

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

MINUTES

October 4, 2007

**EARL P. KING, JR.
CHAIRMAN**

BATON ROUGE, LOUISIANA

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AGENDA
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
BATON ROUGE, LOUISIANA
OCTOBER 4, 2007

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MINUTES OF THE MEETING
OF
LOUISIANA WILDLIFE AND FISHERIES COMMISSION

Thursday, October 4, 2007

Chairman Earl P. King, Jr. presiding.

Frederic Miller
Patrick Morrow
Henry Mouton
Wayne Sagrera
Robert Samanie, III

Undersecretary Janice Lansing was also present.

Commissioner Stephen Oats was absent from the meeting.

Chairman King called for a motion for approval of the **September 6, 2007 Commission Minutes**. A motion for approval was made by Commissioner Miller and seconded by Commissioner Sagrera. The motion passed with no opposition.

Under **Commission Special Announcements/Personal Privilege** for this month, Commissioner Miller stated it was with sadness to report that Mr. Carl Gremillion passed away on September 16. He noted Mr. Gremillion had not missed a meeting and was never shy about pointing the Commission in the right direction particularly when it related to waterfowl resources of the State. Commissioner Miller felt Mr. Gremillion was a positive presence at the meetings. He added that it was only fitting Mr. Gremillion passed away while on a hunting trip. The Commission and Department staff would miss Mr. Gremillion and felt it would be even harder to start the meetings on time without his gentle reminder that it was 9:30.

Chairman King thanked Mr. Joe Macaluso for his article on the decline in license sales in Louisiana and across the Nation as well. He added that a Morgan City Junior High Teacher was awarded a Grant and the purpose was to address the decline in sportfishing by youth. The mission was to recruit non-anglers into the sport. The students would learn how to begin fishing, different species of fish, use of tackles, lures, baits, weights and measures, catch and release, various strategies on catching different sizes and species of fish to keep, and to help protect the environment by keeping the waterways clean. Chairman King applauded the teacher's efforts in securing the Grant. With that, he felt there was a need to create more youth opportunities in the area of fishing. The Commission then asked for 2

youth fishing weekends in the Grassy Lake, Atchafalaya Basin and Lake Palourde areas on Memorial Day Weekend and Labor Day Weekend. They also asked that the youth be allowed to catch a bass limit of less than 14 inches if the resource would support the program. Mr. John Roussel stated he has had initial discussions with the Inland Fisheries staff and a specific recommendation would be presented at the next meeting.

The **Keep Louisiana Beautiful Award Presentation** began with Lt. Col. Jeff Mayne stating the Enforcement Division takes an aggressive role in littering. He then introduced Ms. Leigh Harris, Executive Director of Keep Louisiana Beautiful, who would make award presentations. Ms. Harris began thanking the Commission and Department for holding litterers accountable which was what was needed to get the State cleaner. Keep Louisiana Beautiful recognizes one agent each year that writes the largest number of citations. This year's recipient was Senior Agent Toby Miller and Ms. Harris noted this was his second consecutive year to win the award. Sr. Agent Miller asked for help from the public with the judicial system in getting the cases prosecuted. Chairman King thanked Sr. Agent Miller for his hard work. Ms. Harris agreed with Sr. Agent Miller in that it takes so many people for the program to work through education, awareness and enforcement. She added that the Department was one of their best partners. A second award in the Keep Louisiana Beautiful awards program was for the law enforcement category. This year the first place award for this category went to the Department's Enforcement Division and Ms. Harris asked Col. Winton Vidrine to accept the award. Col. Vidrine explained that complaints were received on litter being placed on the WMAs and it was decided manpower would be placed on this effort. Rapides Parish has convicted a lot of offenders. This year, gross littering cases totaled 336 and an additional 478 regular littering citations were issued. Col. Vidrine suggested other enforcement agencies should put extra energy into littering cases.

Moving on to the next item, **To receive and hear Enforcement & Aviation Reports/September**, Lt. Col. Jeff Mayne stated there were 995 citations and 195 written warnings issued and agents helped in 46 public assists. For the PFD loaner program for the months of August and September, 72 devices were loaned and 66 were returned. Cases of interest were 5 individuals cited for harvesting oysters in Lake Mechant, 3 men in Cameron Parish charged with shocking fish, 24 ATV riders were charged with violating rules and regulations on Bodcau WMA, 5 persons cited for taking alligators in closed season, and 5 individuals in LaSalle Parish cited for taking 45 teal on opening day. Also during the month of September, the Department's agent trained other law enforcement officers in the POST approved Marine Search and Rescue Course. There were 18 boating accidents reported during September resulting in 21 injuries and 1 fatality which was in St. Martin Parish. For the Aviation Report, the Department's three planes flew a total of 90.7 hours.

The next agenda item, **Salvinia in Caddo Lake – Report on Status of Problem, Eradicating Salvinia and Budgetary/Manpower Restraints** began with Commissioner Fred Miller stating he requested a status on the problem from the Department. There was plenty of discussion at the last meeting, but there was no clear idea of what was needed or

what was being done. Commissioner Miller added that Mr. Gary Tilyou would provide a presentation on the situation. Mr. Tilyou stated the presentation would start with discussing the Aquatic Plant Control program in general. He began stating that aquatic plants impact many resources in the State and outdoor recreation was the ones the public was most familiar with. Agriculture, real estate, municipal water systems, navigation and industrial plants also benefits from the program. The Department's Inland Fisheries Division is by law in charge of the regulation of the noxious aquatic weeds in the state. "How is it done?" was answered by noting there are 10 districts and in each district there are 2 or 3 2-man spray crews. A chart of how many have been a part of the spray crews was shown, adding that there were 85 back when water hyacinths were the main problem. Now there are 38 sprayers, but with Salvinia, there may be a need to increase that number. Funding amounts to about \$2.2 million for the program with 50 percent coming from Conservation Funds, 30 percent from Federal Aid and 20 percent from a tax put on boaters. Last year, an additional \$3.5 million was added to the program for a total of \$5.7 million. The additional funding would be used to hire 10 additional sprayers, 8 of which would be temporary, increase the use of contract sprayers, hire 2 employees to monitor the contractors, increase the purchase of herbicides, and buy new equipment such as mudboats and more efficient pumps. Mr. Tilyou felt the public was asking why are there so many problems and what will be done about them. The biggest reasons were that there has not been a significant cold winter since 2001, a high turn over rate for sprayers and the increase spread of Giant Common Salvinia. Pictures of the Giant Salvinia was shown next. Biologists would not deny there is a problem in Louisiana; Mr. Tilyou added that they were working with LSU and the Corps of Engineers to determine how to kill it. A picture of Lake Bistineau blocked with Salvinia was shown. Salvinia was first found in Louisiana in 1998, which makes it a new exotic to the state. Under ideal growing conditions, the plant can double in 3 to 5 days, and can grow faster than it can be killed in the summer months. The plant can grow vertically as well as horizontally and in layers. The hairs on the leaf can impact the herbicides effectiveness. Mr. Tilyou explained the different techniques that were and will be tried to spray the herbicides. A map of Louisiana noting the areas of Salvinia was shown. Mr. Tilyou mentioned that the problem in Caddo-Bistineau has only been there for about a year. Experts from Australia, who have had the plant since the 1950's, use an integrated method of control by using herbicides, biological methods, boons and containment fences, and mechanical harvesters. The most promising method of control in Australia was the weevil, but its effectiveness can be hampered by the cold weather, when the water body has an under story and when the plant is multi-layered. Examples of mechanical harvesters and manual labor picking up the plant was shown. Mr. Tilyou showed a picture of Caddo Lake's problem noting the difficulty in spraying Salvinia. The peak levels of Salvinia, discovered in Caddo Lake in 2006, were about 250 acres. These acres were treated several times due to the plants layered growth. In 2007, about 640 acres were treated. Problems from Caddo Lake were the number of trees in the lake, the plant being multi-layered, and treating while not trying to stir the bottom of the lake. Discussed next was a fence put in Caddo Lake between the states of Texas and Louisiana by 2 private organizations. Plans for Caddo Lake consisted of constructing two Salvinia enclosures, continue the use of herbicides, explore the option of using contract sprayers, increase efforts to recruit aquatic plant personnel, continue to send personnel to Caddo

from other parts of the State when available and form a working group with the Caddo Parish Parks and Recreation to look at other options. Plans for statewide control of Salvinia include continuing to work with LSU and the Corps, herbicides, weevils, submit another budget request to make the temporary personnel permanent, get additional funding, and continue to eradicate new infestations. Public awareness campaigns have been done to reduce the spread of Salvinia. Additional restrictions can be adopted which would prevent the spread of exotic plants to new waterbodies. Examples of posters from other states was shown. Mr. Tilyou ended stating Louisiana would never be rid of Salvinia, the best that can be hoped for was control. Commissioner Miller thanked Mr. Tilyou for his presentation.

Ms. Karen Foote handled the next agenda item, **Report from Department's Representative to the Gulf of Mexico Fishery Management Council on Pending Council Action Regarding Amberjack and Triggerfish**. Ms. Foote began stating she serves as the designee for the Department on the Gulf Council. The packet of information contained summary items and the 311 page public hearing document. The Gulf Council is comprised of 17 members, 1 person from each state agency, 1 person from the federal government and private individuals with commercial or recreational interests. Actions for the Council are controlled by the Magnuson Stevens Fishery Conservation and Management Act which was recently revised in 2006. The Act required NMFS and the Council to prevent overfishing and achieve an optimum yield from federally managed fish stocks which intended to ensure the fishery resources were managed for the overall greatest benefit to the nation. A copy of the 10 National Standards were included in the packet the Council has to remember during their actions. The specific action, Amendment 30A was to the Reef Fish Fishery Management Plan. In October 2006, the Council learned that amberjack and triggerfish were undergoing overfishing and amberjack was overfished. In January and March 2007, the Council reviewed a scoping document. In March 2007, the Council made a final review of the scoping document and what actions that might be taken. These actions were sent out in a public hearing document and those hearings were just completed, advised Ms. Foote. The actions were to end overfishing, revise the greater amberjack rebuilding plan, establish criteria for gray triggerfish, allocate TAC and establish accountability measures when catch limits were exceeded. Final action by the Council will be taken at a meeting in late October - early November. The bottom line was that amberjack harvests would be reduced by 32 percent by 2008 and gray triggerfish harvest reduced by 49 percent by 2008. Historic landings by commercial and recreational fishermen were discussed. The first amendment to the Reef Fish Plan included an allocation for amberjack at 84 percent recreational and 16 percent commercial, which was based on 1981-1987 landings. There has not been a hard total allowable catch (TAC) for either sectors taken in any of the actions. Allocations were based on that 7 year period and the goal was to keep it at that. The Council did not keep those figures at the 84 and 16 percents, they made adjustments on the percentage the fishermen were catching. One of the most controversial actions considered now was reallocating the amberjack catch based on average catch from the years 1981 to 2004 which would change the goal to 71 percent recreational and 29 percent commercial. Ms. Foote then talked about a table that showed

the annual recreational and commercial catch for greater amberjack. Other actions for amberjack was a fractional bag for recreational fishermen, or changing the length limit to 30 inches or 32 inches forked length. The preferred alternative for commercial harvest of amberjack was to have a hard quota. A graph of the historic landings for gray triggerfish was reviewed. The first allocation was set at 93 percent recreational and 7 percent commercial and nothing was set as a hard TAC. The preferred alternative by the Council was using the long-term average from 1981 to 2004 which would adjust the recreational to 84 percent of the TAC and 16 percent to commercial fishermen. The preferred alternative for recreational fishermen for gray triggerfish was going to a 14 inch forked length. Commissioner Morrow asked if there were any statistics on the increase in the resource when there was a reduction for the captain or crew. Ms. Foote stated that action did not happen, that was an alternative the Council was looking into. Commissioner Morrow asked, as the representative for Louisiana, what will be the position regarding the stand on the reduction of a captain and crews bag limit. Ms. Foote stated she voted for it as a preferred alternative for amberjack, but not for gray triggerfish. Commissioner Morrow asked Ms. Foote if she has a feeling on where the panel may go with the captain and crew proposal. Ms. Foote stated she would not make a bet on what the Council may do. Commissioner Morrow then asked the procedure once the Council votes. Ms. Foote added that once it was voted on, it was sent to the National Marine Fisheries Service to decide if it meets their standards.

Mr. David Cresson, new Executive Director of CCA Louisiana, stated he represents CCA both on the state and national level. As stated by Ms. Foote, the Council found that the harvest of gray triggerfish and amberjack needed to be modified. CCA recommended changing the length on gray triggerfish from a 12 inch total length to a 12 inch forked length. CCA agreed that the amberjack was overfished and the catch levels must be reduced in order for the species to recover. CCA recommended maintaining the status quo on the allocations and increase the recreational minimum size to 30 or 31 inches, with the bag limit remaining at 1 (no fractional bag). Mr. Cresson added that the Council should set a commercial quota that was enforced at 294,000 pounds per year. He then talked about the failure by the NMFS and Council to control the commercial harvest. Mr. Cresson concluded stating the allocation of amberjack should not be changed, it should be enforced.

Mr. Carter Fourrier, a volunteer with CCA, stated he supported all Mr. Cresson mentioned on enforcement where the recreational side was enforced strongly, but commercial side was not. The increase in the size limit would be beneficial as opposed to the reallocation and fractional bag limit.

Mr. Benjamin Graham stated he grew up fishing in Louisiana and supported the position that there should be no reallocation on the catches and the bag limit should remain at 1 amberjack per person. He felt the fractional bag limit would be confusing. Mr. Graham felt enforcement was the biggest problem.

Mr. Andrew Roberts, a volunteer with CCA, stated he has seen commercial boats while fishing offshore and it was frustrating to see things going on. He wanted to say that

reallocating and giving more fish to the commercial fishermen was not the way to bring back a species. The current 1 fish per person recreational limit should be maintained.

Mr. Daryl Carpenter, owner and operator of a guide service out of Grand Isle and speaking on behalf of the Charter Boat Association, stated he has seen the Council do things historically. The total allowable catch was not enforced and this allowed the commercial fishermen to catch more than what was allocated. He stated they do not support the reallocation, they support the larger length limits, no fractional limit, and leave the bag limit at 1. Mr. Carpenter was seeing charter boat captains switch from offshore fishing to inshore fishing for speckled trout and redfish since they would have to spend so much money and be so limited on what they could catch while fishing offshore.

Mr. George Huye stated he agreed with all of the other speakers. He also was a volunteer with CCA. He added that amberjack was not a targeted species, they leave the dock targeting mangrove and red snapper. He felt it was insane to look at historical information that allows the commercial fishermen larger quotas but ask the recreational fishermen to reduce their catch.

Chairman King thanked the public for their comments on this issue on behalf of the Commission. Commissioner Miller began stating the Commission could not direct the Department's representative on how to vote. But he made a motion urging the Department's representative to the Council to vote to maintain the allocation status quo on amberjack and to increase the minimum size limit to 30 inches with no fractional creel limit. Commissioner Morrow seconded the motion. He added that the recreational fisherman's percentage should not be reduced since they do not go out seeking amberjack. Commissioner Morrow also agreed that the commercial fishermen have not been monitored as much as they should. Commissioner Samanie stated, if you use all of the data, the commercial fishermen would give up 38 percent versus the recreational giving up 29 percent.

Mr. John Roussel appreciated the Commission's input on Council issues, but had complete confidence in Ms. Foote's decision making ability. Council issues were very complex, that goes through an extensive public process and looking at an issue for a few minutes was a totally different approach than what Ms. Foote was engaged in. Mr. Roussel also encouraged the individuals that testified to get engaged in the Council process. He was concerned that if the Commission Meetings were turned into Council public hearings, there would be an extensive agenda each month. Commissioner Miller responded to Mr. Roussel that there are not allocation shifts each month. He then called for the question. The motion passed with opposition from Commissioner Samanie.

Approval of Amendment to 2008 Turkey Hunting Notice of Intent was handled by Mr. Fred Kimmel. He stated the agenda item was to include final ratification of the Notice of Intent. The Notice of Intent was adopted by the Commission at their July Meeting and it was amended at the last Commission Meeting. The amendment removed the mandatory tagging language and made tagging and reporting voluntary for 2008. There have been no

public comments received on the dates or regulations for the 2008 season. According to the Commission's protocol, the Notice of Intent and amendment was subject to final vote. Mr. Kimmel asked the Commission to consider the tagging amendment and then consider the Notice of Intent. Mr. Kimmel read the amended language that was being considered. Commissioner Morrow made a motion to approve the amendment and it was seconded by Commissioner Samanie. The motion passed with no opposition. Then Chairman King asked for a motion on the Notice of Intent as amended. Commissioner Morrow made the motion to adopt, it was seconded by Commissioner Mouton and passed unanimously.

Commissioner Sagrera asked what progress has been made on the tagging system and had the problems been remedied. Mrs. Janice Lansing stated that everything was going well. She added she has not received any more complaints on the tagging issue. Commissioner Sagrera then asked if the Department felt the hunters would use the real tags for 2008 and Mrs. Lansing said that was her absolute goal. Commissioner Morrow asked if there was an issue for lifetime license holders in obtaining their tags. Mrs. Lansing stated there was an issue in the beginning with the tags, but then it came with the fulfillment. She felt that also had been cleared up.

Announcement of Additional Land on Joyce WMA began with Mr. Randy Myers stating he wanted to announce the signing of two separate agreements that would add a total of 8,314 acres to Joyce WMA. This would bring the acreage total on the WMA to 24,293. Joyce WMA is located in southeast Louisiana in Tangipahoa Parish and primarily a bald cypress, tupelo gum system. The first partnership was with Octavia Partners adding 7,274 acres to the WMA. The other agreement was with The Conservation Fund for the Salmon Tract which would add 1,040 acres. The Department's intent was to obtain federal funds and acquire those tracts. The properties would have the same seasons as approved by the Commission for Joyce WMA. Mr. Myers thanked Octavia Partners and The Conservation Funds for entering into the lease agreements.

Ms. Marianne Burke presented the next agenda item, **National Hunting & Fishing Day Recap Report** showing a two minute video on the 4 National Hunting and Fishing Day events. The event at Woodworth brought in almost 3,000 people this year and it was due to the television spots. The Baton Rouge event was coordinated through the Public Information Section and the other events were coordinated through the Education Section. Ms. Burke did emphasis that this event had Department-wide involvement and support. The video was shown at this time. Ms. Burke then noted a copy of the video was given to each Commissioner who may come across companies interested in supporting this event by volunteering or making monetary or product donations in the future.

Department Program for the Second Federal Hurricane Fisheries Disaster Recovery Assistance Appropriation was handled by Ms. Karen Foote. She stated that Congress allocated about \$41 million to Louisiana for fisheries disaster assistance. Ms. Foote stated they do not feel the money was adequate nor was it a fair share compared with the destruction that occurred in the state. She felt the other states got more than their fair

share of the money. The Department just finished going around the state with LRA and would begin individual meetings with the different fishing sectors. The \$41 million would be different from the first \$53 million received which Congress stated shall be used for restoration and rehabilitation of oyster beds, shrimp grounds and cooperative research. This money also was separate from the LRA and Community Block Grant Money and the Small Firm Loan and Grant Money. The \$41 million would be used for personal assistance, small businesses serving the fishing industry, marketing and promotion, seafood testing, developing limited entry, incentives for TED or BRD use and voluntary capacity reduction programs for the shrimp fisheries. Congress also put a "shall" clause where the Department shall spend 2 percent of the money for using TEDs and BRDs. The Department looked hard at how to divide the funds and found that 5 percent was needed for administrative expense and the other 95 percent would be split 66 percent for commercial and 34 percent for recreational. The commercial portion would be split between resident trip ticket participants within each fishery for the 12 month period before Hurricane Katrina. Within the recreational portion, 41 percent would go to freshwater and 59 percent to saltwater components. A list of meetings with the individual fishing sectors was presented. The goal was to get the money out as fast as possible and in an accountable manner. This money would be used for the first time in a program other than trip tickets for the saltwater shrimp fishery. Commissioner Morrow asked how much was the LRA infrastructure money. Ms. Foote stated that money totaled \$19 million, \$15 million would go to infrastructures and \$4 million for direct assistance. Chairman King asked Ms. Foote to explain what she meant when she noted the projects from the first supplemental were "well underway". She stated large reefs have been placed in two impacted oyster seed grounds east of the Mississippi River and more reefs would come in time. Also, Ms. Foote described the Private Oyster Lease Rehabilitation Program which allows fishermen to be reimbursed for certain allowable expenses. Chairman King asked where did Ms. Foote think the Department was as far as obligation. She answered about one-third of the way. In response to the Chairman's question on other projects in this allocation, Ms. Foote stated they were looking into cooperative research programs to get charter captains, commercial and recreational fishermen to report their recoveries.

The Commissioners agreed to hold the **February 2008 Meeting** on Thursday, February 7, 2008, beginning at 9:30 a.m. at the Baton Rouge Headquarters.

Next item was to receive **Public Comments**. Mr. Tim Osborn, NOAA, recognized the Department and CCA for construction of the Turner's Bay Reef Project on Calcasieu Lake. He then congratulated Mr. David Cresson on his new role as Director of CCA. Also, he thanked Mr. Randy Myers for his work with the NOAA Grant Funding as well as other grant funding that helped purchase 8,000 acres in Tangipahoa Parish. Mr. Osborn then announced that NOAA was planning the installation of three hurricane hardened storm surge and tide monitoring stations along the coast of Louisiana. One of the stations would be placed at the Atchafalaya Delta WMA camp. Mr. Osborn added that NOAA was making a concerted effort to update the Marine Environment survey information on charts and invited the Commissioners to come to Cypremort Point to see the work being done. A job was just finished off Port Fourchon consisting of about 240 square miles and another was

completed off Atchafalaya Delta. They were planning to work next summer out of Cocodrie on a very large project in the Terrebonne Parish area. Mr. Osborn announced one of their jobs in finding and reporting hazards and updating charts was being completed this month on the western side of Plaquemines Parish between Empire and Venice. In these 98 square miles, over 1,000 objects were found, over 260 of them have been reported to the NOAA Marine Debris website, with 20 or 30 being reported as dangerous. This area had gone through a lot of changes with surveys now occurring on what use to be solid land. Later in the month, NOAA would hold a briefing in Plaquemines Parish for the commercial fishing industry and fishing guides to thank them for their support and to let them know what has been found and what to avoid in the future. Mr. Osborn felt the State achieved an acknowledgment to fund coastwide effort for removing debris that would be based on a set of priorities that the State would help outline.

Mr. Lawrence "Squint" Laiche stated he was a holder of a lifetime hunting and fishing license and thanked the Commission for all they do. He was proud to be part of the new deer tag era, he felt it was long overdue. His opinion on the limit was that it was still too large that it should be 4 maximum. For this year, Mr. Laiche asked how should the tags be attached and where were they to be attached. Mr. Jimmy Anthony stated the tag could be tied to a string and put through the hock or the antlers. He added that the paper was tear resistant. Mr. Laiche asked if hunters were expected or not expected to use the tags this year. Mr. Anthony stated it was strictly a voluntary effort this year. He suggested hunters use the system this year to make sure the bugs are worked out. Also, Mr. Anthony added that a hunter should notify the Department if the tag comes off a deer this year. Next year, the tagging would be mandatory.

There being no further business, Commissioner Samanie made a motion to **Adjourn** the meeting and it was seconded by Commissioner Sagraera.

Bryant O. Hammett, Jr.
Secretary

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