

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

MINUTES

SEPTEMBER 6, 2012

ANN L. TAYLOR
CHAIRMAN

BATON ROUGE, LOUISIANA

The following constitute minutes of the Commission Meeting
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Louisiana Department of Wildlife and Fisheries
2000 Quail Drive
Baton Rouge, Louisiana 70808.
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AGENDA
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
BATON ROUGE, LA
September 6, 2012
9:30 AM

1.	Roll Call	1
2.	Approval of Minutes of August 2, 2012	1
3.	Commission Special Announcements/Personal Privilege	1
4.	To hear Enforcement & Aviation Reports/August	1
6.	To receive and consider a Notice of Intent on the 2013 Abandoned Crab Trap Removal Program	1
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8.	To receive and consider a Declaration of Emergency for Commercial and Recreational Fisheries Closure	20
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MINUTES OF THE MEETING

OF

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

Thursday, September 6, 2012

Chairman Ann Taylor presiding.

Pat Manuel
Ann Taylor
Mike Voisin
Billy Broussard

Secretary Robert Barham was also present.

Chairman Taylor called for a motion for approval of the **August 2, 2012 Commission Minutes**. A motion for approval was made by Commissioner Broussard and seconded by Commissioner Voisin. The motion passed with no opposition.

For the agenda item, **Commission Special Announcements/Personal Privilege**, Commissioner Voisin thanked the secretary and the department for all of their efforts and for all the work that was done during the storm. He stated that they were quite visible during and after the storm and clearly out doing a great job.

Lt. Col. Joey Broussard stated, for the agenda item, **To hear Enforcement & Aviation Reports/August**, the departments planes flew a total of 76.1 aviation hours for the month. There were 14 boating accidents reported with 10 injuries and 1 fatality. Col. Broussard offered a comparison of boating fatalities this year versus this time in 2011. In 2011 there were 31 fatalities by this time versus 27 in 2012. Overall, compared to 2011, boating accidents, injuries, and deaths are lower in 2012. Three news releases were discussed. First, Colonel Broussard discussed the Enforcement Division's efforts during Hurricane Isaac, stating that over 200 agents rescued more than 1500 people in St. John, St. Tammany, and Tangipahoa Parishes. He stated that LDWF Agents worked around the clock during the Hurricane. The next was on three men charged with hunting violations in Red River Parish. The men were in possession of a .223 and .22 rifle and a freshly harvested rabbit. The last case was on five men in St. Charles parish who were cited for poaching violations as a result of a complaint from Operation Game Thief. The men violated state migratory game bird regulations and were in possession of rabbits during a closed season. There were a total of 1153 cases and 405 written warnings issued during August and agents helped with 42 public assists.

The next item, **To receive and consider a Notice of Intent on the 2013 Abandoned Crab Trap Removal Program**, was handled by Mr. Marty Bourgeois. Mr. Bourgeois stated that under Title 56 the Commission has the authority to designate areas of the trap closure, who will pick up the traps, disposal sites, and the dates of the trap closure, the authorized dates during

winter is a 16 consecutive day period between February 1 and March 31, and in the spring, up to 14 consecutive days in conjunction with the opening of the spring shrimp season. Mr. Bourgeois showed some photos of last year's event in which two areas were targeted, one in St. Bernard and Plaquemines Parish and the other in Terrebonne. Last year the department partnered with Sea Grant, CCA of Louisiana, Wildlife Federation, Nature Conservancy and more. Mr. Bourgeois stated that last year's event was very successful and stated that the hope is to duplicate that again this year. Mr. Bourgeois provided a map of the areas that have been targeted from 2004 through 2012, as well as results through the years. Mr. Bourgeois stated that what the department is proposing for 2013 is a portion of Plaquemines Parish beginning at 6am on February 16th and ending on February 25th, a portion of St. Bernard Parish beginning on March 9th at 6am and ending on March 18th. He stated that any trap remaining in a closure area would be considered abandoned, and anyone can retrieve the traps, traps may only be removed during daylight hours, traps may not be possessed outside of the closure area, and must be brought to the disposal sites. Commissioner Voisin moved to adopt the Notice of Intent and Commissioner Broussard seconded the motion. There being no public comment and no further discussion the motion passed with no opposition.

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

NOTICE OF INTENT

Department of Wildlife and Fisheries

Wildlife and Fisheries Commission

The Wildlife and Fisheries Commission does hereby give notice of its intent to amend a rule, LAC 76:VII.367, which provides for an abandoned crab trap removal program. Authority to establish these regulations is vested in the Commission by R.S. 56:332(N). Said rule is attached and made a part of this Notice of Intent.

Title 76

WILDLIFE AND FISHERIES

Part VII. Fish and Other Aquatic Life

Chapter 3. Saltwater Sport and Commercial Fishery

§367. Removal of Abandoned Crab Traps

A. The use of crab traps shall be prohibited from 6:00 a.m., February 16, 2013 ~~25, 2012~~ through 6:00 a.m. February 25, 2013 ~~March 5, 2012~~ within that portion of ~~St. Bernard Parish and~~ Plaquemines Parish as described below:

1. From a point originating along the eastern shore of the Mississippi River at 29 degrees 44 minutes 00 seconds north latitude; thence eastward along 29 degrees 44 minutes 00 seconds north latitude to 89 degrees 40 minutes 00 seconds west longitude; thence southward along 89 degrees 40 minutes 00 seconds west longitude to the eastern shore of the Mississippi River; thence northward along the eastern shore of the Mississippi River terminating at the point of beginning. ~~From a point originating along the southern shoreline of the Mississippi River Gulf Outlet (MRGO) at 89 degrees 36 minutes 00 seconds west longitude; thence southward along 89 degrees 36 minutes 00 seconds west longitude to 29 degrees 39 minutes 00 seconds north latitude; thence westward along 29 degrees 39 minutes 00 seconds north latitude to 89 degrees 38 minutes 30 seconds west longitude; thence southward along 89 degrees 38 minutes 30 seconds west longitude to 29 degrees 38 minutes 00 seconds north latitude; thence westward along 29 degrees 38 minutes 00 seconds north latitude to 89 degrees 40 minutes 30 seconds west longitude; thence southward along 89 degrees 40~~

~~minutes 30 seconds west longitude to 29 degrees 34 minutes 00 seconds north latitude; thence westward along 29 degrees 34 minutes 00 seconds north latitude to the eastern shore of the Mississippi River; thence northward along the eastern shore of the Mississippi River to 89 degrees 54 minutes 00 seconds west longitude; thence northward along 89 degrees 54 minutes 00 seconds west longitude to the southern shoreline of the MRGO; thence eastward along the southern shoreline of the MRGO terminating at the point of beginning.~~

B. The use of crab traps shall be prohibited from 6:00 a.m., March 9, 2013 ~~17, 2012~~ through 6:00 a.m. March 18, 2013 ~~26, 2012~~ within that portion of St. Bernard Terrebonne Parish as described below:

1. From a point originating from the intersection of the northwestern shore of Bayou Yscloskey and the southern shore of the Mississippi River Gulf Outlet; thence northward to the southwestern shore of Shell Beach Cut; thence northward along the western shore of Shell Beach Cut to the southern shore of Lake Borgne; thence northward a distance of one-half mile from the southern shore of Lake Borgne; thence eastward and northward along a line extending one-half mile offshore along the southern and western shore of Lake Borgne to 29 degrees 58 minutes 00 seconds north latitude; thence eastward along 29 degrees 58

minutes 00 seconds north latitude to 89 degrees 22 minutes 00 seconds west longitude; thence southward along 89 degrees 22 minutes 00 seconds west longitude to the southern shoreline of the Mississippi River Gulf Outlet; thence westward along the southern shoreline of the Mississippi River Gulf Outlet to the eastern shore of Bayou La Loutre; thence southward along the eastern shore of Bayou La Loutre; thence westward along the southern shore of Bayou La Loutre to the western shore of Bayou Yscloskey; thence northward along the western shore of Bayou Yscloskey and terminating at the point of beginning. ~~From a point originating from the intersection of LA Highway 57 and Dulac Canal; thence east along LA Highway 57 to its intersection with LA 56; thence due east to the western shoreline of Bayou Little Caillou; thence north along the western shoreline of Bayou Little Caillou to its intersection with Lapeyrouse Canal; thence east along the northern shoreline of Lapeyrouse Canal to its intersection with Bayou Terrebonne; thence south along the eastern shoreline of Bayou Terrebonne to its intersection with Seabreeze Pass; thence southwest to channel marker number 17 of the Houma Navigation Channel at 29 degrees 11 minutes 11.3 seconds north latitude 90 degrees 36 minutes 44.5 seconds west longitude; thence southwest to the northern most point on Pass la Poule Island at 29 degrees 08 minutes 33.5 seconds north latitude 90 degrees 39 seconds 01.3 seconds west longitude;~~

~~thence west to Bayou Sale channel marker at 29 degrees 06 minutes 31.8 seconds north latitude 90 degrees 44 minutes 34.2 seconds west longitude; thence north to the western shoreline of Bayou Sale; thence north along the western shoreline of Bayou Sale to its intersection with Four Point Bayou; thence north along the western shoreline of Four Point Bayou its intersection with the Houma Navigation Channel; thence north along the western shoreline of the Houma Navigation Channel to its intersection with Bayou Grand Caillou; thence north along the western shoreline of Bayou Grand Caillou to its intersection with Dulac Canal; thence east along the northern shoreline of Dulac Canal and terminating at the point of beginning.~~

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

of the Department of Wildlife and Fisheries to designate disposal sites.

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

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission LR 30:101 (January 2004), amended LR 31:108 (January 2005), LR 32:266 (February 2006), LR 33:113 (January 2007), LR 34:97 (January 2008), LR 36:77 (January, 2010), LR 38:146 (January, 2012), LR .

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

Interested persons may submit written comments relative to the proposed rule to Mr. Martin Bourgeois, Marine Fisheries Biologist DCL-B, Marine Fisheries Section, Box 189 ~~98000~~, Bourg ~~Baton Rouge~~, LA 70343 ~~70898-9000~~, prior to November 1, 2012 ~~3, 2011~~.

In accordance with Act No. 1183 of 1999, the Department of Wildlife and Fisheries/Wildlife and Fisheries Commission hereby issues its Family Impact Statement in connection with the

preceding Notice of Intent. This Notice of Intent will have no impact on the six criteria set out at R.S. 49:972(B).

Ann L. Taylor

Chair

Mr. Marty Bourgeois also handled the next item, **To receive and consider a Notice of Intent on the Special Bait Dealer Permit Program.** Mr. Bourgeois stated that this rule change would go a long way in increasing the availability of live bait and live shrimp. The changes to the proposed rule would allow businesses to apply for the permit year-round and bait operations could be conducted year-round rather than being confined to the period between the end of the spring season and the beginning of the fall season. It would also allow bait dealers to use skimmer net frames up to the maximum size. It would allow the transfer of live bait from one vessel to another under certain provisions. Persons convicted of a class 3 or greater fisheries conviction in the previous three years would be denied in terms of application. Mr. Bourgeois stated that this would prohibit the sale of live shrimp or crab from a permitted vessel to anyone other than the dealer listed on the permit during closed shrimp season. Mr. Bourgeois stated that the other major component of this is that for the first time, night-time operations would be allowed, provided that the vessel uses a working Vessel Monitoring System (VMS) so that enforcement can track the activity of the vessel. Commissioner Graham stated that he thinks a word was left out on page 2 where it reads, "Applicants wishing to sell live shrimp or live harvested...". Mr. Bourgeois stated that the word "croaker" should be inserted. Commissioner Voisin moved the Notice of Intent as amended and Commissioner Graham seconded the motion. There being no public comment and no further discussion, the motion passed with no opposition.

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

NOTICE OF INTENT

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

The Wildlife and Fisheries Commission does hereby give notice of its intent to amend a rule, LAC 76:VII.329, which provides for a special bait dealer's permit program. Authority to establish these regulations is vested in the Commission by R.S. 56:497(C). Said rule is attached and made a part of this Notice of Intent.

Title 76

WILDLIFE AND FISHERIES

Part VII. Fish and Other Aquatic Life

Chapter 3. Saltwater Sport and Commercial Fishery

§329. Special Bait Dealer's Permit

A. Policy. The special bait dealer's permit is intended solely for the benefit of the recreational fishing public which desires to use live shrimp and live croaker as bait during the closed ~~season between the spring and fall~~ shrimp seasons. Its purpose is to allow the uninterrupted operation of those commercial establishments which sell live bait shrimp and live croaker to the fishing public during the closed shrimp seasons. ~~beginning May 1 of each year until the opening of the spring inshore shrimp season and between the spring and fall shrimp season.~~ The permit is not intended for the direct use of recreational fishermen, charter boats, commercial fishermen who sell dead shrimp or croaker, or for any other entity which may wish to catch shrimp or croaker for their own use during the closed shrimp seasons.

B. Application

1. Applicants wishing to sell live shrimp or live croaker harvested from Louisiana waters during closed shrimp season must apply for a Special Bait Dealer Permit from the Department for a

fee of \$110.00. ~~Applications for the special bait dealer's permit will be accepted from January 1 through December 31 April 30 of each year. All applications should be mailed to the department via certified mail.~~

2. The Special bait dealer's permit shall be valid for one year beginning January 1st and ending December 31st of that same calendar year. The permit may be purchased at any time during the year for the current permit year and beginning November 15th for the immediately following permit year. ~~Applications will be accepted only from the owner of an existing business which sells or plans to sell live bait to recreational fishermen.~~

3. Applications will be accepted only form the owner of an onshore business which sells or plans to sell live shrimp or live croaker to recreational fisherman. ~~Applications must be notarized and made on forms provided by the department; all information requested must be provided before the application will be processed.~~

4. Applicant shall be responsible for acquiring and possessing all proper licenses including the wholesale/retail seafood dealers license. ~~Applicants must hold show proof of having acquired all necessary licenses and permits before the permit will be issued. This includes, if relevant, boat registration, vessel license, gear license, commercial fishing~~

~~licenses, and name of fisherman; wholesale/retail seafood dealers license, state sales tax number, and a copy of the applicant's and the fisherman's valid driver's license. A background check for wildlife violations of the applicant and the fisherman will be made. Any person convicted of any Class Two or greater wildlife or fisheries violation within the previous 3 years prior to the date of application shall not qualify to obtain a special bait dealer's permit or be onboard any vessel engaged in permitted activities.~~

5. Any person convicted of any Class Three or greater wildlife or fisheries violation within the previous 3 years prior to the date of application shall not qualify to obtain a special bait dealer's permit or be onboard any vessel engaged in permitted activities.

6. 5. Applicant ~~Beginning in 2008, applicant~~ must post a \$1,000 cash bond before the permit is issued. This bond will be forfeited if the permittee, his employee, or his contractor violates any provision of the rules and regulations concerning the special bait dealer's permit or if the permittee, his employee, or his contractor violates any commercial fishing law or regulation while operating under the permit. ~~The fee for the special bait dealer's permit shall be \$110.~~

7. All new applications shall require an inspection by the Department of their onshore facility and vessel prior to permit being issued. Subsequent inspections may be required at renewal. Inspection requirements shall verify applicant is operating a commercial establishment which sells live shrimp or live croakers to the fishing public for use as bait and shall include:

a. Onshore facility able to maintain live shrimp or live croakers;

b. Onshore facilities and vessel tanks must have provisions for aeration and/or circulation of the water in which live shrimp or live croakers are held;

c. Onshore facility holding tanks must have a minimal combined capacity of 300 gallons. Tanks having less than 30 gallon capacity will not be included in combined on shore facility capacity;

d. Vessel tanks must be carried on or built into the vessel and have a minimum of one compartment or tank with a minimum capacity of 30 gallons;

e. Notice to the public must be posted that live bait is available.

~~6. Before the permit is issued an agent of the department must inspect the facilities of the applicant and verify that the~~

~~applicant is operating a commercial establishment which sells live shrimp or live croaker to the fishing public for use as bait, and that the applicant does have facilities to maintain live shrimp or croaker. Notice to the public must be posted that live bait shrimp or croaker are available for sale. The applicant must have onshore facilities, including tanks with a combined minimum capacity of 300 gallons, available to hold live shrimp or live croaker. These tanks must have provisions for aeration and/or circulation of the water in which live shrimp or croaker are held prior to sale. In determining total tank capacity of onshore facilities, the agent shall not count any tank with a capacity of less than 30 gallons.~~

8. Only the vessel and those commercial fishermen specified at the time of application shall operate under the permit. Amendments to vessel or commercial fishermen listed under the permit must be submitted to the Department and approved before the new vessel or commercial fisherman can operate under the permit. ~~7. Only the applicant, his designated employee, or his contractor may operate under the permit. At the time of application, the applicant will specify the vessel and who will be working under the permit. Should the vessel or these persons change, the applicant shall submit an amended application listing the vessel or those persons and be in receipt of an approved amended permit before the new vessel~~

~~or persons operate under the permit. The permit is not transferable to any other person or vessel. The entire original permit must be carried on the vessel while in operation.~~

~~8. No person shall transfer any shrimp or croaker taken under a permit from one vessel to another.~~

C. Operations

~~1. The entire original permit must be in the possession of the commercial fisherman while operating under the conditions of the permit. Only the vessel and those commercial fisherman specified at the time of application shall operate under the permit. No other vessel or commercial fisherman shall be used under this permit. ~~captains listed in the permit shall be used with the permit. Live wells, aeration tanks, and other vessel facilities to maintain live shrimp or croaker must be carried on or built into this vessel; it must be used for both taking and transporting the live shrimp or croaker. The vessel must have a minimum of one compartment or tank with a minimum capacity of 30 gallons. No other vessel may be used under the permit. Signs which identify the vessel as working under the special bait dealer's permit shall be posted on the vessel. These signs shall be visible from either side of the vessel and from the air; the word "BAIT" and the permit number shall be placed on these signs in letters at least 12 inches high.~~~~

~~2. Permitted gear is limited to one trawl not to exceed 25 feet along the cork line 33 feet along the lead line or two skimmer nets having an individual net frame size not more than 12 and 1/2 feet measured horizontally or 12 feet measured vertically or 17 feet 4 inches measured diagonally. These are the only gears which can be used or carried aboard the permitted vessel while the vessel is operating under the permit; no other commercial fishing gear may be on the vessel when it is being used under permit.~~

2. Live wells, aeration tanks, and other vessel facilities to maintain live shrimp or croaker must be carried on or built into this vessel while operating under the conditions of the permit.

3. No person shall transfer any shrimp or croaker taken under a permit from one vessel to another unless both vessels are permitted under the same wholesale/retail seafood dealer, and the captain of the harvesting vessel has signed a trip ticket for the harvested bait, and the bait is then transported directly to the wholesale/retail seafood dealer under which both vessels are operating; upon receiving the harvested bait the dealer shall complete the trip ticket.

4. While operating under the conditions of the permit, no shrimp or croaker may be sold from the vessel to anyone other

than the licensed wholesale/retail seafood dealer listed on the permit during the closed shrimp seasons.

5. Signs which identify the vessel as working under the special bait dealer's permit shall be posted on the vessel. These signs shall be visible from either side of the vessel and from the air; the word "BAIT" and the permit number shall be placed on these signs in letters at least 12 inches high.

~~6.3-~~ No more than two gallons of dead shrimp or croaker or combination thereof may be aboard the vessel while it is operating under the permit. All dead shrimp or croaker or combination thereof in excess of two gallons must be immediately returned to the water. Shrimp or croaker dying in onshore holding facilities may be sold for bait use only, ~~in lots not to exceed 16 ounces in weight.~~

7. Permitted gear is limited to one trawl not to exceed 25 feet along the cork line 33 feet along the lead line or two skimmer nets having an individual net frame size not more than 16 feet measured horizontally or 12 feet measured vertically or 20 feet measured diagonally. These are the only commercial fishing gears which can be used or carried aboard the permitted vessel while the vessel is operating under the permit; no other commercial fishing gear other than unserviceable crab traps as

described in R.S. 56:322(G) may be on the vessel when it is being used under the permit.

8.4. Bait shrimp or croaker may be taken only from official sunrise to official sunset; however, the Department at its discretion, may designate the areas and hours of night time operations under the permit provided permitted vessels are equipped with a working vessel monitoring system as described in LAC 76:VII.371. no night fishing is allowed under this permit.

~~5. The entire original permit must be in possession of the person operating the vessel while it is engaged in taking shrimp or croaker under the terms of the permit.~~

9.6 Each time the permit is used the permittee must notify the Department by contacting the Communications Section on the designated toll free telephone number provided on the permit and recording the confirmation number received. Before the vessel departs the dock under the permit, the Department must be advised of the time of departure and the sub-basin code corresponding to the Department's trip ticket sub-basin map in which trawling or skimming will take place; immediately after the permitted vessel returns to the dock the Department must be notified of the time of return by contacting the Communications Section on the designated toll free telephone number provided on the permit.

10.7 The permittee shall maintain an up-to-date record of the activities conducted under the permit on forms provided by the Department for that purpose. These records shall be kept onboard the vessel and made available for inspection by agents of the Department upon request by said agents at any time and shall include the permittee's name and permit number, date, departure time, fishing location, gear used, confirmation number, return time, and number of live shrimp or live croaker harvested. All applicable record information shall be completed before fishing operations begin. In addition, any agent of the Department shall be allowed to make an onsite ~~on-site~~ inspection of any facilities operating under the permit, at any time. ~~Permittee shall submit to the department, not later than January 31 September 1 following the live bait season, this record of permit activities on forms provided by the department.~~ Nothing herein this section shall exempt the permittee from trip ticket reporting requirements as provided for in R.S. 56:306.4.

11. Permittee shall submit activity forms to the Department, no later than January 31st, all records of permit activities. Failure to submit these records of permit activities may result in forfeiture of the permittee's bond and/or denial of the applicant's permit renewal.

D. Penalties

1. No person shall violate any provision of this Section. Violations of any provision of this Section shall constitute a Class 4 violation as defined in R.S. 56:34.

AUTHORITY NOTE: Promulgated in accordance with LA R.S. 56:326.3 and 56:497(C).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, and Wildlife and Fisheries Commission, LR 3:210 (April, 1977), amended LR 15:867 (October, 1989), LR 19:215 (February, 1993), LR 23:86 (January, 1997), LR 33:864 (May 2007), LR 36:77 (January 2010), LR : .

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

Interested persons may submit written comments relative to the proposed rule to Mr. Martin Bourgeois, Marine Fisheries Biologist DCL-B, Marine Fisheries Section, Box 189, Bourg, LA 70343, prior to November 1, 2012.

In accordance with Act No. 1183 of 1999, the Department of Wildlife and Fisheries/Wildlife and Fisheries Commission hereby

issues its Family Impact Statement in connection with the preceding Notice of Intent. This Notice of Intent will have no impact on the six criteria set out at R.S. 49:972(B).

Ann L. Taylor

Chair

The next item, **To receive and consider a Declaration of Emergency for Commercial and Recreational Fisheries Closure**, was also handled by Mr. Marty Bourgeois. Mr. Bourgeois stated that earlier in the week Secretary Barham had taken action to close a portion of state outside waters because of the deposition of a submerged tar mat and tar balls on the beach. Mr. Bourgeois stated that this Declaration of Emergency simply asks the Commission to reaffirm the previous one. Commissioner Voisin moved to adopt the Declaration of Emergency. Mr. Bourgeois showed some pictures of the affected areas. Commissioner Graham seconded the motion. There being no public comment and no further discussion the motion passed with no opposition.

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

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

Recreational and Commercial Fisheries Closure
September 6, 2012

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 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 September 6, 2012, in the following area:

That portion of state outside waters seaward a distance of one mile from the inside/outside shrimp line from the eastern shore of Belle Pass at 90 degrees 13 minutes 30 seconds west longitude eastward to the western shore of Caminada Pass at 90 degrees 02 minutes 46.597 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, and shall authorize 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.

This action is being taken due to the emergence of a large tar mat and large concentrations of tar balls onto adjacent beaches following the passage of Hurricane Isaac.

Ann L. Taylor

Chair

The next agenda item, **Obtain public comment on 2013 Wild Turkey Season Notices of Intent**, was handled by Mr. Jimmy Stafford. Mr. Stafford stated that to date only four comments have been received, and that today is the last day to submit comments. There were two in opposition to the added youth days on the Kisatchie National Forest, one that recommended closure of the hunting season on Sherburne WMA, and one comment in support of the recommended limited lottery hunting opportunities on Dewey Wills WMA. The plan is to provide a more detailed report of the comments for the October Commission Meeting. Commissioner Manuel asked the reasoning behind the comments against the youth hunt. Mr. Stafford answered that one person thought that there was illegal activity going on in the youth hunts in surrounding areas that was encroaching on the National Forest, and he felt that this would just add to that. The other was just a disagreement with adding hunting opportunities on a National Forest. Commissioner Voisin asked how many turkey hunters there are in the state, and Mr. Stafford answered somewhere in excess of 18,000.

The Commissioners agreed to hold the **January Commission Meeting** on Thursday, January 3, 2012.

There were no **Public Comments**.

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

Ann L. Taylor
Chairman