

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

MINUTES

July 02, 2013

Ronald "Ronny" Graham
CHAIRMAN

BATON ROUGE, LOUISIANA

The following constitute minutes of the Commission Meeting
and are not a verbatim transcript of the proceedings.

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Louisiana Department of Wildlife and Fisheries
2000 Quail Drive
Baton Rouge, Louisiana 70808.
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LOUISIANA WILDLIFE AND FISHERIES COMMISSION
BATON ROUGE, LA
July 02, 2013

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MINUTES OF THE MEETING
OF
LOUISIANA WILDLIFE AND FISHERIES COMMISSION

Tuesday, July 02, 2013

Chairman Ronny Graham presiding

Pat Manuel
Will Drost
Ann Taylor
Dan Davis

Secretary Barham was also present

Chairman Graham called for a motion for approval of the **June 6, 2013 Commission Minutes**. A motion for approval was made by Commissioner Manuel and seconded by Commissioner Drost. Chairman Graham 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/June**, the department's planes flew a total of 78.1 aviation hours for the month. There were Twenty-one (21) boating accidents reported with Nineteen (19) injuries and Two (2) fatalities. There were 1,443 total cases for the month of June with 544 Written Warnings issued and 35 Public Assistance.

Three (3) news releases were discussed.

First, on June 10, a Ferriday man was arrested and charged on four counts of possession of an alligator during a closed season, possession of crystal meth, possession of drug paraphernalia and contributing to the delinquency of a minor.

The second News Release from Terrebonne parish stemmed from agents working complaints of subjects taking oysters from the Sister Lake seed ground. Agents arrested six men for taking oysters from an unapproved area in Bayou Sauveur and booked them into the Terrebonne Correctional Facility. The agents were able to seize and return eight sacks of oysters to the water.

The third release cited three Texas men for violating federal reef fish regulations in the Gulf of Mexico. The agents were on a joint enforcement agreement patrol 50 miles south of Grand Isle in the Gulf of Mexico when they observed an 80 foot vessel trawling for shrimp. Agents boarded the vessel and upon inspection located 42 frozen red snapper below the deck inside a large insulated holding box.

The next item, **To Consider Notice of Intent Scenic River Rules and Regulations**, was handled by Mr. Keith Cascio. Mr. Cascio began by showing three (3) short videos on pollution, vehicle abuse and waste in some of the scenic rivers then followed with a PowerPoint Presentation

Authority

RS 56:1850. Rules and regulations

The administrator shall have the authority to regulate those activities that may directly and significantly degrade the ecological integrity of a natural and scenic river. The administrator shall adopt rules and regulations pursuant to the Administrative Procedure Act to implement the purposes and requirements of this Part and to regulate uses of a natural and scenic river which may detrimentally affect such natural and scenic river. Specifically, and not in limitation of the foregoing, such rules may regulate the following:

- (1) Crossings by roads, railroads, pipelines, or utilities across any natural and scenic river.
- (3) Pollution of waters, with the concurrence of the Department of Environmental Quality.
- (4) Prospecting, drilling, and mining for natural resources.
- (8) Uses, activities, and access.
- (9) Littering.

RS 56:1849. Evaluation and permitting

A. No person shall commence or engage in any activity governed by this Part or any rule pursuant thereto unless a permit is first obtained from the administrator.

B.(1) Prior to any final decision on an application for a permit for those activities that have the potential for significant ecological degradation, a written evaluation of the application may be prepared by the administrator in consultation...

Interagency Review

These proposed changes were sent to our interagency reviewers on June 11, 2013 for their comment and review.

Responses:

Culture, Recreation and Tourism

Changes are well founded and no comment to add

Division of Administration

No comment

Department of Environmental Quality

No objection, looks good

Office of Forestry

No Comment

State Land Office

Likes the changes, sees the need for regulation of ATV's, etc. on sandbars and State owned waterbottom

§105. Applicability of These Regulations

A. These regulations shall apply to all uses proposed to be undertaken on the stream or on adjacent lands within 100 feet of a designated system stream by any "person" whether or not concurrence, authorization, or matching funding is provided by any state agency, local governing authority, political subdivision, or special district of the State of Louisiana, unless restriction of those uses are exempted from regulations pursuant to the provisions of R.S. 56:1852(B). These regulations shall further apply to all activities more than 100 feet from designated system streams that have potential to significantly impact the ecological integrity of a system stream.

The "100 foot rule" is a fallacy and comes from here.

This is less restrictive than the Act (which it cannot be).

Our jurisdiction in statute is "those activities that have the potential for significant ecological degradation".

Our record for regulation involved a landfill that was approximately 1 mile from Bayou Dorcheat in Webster Parish.

Regulated activities within 100' of a Scenic Stream DO require a permit, regulated activities greater than 100' from a Scenic Stream require our investigation/determination as to whether the activity poses a potential for significant ecological degradation.

§115. Prohibited Activities

A. The following uses of a system river, and all uses functionally related thereto, shall be absolutely prohibited:

6. littering.

Littering is already in the statute as something we have the authority to regulate but not mentioned in the rules and regs.

Adding it here will make it a Class III criminal violation to litter a designated Scenic Stream in addition to the violation of existing litter laws

§117. Permitted Activities

B. Activities requiring permits shall include, but not be limited to, the following activities:

10. clearing and grading of lands within 100 feet of a system stream;

This is primarily a problem in non-forested areas (like sand or gravel bars).

Commercial clearcutting of trees within 100' of a Scenic Stream is prohibited by statute and construction activities within 100' already require a permit.

Clearing and grading is a component and/or form of construction and certainly has a potential for ecological impact.

We already regulate this by relying on the Act so this is primarily for clarification

§117. Permitted Activities

B. Activities requiring permits shall include, but not be limited to, the following activities:

11. operating atv's or other wheeled or tracked vehicles within the waterbottom of a system stream.

12. operating atv's or other wheeled or tracked vehicles within 100 feet of system streams, except recreational use by the landowner, lessees, or other persons who have written permission from the landowner for noncommercial use.

We have an extensive file of complaints and requests that we regulate ATV traffic in and adjacent to our Scenic Streams from adjacent landowners. This language exempts landowners and those with their permission for recreational use of their own property but forbids the "weekend warriors" who are putting in at bridges, etc. and causing a great deal of destruction to the banks and bottoms of these streams and trespassing in the process. Landowners I have spoken with like this language/approach. We also have a resolution for the Wildlife Federation supporting our doing this.

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Several questions were asked from the Commissioners on DEQ Regulations, landowners rights of private property and Scenic Rivers.

Commissioner Graham called for Public Comments following the Presentation. Due to the large number of speakers wishing to speak, Commissioner Graham imposed a two (2) minute time limit on each.

39 Comments Against the Proposal and 5 in Favor of Proposal

A determination was made that more discussion was needed and investigation into the many questions.

Commissioner Taylor made a motion to "Table" the NOI until further notice when more information was available. Commissioner Manuel seconded the Motion.

Fred Whitrock, Legal Counsel explained the NOI process and what it meant to "Table" a proposal.

(The full Text of the Comment Cards are made a part of the record)

WILDLIFE AND FISHERIES

Part IX. Natural and Scenic River Systems

Chapter 1. Administration of the Natural and Scenic Rivers and Historic and Scenic Rivers

§101. Authority and Purpose

A. *These regulations are adopted pursuant to the authority of the "Louisiana Scenic Rivers Act," Acts 1988, No. 947, Section 1, effective July 27, 1988, or R.S. 56:1840 et seq.*

B. *The purpose of these regulations is to establish procedures and provide a mechanism whereby the Department of Wildlife and Fisheries can preserve, protect, develop, reclaim and enhance the wilderness qualities, scenic beauties and ecological regime of rivers and streams or segments thereof included within the Louisiana Natural and Scenic Rivers and Historic and Scenic Rivers System and for the further purposes of preserving aesthetic, scenic, recreational, fish, wildlife, ecological, archaeological, geological, botanical and other natural and physical features and resources found along these rivers and streams or segments thereof.*

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1841(B).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 2:456 (December 1976), amended by the Department of Wildlife and Fisheries, Office of the Secretary, LR 17:679 (July 1991).

§103. Definitions

Act—the Louisiana Scenic Rivers Act, Acts 1988, No. 947, Section 1, effective July 27, 1988, or R.S. 56:1840 et seq.

Administrator—the Secretary of the Department of Wildlife and Fisheries.

Channel Realignment—the practice by which dredging, ditching, or other means are used to shorten or reroute the natural stream course.

Channelization—the practice of changing a natural stream, or segment thereof, into a man-made ditch or canal with channels of a relatively uniform width and depth usually necessitating the removal of trees and other woody vegetation adjacent to the stream and constructed for the purpose of accelerating water runoff.

Clearing and Snagging—the practice of removing most obstructions, trees, snags and other impediments that retard the natural stream flow.

Historic and Scenic River—a river, stream, or bayou or segment thereof that has been designated by the legislature as part of the Louisiana Historic and Scenic River System.

Natural and Scenic River—a river, stream, or bayou or segment thereof that has been designated by the legislature as part of the Louisiana Natural and Scenic Rivers System.

Normal Activities—those activities on lands that do not directly and significantly degrade the ecological integrity of a natural and scenic river.

Person—an individual, firm, corporation, association, partnership, consortium, joint venture, commercial entity, receiver, tutor, curator, executor, administrator, fiduciary, organization or representative of any kind, the United States Government, Federal agency, the State of Louisiana, state agency, municipality, commission, political subdivision, local governing authority or special subdivision of the State of Louisiana.

Pollutant—any substance in concentrations which tend to degrade the chemical, physical, biological, or radiological integrity or quality of the water in a river.

Reservoir Construction—any permanent dam or impoundment which alters the shoreline of a river in the system.

River—includes rivers, streams, bayous and segments thereof and their waters, and generally those bodies of water having the characteristics of being confined within a distinct, longitudinal channel which is defined by continuous or interrupted banks and which exhibits a width to length ratio of less than one (W/L <

1).

Scenic Servitude—a contract between the adjacent riparian landowner and the administrator that shall be in the nature of a development agreement for the purpose of preserving the natural state of the landscape through mutual agreement on the activities which might affect the natural landscape.

Selective Harvesting—the removal of trees, either as single scattered individuals or in small groups at relatively short intervals resulting in openings generally less in width than twice the height of the dominant trees. Repeated indefinitely, selective harvesting ensures the continuous establishment of reproduction, and an uneven aged stand adequate to encourage and maintain stream shading and stream and stream bank integrity.

Surface Servitude—a contract between the stream owner and the administrator that shall relieve the landowner of liabilities and assure the public of access and use of the stream surface.

System—all natural and scenic rivers and all historic and scenic rivers.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1842.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 2:456 (December 1976), amended by the Department of Wildlife and Fisheries, Office of the Secretary, LR 17:680 (July 1991).

§105. Applicability of These Regulations

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AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1850 and 56:1852(B).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 2:456 (December 1976), amended by the Department of Wildlife and Fisheries, Office of the Secretary, LR 17:680 (July 1991).

§107. Duties and Powers of the Administrator

A. The administrator may delegate powers and duties to individuals within the Department of Wildlife and Fisheries for the implementation of these regulations and procedures and to ensure compliance with the act. The administrator shall provide said individuals with sufficient technical and clerical assistance to accomplish this purpose.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1843.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 2:456 (December 1976), amended by the Department of Wildlife and Fisheries, Office of the Secretary, LR 17:680 (July 1991).

§109. Study and Recommendation of Natural and Scenic Rivers

A. *Study and Report to the Legislature.* Upon nomination for inclusion or declassification of a river by the legislature through passage of a concurrent resolution, the administrator shall study, file a report, and issue a recommendation, to the natural resource committees of the legislature regarding any river nominated for inclusion in or declassification from the system. The administrator's recommendation shall be made no sooner than eight months and no later than 12 months from the date of nomination for inclusion and no later than 120 days from the date of nomination for declassification. All recommendations shall use evaluation procedures provided for in these regulations.

B. *Criteria for Study and Recommendation.* In undertaking the study and making the recommendation, the administrator shall consider, but will not be limited to, the following criteria:

1. whether the river is free flowing;

2. whether the river has been channelized, cleared or snagged, realigned, inundated, or otherwise altered, within the past 25 years;

3. *whether the river has a shoreline covered by native vegetation;*
4. *whether the river has no or few man-made structures along its banks;*
5. *whether the scene as viewed from the river is pleasing (i.e., primitive or rural-pastoral) or these conditions are restorable;*
6. *whether the river and its setting possess natural and recreational values of outstanding quality;*
7. *whether the river and its setting are large enough to sustain substantial recreational use and to accommodate existing uses without undue impairment of the natural values of the resource or quality of the recreational experience;*
8. *whether the river will provide present and future benefits to Louisiana citizens through preserving, protecting, and enhancing its wilderness qualities, scenic beauties, and ecological regimes and its aesthetic, scenic, recreational, fish, wildlife, ecological, geological, botanical, and other natural and physical features and resources found along the river and adjacent lands;*
9. *whether the river receives any point source discharges that would tend to cause pollution;*
10. *existing uses of adjacent lands within 100 feet of the ordinary low water line of the river, and the economic impact of such usages;*
11. *state ownership of the bed of the river; and*
12. *appropriate longitudinal boundaries for the river segment to be included within the system.*

C. Consultation. Prior to submission of the report and recommendation to the legislature, the administrator shall consult with the Louisiana State Planning Office, the Department of Environmental Quality, the Louisiana Department of Culture, Recreation and Tourism, the Department of Agriculture and Forestry and other agencies that the administrator determines may have an interest in the evaluation.

D. Form of Report and Recommendation. The report and recommendation to the legislature shall:

1. *be in the form of a written report;*
2. *include the evaluation of the criteria and the recommendation of the administrator;*
3. *include the written comments of other agencies; and*
4. *become part of the record of the decision regarding the proposed recommendation.*

E. Copies of Report. The administrator shall provide copies of the report to the Louisiana State Planning Office, the Department of Environmental Quality, the Department of Culture, Recreation and Tourism, the Department of Agriculture and Forestry, the governing authorities of those parishes through which the river flows, and all readily identifiable adjacent landowners. Upon payment to the department for reproduction costs, the administrator shall provide copies of the report to all other interested parties who have made a written request for the report.

F. Written Comments and Public Hearing. As part of the evaluation process and prior to any recommendation to the legislature, the administrator shall:

1. *provide all interested parties and the public with the opportunity to submit written comment on the nomination, allowing a 45-day comment period;*
2. *pursuant to the Louisiana Administrative Procedure Act, hold not less than one public hearing in the vicinity of the river nominated for inclusion in or declassification from the system to receive comments and recommendations from all interested parties and the public. The administrator shall give its first notice at least 30 days prior to the hearing;*
3. *notices referred to in this Section will be published in the official journal of each parish in which the river is located in three separate issues and in the official state journal; however, the comment period shall begin with publication of the notice in the official state journal. The administrator shall notify each parish governing authority of the hearing by letter to its chief executive officer. The administrator shall also give special notice of the public hearing to all readily identifiable landowners with property adjacent to the nominated stream and to other interested parties who have requested such notifications.*

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1845.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 2:456 (December 1976), amended by the Department of Wildlife and Fisheries, Office of the Secretary, LR 17:680 (July 1991).

§111. Management Plan

A. Period for Plan Development. Within one year from the time a river is designated as a Natural and Scenic River or a Historic and Scenic River by the legislature the administrator shall adopt and commence development of a management plan for each river or designated segment. For rivers designated prior to January 1, 1989 development of management plans will commence no later than January 1, 1990.

B. Consultation. The plans shall be developed by the administrator in consultation with the:

- 1. Louisiana State Planning Office;*
- 2. Department of Environmental Quality;*
- 3. Department of Culture, Recreation and Tourism;*
- 4. Department of Agriculture and Forestry; and*
- 5. any other agency that the administrator determines may have an interest in the plan.*

C. Plan Contents. Each management plan shall be in the form of a written document, and shall:

- 1. be consistent with the purposes, policies, and provisions of the Scenic Rivers Act;*
- 2. contain a clear description and delineation in narrative and graphic form (maps or photographs) of:*
 - a. natural, cultural and aesthetic resources and features of the river area;*
 - b. existing land and water uses;*
 - c. land ownership; and*
 - d. existing land and water use controls, management devices and programs;*
- 3. set forth a detailed program to address existing features which have been identified as being important to be protected and preserved, and potential issues, problems and needs that impact, or may impact, resources and features of the river. The plan may include recommendations to federal, state, local and private entities on enhancement and reclamation of resources and features on a system river and may specify the mechanism through which the recommendations can be implemented;*
- 4. set forth management goals, objectives, policies, standards and management guidelines for the preservation of the system river;*
- 5. be reviewed every five years; and*
- 6. provide for the continuing involvement of the public in the development, implementation and administration of the plan.*

D. Copies. The administrator shall provide copies of the plan to:

- 1. Louisiana State Planning Office;*
- 2. Department of Environmental Quality;*
- 3. Department of Culture, Recreation and Tourism;*
- 4. governing authorities of those parishes through which the river flows;*
- 5. Department of Agriculture and Forestry;*
- 6. all readily identifiable adjacent landowners; and*
- 7. interested parties who have made a written request.*

E. Written Comments and Public Hearing. Prior to adoption of the final management plan, the administrator shall:

1. provide all interested parties and the public, the opportunity to submit written comment on the draft management plan, allowing a 45-day comment period;

2. pursuant to the Louisiana Administrative Procedure Act, hold not less than one public hearing in the vicinity of the river included in the management plan to receive comments and recommendations from all interested parties and the public. The administrator shall give the first notice at least 30 days prior to the hearing;

3. notices referred to in this Section will be published in the official journal of each parish in which the river is located in three separate issues and in the official state journal; however, the comment period shall begin with publication of the notice in the official state journal. The administrator shall notify each parish governing authority of the hearing by letter to its chief executive officer. The administrator shall also give special notice of the public hearing to all readily identifiable landowners with property adjacent to the nominated stream and to other interested parties who have requested such notifications.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1845.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 2:456 (December 1976), amended by the Department of Wildlife and Fisheries, Office of the Secretary, LR 17:681 (July 1991).

§113. Planning Considerations

A. Revised Statute 56:1848 specifies responsibility of local, state, and federal agencies.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1848.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 2:456 (December 1976), amended by the Department of Wildlife and Fisheries, Office of the Secretary, LR 17:682 (July 1991).

§115. Prohibited Activities

A. The following uses of a system river, and all uses functionally related thereto, shall be absolutely prohibited:

1. channelization;
2. clearing and snagging;
3. channel realignment;
4. reservoir construction; ~~and~~
5. commercial cutting or harvesting of trees or timber in violation of the provisions of R.S. 56:1854.~~;~~
- ~~and~~
6. littering.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1853.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 2:456 (December 1976), amended by the Department of Wildlife and Fisheries, Office of the Secretary, LR 17:682 (July 1991).

§117. Permitted Activities

A. All activities that may detrimentally affect or significantly degrade the wilderness quality, aesthetic values, or the ecological integrity of a system river shall be subject to a permit except:

1. those prohibited uses set forth in §115 of these regulations;
2. normal activities of private landowners within the boundaries of their property as provided by R.S. 56:1852(B); and
3. harvesting of trees in accordance with R.S. 56:1854, provided that prior notification of any commercial harvesting of trees shall be given to the Louisiana Office of Forestry.

B. Activities requiring permits shall include, but not be limited to, the following activities:

1. crossings by roads, bridges, railroads, pipelines or utilities;

2. sharing of land and airspace by such roads, railroads, pipelines and utilities;
3. point source discharge of any pollutant (prior to any person applying to the Department of Environmental Quality for a permit to discharge any pollutant into a system river, the person shall give written notice to the administrator);
4. prospecting, drilling and mining for nonrenewable natural resources;
5. structures and buildings of any kind or size;
6. piers, boat slips, bulkheads and landings;
7. commercial uses, activities and access;
8. commercial signs or other forms of outdoor advertising that are visible from the waters within a natural and scenic river; ~~and~~
9. water withdrawals, except for withdrawals made by an individual, adjacent property owner solely for residential purposes-;
10. clearing and grading of lands within 100 feet of a system stream;
11. operating atv's or other wheeled or tracked vehicles within the waterbottom of a system stream.
12. operating atv's or other wheeled or tracked vehicles within 100 feet of system streams, except recreational use by the landowner, lessees, or other persons who have written permission from the landowner for noncommercial use.
13. mooring of houseboats or floating camps on system streams except:
 - a) when the houseboat or floating camp is moored to a legally permitted piling, pier or bulkhead or moored to trees using connections that do not damage the trees and with the permission of the owner of the trees and
 - b) houseboats moored on a System Stream shall have a permit or letter of certification from the Health Unit (Department of Health and Hospitals) of the parish within which the System Stream occurs verifying that it has an approved sewerage disposal system on board. Further, that system shall be utilized by occupants of the houseboats when on the System Stream.

C. Application. ~~Upon written request,~~ The administrator shall provide an application ~~form~~ to any person wishing to apply for a permit. Any person who proposes to make any permitted use of a system river, shall submit one complete original ~~and six copies of a complete~~ application to the administrator. ~~Any documents larger than 8½" x 14" must be submitted digitally in a department approved digital format.~~ The application shall contain:

1. name, address and telephone numbers of the applicant;
2. names and addresses of adjoining property owners whose property also adjoins the waterway;
3. background information on the proposed use;
4. a detailed description of the proposed use;
5. full description of any portion of the project which is under development or is completed;
6. photographs and maps of the area where the uses would be made;
7. full and thorough evaluation of the use's effect on the criteria listed in Subsection F, below;
8. any alternatives to the proposed action;
9. description of steps taken to minimize detrimental effects to the system river, and measures taken to ensure preservation of the system;
10. identification of all authorizing local, state, and federal agencies and all permits applied for or obtained from such agency; and
11. description of any noncompliance by applicant, adjudicated within Louisiana, regarding the Louisiana Scenic Rivers Act, the United States Wild and Scenic River Act, and all regulations and ordinances pertaining to these acts.

D. Insufficient and Incomplete Application. Upon receipt of an application, the administrator shall determine whether the application is sufficient and complete in light of the requirements enumerated in

Subsection C, above. If the application is not sufficient and complete, the administrator shall return the application to the applicant with a description of how and why the petition is insufficient or incomplete. The applicant shall be entitled to resubmit the petition after making the necessary changes or amendments.

E. Application Fees. An administrative fee of \$100 shall accompany each application. The administrative fee shall be deposited immediately upon receipt into the state treasury to be credited to the Scenic River Fund.

F. Project Evaluation. In determining whether or not a permit should be issued, the administrator's evaluation shall consider the purposes for which the system is established and shall be made with a view toward maintaining the fundamental character and unique natural values associated with the system river. Any evaluation required to be made by this Section, shall fully and thoroughly consider, but not be limited to, the following criteria:

- 1. wilderness qualities;*
- 2. scenic values;*
- 3. ecological regimes;*
- 4. recreation;*
- 5. aesthetic values;*
- 6. fish and other aquatic life;*
- 7. wildlife;*
- 8. historical and archaeological resources;*
- 9. geological resources;*
- 10. botanical resources;*
- 11. water quality;*
- 12. cultural resources;*
- 13. economics;*
- 14. compliance history as required in §117.C.11;*
- 15. any reasonable alternatives to the proposed use; and*

16.a. whether reasonable steps have been taken by the applicant to minimize and/or offset any detrimental effects on natural and physical features and resources;

b. a field evaluation of the project site by the administrator's staff may be required. If such a field evaluation is necessary, the applicant shall pay a service charge of \$135 for each day required to complete the actual, on-site field evaluation.

G. Consultation. Prior to any final decision on any application for a permit, the administrator shall prepare a written evaluation of the application and shall consult with the Louisiana State Planning Office, the Department of Environmental Quality, the Department of Culture, Recreation and Tourism, the Department of Agriculture and Forestry and any other agency the administrator determines may have an interest in the permit. The consultation shall be conducted within 30 days of receipt of a sufficient and complete application. By the end of this time period, the reviewing agencies shall forward any written comments and supporting documents to the administrator. However, the administrator can grant additional time for a consultation for good cause.

H. Written Comments and Public Hearing. Prior to making the final decision on a permit application, the administrator shall:

1. provide all interested parties and the public, the opportunity to submit written comment on the permit application, allowing a 45-day comment period;

2. in response to a showing of substantial interest by the public for a hearing as demonstrated by written requests from no less than 25 persons or from a group representing not less than 25 members, or

upon request by the applicant, or at the administrator's own discretion, hold a public hearing. The hearing will be held whenever such a hearing might clarify one or more issues concerning the application, and to receive comments and recommendations from all interested parties and the public. If a hearing is held it shall be in the vicinity of the river. The administrator shall give its first notice at least 30 days prior to the hearing;

3. notices referred to in this Section will be published in the official journal of each parish in which the river is located in three separate issues and in the official state journal; however, the comment period shall begin with publication of the notice in the official state journal. The administrator shall notify each parish governing authority of the hearing by letter to its chief executive officer. The administrator shall also give special notice of the public hearing to all readily identifiable landowners with property adjacent to the nominated stream and to other interested parties who have requested such notifications.

I. *Time Period for Review of the Application.* The administrator shall make a decision whether to grant or deny the permit within ~~45~~ 30 days after the adjournment of the hearing or the end of the written comment period, whichever is latest.

J. *Waiver of Evaluation Time Period.* Upon the specific authorization of the administrator, or the state legislature, the evaluation required by §117.F-I, and/or the procedural delays provided for in Subsections L and M may be waived; provided, however, that the administrator may only authorize a waiver in emergency circumstances clearly appearing from the face of the applicant's application and only after concurrence in the waiver is given by personnel of the Department of Wildlife and Fisheries, the Department of Culture, Recreation and Tourism, State Planning Office, the Department of Agriculture and Forestry, and the Department of Environmental Quality.

K. *Reports of Permitted Uses.* To the extent that it is feasible, it shall be the policy of the administrator to inform users and potential users of system rivers as to what types of uses will be permitted. In carrying out this policy, the administrator shall, from time to time, publish reports describing what types of uses have been permitted and what types of uses have not been permitted after the evaluations required by §117 have been undertaken.

L. *Denial of Permits.* The administrator shall deny a permit for use of a system river if, after a full and thorough evaluation, the administrator finds that the proposed or alternative use would be unreasonable in light of the objective of maintaining the fundamental character and unique natural values associated with the system river.

M. *Permit Conditions*

1. In issuing any permit, the administrator may:

a. require conditions in the use and may require that appropriate steps be taken to minimize and/or offset the detrimental effects on the natural and physical features and resources enumerated by Subsection F, above, as a condition to the granting of the permit; and

b. require assurance, including security, during the construction phase of the project, to assure compliance with permit requirements.

2. In setting the required assurance and security, the administrator shall consider any noncompliance by applicant, adjudicated within Louisiana, regarding the Louisiana Scenic Rivers Act, the United States Wild and Scenic Rivers Act, and all regulations and ordinances pertaining to these acts.

N. *Final Decision.* The final decision by the administrator on any application for a permit shall:

1. be in the form of a written report;

2. be part of the record of the decision;

3. include an evaluation of the impacts on the criteria provided for in Subsection F, above; and

4. give full and meaningful consideration and appropriate weight to the comments from other reviewing agencies.

O. *Copies.* The administrator shall provide copies of the final decision to:

1. Louisiana State Planning Office;

2. Department of Environmental Quality;

3. Department of Culture, Recreation and Tourism;
4. Department of Agriculture and Forestry; and
5. other interested parties who provide a written request.

P. *Modification and Revocation.* The administrator may modify or revoke a permit, for good cause, after notice and an adjudicatory hearing, unless waived by permittee. Good cause includes, but is not limited to:

1. any adjudicated violation of the permit conditions, the act or these regulations;
2. new and material evidence regarding the evaluation criteria listed in §117.F; and
3. intentional misrepresentation of a material fact on the permit application.

Q. *Failure to Begin Activity—Extensions.* The permit shall expire if the activity has not begun within 18 months of permit issuance, except that the administrator may grant a maximum of two extensions of six months each upon a finding that there has been no significant change in circumstances.

R. *Appeals of Final Decision.* Any person ~~shall be entitled to an appeal in accordance with the Administrative Procedure Act, R.S. 49:950 et seq.~~ may institute legal proceedings against the department in the Nineteenth Judicial District Court.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1844, 56:1849, 56:1852 and 56:1854.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 2:456 (December 1976), amended by the Department of Wildlife and Fisheries, Office of the Secretary, LR 17:682 (July 1991).

§119. Civil Penalties and Enforcement

A. For any violation of the provisions of §117.A and B, or any permit condition the administrator, in accordance with R.S. 49:950 et seq. (Administrative Procedure Act) may:

1. impose a civil penalty of up to \$1,000 for each violation;
2. suspend, annul, withdraw, or revoke any permit;
3. institute civil proceedings to enforce department rulings in the district court for the parish in which the violation occurs; and
4. issue cease and desist orders, compliance orders, and obtain injunctions or other appropriate relief upon determining that a violation of these regulations has occurred, is about to occur, or is occurring.

B. Each day in which a violation occurs prior to voluntary cessation of the activity as a result of the receipt of any lawful order from the administrator or the administrator's authorized representative, or prior to cessation as the result of an injunction, shall be a separate offense.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1851(A) and (B).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 2:456 (December 1976), repromulgated by the Department of Wildlife and Fisheries, Office of the Secretary, LR 17:684 (July 1991).

§121. Criminal Penalties and Enforcement

A. Criminal penalties shall be assessed in accordance with R.S. 56:1851.C.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1851.C.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 2:456 (December 1976), repromulgated by the Department of Wildlife and Fisheries, Office of the Secretary, LR 17:684 (July 1991).

§123. Complaints

A. Any person shall have the right to file a complaint with the administrator alleging a violation of the act or regulations. When, from the complaint, it appears to the administrator that there is reasonable cause to believe that a violation has occurred, is about to occur, or is occurring, the administrator shall conduct an investigation. If the investigation indicates that a violation has occurred, is about to occur, or is occurring, the administrator shall initiate an enforcement action pursuant to §119 or shall refer the matter to the attorney

general or appropriate district attorney for an enforcement action pursuant to the statutes referenced in §121. The administrator shall respond to the complainant in an appropriate manner.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1841 and 56:1843.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 2:456 (December 1976), repromulgated by the Department of Wildlife and Fisheries, Office of the Secretary, LR 17:684 (July 1991).

§125. Grants, Donations and Servitudes

A. Pursuant to R.S. 56:1843(2) and R.S. 56:1844 the administrator may accept donations and grants for the purposes of administering the Scenic River System from public and private sources. The donations shall be deposited immediately upon receipt into the state treasury to be credited to the Scenic River Fund. Further, pursuant to R.S. 56:1843(7), the administrator may enter into scenic and surface servitude agreements with landowners for the purposes of the Scenic River Act.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1843(2), 56:1843(7) and 56:1844.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 2:456 (December 1976), repromulgated by the Department of Wildlife and Fisheries, Office of the Secretary, LR 17:684 (July 1991).

§127. Severability

A. If any provision of these regulations is held invalid, such invalidity shall not affect the other provisions of these regulations which can be given effect without the invalid provisions, and to this end the provisions of these regulations are here declared severable.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1850.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 2:456 (December 1976), repromulgated by the Department of Wildlife and Fisheries, Office of the Secretary, LR 17:685 (July 1991).

The next item, **To Hear a Notice of Intent for the 2014 Wild Turkey Season Dates, and Wild Turkey Rules and Regulations** was handled by Mr. Jimmy Stafford. Mr. Stafford began with a PowerPoint presentation.

There were no questions or comments. A motion for approval was made by Commissioner Manuel and seconded by Commissioner Drost. Chairman Graham 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)

(The PowerPoint is made a part of the record)

NOTICE OF INTENT

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

The Wildlife and Fisheries Commission does hereby give notice of its intent to amend the turkey dates and limits for the 2014 season.

Title 76

WILDLIFE AND FISHERIES

Part XIX. Hunting and WMA Regulations

Chapter 1. Resident Game Hunting Season

§115. Turkey Hunting Areas, Seasons, and Bag Limits

A. Daily limit is one gobbler. Season limit is two gobblers. Turkeys taken on WMAs are part of the season bag limit. Only one turkey may be taken during spring WMA lottery hunts.

B. Turkey season will open on the fourth Saturday in March. The Area A turkey season will be 30 consecutive days in length, the Area B turkey season will be 23 consecutive days in length, and the Area C turkey season will be 16 consecutive days in length. Wildlife Management Areas, National Forests, National Wildlife Refuges, and U.S. Army Corps of Engineers land may vary from this framework. Deviation from this framework may occur in those years when the fourth Saturday in March falls the day before Easter.

C. Statewide Youth Turkey and Physically Challenged Season on private lands shall be the weekend prior to the start of the regular turkey season.

D. Only those Wildlife Management Areas listed herein are open to turkey hunting. All other Wildlife Management Areas are closed.

E. 2014 Turkey Hunting Schedule

AREA	SEASON DATES
A	March 22 - April 20
B	March 22 - April 13
C	March 23 - April 6
Private Lands Youth and Physically Challenged Hunter (Wheelchair Confined) Hunt	March 15-16

F. Wildlife Management Area Turkey Hunting Schedule

<i>WMA</i>	<i>Non-Lottery Hunt Dates</i>	<i>Lottery Hunt Dates</i>
<i>Attakapas</i>	<i>March 22 – March 30</i>	<i>None</i>
<i>Bayou Macon</i>	<i>None</i>	<i>April 12 - 13</i>
<i>Big Lake</i>	<i>March 22 - April 6</i>	<i>None</i>
<i>Bodcau</i>	<i>March 22 - April 6</i>	<i>None</i>
<i>Boeuf</i>	<i>March 22 – March 30</i>	<i>None</i>
<i>Clear Creek</i>	<i>March 31 – April 21</i>	<i>March 22 - 23</i> <i>March 29 – 30</i>
<i>Camp Beauregard</i>	<i>March 22 – March 30</i>	<i>None</i>
<i>Dewey Wills</i>	<i>None</i>	<i>March 22 - 23</i> <i>March 29 - 30</i>
<i>Fort Polk-Vernon</i>	<i>March 22 – April 20</i>	<i>None</i>
<i>Grassy Lake</i>	<i>March 22 – March 30</i>	<i>None</i>
<i>Hutchinson Creek</i>	<i>March 22 – April 20</i>	<i>None</i>
<i>Jackson-Bienville</i>	<i>March 22 – April 6</i>	<i>None</i>
<i>Lake Ramsey</i>	<i>March 22 – April 6</i>	<i>None</i>
<i>Little River</i>	<i>March 22 – April 6</i>	<i>None</i>
<i>Loggy Bayou</i>	<i>None</i>	<i>April 11 - 13</i>
<i>Peason Ridge</i>	<i>March 22 – April 20</i>	<i>None</i>
<i>Pomme de Terre</i>	<i>April 16 – April 20</i>	<i>None</i>
<i>Richard K. Yancey</i>	<i>March 22 – April 6</i>	<i>None</i>
<i>Sabine</i>	<i>None</i>	<i>March 28 - 30</i> <i>April 11 - 13</i>
<i>Sandy Hollow</i>	<i>March 22 – April 6</i>	<i>None</i>
<i>Sherburne</i>	<i>March 24 - 26</i>	<i>March 22 - 23</i>
<i>Sicily Island</i>	<i>None</i>	<i>March 22 - 24</i> <i>March 25 - 27</i> <i>March 28 – 30</i> <i>March 31 – April 2</i> <i>April 3 - 6</i>
<i>Tangipahoa Parish School Board</i>	<i>March 22 – April 20</i>	<i>None</i>
	<i>–</i>	
<i>Tunica Hills South Tract</i>	<i>April 7 - 13</i>	<i>March 22 - 23</i> <i>March 29 – March 30</i> <i>April 5 - 6</i>
<i>Tunica Hills North Tract</i>	<i>April 7 - 13</i>	<i>March 22 - 23</i> <i>March 29 – March 30</i> <i>April 5 - 6</i>
<i>Union</i>	<i>March 31 – April 6</i>	<i>March 29 - 30</i>

Walnut Hills	March 22 – April 20	None
West Bay	None	March 22 - 23 March 29 – March 30 April 5 - 6

G. *Wildlife Management Area Lottery Youth Hunts*

WMA/Ranger District	Lottery Youth Hunt Date
<i>Big Lake</i>	<i>March 15</i>
<i>Bodcau</i>	<i>March 15 - 16</i>
<i>Clear Creek</i>	<i>March 15</i>
<i>Fort Polk-Vernon/Peason Ridge</i>	<i>March 15</i>
<i>Grassy Lake</i>	<i>March 15</i>
<i>Jackson-Bienville</i>	<i>March 15 - 16</i>
<i>Loggy Bayou</i>	<i>April 5 - 6</i>
<i>Pearl River</i>	<i>April 5</i>
<i>Pomme de Terre</i>	<i>April 5</i>
<i>Sherburne</i>	<i>March 15</i>
<i>Sicily Island</i>	<i>March 15</i>
<i>Spring Bayou</i>	<i>April 5</i>
<i>Tunica Hills</i>	<i>March 15</i>
<i>Union</i>	<i>March 15 - 16</i>
<i>West Bay</i>	<i>March 15</i>

H. *Non-lottery WMA youth hunts*

1. *Bodcau WMA will be open April 12-13 (only youths may hunt).*
2. *Jackson-Bienville WMA will be open April 12-13 (only youths may hunt).*

I. *Wildlife Management Area Physically Challenged (Wheelchair Confined) Hunt*

1. *Jackson-Bienville WMA will be open April 14 - 20 to holders of valid physically challenged hunter (wheelchair classification) permits.*

J. *Federal Lands Turkey Hunting Schedule*

1. *Kisatchie National Forest (KNF) turkey hunting schedule: (Youth only) March 15 – 16 on Caney, Calcasieu (except Vernon Unit lands within Ft. Polk-Vernon WMA) and Kisatchie Ranger Districts, (youth only) March 15 on Catahoula and Winn Ranger Districts. Caney Ranger District, March 22 - April 6; all remaining KNF lands, March 22 - April 13 (including Catahoula and Red Dirt National Wildlife Management Preserves).*

2. U.S. Army Corps of Engineers turkey hunting schedule: Indian Bayou Area, March 15-16 youth and physically challenged lottery only hunt, and lottery hunt only on March 22-23 and March 29-March 30. Old River Control and Lock Areas, March 22 - April 6.

3. National Wildlife Refuges: Bogue Chitto NWR, March 22 - April 13, March 15 – 16 (youth only); Lake Ophelia NWR, March 15 (youth lottery only), March 22 - April 6 hunt ends at 12 p.m. each day; Tensas NWR, March 15-16 (youth only), March 22 - April 6; Upper Ouachita NWR, March 15 (youth lottery only).

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

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 25:2264 (November 1999), amended LR 26:2634 (November 2000), LR 27:2270 (December 2001), LR 28:2376 (November 2002), LR 29:2513 (November 2003), LR 30:2875 (December 2004), LR 31:3167 (December 2005), LR 32:2272 (December 2006), LR 33:2470 (November 2007), LR 35:90 (January 2009), LR 35:2481 (November 2009), LR 36:2583 (November 2010), LR 37:3541 (December 2011), LR 38:2944 (November 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.

Interested persons may submit written comments on the proposed rule to Mr. Kenneth Ribbeck, Wildlife Division, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA, 70898-9000 no later than 4:30 p.m., September 5, 2013.

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).

Ronald Graham

Chairman

NOTICE OF INTENT

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

The Wildlife and Fisheries Commission does hereby give notice of its intent to amend the turkey rules and regulations for the 2014 season.

Title 76

WILDLIFE AND FISHERIES

Part XIX. Hunting and WMA Regulations

Chapter 1. Resident Game Hunting Season

§113. General and WMA Turkey Hunting Regulations

A. *General Regulations.* Only gobblers (male turkeys) may be taken. Taking of hen (female) turkeys, including bearded hens, is prohibited. Still hunting only. Use of dogs, electronic calling devices and live decoys is illegal. Turkeys may be hunted with shotguns, including muzzleloading shotguns, using shot not larger than #2 lead or BB steel shot, and approved archery equipment but by no other means. Shooting turkeys from a moving or stationary vehicle is prohibited. Shotguns capable of holding more than three shells prohibited. The running of coyote with dogs is prohibited in all turkey hunting areas during the open turkey season. No person shall hunt, trap or take turkeys by the aid of baiting or on or over any baited area. Baiting means placing, exposing, depositing or scattering of corn (shelled, shucked or unshucked), wheat or other grain, salt, or other feed so as to constitute a lure, attraction or enticement to, on or over any areas where hunters are attempting to take turkeys. A baited area is any area where corn (shelled, shucked or unshucked), wheat or other grain, salt, or other feed capable of luring, attracting or enticing turkeys is directly or indirectly placed, exposed, deposited, distributed or scattered. Such areas remain baited areas for 15 days following complete removal of all such corn, wheat or other grain, salt, or other feed. Wildlife agents are authorized to close such baited areas and to place signs in the immediate vicinity designating closed zones and dates of closures. No person hunting turkeys more than 200 yards from a baited area will be in violation of the turkey baiting regulation.

B. *Tags.*

1. *Prior to hunting turkeys, all turkey hunters, regardless of age or license status, must obtain turkey tags and have them in their possession while turkey hunting. Immediately upon killing a turkey,*

hunters must attach a carcass tag to the turkey before it is moved from the site of the kill and must document the kill on the turkey harvest report card. The date of kill and parish of kill must be recorded on the carcass tag. The tag must remain attached to the turkey while kept at camp or while it is transported to the domicile of the hunter or to a cold storage facility. Hunters who keep the carcass or meat at a camp must also comply with game possession tag regulations. Within seven days of the kill, the hunter must report the kill. Hunters may report turkeys by calling the validation phone number or using the validation web site.

2. Turkey hunters purchasing licenses by phone or internet will be given an authorization number and a LDWF identification number that will serve as their license and tags until the physical license and tags arrive by mail. Turkey hunters who have purchased a license with tags, but have not yet received their physical license and tags, must immediately tag their kill with a possession tag before moving it from the site of the kill. The authorization number and LDWF identification number must be recorded on the possession tag. Hunters must retain documentation of any turkeys killed and upon receiving their physical tags and harvest report card, validate their kill as required in these regulations. The tags for turkeys killed prior to receiving the physical tags must be removed from the turkey harvest report card and discarded.

3. Tags removed from the turkey harvest report card prior to killing a turkey are no longer valid and if lost will not be replaced. Duplicate tags and turkey harvest report cards are available to replace lost report cards and attached tags. Hunters will be charged a fee for duplicate turkey harvest report cards and tags. Hunters that have killed a turkey prior to losing their remaining tag and harvest report card must remove and discard the duplicate tag to account for the original tag that was used and validated. Hunters must record any previously validated turkey on the duplicate turkey harvest report card.

C. Possession of Live Wild Turkeys. No person shall take live wild turkeys or their eggs from the wild. No person shall possess captive live wild turkeys, (Meleagris gallopavo silvestris, M. g. osceola, M. g. intermedia, M. g. merriami, M. g. mexicana) or their eggs, regardless of origin, without a valid game breeder license. No pen-raised turkeys from within or without the state shall be liberated (released) within the state.

D. Statewide Youth and Physically Challenged Season Regulations. Only youths 17 years of age or younger or hunters possessing a Physically Challenged Hunter Permit with wheelchair classification

may hunt. Youth must possess a hunter safety certification or proof of successful completion of a hunter safety course. Youths must be accompanied by one adult 18 years of age or older. If the accompanying adult is in possession of hunter safety certification, a valid hunting license or proof of successful completion of a hunter safety course, this requirement is waived for youth younger than 16 years of age. Adults accompanying youth may not possess a firearm or bow. Youths may possess only one firearm or bow while hunting. The supervising adult shall maintain visual and voice contact with the youth at all times. EXCEPT properly licensed youths 16-17 years old and youths 12 years old or older who have successfully completed a hunter safety course may hunt without a supervising adult. Only one gobbler per day may be taken and any gobbler taken by the hunter during this special season counts towards their season bag limit of 2.

E. Shooting hours: one-half hour before sunrise to one-half hour after sunset.

F. Turkey Hunting Area Descriptions

1. Area A

a. All of the following parishes are open:

i. Beauregard;

ii. Bienville;

iii. Claiborne (Exception: See Federal Lands Hunting Schedule for

Kisatchie National Forest dates);

iv. East Baton Rouge;

v. East Feliciana;

vi. Grant (Exception: See Federal Lands Hunting Schedule for

Kisatchie National Forest dates);

vii. Jackson;

viii. LaSalle;

ix. Lincoln;

x. Livingston;

xi. Natchitoches (Exception: See Federal Lands Hunting Schedule for

Kisatchie National Forest dates);

xii. *Pointe Coupee* (Exception: See Sherburne WMA for special season dates on all state, federal, and private lands within Sherburne boundaries);

xiii. *Rapides* (Exception: See Federal Lands Hunting Schedule for Kisatchie National Forest dates);

xiv. *Sabine*;

v. *St. Helena*;

xvi. *Tangipahoa*;

xvii. *Union*;

xviii. *Vernon* (Exception: See Federal Lands Hunting Schedule for Kisatchie National Forest dates);

xvix. *West Baton Rouge*;

xx. *West Feliciana* (including Raccourci Island);

xxi. *Winn* (Exception: See Federal Lands Hunting Schedule for Kisatchie National Forest dates);

b. *Portions of the following parishes are also open:*

i. *Allen: North of LA 104, west of LA 26 south of junction of LA 104 to US 190, north of US 190 east of Kinder, west of US 165 south of Kinder;*

ii. *Avoyelles: That portion bounded on the east by the Atchafalaya River, on the north by Red River to the Brouillette Community, on the west by LA 452 from Brouillette to LA 1, on the south by LA 1, eastward to Hamburg, thence by the West Atchafalaya Basin Protection levee southward;*

iii. *Calcasieu: North of I-10;*

iv. *Caldwell: West of Ouachita River southward to Catahoula Parish line;*

v. *Catahoula: South and west of the Ouachita River from the Caldwell Parish line southward to LA 8 at Harrisonburg, north and west of LA 8 from Harrisonburg to the LaSalle Parish line. ALSO that portion lying east of LA 15;*

vi. *Evangeline: North and west of LA 115, north of LA 106 west of LA 115 to US 167, west of US 167 south to LA 10, north of LA 10 west of US 167 to LA 13, west of LA 13 south of LA 10 to Mamou and north of LA 104 west of Mamou;*

vii. *Franklin: That portion lying east of LA 17 and east of LA 15 from its juncture with LA 17 at Winnsboro;*

viii. *Iberville: West of the Mississippi River. (EXCEPTION: see Sherburne WMA for special season dates on all state, federal and private lands within Sherburne boundaries);*

ix. *Jefferson Davis: North of US 190 from junction with LA 26 to Kinder, west of US 165 and north of I-10 west from junction of US 165;*

x. *Madison: That portion lying east of US 65 from East Carroll Parish line to US 80 and south of US 80. Also, all lands east of the main channel of the Mississippi River;*

xi. *Morehouse: West of US 165 from the Arkansas line to the junction of LA 140 at Bonita, north and west of LA 140 to junction of LA 830-4 (Cooper Lake Road), west of LA 830-4 to US 165 at Bastrop, south of US 165 to junction of LA 3051 (Grabault Road) south of LA 3051 to junction of LA 138, west of LA 138 to junction of LA 134, north of LA 134 to the Ouachita Parish line;*

xii. *Ouachita: All west of the Ouachita River. That portion east of the Ouachita River lying north of US 80 to LA 139, west of LA 139 to LA 134, north of LA 134 to the Morehouse parish line, south of the Morehouse parish line, and east of the Ouachita River.*

xiii. *Richland: That portion south of US 80 and east of LA 17;*

xiv. *St. Landry: That portion bounded on the west by the West Atchafalaya Basin Protection Levee and on the east by the Atchafalaya River. EXCEPTION: the Indian Bayou Area, see Federal Lands Hunting Schedule for Indian Bayou Area dates;*

xv. *Upper St. Martin: All within the Atchafalaya Basin. EXCEPTIONS: Sherburne WMA and Indian Bayou Area, see WMA Turkey Hunting Schedule for special season dates on all state, federal and private lands within Sherburne WMA boundaries and see Federal Lands Hunting Schedule for Indian Bayou dates;*

xvi. *Tensas: That portion west of US 65 from the Concordia Parish line to its juncture with LA 128, north of LA 128 to St. Joseph; west and north of LA 605, 604 and 3078 northward to Port Gibson Ferry. Also all lands east of the main channel of the Mississippi River;*

2. *Area B*

a. *All of the following parishes are open:*

i. *Ascension;*

ii. *DeSoto;*

iii. *Red River;*

iv. *St. Tammany;*

v. *Washington.*

b. *Portions of the following parishes are open:*

i. *Bossier: All open except that portion bounded on the north by I-20, on the west by LA 164, on the south by LA 164, and on the east by the Webster Parish Line;*

ii. *Caddo: All except that portion north of I-20 from the Texas state line to I-220. West of I-220 to LA 1. West of LA 1 to Caddo Lake. South of Caddo Lake to the Texas state line;*

iii. *East Carroll: East of US 65 from Arkansas state line to Madison Parish line;*

iii. *Iberville: All east of the Mississippi River;*

iv. *Webster: All open except that portion bounded on the north by I-20, on the east by U.S. 371, on the south by LA 164, and on the west by the Bossier Parish line (Exception: See Federal Lands Hunting Schedule for Kisatchie National Forest dates);*

3. *Area C*

a. *All of the following parishes are open:*

i. *Concordia;*

b. *Portions of the following parishes are open:*

i. *Caldwell: All east of the Ouachita River;*

- ii. *Catahoula: All of the parish EXCEPT for that portion located in Area A;*
- iii. *Franklin: West of LA 17 from the Richland Parish line southward to Winnsboro, west of LA 15 southward to the Catahoula Parish line;*
- iv. *Iberia: East of the West Atchafalaya Basin Protection Levee.*
- v. *Richland: West of LA 17 from Franklin Parish line to Ringle Road, south of Ringle Road to Ferguson Road, south of Ferguson Road to Little Road, south of Little Road to Big Creek, east of Big Creek to Franklin Parish line;*
- vi. *Tensas: East and south of US 65 from Concordia Parish line to LA 128, south of LA 128 to St. Joseph, east and south of LA 605, 604 and 3078 northward to Port Gibson Ferry.*

4. *Turkey season dates on Wildlife Management Areas, National Wildlife Refuges, Kisatchie National Forest and U.S. Army Corps of Engineers land located within Areas A, B, and C may vary from the season set for the parish in which they are located. Seasons for these lands are specified in LAC 76:XIX.115.*

G. *WMA Turkey Hunting Regulations*

- 1. *WMAs with youth turkey hunts are closed to all activities except turkey hunting by authorized youth hunt participants, shooting range use, and fishing on the day(s) of the youth hunt.*
- 2. *Self-Clearing Permits: All turkey hunts, including lottery hunts, are self-clearing. Hunters must check in daily by obtaining a permit from a self-clearing station prior to hunting. The self-clearing permit must be in the hunter's possession while hunting. Upon completion of each days hunt, the hunter must check out by completing and depositing the hunter report portion of the permit in the check-out box at a self-clearing station before exiting the WMA.*
- 3. *Lottery Hunts: All or portions of some WMA seasons are designated as lottery hunts and are restricted to hunters selected by pre-application lottery. To apply for these lottery hunts, a hunter must submit a completed official application form to the Baton Rouge office by the deadline printed on the application. A non-refundable fee of \$5 must be sent with each application. Applicants for WMA youth hunts must be 17 years of age or younger and at least 8 years old on the day of the hunt. Applicants may submit only one application and may be selected for only one spring WMA Turkey Lottery Hunt annually.*

Except, youths may also apply for the regular WMA turkey lottery. Submitting more than one application per lottery type will result in disqualification. Hunters must abide by self-clearing permit requirements. Hunters chosen for WMA lottery hunts may be accompanied by one person. The person accompanying a lottery hunter shall not possess a firearm/bow or take a turkey, and must remain within a distance that allows normal voice contact with the lottery hunter at all times. Youths chosen for special youth only hunts may be assigned a guide on the day of the hunt provided that guides are available. One person may accompany the youth and guide, but may not hunt.

4. *WMA Physically Challenged Hunt (Wheelchair Confined): Open only to hunters with a Physically Challenged Hunter Permit with wheelchair classification. During this hunt, ATVs may be used by hunters on all designated ATV trails in accordance with the Physically Challenged Hunter Permit. Hunters must abide by self-clearing permit requirements.*

5. *Rules Specific to Certain WMAs:*

a. *Sandy Hollow: No turkey hunting within 100 yards of food plots identified by two yellow paint rings around the nearest tree.*

b. *Sherburne: All turkeys taken must be checked at the WMA headquarters.*

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

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 25:2263 (November 1999), amended LR 26:2634 (November 2000), LR 27:2270 (December 2001), LR 28:2375 (November 2002), LR 29:2512 (November 2003), LR 30:2874 (December 2004), LR 31:3167 (December 2005), LR 32:2272 (December 2006), LR 33:2469 (November 2007), LR 35:91 (January 2009), LR 35:2478 (November 2009), LR 36:2581 (November 2010), LR 37:3535 (December 2011), LR 38:2941 (November 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.

Interested persons may submit written comments on the proposed rule to Mr. Kenneth Ribbeck, Wildlife Division, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA, 70898-9000 no later than 4:30 p.m., September 5, 2013.

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).

Ronald Graham

Chairman

Chairman Graham announced the next item, **To Consider a Declaration of Emergency for Early Migratory Game Birds and Special Teal Season** to be handled by Jeff Duguay. Mr. Duguay began with a PowerPoint Presentation laying out the Migratory Bird Seasons.

The General Framework for Dove is:

- No more than 70 days
- Daily bag limit of 15 mourning and white winged doves in the aggregate
- May have 2 Zones
- Each zone not split into more than three periods

Dove Recommendations

- Daily bag limit 15 doves
 - Possession increased to three times daily bag limit
- 2 Zones
 - North and South
 - South Zone
 - September 07-15 (Labor Day Weekend August 31)
 - October 19 - December 01
 - December 21 – January 06
 - North Zone
 - September 07 – 22
 - October 12 – November 10
 - December 14 – January 06

September Teal

- < 3.3 million = Closed Season
- 3.3 – 4.7 million = 9 Day Season
 - 4.7 million = 16 Day Season
- Estimates will exceed 4.7 million
- September 14-29
- Daily Bag Limit 6 Birds
 - Up from 4 Bird Bag Limit
- Possession Limit increased to 3 times daily bag

Rails and Gallinules

- Split Season statewide
 - -70 days
- September 14-29
- Remainder of season to be set in August with duck regulations

Woodcock General Framework

- No more than 45 days hunting
 - Cannot hunt past January 31st
- Daily Bag Limit 3 Birds

Woodcock Recommendations

- December 18-Jan 31 (45 days)
- Daily Bag Limit of 3 Birds
 - Possession of 9 Birds

Snipe

- Deferred to be set in August with the duck regulations

Extended Falconry Season

- Mourning Doves
 - September 16 – October 02
- American Woodcock
 - October 28 – December 17
 - February 01 – February 11

There were no questions or comments. A motion for approval was made by Commissioner Manuel and seconded by Commissioner Drost. Chairman Graham 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
Early Season Migratory Bird Recommendations
2013-14 Seasons
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 hunting seasons for early migratory birds during the 2013-2014 hunting season shall be as follows:

Dove: *The term “dove” refers to the following species, and only the following species: mourning doves, white-winged doves, Eurasian collared-doves, and ringed-turtle doves.*

South

Sep. 07-15

Oct. 19-Dec. 01

Dec. 21-Jan. 06

North

Sep. 07-22

Oct. 12-Nov. 10

Dec. 14-Jan. 06

Bag Limit: *Mourning and white-winged doves and fully dressed Eurasian collared- and ringed turtle-doves: Daily bag limit 15 in aggregate, Possession 45 in aggregate, but note: there is no bag limit on Eurasian collared-doves or ringed turtle-doves provided that a fully feathered wing and head remain attached to the carcass of the bird. Fully dressed Eurasian-collared doves and*

ringed-turtle doves (those without a fully feathered wing and head naturally attached to the carcass) shall be included in the aggregate bag.

Dove Hunting Zones: The state shall be divided into North and South Dove Hunting Zones by the following boundary: Beginning at the Texas-Louisiana border on La. Highway 12; thence east along La. Highway 12 to its intersection with U.S. Highway 190; thence east along U.S. Highway 190 to its intersection with Interstate 12; thence east along Interstate 12 to its intersection with Interstate 10; thence east along Interstate 10 to the Mississippi state line.

Teal: September 14 - September 29

Daily bag limit 6, possession limit 18, blue-winged, green-winged and Cinnamon teal only. Federal and state waterfowl stamps required.

Rails: Split Season, Statewide, 70 days

September 14 - September 29

Remainder of season to be set in August with the duck regulations.

King and Clapper: Daily bag limit 15 in the aggregate and possession 45 in the aggregate.

Sora and Virginia: Daily bag limit 25 and 75 in the aggregate.

Gallinules: Split Season, Statewide, 70 days

September 14 - September 29

Remainder of season to be set in August with the duck regulations.

Common and Purple: Daily bag limit 15 in the aggregate, possession of 45 in the aggregate.

Woodcock: December 18 - January 31, Statewide

Daily bag limit 3, possession limit 9.

Snipe: Deferred to be set in August with the duck regulations.

Extended Falconry Season

Mourning Doves: Statewide

September 16 - October 2

Woodcock: Split Season, Statewide

October 28 - December 17

February 1 - February 11

Falconry daily bag and possession limits for all permitted migratory game birds must not exceed 3 and 9 birds, respectively, singly or in the aggregate, during the extended falconry seasons and regular hunting seasons. Remainder of extended falconry seasons for ducks, rails, gallinules to be set in August with the duck regulations.

Shooting and Hawking Hours:

Dove: *One-half hour before sunrise to sunset except 12:00 noon to sunset*

September 7, 2013.

Teal, rails, gallinules, and woodcock: *One-half hour before sunrise to sunset.*

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 100,000 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 on September 1, 2013 and extend through sunset on February 28, 2014.

Ronald Graham

Chairman

Chairman Graham announced the next item, **To Hear Preliminary Results of the 2013 Louisiana Waterfowl Hunter Survey**, to be handled by Larry Reynolds. Mr. Reynolds provided the Commission a PowerPoint Presentation of the results, which follows.

Survey Objectives

- Assess satisfaction with new waterfowl zones
- Obtain preferences for season dates and splits
- Estimate hunter effort, harvest and satisfaction relative to past surveys
- Increase opportunity for public engagement and feedback
- Evaluate new research survey methods

Survey Methods

Three Survey Formats

- Announcement Postcard and Paper survey mailed twice to a random sample of 2,500 HIP registered hunters (Random Mail Survey)
- Postcard Invitation to take survey online mailed twice to a random sample of 2,500 HIP registered hunters (Internet Panel Survey)
- A web survey hosted on the LDWF website and publicized via press release, email announcements, waterfowl website postings for anyone to respond (Open Web Survey)

Mr. Reynolds went over the General Costs for survey development, analytical software licenses, research facility, etc, and followed with the actual survey responses and response rates for each method.

Season Date Summary

- All survey methods in all zones preferred the latest possible option
- 5 day split was only favored where it did not force an earlier closing date
- Earlier season dates more favored by Open Web survey in West and Coastal Zones
- Because of late Thanksgiving, preferred opening dates correspond to traditional openers

Preliminary Conclusions on Surveys

- Random Mail And Open Web Surveys give similar answers for satisfaction and attitude questions
- Differences in Open Web Survey for early season date options may have resulted from rallying votes.
- Low response rates increase already high relative cost of mail out survey methods very low for internet panel contact
- Few respondents chose anonymity for prize drawings showing potential for future random surveys from an e-mail database

Considerations for August

- Hunter-opinion data favor later hunting seasons than traditional in all zones.
- Hunter-opinion data favor later hunting seasons than traditional in all zones.
- Delta Waterfowl's Duck Migration Study: Bruce Davis' work showed median harvest date is 3 days (teal) to 12 days (ring-necks) later over a 50-year period, but still in mid-December.
- Harvest data summary favor earlier hunting season date
- Delta Waterfowl's Duck Migration Study: Bruce Davis' work showed median harvest date is 3 days (teal) to 12 days (ring-necks) later over a 50-year period, but still in mid-December.
- Harvest data summary favors earlier hunting season dates.
- Bag-check data from coastal WMAs show fewer hunters and lower hunting success in late vs early season
- Past hunter satisfaction was high with traditional dates.
- Not all options were considered on survey

There were no questions or comments

Chairman Graham announced the next item, **To Discuss Establishing Recreational and Commercial Size and Creel Limits on Tripletail**, to be handled by Jason Adriance.

Mr. Adriance began with a PowerPoint Presentation

Habitat

- Distributed throughout all tropical and semitropical waters of the Atlantic Ocean, including the Gulf of Mexico and Mediterranean Sea. In the northern Gulf of Mexico most common from St. Marks, FL to the St. Bernard River, TX.
- Occurs in coastal waters to the edge of the continental shelf
Adults strongly associated with structure and floating objects (crab trap floats, buoys, wrecks, debris, offshore platforms and inshore structures) with younger juvenile fish more often associated with offshore weed lines and sargassum mats.
- Surface dwelling fish that is pelagic in nature
- Can be found inshore as well as offshore but tend to move inshore during the summer months

Biology

- Tripletails generally mature at sizes equivalent to age 1
 - Males in Florida (12-16 inches)
 - Females in Florida (14-18 inches)
 - Females in Mississippi 50% mature (17.9 inches)
- Can grow to 18 inches and to 5 pounds in one year
- Tripletail are a relatively short lived species
 - Maximum age around 6 to 7 years old
 - Suspected to spawn mainly offshore near the shelf break between June and August with peak spawning in July
 - Biological knowledge is limited and not enough data exists for a stock assessment

Commissioner Drost requested that an NOI be prepared for next month meeting. David Guerin with CCA stated that “there is limited information on these fish in general in Louisiana but available in other places”. He also stated “we need common sense management of this fish”.

There were no other questions or comments heard

Chairman Graham announced the next item, **To Consider a Declaration of Emergency on Commercial and Recreational Fishing Closures**, to be handled by Mr. Harry Blanchet. Mr. Blanchet stated that Tar mats located during ongoing surveys were removed this week in the intertidal and subtidal areas of Grand Terre Islands. Some of those mats were in areas that are already closed, however some additional closures were required. The area closed is as follows:

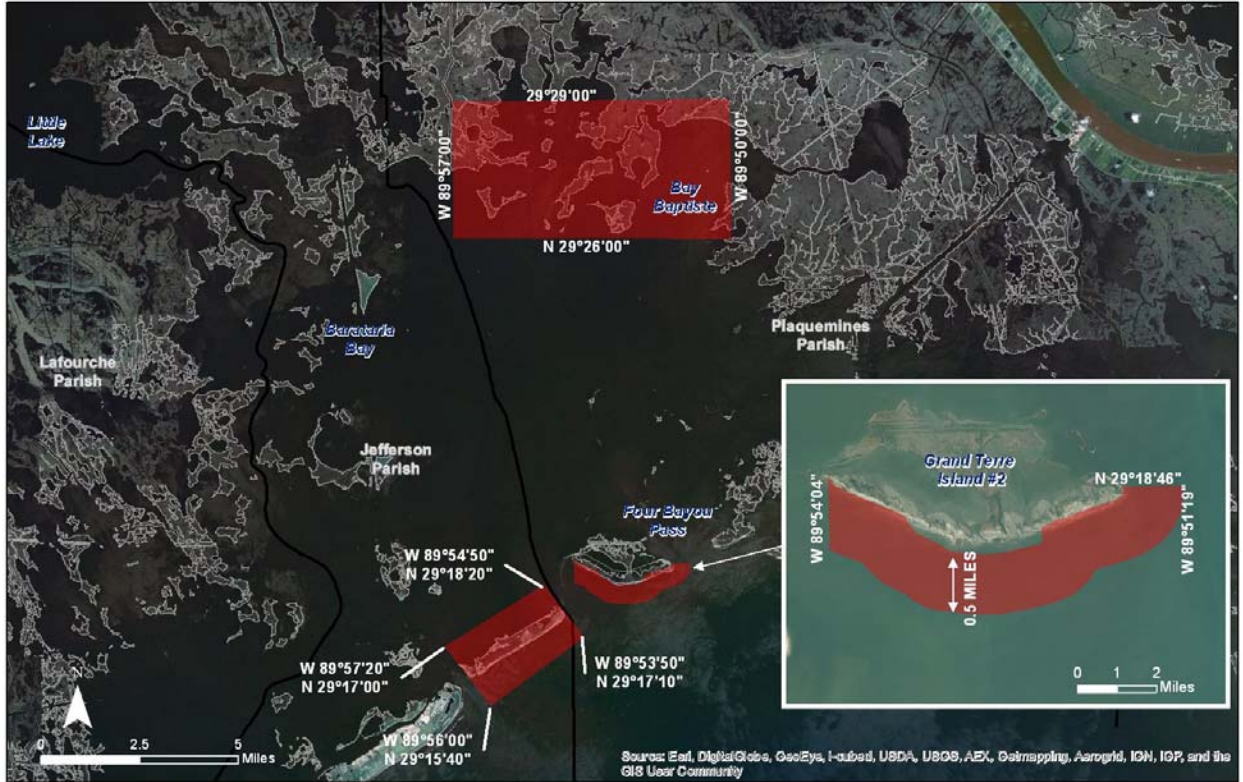
That portion of state outside waters seaward a distance of one-half mile from the shoreline from the southwestern shore of east Grand Terre at -89 degrees 54 minutes 04 seconds west longitude; thence eastward along the shoreline to the southeastern shore of Grand Terre at -89 degrees 51 minutes 39 seconds west longitude; thence eastward along 29 degrees 18 minutes 46 seconds north latitude to -89 degrees 51 minutes 19 seconds west longitude.

Effective with the closure, no person shall take/possess or attempt to take any species of fish for commercial purposes from waters within the closed area. The possession, sale, barter, trade or exchange of any fish or other aquatic life from the closed area during the closure is prohibited.


All commercial fishing is prohibited in the closed areas. Recreational fishing is limited to recreational rod and reel fishing which includes licensed charter boat guides.

There were no questions or comments. A motion for approval was made by Commissioner Manuel and seconded by Commissioner Davis. Chairman Graham 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)



LOUISIANA DEPARTMENT OF WILDLIFE & FISHERIES

 **CLOSED TO ALL COMMERCIAL AND RECREATIONAL FISHING EXCEPT FOR:
Recreational and Charterboat Angling**



SOURCES: LDWF, NOAA, ESRI US Census, LDOTD and LOSCO. Map Projection: NAD_1983_StatePlane_Louisiana_South_FIPS_1702_Feet. Map Date: 06/28/13.

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries

Commercial and Recreational Fisheries Closure

June 28, 2013

In accordance with the emergency provisions of R.S. 49:953 and R.S.49:967 of the Administrative Procedure Act, and under the authority of R.S. 56:6.1 which provides the Secretary of the Department of Wildlife and Fisheries with authority to declare a closed season on any and all species of fish found or existing in the waters of the state; and, a declaration of emergency adopted by the Wildlife and Fisheries Commission on August 2, 2012, the Secretary of the Department of Wildlife and Fisheries hereby closes all commercial and recreational fishing except for recreational and charterboat 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 effective immediately June 28, 2013, in the following area:

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.

Effective with the closure, no person shall take or possess or attempt to take any species of fish for commercial purposes from waters within the closed area. The possession, sale, barter, trade, or exchange of any fish or other aquatic life from the closed area during the closure is prohibited, except as provided herein. Recreational fishing shall be allowed in accordance with the provisions contained herein.

Recreational fishing is limited to recreational angling which shall include licensed charter boat guides.

This action is being taken due to the discovery of large submerged tar mats in the area to be closed and ongoing efforts to remove these.

Robert J. Barham

Secretary

Chairman Graham announced the next item, **To Hear Legislative Post Session Update on Bills Affecting Wildlife & Fisheries**, to be presented by Mr. Cole Garrett. Mr. Garrett highlighted the Legislative Session Bills which affected Wildlife and Fisheries

Overview of Tracked Bills:

- HB 142 – Crab Trap Ring Exemption
- HB 156 – Boards and Commissions
- HB 172 – Naming of Grand Isle Oyster Hatchery
- HB 236 – Oyster Harvest Violation Penalties
- HB 345 – Extension of Oyster Seed Ground Vessel Permit
- HB 376 – Mooring in Atchafalaya Delta WMA
- HB 378 – Increase of Charter Boat Fees
- HB 426 – Composition of WLF Commission
- HB 480 – Moves Seismic Section to Wildlife
- HB 503 – Composition of WLF Commission
- HB 593 – H.S. Exchange Student Hunting License
- HB 719 – Crappie Limits in Toledo Bend and Lake D’Arbonne
- SB 58 – Hunters for the Hungry Exemption
- SB 84 – Hunters for the Hungry License Donation
- SB 128 – Artificial Reef Development Fund
- SB 167 – Transfers LSPMB to Lt. Governor

- **Bills Affecting the Entire Department**
 - **HB 1 – State’s Operating Budget**
 - Allows for the transfer or consolidation of departments within the executive branch
 - LDWF was originally exempt, but was reinstated by line-item veto
 - **HB 156 – Boards and Commissions**
 - Abolishes the Mullet Task Force and the Reptile and Amphibian Task Force
 - **HB 426 and 503 – Changes Composition of WLF Commission**
 - Constitutional and statutory changes to the composition of the Commission
 - Converts two of the current At-Large seats to two “North Louisiana” seats
 - Northern boundary of Beauregard, Allen, Evangeline, Avoyelles, and Point Coupee Parishes
 - Effective upon a two-thirds vote in the Nov. 4th state wide election to amend the Constitution
 - Current Commissioners will serve out the terms for which they were appointed
 - **HB 480 – Moves Seismic Section from Fisheries to Wildlife**

- Shift in oil and gas exploration and production from coastal zone to inland portions of the state
- Wildlife handles oil and gas production on LDWF lands and houses Natural Heritage Section
- **SB 84 – Hunters for the Hungry Donation Checkoff on LDWF Licenses**
 - Effective June 1, 2014
 - Disbursed quarterly – allows for 10 % administrative fees

Wildlife Related Bills

- **HB 376 – Atchafalaya Delta WMA Mooring Program**
 - Authorizes LDWF to establish the ADWMA Vessel Mooring Program
 - 40% premium sites available by bid, 60% available through lottery system
 - Lottery: \$300 for two pilings, \$500 for three or more pilings
 - Minimum bid for premium is 110% of established lottery prices
- **HB 593 – Hunting Licenses for H.S. Exchange Students**
 - Non-resident students enrolled in a Louisiana high school may purchase hunting licenses for the same cost as a resident
- **SB 58 – Donation of Game Meat to Charity**
 - Allows for charitable organizations like Hunters for the Hungry to receive and use wild game and fish for food or meal distribution

Fisheries Related Bills

- **HB 142 – Crab Trap Escape Ring Exemption**
 - Exempts crab traps that are constructed of mesh greater than or equal to two and five-sixteenths inches from the requirement for escape rings.
- **HB 172 – Names the Grand Isle Oyster Hatchery**
 - Names the Grand Isle Oyster Hatchery after late WLF Commissioner Mike Voisin
- **HB 236 – Increases Penalties for Oyster Harvest Violations**
 - Increases penalties for theft of oysters from closed public grounds
 - From a Class 2 (\$150-\$350) to a Class 6 (\$950)
 - Increases penalties for harvesting oysters in DHH closures
 - From a Class 4 (\$400-\$950) to a Class 6 (\$950)
 - Increases fines for refrigeration requirements of the Sanitary Code
 - From a \$25 fine to a Class 4 (\$400-\$950) – No confiscation of equipment
 - Requires mandatory community service (including litter abatement), suspension of licenses and mandatory vessel monitoring systems for violators.
- **HB 345 – Extends Public Oyster Seed Ground Vessel Permit**
 - Extends sunset date from Nov. 15, 2013 to 2016
- **HB 378 – Increases Charter Boat Fees**
 - Increases the charter passenger fishing trip license from \$5 to \$10
 - Increases non-resident charter guide license from \$1000 to \$1500

- Louisiana Charter Boat Association to expend the additional monies for promotion
- **HB 719 – Crappie Daily Possession and Creel Limits**
 - Raises the daily possession limit for crappie on Toledo Bend from 50 to 100.
 - Daily creel limit remains at 25 and consistent with Texas
 - Sets the daily creel limit for crappie on Lake D’Arbonne at 50
 - Removes WLF Commission’s ability to alter by regulation or rule
 - Prohibits possession of filleted fish while aboard a vessel on the water
 - Provides an exception for consumption on a vessel
 - **SB 128 – Artificial Reef Development Fund**
 - Constitutional amendment to ensure funds will be used for the expressed purpose
 - Effective December 25, 2014 contingent upon a two-thirds vote in the state wide election on November 4th, 2014
- **SB 167 – Transfers the Louisiana Seafood Promotion and Marketing Board**
 - Moves LSPMB to Department of Culture, Recreation and Tourism under the Lt. Governor’s Office
 - LDWF retains control over the shrimp, oyster and crab task forces and their budgets

Resolutions

- **HCR 64** – Expresses the support of the Legislature for the “Oyster Voisin” campaign by the LSPMB
- **HCR 68** – Requests the continued examination of Bayou Teche as a scenic river
- **HCR 120** – Memorializes congress to study early mortality syndrome in Asian shrimp stocks and take appropriate action to protect the Louisiana shrimp industry.
- **HCR 159** – Requests the department to study the methods of controlling and eradicating invasive aquatic plants and to report recommendations of the most cost effective methods to the HNREC.
- **SCR 82** – Urges LDWF to perform a study determining how local entities can regulate air boat noise pollution
- **SCR 126** – Commends Col. Winton Vidrine on his retirement from LDWF

Bills That Failed to Pass

- **HB 32** – Would have dedicated 10% of mineral revenues, not to exceed \$100K, generated on state water bottoms of False River to manage aquatic plants on the lake.
- **HB 215** – Would have prohibited the take of deer and outlaw quadrupeds from a vessel.

- **HB 245** – Would have provided for the issuance of non-resident hunting and fishing license fees at the same cost as resident licenses.
- **HB 413** – Would have dedicated 10% of mineral revenues, not to exceed \$100K, generated on state waterbottoms of Lake Bistineau for operations, management, and improvements to the lake.
- **HB 502** – Would have allowed for night hunting of nuisance animals year-round on private property
- **SB 184** – Would have established the LSPMB as an autonomous board under LDWF.
- **SB 211**– Would have established the Beginning Farmer and Fisherman Income Tax Credit Program

Chairman Graham announced the next item, **To Set the November 2013 Meeting Date.** A discussion took place and the meeting is set for November 7, 2013. A motion for approval was made by Commissioner Manuel and seconded by Commissioner Davis. Chairman Graham called for a vote and the motion passed with no opposition.

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

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

Ronny Graham
Chairman