Possession of reef fish in excess of the daily bag limit while on the water is prohibited during the specified closed season. Any reef fish harvested during the closed season shall not be purchased, sold, traded, bartered or exchanged or attempted to be purchased, sold, traded, bartered or exchanged. This prohibition on sale/purchase does not apply to reef fish that were harvested, landed ashore, sold and purchased prior to the closed season. Nothing shall prohibit the possession or sale of fish legally taken prior to the closure providing that all commercial dealers possessing reef fish taken legally prior to the closure shall maintain appropriate records in accordance with R.S. 56:306.5 and R.S. 56:306.6.

| Species or Group | Closed Season |
|----------------------|-------------------------------------|
| c. Greater Amberjack | March 1 through May 31 |
| d. Gray Triggerfish | June 1 through July 31 of each year |

2. Seasons for the recreational harvest of reef fish species or groups listed below shall be closed during the periods listed below.

| Species or Group | Closed Season |
|--|---|
| [See Prior Text in c-d] | |
| c. Gag | January 1 through June 30 of each year. |
| d. Black, red, yellowfin, and yellowmouth groupers, rock hind, red hind, and scamp | February 1 through March 31 of each year in waters seaward of the 20 fathom boundary. |
| e. Gray Triggerfish | June 1 through July 31 of each year |

- 3. ...
- 4. ...
- 5. ...

H. ...

I. 1. Devices

a. Circle hook means a fishing hook designed and manufactured so that the point is turned perpendicularly back to the shank to form a generally circular or oval, shape.

b. Dehooking device means a device intended to remove a hook embedded in a fish to release the fish with minimum damage.

2. For a person on board a vessel to fish for or possess Gulf reef fish in the Gulf EEZ, the vessel must possess on board and such person must use the gear as specified below.

a. Non-stainless steel circle hooks. Non-stainless steel circle hooks are required when fishing with natural baits for reef fish.

b. Dehooking device. At least one dehooking device is required and must be used to remove hooks embedded in Gulf reef fish with minimum damage. The hook removal device must be constructed to allow the hook to be secured and the barb shielded without re-engaging during the removal process. The dehooking end must be blunt, and all edges rounded. The device must be of a size appropriate to secure the range of hook sizes and styles used in the Gulf reef fish fishery.

J. No person who, pursuant to state or federal law, is subject to the jurisdiction of this state shall violate any federal law, rule or regulation particularly those rules and regulations enacted pursuant to the Magnuson-Stevens Fishery Conservation Act and published in the *Code of Federal Regulations* as amended Title 50 and 15, for reef fishes while fishing in the EEZ, or possess, purchase, sell, barter, trade, or exchange reef fishes within or without the territorial boundaries of Louisiana in violation of any state or federal law, rule or regulation particularly those rules and regulations enacted pursuant to the Magnuson-Stevens Fishery Conservation Act and published in the *Code of Federal Regulations* as amended Title 50 and 15 law.

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

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 16:539 (June 1990), amended LR 19:1442 (November 1993), LR 20:797 (July 1994), LR 21:1267 (November 1995), LR 22:860 (September 1996), LR 24:1138 (June 1998), LR 24:1139 (June 1998), LR 24:1972 (October 1998), LR 26:793 (April 2000), LR 26:1505 (July 2000), LR 26:2833 (December 2000), LR 31:3166 (December 2005), LR 33:1156 (June 2007), repromulgated LR 33:1397 (July 2007), amended LR 34:2209 (October 2008), LR 34:2682 (December 2008), LR 36:1791 (August 2010). LR 38: 1454 (June 2012), LR 39:

Family Impact Statement

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).

Poverty Impact Statement

The proposed Rule should not have any known or foreseeable impact on any child, individual or family as defined by R.S.49:973.B.

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,

Public Comments

Interested persons may submit comments relative to the proposed Rule to: Jason Adriance, Fisheries Division, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000, or via e-mail to: jadriance@wlf.la.gov prior to Wednesday, September 11, 2013.

Billy Broussard, Vice Chairman

Vice Chairman Broussard announced the next item, **To Consider a Declaration of Emergency to set the 2013 Oyster Season on the Public Oyster Seed Ground**, to be handled by Patrick Banks. Mr. Banks reported the following based on the recommendations of the Oyster Task Force

Management Goals:

Manage, conserve, and promote the wise use of the public oyster resource
Provide seed oysters (< 3") for transplant to leases
Provide sack oysters to be taken directly to market

How:

Habitat enhancement (cultch planting = reef rehabilitation)
Harvest restrictions/regulations
Enforcement
Biological sampling (determines annual oyster stock size)
Recommend seasonal framework

The following opening dates to be set for the upcoming oyster season:

- **Wednesday, September 4, 2013** - the Little Lake, Barataria Bay, Deep Lake, Lake Tambour, and Vermilion/East and West Cote Blanche/Atchafalaya Bay Public Oyster Seed Grounds will open at one-half hour before sunrise.
- **Tuesday, October 15, 2013** - all remaining public oyster seed grounds and reservations, including Lake Borgne, Sister Lake, Lake Mechant, the Lake Machias/Fortuna sacking-only area and the Bay Long sacking-only area, will open at one-half hour before sunrise.
- **Friday, November 1, 2013** - the oyster season in the west cove portion of the Calcasieu Lake Public Oyster Area (DHH Harvest Area 30) will open at one-half hour before sunrise. The sack limit during this time period is set at 10 sacks per person, per vessel, per day.

The following areas will remain **closed** for the 2013/2014 oyster season:

- Bay Gardene Public Oyster Seed Reservation
- Bay Junop Public Oyster Seed Reservation
- Lake Chien and Lake Felicity Public Oyster Seed Grounds
- 2011 clutch plants in Mississippi Sound and California Bay,
- 2012 cultch plants in Hackberry Bay, Sister Lake, Lake Fortuna, and Bay Crab
- 2013 cultch plants in 3-Mile Pass and Drum Bay,
- The east side of the Calcasieu Lake Public Oyster Area (LDHH Harvest Area 29)
- Sabine Lake Public Oyster Area

Closure dates will be determined by LDWF Secretary Barham on an “as needed” basis, based on biological and harvest data, or if enforcement issues are encountered. The Secretary is also authorized to take emergency action to reopen areas previously closed if the threat to the resource has ended, and to open areas if substantial oyster resources are located.

Public notice of any opening, delay, or closure of a season will be provided at least 72 hours prior to such action, unless such closure is ordered by the Louisiana Department of Health and Hospitals for public health concerns.

Public Comments were heard by Mr. John Tesovich. Mr. Tesovich attended the Oyster Taskforce meeting on Tuesday July 30th and complimented Mr. Banks on all of his efforts and the departments in trying to rebuild the oyster stock and public seed grounds (due to lack of resources). He also asked that the Commission consider opening primary (in 1 South) to coincide with opening Sister Lake as the resource would be less impacted.

There were no other questions or comments heard. A motion for approval was made by Commissioner Davis and seconded by Commissioner Drost. Vice Chairman Broussard called for a vote and the motion passed with no opposition.

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

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

August 1, 2013

In accordance with the emergency provisions of the Administrative Procedure Act, Louisiana Revised Statutes (R.S.) 49:953, and under the authority of R.S. 56:433, R.S. 56:435.1, and R.S. 56:435.1.1(D) notice is hereby given that the Secretary of the Department of Wildlife and Fisheries and the Wildlife and Fisheries Commission hereby declare the 2013/2014 oyster season as follows:

The Little Lake Public Oyster Seed Grounds, as described in Louisiana Administrative Code (LAC) 76:VII:521, the Barataria Bay, Deep Lake, and Lake Tambour Public Oyster Seed Grounds, as described in LAC 76:VII:517, and the Vermilion/East and West Cote Blanche Bay/Atchafalaya Bay Public Oyster Seed Grounds, as described in LAC 76:VII:507 and 76:VII:509 shall open one-half hour before sunrise on Wednesday, September 4, 2013.

All remaining public oyster seed grounds and reservations, as described in R.S. 56:434, LAC 76:VII.511, LAC 76:VII.513, and LAC 76:VII.517, including Lake Borgne, Sister Lake, Lake Mechant, the Lake Machias/Fortuna Sacking-Only Area of the public grounds which is generally Lake Fortuna and Lake Machias to a line from Mozambique Point to Point Gardner to Grace Point at the Mississippi River Gulf Outlet, and the Sacking-Only Area in the American Bay area which is that portion of the public grounds within Bay Long west of a line running generally north/south from a point at 29 degrees

31 minutes 13.78 seconds N latitude, 89 degrees 34 minutes 9.79 seconds W longitude to a point at 29 degrees 29 minutes 40.67 seconds N latitude, 89 degrees 34 minutes and 8.48 seconds W longitude, shall open at one-half hour before sunrise on Tuesday, October 15, 2013.

The oyster season in the west cove portion of the Calcasieu Lake public oyster area, as described in R.S. 56:435.1.1, shall open one-half hour before sunrise on Friday, November 1, 2013. The sack limit for west cove portion of Calcasieu Lake is set at 10 sacks per person per vessel per day as provided for in R.S. 56:435.1.1. However, these conservation actions shall not supersede public health closures.

The following areas shall remain closed for the entire 2013/2014 oyster season:

1. The Bay Gardene Public Oyster Seed Reservation;
2. The Bay Junop Public Oyster Seed Reservation;
3. The Lake Chien and Lake Felicity Public Oyster Seed Grounds;
4. The east side of the Calcasieu Lake Public Oyster Area;
5. Sabine Lake Public Oyster Area (as described in R.S. 56:435.1);
6. The 2011, 2012, and 2013 cultch plants within the following coordinates:

Mississippi Sound (2011) – St. Bernard Parish

- A. 30 degrees 07 minutes 17.56 seconds N
89 degrees 27 minutes 52.39 seconds W
- B. 30 degrees 07 minutes 26.94 seconds N
89 degrees 27 minutes 36.20 seconds W
- C. 30 degrees 07 minutes 07.11 seconds N
89 degrees 26 minutes 45.48 seconds W

- D. 30 degrees 06 minutes 40.93 seconds N
89 degrees 27 minutes 14.09 seconds W

California Bay (2011) – Plaquemines Parish

- A. 29 degrees 30 minutes 40.42 seconds N
89 degrees 34 minutes 03.19 seconds W
- B. 29 degrees 30 minutes 27.18 seconds N
89 degrees 33 minutes 21.85 seconds W
- C. 29 degrees 29 minutes 54.99 seconds N
89 degrees 33 minutes 20.24 seconds W
- D. 29 degrees 30 minutes 02.74 seconds N
89 degrees 34 minutes 03.93 seconds W

Hackberry Bay (2012) – Lafourche Parish

- A. 29 degrees 25 minutes 21.16 seconds N
90 degrees 02 minutes 59.53 seconds W
- B. 29 degrees 24 minutes 58.30 seconds N
90 degrees 02 minutes 51.34 seconds W
- C. 29 degrees 24 minutes 29.25 seconds N
90 degrees 03 minutes 24.92 seconds W
- D. 29 degrees 24 minutes 45.37 seconds N
90 degrees 03 minutes 35.33 seconds W

Sister Lake (2012) – Terrebonne Parish

- A. 29 degrees 14 minutes 0.84 seconds N
90 degrees 55 minutes 21.24 seconds W
- B. 29 degrees 14 minutes 15.33 seconds N
90 degrees 54 minutes 0.71 seconds W
- C. 29 degrees 14 minutes 22.94 seconds N
90 degrees 55 minutes 25.09 seconds W

- D. 29 degrees 14 minutes 40.10 seconds N
90 degrees 54 minutes 11.51 seconds W

Bay Crab (2012) – Plaquemines Parish

- A. 29 degrees 34 minutes 41.72 seconds N
89 degrees 36 minutes 22.86 seconds W
- B. 29 degrees 34 minutes 31.45 seconds N
89 degrees 35 minutes 48.68 seconds W
- C. 29 degrees 34 minutes 08.12 seconds N
89 degrees 36 minutes 07.94 seconds W
- D. 29 degrees 34 minutes 23.03 seconds N
89 degrees 36 minutes 43.20 seconds W

Lake Fortuna (2012) – St. Bernard Parish

- A. 29 degrees 39 minutes 08.04 seconds N
89 degrees 30 minutes 28.93 seconds W
- B. 29 degrees 38 minutes 33.31 seconds N
89 degrees 29 minutes 15.45 seconds W
- C. 29 degrees 38 minutes 10.57 seconds N
89 degrees 29 minutes 40.71 seconds W
- D. 29 degrees 39 minutes 04.41 seconds N
89 degrees 30 minutes 32.61 seconds W

3-Mile Pass (2013) – St. Bernard Parish

- A. 30 degrees 03 minutes 56.09 seconds N
89 degrees 22 minutes 32.52 seconds W
- B. 30 degrees 03 minutes 56.70 seconds N
89 degrees 22 minutes 15.40 seconds W
- C. 30 degrees 03 minutes 18.00 seconds N

- 89 degrees 22 minutes 06.30 seconds W
- D. 30 degrees 03 minutes 30.49 seconds N
- 89 degrees 22 minutes 38.17 seconds W

Drum Bay (2013) – St. Bernard Parish

- A. 29 degrees 53 minutes 13.00 seconds N
- 89 degrees 17 minutes 40.21 seconds W
- B. 29 degrees 53 minutes 16.51 seconds N
- 89 degrees 16 minutes 51.12 seconds W
- C. 29 degrees 52 minutes 56.17 seconds N
- 89 degrees 16 minutes 49.80 seconds W
- D. 29 degrees 52 minutes 53.99 seconds N
- 89 degrees 17 minutes 40.43 seconds W

The Secretary of the Department of Wildlife and Fisheries is authorized to take emergency action as necessary to close areas if oyster mortalities are occurring or to delay the season or close areas where significant spat catch has occurred with good probability of survival, or where it is found that there are excessive amounts of non-living reef material in seed oyster loads, or if oyster resources and/or reefs are being adversely impacted, or if enforcement problems are encountered. The Secretary shall notify the Chairman of the Wildlife and Fisheries Commission of his intention to close an area.

The Secretary is authorized to take emergency action to reopen areas previously closed if the threat to the resource has ended, or may open areas if substantial oyster resources are located.

Notice of any opening, delaying or closing of a season will be made by public

notice at least 72 hours prior to such action unless such closure is ordered by the Louisiana Department of Health and Hospitals for public health concerns.

Billy Broussard, Vice Chairman

Vice Chairman Broussard announced the next item, **To Receive Information and Consider a Declaration of Emergency on Setting the Opening Dates of the 2013 Fall Inshore Shrimp Season**, to be handled by Marty Bourgeois. Mr. Bourgeois began with a Power Point Presentation and reported the following:

Open coast wide August 12, 2013

6:00 pm from the MS/LA state line westward to the Atchafalaya River channel

6:00 am from the Atchafalaya River channel westward to the LA/TX state Line

This Declaration of Emergency would also provide authority to the Secretary based upon biological and technical data to:

Delay or advance the opening dates

Close the fall inshore shrimp season

Close and reopen all or parts of state inside and outside waters

Open and close special shrimp seasons

Public Comments were heard from the following;

Dean Blanchard, agrees with the Opening Dates

Barry Rogers, Agrees with the Opening Dates

Lance Nancio, Agrees with the Opening Dates

There were no other questions or comments heard. A motion for approval was made by Commissioner Manuel and seconded by Commissioner Drost. Vice Chairman Broussard called for a vote and the motion passed with no opposition.

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

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission
2013 Fall Inshore Shrimp Season Opening
August 1, 2013

In accordance with the emergency provisions of R.S. 49:953 of the Administrative Procedure Act which allows the Wildlife and Fisheries Commission to use emergency procedures to set shrimp seasons and R.S. 56:497 which provides that the Wildlife and Fisheries Commission shall fix no less than two open seasons each year for all or parts of state inside waters and shall have the authority to open or close state outside waters, the Wildlife and Fisheries Commission does hereby set the 2013 Fall Shrimp Season in inside waters to open as follows:

All Louisiana inside waters from the Mississippi-Louisiana state line to the Louisiana-Texas state line, shall open at 6:00 p.m. August 12, 2013 except for those inside waters from the western shore of the Atchafalaya River and the Atchafalaya River Ship Channel out to Eugene Island as described by the inside-outside shrimp line in R.S. 56:495 westward to the Louisiana/Texas state line which shall open at 6:00 a.m. August 12, 2013.

The Commission grants authority to the Secretary of the Department of Wildlife and Fisheries to delay or advance the opening dates and close the fall shrimp season when biological and technical data indicate the need to do so or if enforcement problems develop; and, to close and reopen all or parts of state inside and outside waters if significant numbers of small white shrimp are found in these waters; and, to open and close special shrimp seasons in any portion of state inside waters where such a season would not detrimentally impact developing shrimp populations.

Billy Broussard, Vice Chairman

Vice Chairman Broussard announced the next item, **To Consider a Declaration of Emergency on Fisheries Closures due to the BP Oil Spill**, to be handled by Marty Bourgeois. Mr. Bourgeois stated this Declaration renews existing closures for One Hundred and Twenty (120) Days

Public Comment was heard from Mr. Dean Blanchard who stated that the BP Oil Spill has changed his life.

There were no other questions or comments heard. A motion for approval was made by Commissioner Drost and seconded by Commissioner Manuel. Vice Chairman Broussard called for a vote and the motion passed with no opposition.

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

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

Recreational and Commercial Fisheries Closure
August 1, 2013

In accordance with the emergency provisions of R.S. 49:953 of the Administrative Procedure Act, and under the authority of R.S. 56:6.1, the Wildlife and Fisheries Commission hereby closes all commercial fishing, effective immediately August 1, 2013 in the following areas:

Those waters north of 28 degrees 56 minutes 30 seconds north latitude and south of 28 degrees 59 minutes 30 seconds north latitude from the eastern shore of Southwest Pass of the Mississippi River eastward to a line beginning at 28 degrees 59 minutes 30 seconds north latitude and -89 degrees 19 minutes 50 seconds west longitude and ending at 28 degrees 56 minutes 30 seconds north latitude and -89 degrees 23 minutes 00 seconds west longitude; and, those waters north of 29 degrees 02 minutes 00 seconds north latitude and south of 29 degrees 02 minutes 20 seconds north latitude from the western shore of South Pass of the Mississippi River westward to -89 degrees 15 minutes 25 seconds west longitude; and, those waters north of 28 degrees 59 minutes 40 seconds north latitude and south of 29 degrees 02 minutes 00 seconds north latitude from the western shore of South Pass of the Mississippi River westward to -89 degrees 15 minutes 25 seconds west longitude and southeastward along a line beginning at 29 degrees 02 minutes 00 seconds north latitude and -89 degrees 15 minutes 25 seconds west longitude and ending at 28 degrees 59 minutes 40 seconds north latitude and -89 degrees 10 minutes 15 seconds west longitude; and, those waters west of the western shore of South Pass of the Mississippi River south of 28 degrees 59 minutes 40 seconds north latitude

bounded by the following coordinates: 1) 28 degrees 59 minutes 15 seconds north latitude and -89 degrees 08 minutes 15 seconds west longitude, 2) 28 degrees 58 minutes 20 seconds north latitude and -89 degrees 10 minutes 00 seconds west longitude, 3) 28 degrees 59 minutes 01 seconds north latitude and -89 degrees 11 minutes 00 seconds west longitude, 4) 28 degrees 59 minutes 40 seconds north latitude and -89 degrees 10 minutes 15 seconds west longitude; and, those waters east of the eastern shore of South Pass of the Mississippi River and south of 29 degrees 01 minutes 50 seconds north latitude eastward to a line beginning at 29 degrees 01 minutes 50 seconds north latitude and -89 degrees 07 minutes 20 seconds west longitude and ending at 28 degrees 59 minutes 35 seconds north latitude and -89 degrees 08 minutes 00 seconds west longitude; and, those waters adjacent to but not including Northeast Pass and Southeast Pass of the Mississippi River and bounded by the following coordinates: 1) 29 degrees 08 minutes 35 seconds north latitude and -89 degrees 04 minutes 20 seconds west longitude, 2) 29 degrees 08 minutes 15 seconds north latitude and -89 degrees 02 minutes 10 seconds west longitude, 3) 29 degrees 04 minutes 50 seconds north latitude and -89 degrees 04 minutes 10 seconds west longitude, 4) 29 degrees 05 minutes 30 seconds north latitude and -89 degrees 05 minutes 10 seconds west longitude; and, those waters south and west of Pass a Loutre of the Mississippi River and east of -89 degrees 05 minutes 35 seconds west longitude bounded by the following coordinates: 1) 29 degrees 11 minutes 25 seconds north latitude and -89 degrees 03 minutes 30 seconds west longitude, 2) 29 degrees 11 minutes 00 seconds north latitude and -89 degrees 02 minutes 25 seconds west longitude, 3) 29 degrees 09 minutes 00 seconds north latitude and -89 degrees 05 minutes 35 seconds west longitude, 4) 29 degrees 11 minutes 00 seconds north latitude and -89 degrees 05 minutes 35 seconds west longitude; and, those waters south of North Pass of the Mississippi River bounded by the following

coordinates: 1) 29 degrees 11 minutes 35 seconds north latitude and -89 degrees 02 minutes 55 seconds west longitude, 2) 29 degrees 12 minutes 35 seconds north latitude and -89 degrees 01 minutes 05 seconds west longitude, 3) 29 degrees 11 minutes 35 seconds north latitude and -89 degrees 01 minutes 10 seconds west longitude, 4) 29 degrees 11 minutes 10 seconds north latitude and -89 degrees 02 minutes 00 seconds west longitude; and, those state inside and outside waters adjacent to Grand Terre Island bounded by the following coordinates: 1) 29 degrees 18 minutes 20 seconds north latitude and -89 degrees 54 minutes 50 seconds west longitude, 2) 29 degrees 17 minutes 10 seconds north latitude and -89 degrees 53 minutes 50 seconds west longitude, 3) 29 degrees 15 minutes 40 seconds north latitude and -89 degrees 56 minutes 00 seconds west longitude, 4) 29 degrees 17 minutes 00 seconds north latitude and -89 degrees 57 minutes 20 seconds west longitude; and, those state inside waters in the upper Barataria Basin north of 29 degrees 26 minutes 00 seconds north latitude and south of 29 degrees 29 minutes 00 seconds north latitude from -89 degrees 50 minutes 00 seconds west longitude westward to -89 degrees 57 minutes 00 seconds west longitude; and, that portion of state outside waters seaward a distance of one mile from the inside/outside shrimp line from the western shore of Caminada Pass at -90 degrees 02 minutes 46.597 seconds west longitude westward to the eastern shore of Belle Pass at -90 degrees 13 minutes 30 seconds west longitude; and that portion of state outside waters seaward a distance of one-half mile from the shoreline from the southwestern shore of Grand Terre Island 2 at -89 degrees 54 minutes 04 seconds west longitude; thence eastward along the shoreline to the southeastern shore of Grand Terre Island 2 at -89 degrees 51 minutes 39 seconds west longitude; thence eastward along 29 degrees 18 minutes 46 seconds north latitude to -89 degrees 51 minutes 19 seconds west longitude.

Recreational fishing is open in all state inside and outside territorial waters, except in the following areas, where only recreational angling, charter boat angling and the harvest of bait by wholesale/retail seafood dealers who hold a special bait dealers permit and who harvest bait for sale to recreational fishermen exclusively, pursuant to the provisions of LAC 76:VII.329 is allowed: those state inside and outside waters adjacent to Grand Terre Island bounded by the following coordinates: 1) 29 degrees 18 minutes 20 seconds north latitude and -89 degrees 54 minutes 50 seconds west longitude, 2) 29 degrees 17 minutes 10 seconds north latitude and -89 degrees 53 minutes 50 seconds west longitude, 3) 29 degrees 15 minutes 40 seconds north latitude and -89 degrees 56 minutes 00 seconds west longitude, 4) 29 degrees 17 minutes 00 seconds north latitude and -89 degrees 57 minutes 20 seconds west longitude; and, those state inside waters in the upper Barataria Basin north of 29 degrees 26 minutes 00 seconds north latitude and south of 29 degrees 29 minutes 00 seconds north latitude from -89 degrees 50 minutes 00 seconds west longitude westward to -89 degrees 57 minutes 00 seconds west longitude; and, that portion of state outside waters seaward a distance of one mile from the inside/outside shrimp line from western shore of Caminada Pass at -90 degrees 02 minutes 46.597 seconds west longitude westward to the eastern shore of Belle Pass at -90 degrees 13 minutes 30 seconds west longitude; and, those state outside waters seaward a distance of one-half mile from the shoreline from the southwestern shore of Grand Terre Island 2 at -89 degrees 54 minutes 04 seconds west longitude; thence eastward along the shoreline to the southeastern shore of Grand Terre Island 2 at -89 degrees 51 minutes 39 seconds west longitude; thence eastward along 29 degrees 18 minutes 46 seconds north latitude to -89 degrees 51 minutes 19 seconds west longitude.

The Deepwater Horizon drilling rig accident has resulted in a significant release of hydrocarbon pollutants into the waters offshore of southeast Louisiana and these pollutants have the potential to impact fish and other aquatic life in portions of these coastal waters. Efforts have been made and are continuing to be made to minimize the potential threats to fish and other aquatic life.

The Commission hereby grants authority to the Secretary of the Department of Wildlife and Fisheries to open, close, reopen-reclose, broaden or otherwise modify the areas closed and opened to fishing if biological, environmental and technical data indicate the need to do so, or as needed to effectively implement the provisions herein.

Billy Broussard, Vice Chairman

Vice Chairman Broussard announced the next item, **To Hear Final Public Comments on Notice of Intent to Amend Regulations Governing Yo-Yo Mechanical Fishing Devices**, to be handled by Mike Wood.

Yo-Yo and Trotline Regulations (LAC 76:VII.134):

- Act No. 133 of the 2010 Louisiana Legislative Session rescinded prior existing regulations and allowed for LWFC authority to apply uniform regulations.
- In 2012, LWFC adopted consistent regulations for the use of yo-yos and trotlines for:
 1. Black Lake, Clear Lake and Prairie Lake (Natchitoches Parish)
 2. Caddo Lake (Caddo Parish)
 3. Chicot Lake (Evangeline Parish)
 4. D'Arbonne Lake (Union Parish)
 5. Lake St. Joseph (Tensas Parish)

The regulations are not statewide. They are a standard set of regulations that can be applied by the Commission at the request of the appropriate Lake Authority.

- February 2013: On behalf of the Lake St. Joseph Recreation and Water Conservation District, Chairman Randy McDonald expressed concern that the newly implemented standardized regulations did not address a significant problem in Lake St. Joseph – the placement of artificial materials to tie yo-yos to.
- The NOI is attached below. Proposed changes are limited to the following :
Except for an-metal object used strictly in the construction of a pier, boathouse, seawall, or dock, no object which is driven into the lake bottom, a stump, tree, or the shoreline shall be used to anchor a yo-yo or trigger device. “Object” means rebar or other metal material, cane, PVC tubing, construction material, or any other type of material.
- The LWFC adopted the Notice of Intent at the April 4th meeting. The designated period for public comment expired June 1, 2013.
- A letter of notification (attached below) was mailed to each of the respective Lake Authorities.
- Comment was equally mixed (6 for, 6 against) and, with the exception of the original concern (Lake St. Joe) all related to D'Arbonne.
- Proponents of the proposed action cited the following reasons:
 1. Artificial objects placed to tie yo-yos are unsightly and
 2. The artificial objects caused damage to boats in higher than normal water stage.
 3. The artificial objects are seldom removed after use.
 4. General opposition to the use of yo-yos as an impairment to pole fishermen.
- Opponents to the proposed action cited the following reasons:
 1. Reduced natural woody structure is available to tie yo-yos
 2. General concern that the action is an effort against yo-yo angling

Louisiana Wildlife and Fisheries Commission Adopts Notice of Intent on Yo-Yo and Trotline Regulations on Specified Lakes

Release Date: 04/04/2013

(April 4, 2013) – The Louisiana Wildlife and Fisheries Commission, during their monthly meeting today, approved a notice of intent to modify regulations for the use of yo-yos and trotlines on Black Lake, Clear Lake, Prairie Lake, Caddo Lake, Chicot Lake, D'Arbonne Lake and Lake St. Joseph.

The proposed change will only apply to the waterbodies listed above and will address an ongoing problem. The current rule only prohibits metal objects from being placed to anchor a yo-yo or trigger device. The change would prohibit the placement of any artificial object to anchor a yo-yo or trigger device.

To view the full notice of intent, please visit [here](#).

Interested persons may submit written comments relative to the proposed rule by June 1, 2013, to Mike Wood, Office of Fisheries, Louisiana Department of Wildlife and Fisheries, P.O. Box 98000, Baton Rouge, LA 70898-9000 or via email at mwood@wlf.la.gov.

The Department of Wildlife and Fisheries is charged with managing and protecting Louisiana's abundant natural resources. For more information, visit us at www.wlf.louisiana.gov on Facebook at www.facebook.com/ldwffb or follow us on Twitter @LDWF.

For press inquiries, contact Ashley Wethey at awethey@wlf.la.gov or (225) 765-2396.

From: Kinny Haddox [mailto:darbone1@gmail.com]

Sent: Thursday, April 04, 2013 9:06 PM

To: Wood, Mike

Subject: Yo Yo comment

[In Favor of the NOI](#)

Public comment: I am extremely pleased to see this part (5 & 6 below) of the new yo-yo regulations where people can not stick 20 PVC "T"s out in the lake and block off coves and put unsightly structures in an otherwise beautiful lake.

Thank you. KHAnchor a yo-yo or trigger device. "Object" means rebar or other metal material, cane, PVC tubing, construction material, or any other type of material.

Jo Louise Worthey

418 Worthey Road

Opposed to NOI

[Opposed to NOI](#)

Dear Mr. Wood,

I just read the notice of intent on the change of fishing yo-yos and trout lines on D'Arbonne Lake. My husband and I, enjoy fishing yo-yos. We are very conscious to mark our devices with our name, and

phone number on each one. We never fish more than 50. We do use PVC-T's to fish the device, and never leave a fish on the yo-yo or leave the hook in the water, when we are not fishing them. They are driven into stumps under water. Any person fishing around these T's have ample room to fish. D'Arbonne is a large body of water that can be shared.

Regards,
Jo Louise Worthey

Jack Love: 318-254-9429 re Lake Darbonne YoYo fishing.

Opposed to NOI

Only really opposed to the portion that restricts all artificial materials
He drives PVC into stumps to tie off yo-yos

Don Hogan via US Mail

In Favor of the NOI

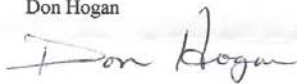
Mr. Wood,

I am in full support for the revised YO-YO AND TROTLINE REGULATIONS, thanks for bringing this up, it is long overdue.

Just wondering why LAKE CLAIBORNE was not on the list, if you could shed some light on this please email me at dhoganwm@yahoo.com.

Thanks for all the hard work you and the commission do to keep Louisiana the Sportsman's Paradise.

Don Hogan



Ruston, La.

From: buckcarlisle [<mailto:buckcarlisle@bellsouth.net>]

Sent: Tuesday, April 09, 2013 6:03 PM

To: Wood, Mike

Subject: yo yo's on lake darbonne

In Favor of the NOI

318-372-6853

From: Noel James [<mailto:Noel@JamesTechnology.com>]

Sent: Thursday, April 25, 2013 1:54 PM

To: Wood, Mike

Subject: YoYo

[Opposed to NOI](#)

Mike,

I am 100% against the new restrictions on yoyo fishing on D'Arbonne Lake.

As you are aware there are already restrictions on yoyo use on the lake, which I assume are being enforced.

If this new regulation goes into action, all yoyo fishing on the lake will end, except for landowners with docks.

This just isn't right, giving landowners additional fishing opportunities and not to the general public.

Noel

From: Larry Turner [<mailto:johnlarryturner@yahoo.com>]

Sent: Tuesday, April 17, 2012 3:50 PM

To: Wood, Mike

Subject:

[In Favor of the NOI](#)

Mike,

If you want to bring D'Arbonne to the 21st century, get rid of yo-yo's. The current laws are not enforced, people are driving all sorts of things (mostly rebar) in stumps to hang them. Now people are cutting 10 foot switch cane poles and sticking them at 45 degrees into the shallow water every 10 feet and hanging yo-yo's. You have to try to fish in between them. They are not properly marked, not run, never taken up.....all against the law.....there just everywhere. The rebar (illegal anyway) is very dangerous. The ONLY way to get rid of the whole mess is to ban yo-yo's like other states have. There is no possibility to enforce current law the lake comm. drafted and State passed several years ago.....way too weak and ignored anyway. Not enough agents on too big a lake. Unsightly and unsafe. People won't go by the law so do away with the problem and the hazard yo-yo's create. In the last 3 years I have taken a kingfisher, a pelican, a cormorant, and a mallard hen off yo-yo's. The mallard hen had 5 live babies around her but had no feet left, turtles got her. When I let her go she couldn't even swim. I have also seen two giant soft shell turtles dead and countless fish. Other states have seen the light. LT

From: Rickards, Lisa

Sent: Monday, April 11, 2013 10:13 AM

To: Wood, Mike

Subject: call Rick Craighead, 318-3660823, re yo-yo regulations

[In Favor of the NOI](#)

From: Rickards, Lisa
Sent: Monday, April 24, 2013 9:09 AM
To: Wood, Mike
Subject: call Randy McDonald, 318-467-5154, re yo-yo regulations
[In Favor of the NOI](#)

Randy McDonald – Chairman Lake St. Joseph Lake Commission – In Favor of the proposal.
Randy McDonald home phone: 318-467-5154, cell: 318-282-4542.

From: Bobby Hodge [mailto:bhodge000@centurytel.net]
Sent: Saturday, April 20, 2013 11:55 AM
To: Wood, Mike
Subject: yo-yo's Lake D'Arbonne
[Opposed to NOI](#)

Dear Mr. Woods:

My comments are for Lake D'Arbonne. I do not fish yo-yo's, but respect the rights of everyone to fish any way that's legal. Some of the proposed changes are needed such as banning metal pipe or posts, simply for safety, but to say all materials driven into the lake are bad, is not true. Small pvc pipe or wooden stakes, driven to mark underwater navigational hazards is very welcomed / needed and not unsafe. To hang a yo-yo on one, should not hurt anyone. Problem is, some folks who use the lake, want everyone else to stay home when they have their bass tournaments or carry their clients out for a day of fishing. These folks have an agenda and it's personal gain or profit. I am a crappie fisherman, (1-2 poles). I know yo-yo's can be a pain, but so can 40 or 50 bass boats, going 50 - 65 mph, that come with in a few ft. of other boats. Please don't make any more unnecessary laws, like the recent, "unnecessary and ineffective", (your words), 25 crappie limit. I must say I was truly disappointed that you & the WLF did not take a stronger stand against the 25 limit, after hearing your testimony at the Lake Commission meeting in Farmerville. This rule should be rescinded. I am 79 yrs old and love fishing and sharing my catch with my friends and those who are disabled or can't fish. These lakes belong to all of us. Lets be safe, manage our resources, guard against pollution and enjoy our lakes and streams. Thank you for your efforts to do that over the years. You have my total cooperation and respect. Thank you very much for your service.

Sincerely,
Bobby Hodge

From: Don Williams [mailto:Don_Williams@AJG.com]
Sent: Monday, April 22, 2013 1:36 PM
To: Wood, Mike
Subject: Yo-Yo Stick Regulations
[Opposed to NOI](#)

I live on Lake D'Arbonne and I Yo-Yo every spring. I just have a few dead trees in front of my house with woods steaks on them. It is close enough I can fish them with aluminum boat and trolling motor. I hate to see you do away with that. I can understand the metal steaks not being put in the lake. We have way more issues on our lake like hogging catfish and the over pressuring from bass tournaments that needs attention more than this. Please reconsider these regulations!

Thanks!

Don Williams

Account Executive
3000 Kilpatrick Blvd, Suite 100 | Monroe, LA 71201
O 318-322-2999 | F 318-322-3172 | C 318-245-4600
don_williams@ajg.com

From: Rickards, Lisa
Sent: Monday, May 20, 2013 09:05 AM
To: Wood, Mike
Subject: call Paul Lemoine, 318-355-3076, re yo-yo regulations
[In Favor of the NOI](#)

From: stevecagle [mailto:scaglefish@yahoo.com]
Sent: Monday, May 20, 2013 7:28 PM
To: Wood, Mike
Subject: act no 631

[Opposed to NOI](#)

MIKE THE LAKE COMMISSION PAASED OURYOYO REGULATION A FEW YEARS AGO. WE THINK ITS BEEN A SUCESS. THE COMMISSION VOTED EARLIER IN THE YEAR ON THE CRAPPIE REGULATIONS TO SUPPORT THE DECISIONS OF THE COMMISSION. UNDER TITLE 76 NO. 6 THERE IS SOME CONCERN. THE LAKE COMMISSION DOES NOT WANT TO CAUSE ITS FISHERMAN NOT TO BE ABLE TO DO THEIR SPORT. OUR CONCERNS WAS METAL IN THE LAKE . THERE ARE AREAS OF THIS LAKEWITH THE CURRENT PROPOSAL THAT IS BEING DONE AWAY WITH.MOST TREES ARE FUTHER UP LAKE. SO THAT PART WE'D RATHER NOT SEE CHANNGED THE REST OF THE PROPOSAL IS FINE. METAL WAS THE AIM BEFORE NOT THE SPORT.

STEVE CAGLE
scaglefish@yahoo.com
318-372-5500

NOTICE OF INTENT

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

Yo-Yo and Trotline Regulations (LAC 76:VII.134)

The Louisiana Wildlife and Fisheries Commission hereby advertises its intent to adopt regulations for yo-yo's and trotlines in Black Lake, Clear Lake and Prairie Lake (Natchitoches Parish), Caddo Lake (Caddo Parish), Chicot Lake (Evangeline Parish), D'Arbonne Lake (Union Parish), and Lake St. Joseph (Tensas Parish), Louisiana.

Title 76

WILDLIFE AND FISHERIES

Part VII. Fish and Other Aquatic Life

Chapter 1. Freshwater Sport and Commercial Fishing

§134. Black Lake, Clear Lake, Prairie Lake, Caddo Lake, Chicot Lake, D'Arbonne Lake, and Lake St. Joseph

A. The following regulations are applicable to the use of yo-yo's and trigger devices when used in Black Lake, Clear Lake and Prairie Lake (Natchitoches Parish), Caddo Lake (Caddo Parish), Chicot Lake (Evangeline Parish), D'Arbonne Lake (Union Parish), and Lake St. Joseph (Tensas Parish), Louisiana.

1. No more than 50 yo-yos or trigger devices shall be allowed per person.
2. Except for those devices that are attached to a privately owned pier, boathouse, seawall, or dock, each yo-yo or trigger device shall be clearly tagged with the name, address, and telephone number of the owner or user.
3. When in use, each yo-yo or trigger device shall be checked at least once every 24 hours, and all fish and any other animal caught or hooked, shall be immediately removed from the device.
4. Except for those devices that are attached to a privately owned pier, boathouse, seawall, or dock, each yo-yo or trigger device must be re-baited at least once every 24 hours.
5. Except for those metal objects located above the water that are affixed to a private pier, dock, houseboat, or other manmade structure which is designed for fishing, no yo-yo or trigger device shall be attached to any metal object.

6. Except for an object used strictly in the construction of a pier, boathouse, seawall, or dock, no object which is driven into the lake bottom, a stump, tree, or the shoreline shall be used to anchor a yo-yo or trigger device. "Object" means rebar or other metal material, cane, PVC tubing, construction material, or any other type of material.

7. Except for those devices that are attached to a privately owned pier, boathouse, seawall, or dock, when not being used in accordance with the provisions of this Section, each yo-yo or trigger device shall be removed from the waterbody immediately.

B. The following regulations are applicable to the use of trotlines when used in Black Lake, Clear Lake and Prairie Lake (Natchitoches Parish), Caddo Lake (Caddo Parish), Chicot Lake (Evangeline Parish), D'Arbonne Lake (Union Parish), and Lake St. Joseph (Tensas Parish), Louisiana.

1. All trotlines shall be clearly tagged with the name, address, and phone number of the owner or user and the date of placement. The trotline shall be marked on each end with a floating object that is readily visible.

2. At any given time, no person shall set more than three trotlines with a maximum of 50 hooks each.

3. All trotlines shall have an eight-foot cotton leader on each end of the trotline.

4. Except for those metal objects located above the water that are affixed to a private pier, dock, houseboat, or other manmade structure which is designed for fishing, no trotline shall be attached to any metallic object.

5. Each trotline shall be attended daily when in service.

6. When not in use, each trotline shall be removed from the waterbody by the owner or user.

C. A violation of any of the provisions of this Section shall be a class one violation, except there shall be no imprisonment. In addition, any device found in violation of this Paragraph shall be immediately seized by and forfeited to the department.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:326.3 and 56:6(32).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 38:

Family Impact Statement

In accordance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, 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).

Public Comments

Interested persons may submit written comments of the amended Rule to Mike Wood, Director, Inland Fisheries Section, Department of Wildlife and Fisheries, P.O. Box 98000, Baton Rouge, LA 70898-9000 no later than 4:30 p.m., August 2, 2012.

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.

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Yo-Yo and Trotline Regulations

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule change will have no impact on state or local governmental unit expenditures.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule change is anticipated to have no impact on revenue collections of state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

Act 133 of the 2012 Regular Legislative Session removed individual provisions for the use of yo-yos, trigger devices, and trotlines in Black Lake, Clear Lake, Prairie Lake, Caddo Lake, Chicot Lake, D'Arbonne Lake, and Lake St. Joseph. Prior to the promulgation of this act, each of these waterbodies had unique regulations pertaining to the use of yo-yos, trigger devices, and trotlines. The proposed rule change establishes consistent regulations for the use of yo-yos, trigger devices, and trotlines in Black Lake, Clear Lake, Prairie Lake, Caddo Lake, Chicot Lake, D'Arbonne Lake, and Lake St. Joseph.

Louisiana fishermen who use yo-yos, trigger devices, or trotlines on Black Lake, Clear Lake, Prairie Lake, Caddo Lake, Chicot Lake, D'Arbonne Lake, or Lake St. Joseph may be positively affected by the proposed rule change because the standardization of the use regulations for these devices in these waterbodies may make it easier for these individuals to remain in compliance with regulations for these devices in these waterbodies.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change is anticipated to have no effect on competition and employment in the public and private sectors.



BOBBY JINDAL
GOVERNOR

State of Louisiana

ROBERT J. BARHAM
SECRETARY

DEPARTMENT OF WILDLIFE AND FISHERIES
OFFICE OF SECRETARY

May 6, 2013

Dear Sirs:

Act No. 631 of the 2010 Regular Legislation Session authorized the Wildlife and Fisheries Commission, at the request of governmental entities to adopt regulations for the use of yo-yos and trotlines. Last year, the Wildlife and Fisheries Commission adopted a standardized set of regulations for Black-Clear Lake, Caddo Lake, Chicot Lake, D'Arbonne Lake and Lake St. Joseph. Unfortunately, all concerns were not addressed in the Commission action and changes are proposed as indicated in the attached Notice of Intent.

If approved, the changes will become part of the standardized regulations for yo-yos and trotlines and will apply to waterbodies under each of your respective authority. As per the required process, the proposal will be published in the May 20th issue of the Louisiana Register. A Department of Wildlife and Fisheries News Release will announce the proposal and provide direction for public comment. Earliest possible implementation for the proposal could be August 18th.

Please consider this correspondence as a request for the opinion of your Lake Authority regarding the proposed changes. Consider me available for questions and any related discussion.

Sincerely,

Michael G. Wood
Director, Inland Fisheries

There were no questions or comments heard

Vice Chairman Broussard announced the next item, **Prize Winning Drawing for Participants that Participated in the 2013 Louisiana Waterfowl Survey**, to be handled Kenny Ribbeck and Larry Reynolds.

Those persons that completed a Waterfowl Survey were included in a drawing to receive a prize.

The prize winners drawn; David Vidrine (Parka), Jacob Gauthier (Teal Hunt), Tommy Butard (Shotgun)

Vice Chairman Broussard announced the next item, **Set December 2013 Meeting Date.**

A discussion took place and the meeting is set for December 05, 2013. A motion for approval was made by Commissioner Manuel and seconded by Commissioner Davis. Vice Chairman Broussard called for a vote and the motion passed with no opposition.

Vice Chairman Broussard announced the next item, **To Hear Public Comments**, there were none heard

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

Billy Broussard
Vice Chairman