

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

MINUTES

September 6, 2007

**EARL P. KING, JR.
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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LOUISIANA WILDLIFE AND FISHERIES COMMISSION
BATON ROUGE, LOUISIANA
SEPTEMBER 6, 2007**

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MINUTES OF THE MEETING
OF
LOUISIANA WILDLIFE AND FISHERIES COMMISSION

Thursday, September 6, 2007

Chairman Earl P. King, Jr. presiding.

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

Undersecretary Janice Lansing was also present.

Chairman King called for a motion for approval of the **August 2, 2007 Commission Minutes**. A motion for approval was made by Commissioner Oats and seconded by Commissioner Samanie. The motion passed with no opposition.

Under **Commission Special Announcements/Personal Privilege** for this month, Commissioner Miller announced that this meeting would be the last to have the benefit of advice and counsel from Mr. Dave Moreland, the Wildlife Administrator. He added that it was with unconsiderable happiness to see Mr. Moreland retire. On behalf of the Commission, Commissioner Miller offered a Resolution which was read at this point. He then presented a plaque to Mr. Moreland in recognition of his service and their thanks. Commissioner Oats made a motion to unanimously adopt the Resolution and it was seconded by Commissioner Sagrera.

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

RESOLUTION
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES

September 6, 2007

The following was adopted by the Louisiana Wildlife and Fisheries Commission at its regular Commission Meeting held in Baton Rouge, Louisiana, on September 6, 2007.

WHEREAS, it is the constitutional responsibility of the Louisiana Wildlife and Fisheries Commission to provide for the management and conservation of the state's wildlife resources and,

WHEREAS, in order to carry out its mission, the Commission must have the advice and counsel of dedicated professional biologists and administrators who are devoted to public service and conservation and,

WHEREAS, the Commission is, from time to time, pleased to express its gratitude to those professionals who have excelled in their service to the state's conservation goals and,

WHEREAS, David Wayne Moreland began his career with the Louisiana Department of Wildlife and Fisheries as a District Biologist in District 7, where he served for 2 years. He later served as District 7 Supervisor for 13 years, statewide Deer Study Leader for 13 years, and finished his career at the Department as the Wildlife Division Administrator for 3 years,

THEREFORE BE IT RESOLVED, that the Louisiana Wildlife and Fisheries Commission does, by these presents, recognize and thank David Wayne Moreland for his 31 years of dedicated public service as a professional biologist and administrator for the Louisiana Department of Wildlife and Fisheries and for his outstanding contributions in the conservation of this state's wildlife resources.

BE IT FURTHER RESOLVED, that the Commission hereby conveys its heartfelt thanks and congratulations to David Wayne Moreland for a job well done and for the excellence and dedication exhibited in the performance of his duties.

Earl P. King, Jr., Chairman
Wildlife and Fisheries Commission

Recognition of the Donation of a 12x6 trailer by Association of Louisiana Bass Clubs and Louisiana Wildlife Federation to the Department for Aquatic Education purposes was handled by Ms. Angela Capello. She began thanking the Association of Louisiana Bass Clubs and Louisiana Wildlife Federation for the trailer which would help with the Aquatic Education Program. This Program impacts more than 5,000 youth annually by giving them fishing opportunities statewide. Ms. Capello felt the donation would allow them to be more efficient in doing what they do with the youth in this State. She then introduced Mr. Dan Touchet, President of the Association of Louisiana Bass Clubs. Mr. Touchet noted they were contacted by Ms. Capello and went forth with the request as one of their yearly projects. He added that they involved the Louisiana Wildlife Federation with the donation.

The trailer would be brought to Woodworth soon. Mr. Joe Herring, Louisiana Wildlife Federation, stated they were happy to be part of donating the trailer to the Department for their educational efforts. Chairman King thanked the groups for their generous donation to the Department.

Status Update on the ALS Electronic Licensing System began with Mrs. Janice Lansing stating that at the Commission's request they invited Mr. Jimmy and Mrs. Sarah Wilson from ALS to the meeting. The contract for the point-of-sale license system was awarded to them last year. Mrs. Lansing noted there were issues and problems with the implementation of the new tagging system as well as an incident which occurred the Friday before the meeting. She then provided information on how the Department got to where they are with point-of-sale. The Department's first electronic point-of-sale system was developed in 1999 and the contract was awarded to ALS and another company called Central Bank. The system worked well but used equipment that was available at that time. In 2003, the Department opted to bid the contract in order to take advantage of newer technology. Great Lodge was awarded the contract and the conversion occurred right at hunting season which created a lot of problems to where licenses could not even be sold. Mrs. Lansing reminded the Commission that they asked for the owner to come before them which resulted in him not accepting any responsibility. This created an unfriendly, unworkable relationship. When the new administration came in 2004, they worked through the issues with Great Lodge to make the system work. Central Bank took over Great Lodge and made the Department believe they would correct some of the deficiencies. One deficiency was the data base issue which was two programs that were to be merged into one. Central Bank did not follow through with the merge of the data bases. The Department, at the right time, decided to bid the contract again for two reasons. The first was to consolidate the system and the other was that the vendors wanted the old equipment back. So, the bid was for a hybrid system which would allow some vendors to have that old equipment as well as those larger vendors could have the computer based system. The conversion this time went well, far better than in 2003. Implementing a tagging system at the same time as the conversion occurred was not the best idea, but it happened. Unfortunately on June 1 glitches occurred with the tagging system which caused some people to have tags that did not match their license or people bought a license and walked away with no tags but the system said tags were issued. With this situation, the Department realized it would be a problem to enforce the tagging issue. In order to minimize this problem, Mrs. Lansing asked the Commission to suspend the rules that would enforce the tagging regulation but still encourage the hunters to voluntarily participate in reporting their data. She added that the Department was very pleased with the cooperation received from ALS. Mr. Wilson and Mrs. Wilson would report what went wrong and what has been done to fix the problem.

Mr. Jimmy Wilson began stating he and Mrs. Wilson were there representing the 215 employees of Automated License Systems, which is an employee-owned company. He felt it important to take any questions from the Commission on the tagging system and what

went wrong there. Mr. Wilson conveyed that they are a service business and they messed up and did not hit their goals which was unacceptable to him. He then asked the Commission, staff and constituents to accept their apologies for the problem. The biggest contention was that ALS would receive bad data at the beginning, but when they got it, it was more like "Pandora's box". Mr. Wilson stated their program is a real time system that performs in the 97-98 percentile level which is the highest in the industry. He knew that there were intermittent outages the previous Friday with some people able to buy and sell licenses while others could not. Mr. Wilson stated that he and Mrs. Wilson felt it a pleasure to work with the Department's staff and was humbled by Mrs. Lansing's words. He then noted that ALS and Central Bank split over the loss of the contract 3 years ago which was the defining moment in their relationship. Mr. Wilson felt they should have used more discretion when asked during the design meetings if the tag system could be operating by June 1. He assured the Commission that the tagging system worked now. He also felt the general public was satisfied with the system, but they needed to make life better for the staff. Mr. Wilson promised their best efforts from him here on out. Next, they agreed to answer any questions from the Commission. Commissioner Morrow asked the nature of the tagging problem. Mrs. Wilson stated the tags were to roll on June 1, but the resources that were assigned to do it were also working to consolidate the data bases. Production did roll on June 1 with the tagging system implemented, but bugs were found that did not occur while testing. In the data base, ALS has fixed over 18,000 records that were sold between June 1 and August 10. Problems for those hunters that bought their license over the phone or internet have been fixed and fulfilled with a cover letter. With the agency's guidance, Mrs. Wilson noted they have not re-fulfilled everyone from the product lines since they could not be certain of mailing addresses. Commissioner Morrow asked if the core information on all licenses were correct and Mrs. Wilson answered the licenses were correct, the tagging piece was incorrect. Commissioner Oats asked what happened the previous Friday. Mrs. Wilson stated code changes were rolled into production on a program called hunter ed deferral. On Friday, when everyone was looking at the data base all at once, the data base locked up not only in Louisiana but for other states as well. To correct it, they had to bring the data base down and then bring it back up in segments, by product line which fixed the sequel statement. Commissioner Oats asked if the problem was not only volume but also checking hunter ed information. Mrs. Wilson felt the problem was too many people trying to run the same sequel statement at once. In answer to how many states do they operate in, Mrs. Wilson stated they are the prime in 5 states and sub-contractual in 9 other states. The prime states are Arkansas, Louisiana, Mississippi, Pennsylvania and New Jersey. Chairman King stated Mississippi's system works well and Commissioner Miller added that Arkansas works well. Commissioner Oats asked if all of the other states had the same problem Louisiana had on Friday and he was told yes during that intermittent time period between 9 AM and 10:45 AM. The lesson learned, according to Mr. Wilson, was that they would put a power grid in the system so that if this happened again, it would only affect the state they were working on. Commissioner Oats asked if there was any question on whether the Department owned the newly created data base. Mrs. Wilson stated it was the Department's information. Commissioner Mouton asked if part of the problem was that one person may have several different records in the data base. Mrs. Lansing stated that all of the records have been merged. Commissioner

Mouton then asked about the length of the license and could it be redesigned. Mrs. Wilson stated the length of the licenses were a function of the printers which resulted from some vendors returning to the system they were used to. Mrs. Lansing stated they could address the length problem through a change in printers, which would be a thermal printer. The Department did not opt for that since they knew that the chosen printers worked; but since it was proven a different printer would work better and was more user-friendly, they were negotiating that change. If this change was implemented, it would become effective in January or February 2008. Commissioner Oats asked if there were any penalty provisions that were applied to either the breakdown or the performance issue. Mrs. Lansing stated the contract allows for \$1,000 per day penalty for not being implemented. This penalty was assessed for the tagging system for 71 days since this problem created public reaction that the Department was not happy with. The penalty, added Mrs. Lansing, would be deducted from the next 3 invoices. Commissioner Mouton commented that when the person from Great Lodge came to the Commission Meeting, he blamed everyone else except himself. He added that ALS was admitting to their mistakes and it was better than it was three years ago. Commissioner Miller explained Arkansas' license system which prompts license holders that their license would expire. He asked if there was a problem with changing from a fiscal renewal date to an annual renewal date. Mrs. Lansing stated that was proposed through the Legislature, but she asked Mrs. Janis Landry to address that point. Mrs. Landry stated some people wait until the last minute no matter when a license expired.

If you go to a one year from date of license system, you have problems with the fishing gear since fishermen may not buy all of their licenses at one time. Commissioner Samanie felt it would be an enforcement nightmare. Chairman King asked Mrs. Lansing to provide the Commission with proof of payment when the penalty had been paid. Commissioner Sagraera stated he just recently bought a Texas license within 2 minutes time. Then he asked why did Louisiana's licenses have to be so long. Mr. Wilson stated Texas had a different vendor and a new system but the problem for Louisiana was the printer. He noted if the Department went with the thermal printer, it would be a little more expensive, but people would see a remarkable reduction in the size of the tags. Commissioner Sagraera asked if it would be a cost saving or time saving procedure. Mr. Wilson felt the vendors would probably like it for the time saved in printing a license. Commissioner Mouton asked if someone from ALS would watch the system the week just prior to the teal season opening on September 15. Mr. Wilson stated they get the message and will have their office on high alert from the beginning of dove season until the end of November. Commissioner Samanie asked if the new printer was used, would it open the door for new glitches. Mr. Wilson stated they use them in Arkansas and Mississippi and it was an excellent piece of equipment. He believed things would go relatively well here. Chairman King felt the intent from the Wilson's was honorable and they would do their best to correct any problems. Mr. Wilson gave his word and said they were committed.

Before beginning the next item, Mr. Dave Moreland stated deer season will open on September 15 for archery. He asked if a hunter would be able to validate and report his kill on that date or was there a date when it would be working. Mrs. Wilson stated they were currently testing the harvest internet reporting system and the goal was to give it to the Department staff for testing the next week. Mr. Wilson added they would get with the staff

the next week. Mr. Moreland then went on to the agenda item, **To receive and consider Declaration of Emergency on Deer Tagging** stating he was very disappointed to bring this before the Commission. Staff has geared the deer program in the direction of producing older aged bucks which was what hunters wanted. The bag limit was reduced to 3 bucks. Last year, the deer tag harvest card was used. A total of 77,000 deer were reported from those cards which was more information than the Department had ever received at any time. Total number of hunters that reported was 46,000 which represented 30 to 40 percent of hunters that deer hunted. Average kill per hunter was about 2 deer, 1 buck and 1 doe. Union Parish had the highest reported deer harvest. Tensas Parish had the highest kill per forest acre with 1 kill per 80 acres. Mr. Moreland felt a good job was done in getting information last year and they were anticipating mandatory tagging for this season. The hunting pamphlets were not released since a waiver was put in there that said the Commission had suspended the regulations for deer tag reporting for the 2007-08 season until they had a chance to vote on it. Mr. Moreland read a portion of the Declaration of Emergency. Commissioner Oats made a motion to approve the Declaration of Emergency and it was seconded by Commissioner Miller. 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

2007-08 Statewide Regulations for Mandatory Deer Tagging and Validation

In accordance with the provisions of R.S. 49:953B and 967D(1) of the Administrative Procedure Act, and under the authority of R.S. 56:115 and 56:108, the Wildlife and Fisheries Commission hereby adopts the following emergency rules:

Whereas this Commission previously established rules and regulations pertaining to mandatory deer tagging and validation statewide for the 2007-08 Deer Season, and because problems associated with hunters being able to obtain deer tags at the time hunting licenses went on sale on June 1, 2007 caused hunters to obtain licenses without tags or with improper tags, the Department recommends that the mandatory requirements for statewide deer tagging and validation be suspended for the 2007-08, and that deer tagging and reporting be done on a voluntary basis for the 2007-08 deer season. Therefore, this Commission hereby adopts the following regulation:

The Wildlife and Fisheries Commission suspends the rules and regulations requiring mandatory deer tagging and validation for the 2007-08 deer season. Tagging and reporting will be voluntary for the 2007-08 deer season.

This action must be taken by Declaration of Emergency since the Commission's rules and regulations for the 2007-08 have been approved and submitted to the legislative leadership and the State Register, and insufficient time remains to make these changes via standard rulemaking prior to the opening of the 2007-08 Deer Season.

This provision supercedes the corresponding provision contained in LAC 76:XIX.111 which was promulgated as a rule and published in the State Register [LR 33:1382 (July 2007)].

Earl P. King, Jr.
Chairman

Presentation of a Regional and Multi-Jurisdictional Approach to Potential Problems with Shreveport's Drinking Water began with Commissioner Miller stating a letter from the Mayor of Shreveport was included in the Commission's packets addressing the issue of aquatic nuisance vegetation in Caddo Lake. He then introduced Mr. Mike Strong, Director of Operational Services for the City of Shreveport, who was in charge of all of the water and sewer. The concern was the water from Cross Lake and their subsidiary water supply from Caddo Lake and the Salvinia aquatic problem and its direct impact on about 500,000 people. Mr. Strong again stated there was a letter from the Mayor addressed to Secretary Hammett with copies to different legislators, Congressmen, the Commission and Texas Caddo Lake residents. He noted that Cross Lake was the primary drinking water source for Shreveport, surrounding areas and Barksdale Air Force Base. Caddo Lake was the secondary water source for Shreveport and surrounding areas. Cross Lake was having trouble with water hyacinth and a proliferation of hydrilla over the years. The reason was due to no cold winters in the past. The City of Shreveport was investing \$400,000 for spraying the hydrilla and to purchase carp. Mr. Strong added they have worked with the State in putting fencing around the outfall on Cross Lake to ensure the carp stay in the lake. Carp works well on hydrilla, but the problem they were seeing now was patches of Giant Salvinia. The Giant Salvinia was prevalent in Caddo Lake and Lake Bistineau. Mr. Strong noted they have worked with LSU on a GPS mapping system since 2006 to keep up with where the patches of vegetation were, how it was growing and how it was being controlled. A map was included in the handout which showed the depth and location of the lake's vegetation. Mr. Strong then pointed out on the map where most of their funds were being spent which was close to the intake. A public awareness campaign was put out and in the summer of 2007, spraying occurred. A map of the herbicide application close to the intake on Cross Lake was also included. Any problems that occur on Caddo Lake, such as Salvinia, which flows into 12 Mile Bayou, will be an issue with the City of Shreveport. Salvinia, native to Brazil, has spread to Africa, India, Southeast Asia, Australia and the United States. It was discovered in Houston in 1998 and was one of the world's most invasive aquatic weeds. Mr. Strong commented that Texas was becoming very proactive on this aquatic problem as it has become a scary situation to the lake itself. He then added that the City of Shreveport has no jurisdiction over Caddo Lake, that is why resources from state and federal levels were needed. In the presentation, the question was asked "What

Now?" The answers were to educate the public, have a plan that would work on both sides of the State, and federal funding. Mr. Strong then asked the Department to look at Caddo Lake and put some efforts there. This effort would need everyone to work together. Commissioner Miller stated that the City of Shreveport provides water to Barksdale through a pipeline from a treatment facility to the base. He then added that Barksdale was one of the largest employers in the State and the City of Shreveport was obligated to supply them with water. The Commission and Department needed to do whatever necessary to maintain Barksdale with water. Commissioner Miller also noted that the bayous that flow out of Cross Lake and Caddo Lake flow into the Red River, which was one of the largest recreational fishing destinations in the nation. If Salvinia was to get into Red River, he felt the fishery would be imperiled. There was a need for a multi-jurisdictional effort to try to get the situation under control.

Introduction of new Wildlife Division staff began with Mr. Dave Moreland thanking the Commission for the recognition they gave him. He added it has been his honor and privilege to work with the Commission for the past 3 years. He apologized to Chairman King and Commissioner Miller for not solving the dog issue in the Atchafalaya Basin. Mr. Jimmy Anthony was announced as the new Wildlife Administrator and Mr. Moreland had full confidence to do a good job. Mr. Scott Longman was introduced as the Federal Aid Program Biologist and would work on the 2008 hunting package with the Commission. Mr. Anthony felt it a great honor to follow in Mr. Moreland's footsteps. He stated he has worked with the Commission over the last 7 years and looked forward to working on a variety of topics in the future. Mr. Anthony commented that he and Mr. Moreland shared a lot philosophically and added that his door would always be open. He then offered the Commission the opportunity to come to him and his staff so situations can be explained better in order to make proper decisions. Mr. Moreland concluded stating interviews for the Assistant Division Administrator was held the day before the meeting and a decision would be forthcoming.

Mr. Phil Bowman handled the next agenda item, **To receive and consider Resolution in Support of White Lake Alligator Egg Collection Bid Process.** In June 2007, the Commission authorized a Notice of Intent which basically stated that the wild alligator harvest and the alligator egg collection on White Lake would be executed through a public bid process. Prior to that time, a decision was made allowing a certain person to harvest alligator eggs. In an effort to keep things as open as possible, the Department felt it prudent to go with a bid process for the alligator eggs in 2005. Bids for a three year contract were solicited and awarded to the highest bidder which was \$20.10 per egg. From a financial standpoint, going to a public bid process benefitted the revenues that were deposited into the White Lake fund. During the latter days of the past Legislative Session, House Concurrent Resolution 269 was passed which urged and requested the Department go back to the old way of harvesting and allocating alligator eggs to a particular individual and not go with the bid process. Mr. Bowman noted that the Department nor Commission felt this was the correct way to do the harvest. A Resolution was presented for the Commission's consideration which stated they agreed with the public bid process the

Department followed. Commissioner Oats asked for more information on HCR 269, the author and was there much debate. Mr. Bowman stated the author was Representative Mickey Frith and it was done in the waning days of the Legislative Session. Then Commissioner Oats asked if there was a name provided in the Resolution. Mr. Bowman read the Therefore Be It Resolved portion of the HCR. He then pointed out that the successful bidder was not the individual who historically got the eggs from White Lake. Commissioner Oats asked if there was a time sensitivity to the issue and Mr. Bowman did not think there was. He added that they were trying to respond in a timely fashion so it does not go into the next legislative session. Commissioner Samanie commented the Department wanted to take the politics out of this issue, but the Legislature wanted to leave it in. Commissioner Mouton stated a Concurrent Resolution did not have the power of law. He felt it sounded like a violation of the law to bypass the bid process and he would not support it. Commissioner Oats requested a one on one discussion be held if this was not a time sensitive issue especially since it was a legislator. Mr. Brandt Savoie stated they received a request from Representative Frith on what the Department's response would be to his HCR. The White Lake Board supported the Notice of Intent to bid the alligator eggs and skins and the Commission also supported it. Mr. Savoie stated the Department has not received any comments and the Commission gave the Secretary authority to adopt the final rule. Commissioner Oats felt the Resolution and the process was the right way to go. He added, with a three year contract in place, there was no time sensitivity issue and wanted to have some dialogue with the Representative before shooting something back to the Legislature. Commissioner Sagrera stated that going with the bid process, the State has gotten twice as much for the eggs. In the Concurrent Resolution, it questioned whether this was handled in a professional manner by the state. With dealing with the alligator staff, Commissioner Sagrera knew they were highly professional and highly thorough to where they disagree on many occasions. He added that to question the Department was a slur or black eye and was directed toward the staff. The bidding process for the skins resulted in higher prices than anything else paid in the State. Commissioner Sagrera felt the bidding process worked and everything was in place for it to work. He added that it was just Louisiana politics as usual. Commissioner Sagrera commended the Department and knew they were doing the right thing. Commissioner Miller stated his support for the Resolution was simpler than Commissioner Sagrera's. He commented it was the Commission's obligation to manage the resources of the State and to do so in the most transparent method possible which would yield the best dollars for the State. Commissioner Miller called for the question and moved that the Resolution be adopted right then. Chairman King asked Mr. Bowman to read the Therefore Be It Resolved portion of the Resolution. Commissioner Oats made a motion to adopt the Resolution, it was seconded by Commissioner Samanie and approved unanimously. Mr. Bowman concluded stating that the Department has gone to great lengths to be as open and transparent as possible on everything associated with White Lake so there would not be any preferential treatment. Chairman King added that the White Lake people were hard working and everyone was on the same page.

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

RESOLUTION

White Lake Wetlands Conservation Area, Collection of Alligator Eggs adopted by the Louisiana Wildlife and Fisheries Commission

September 6, 2007

- WHEREAS, in July 2005 the Louisiana Department of Wildlife and Fisheries assumed management authority for the White Lake Wetlands Conservation Area, and
- WHEREAS, in April 2006 the Department advertised, through a public bid process, the sale of alligator eggs from the White Lake Wetlands Conservation Area, and
- WHEREAS, only bona fide alligator farmers with proven experience in collecting and hatching alligator eggs and rearing of alligators were qualified to participate in the bidding process, and
- WHEREAS, multiple bids from qualified alligator farmers were received and the Department awarded the sale of the alligator eggs from the White Lake Wetlands Conservation Area to the high bidder at \$20.10 per egg collected, and
- WHEREAS, upon issuance of the appropriate alligator egg collection permits the selected alligator farmer has successfully completed alligator egg collections in 2006 and 2007, and
- WHEREAS, the farmer has harvested the alligator eggs in a manner consistent with the Department's commitment to ensure protection and preservation of the wetland habitat on the area, and
- WHEREAS, the farmer will return the required number of alligators in order to provide for the long term stability of alligator populations on White Lake Wetlands Conservation Area,
- WHEREAS, alligator egg collections on other Department properties have been through public bid and all future alligator egg collections on Department properties will be through public bid, and
- WHEREAS, the use of public bid ensures public confidence in the awarding of the contract and should ensure the best return for the State, now

THEREFORE BE IT RESOLVED, the Louisiana Wildlife and Fisheries Commission does hereby agree and urge that the sale of alligator eggs from the White Lake Wetlands Conservation Area be administered through a bid process.

BE IT FURTHER RESOLVED, that the bid process provide that only qualified alligator farmers participate and that all alligator egg collections and return of alligators be conducted in accordance with Louisiana Wildlife and Fisheries Commission Regulations and in a manner to protect the wetland habitats and alligator populations on the White Lake Wetlands Conservation Area.

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to the Secretary of the Department of Wildlife and Fisheries and to the Louisiana Legislature.

Earl P. King, Jr., Chairman
Louisiana Wildlife and Fisheries Commission

To receive and consider amendments on the 2008 Turkey Season began with Mr. Dave Moreland reminding the Commission in July they brought a Notice of Intent on the 2008 turkey season. In the proposal, requirements for turkey tagging and mandatory reporting were included. According to the turkey protocol, this is the last month that changes can be made to the Notice of Intent. Staff did not receive any public comments on the Notice of Intent. Mr. Moreland stated the Secretary decided to not require the mandatory turkey tagging and validation as proposed. He then recommended to change Section B on the General Turkey and WMA Turkey Hunting Regulation which dealt specifically with the tags. Mr. Moreland then read the new language into the record. Commissioner Miller understood doing the Declaration of Emergency for the deer season, but now there were more than 6 months to rectify that situation for the turkey hunters. He asked if it was such a monumental problem that so many people received wrong licenses that it could not be rectified or was it considered such a problem that it would be an enforcement problem. Chairman King again stated that September was the last meeting to offer amendments for the turkey proposal. Mr. Savoie stated, in his discussions with Secretary Hammett, the Secretary asked if he could be assured no hunter would have improper tags. The answer was that there was no way to guarantee that everyone gets corrected since those such as seniors that received the wrong tags or no tags, there was no way that those would be fixed. To prevent someone from getting a citation, through no mistake of his own, the Secretary wanted to hold the whole tagging system off for one more year. Col. Winton Vidrine concurred with Mr. Savoie. During the first of July, approximately 37,000 licenses were issued and probably several thousands were issued turkey tags. Col. Vidrine felt it best to delay this process for another year. Commissioner Miller stated the problem he had with that was there are 6 months in which to educate the hunting public on the tags. If the public has a problem with their tags, tell them how to get it fixed. Again, Commissioner Miller felt there was time to fix the tagging system before the turkey season. He supported

the requirement waiver for the deer season. Mr. Savoie understood Commissioner Miller's concerns but the staff felt they could not catch every mistake and fix it. Commissioner Sagrera asked, if the Department takes this tactic, would it put more pressure on the License people to make sure the system was up and running. Mrs. Lansing stated the tagging system was working now. It was the period of time when about 30,000 people were issued turkey tags, and the issue of verifying that all 30,000 has the right tag and only 1 set of tags. Chairman King asked for the pleasure of the Commission on this issue. Commissioner Mouton made a motion to accept the new language in Section B. Commissioner Samanie seconded the motion and it passed with opposition from Commissioner Miller (Commissioner Morrow left the meeting prior to this discussion). Commissioner Sagrera stated the Enforcement Division has such a bad name for always wanting to write tickets; it was wonderful for them to say they did not want to write tickets.

Moving on to the next item, **To receive and hear Enforcement & Aviation Reports/August**, Lt. Col. Keith LaCaze stated there were 1,203 citations and 266 written warnings issued and agents helped in 61 public assists. Main activities focused on boating and the opening weekend of dove season. This was also the first month for the life jacket loaner program and Lt. Col. LaCaze added that it was well received. From the opening weekend of dove season, the cases made included 55 hunting over bait, 9 taking over the limit of doves, 4 for aiding in hunting doves over bait, 4 for placement of bait, 5 for taking nongame birds, 12 unplugged gun cases, 4 hunting from a moving vehicle, 6 hunting from a public road, 9 no hunting license and 1 taking dove by illegal method with a .22 rifle. The Aviation Report showed the 3 planes flew a total of 77.7 hours. There were 11 boating accidents reported for the month with 4 injuries and 4 fatalities. Year to date totals were 110 accidents with 19 fatalities. The fatalities occurred in Iberia, Orleans, Claiborne and Terrebonne Parishes. News Releases for the month involved citing 24 riders on Bodcau WMA for a total of 81 citations being issued, and a fish shocking case in Cameron Parish.

To receive and consider Resolution and Notice of Intent on the 2008 Abandoned Crab Trap Removal Program was presented by Mr. Vince Guillory. He began noting there have been 9 different crab trap clean-ups held over the last 4 years. A map of the different areas and years held was shown. A total of 15,950 crab traps have been removed so far with a recorded 186 volunteer boat days. Mr. Guillory added that they have noticed a decline in volunteer efforts since the beginning. The next slide was on trap data as summarized according to participant types, department, commercial, recreational or general public, and agency or university. Department personnel retrieved the most traps at 44 percent and had a high number of traps per boat day; commercial fishermen had almost 87 traps per boat day. The bulk of the volunteer effort came from the general public or recreational fishermen, but the percentage of traps collected was 17 percent of the total. Mr. Guillory next reviewed the role of the Commission in the derelict crab trap removal program. The two windows for potential dates were an up to 16 consecutive day period from February 1 to March 31 and an up to 14 consecutive day period in conjunction with the inshore shrimp season opening. For 2008, staff was recommending one crab trap closure in the upper Terrebonne Bay Estuary near the towns of Pointe-aux-Chenes and

Montegut to run from 6 AM February 23 to 6 AM March 3. Other regulations in the Notice of Intent were that remaining traps in the closed area would be considered abandoned, any one may retrieve the abandoned traps, the traps may be removed from one-half hour before sunrise to one-half hour after sunset, traps must be brought to designated disposal sites, and the Secretary was authorized to select the disposal sites. A map of the 2008 closure area was shown. This area was within the same area as the closure for 2004 since there were a tremendous number of traps in the area. Mr. Guillory then stated that the northern boundary for the 2008 closure would be the Pointe-aux-Chenes Management Area, the western boundary was Bayou Terrebonne, the southern was latitude 29 degrees 17 minutes, and the eastern was Bayou Pointe-aux-Chenes. Chairman King asked how crab traps become derelict. Mr. Guillory stated some are lost by storms, buoy lines on some traps are cut by boat propellers, traps may become displaced by commercial fishermen and some may intentionally be left in the water. Commissioner Samanie stated he was disappointed in the number of commercial fishermen that volunteer. He asked if it would encourage them if they could keep the traps. Mr. Guillory answered that most of the traps were not useable, but some were and those would be illegal to keep due to the way the regulations read. He added that they may have, by 2009, a way to pay fishermen to pick up the traps through a disaster fund. Commissioner Miller asked if there would ever be a site chosen in the southwest portion of the state. Mr. Guillory commented there was one clean-up in Sabine Lake with only 4 traps being picked up. Calcasieu was one area that could be worked in for the future. Commissioner Miller stated Hurricane Rita blew out the weirs and when he fished it in July, it was covered with derelict crab traps. Since the weirs were still out, Commissioner Miller suggested going into the marsh and getting those traps out. Mr. Guillory noted that the Calcasieu area was considered an open, deep water system and those proved not to be very successful in the past. He added that the Crab Task Force endorsed the program area and dates. Chairman King asked the pleasure of the Commission after Mr. Guillory read the Therefore Be It Resolved portion of the Resolution. Commissioner Sagrera made a motion to adopt the Resolution. Commissioner Samanie seconded the motion and it passed with no opposition.

(The full text of the Resolution and Notice of Intent are made a part of the record.)

RESOLUTION
2008 ABANDONED CRAB TRAP REMOVAL PROGRAM
adopted by the
Louisiana Wildlife and Fisheries Commission

September 6, 2007

WHEREAS, Act 48 of the 2003 Regular Legislative Session, LA R.S. 56:332(N), authorizes the Wildlife and Fisheries Commission to establish a program for the removal of abandoned crab traps from state-owned lake and river beds and other water bottoms of the state, and

WHEREAS, R.S. 56:332(N) authorizes the Wildlife and Fisheries Commission to provide for a prohibition on the use of crab traps and for removal of abandoned traps and their disposal, and

WHEREAS, the Wildlife and Fisheries Commission shall specify the beginning and ending dates for the prohibition on the use of crab traps, shall specify the geographical area within which the use of crab traps shall be prohibited and shall specify who is authorized to remove the abandoned traps, and

WHEREAS, the abandoned crab trap removal program has been highly successful since its inception in 2005, resulting in the removal and disposal of 15,950 abandoned crab traps from Louisiana state waters and the Louisiana Crab Task Force has endorsed the proposed 2008 crab trap closure area and dates, now

THEREFORE BE IT RESOLVED, that the Wildlife and Fisheries Commission does hereby adopt a notice of intent to implement a rule for a crab trap closure during the 2008 abandoned crab trap removal program which is attached to and made a part of this resolution and which will become effective upon promulgation.

BE IT FURTHER RESOLVED, that the Wildlife and Fisheries Commission authorizes the Secretary of the Department of Wildlife and Fisheries to designate the locations where removed and abandoned traps are to be placed for disposal.

BE IT FURTHER RESOLVED, 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.

Earl P. King, Jr., Chairman
Wildlife and Fisheries Commission

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 23, 2008 through 6:00 a.m. March 3, 2008 within that portion of Lafourche Parish and Terrebonne Parish as described below:

1. From a point originating along the western shoreline of Cut Off Canal at its intersection with Grand Bayou, thence southward along the western shoreline of Cut Off Canal to its intersection with the boundary of the Pointe-aux-Chenes Wildlife Management Area, thence west along the southern boundary of the Pointe-aux-Chenes Wildlife Management Area to the Humble Canal, thence west along the northern shoreline of Humble Canal to its intersection with Bayou Terrebonne, thence south along the western shoreline of Bayou Terrebonne to its intersection with Bush Canal, thence west along the northern shoreline of Bush Canal to its intersection with Bayou Little Caillou, thence south along the western shoreline of Bayou Little Caillou to 29 degrees 17 minutes 00 seconds north latitude, thence east along 29 degrees 17 minutes 00 seconds north latitude to the eastern shoreline of Bayou Pointe-aux-Chenes, thence north along the eastern shoreline of Bayou Pointe-aux-Chenes to the eastern shoreline of Cut Off Canal, thence north along the eastern shoreline of Cut Off Canal to its intersection with the southern shoreline of Grand Bayou, thence west across Cut Off Canal and terminating at the point of origin at the western shoreline of Cut Off Canal at its intersection with Grand Bayou.

B. 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 area 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, and Wildlife and Fisheries Commission LR 30:101 (January 2004), amended LR 31:108 (January 2005), amended LR 32:266 (February 2006), amended LR 33:113 (January 2007), LR 34:

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 Vincent Guillory, Marine Fisheries Biologist Manager, Marine Fisheries Division, Box 189, Bourg, LA 70343, prior to Monday, November 5, 2007.

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).

Earl P. King, Jr.
Chairman

The Commissioners agreed to hold the **January 2008 Meeting** on Tuesday, January 8, 2008, beginning at 9:30 a.m. at the Baton Rouge Headquarters.

Next item was to receive **Public Comments** and none were heard.

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

Bryant O. Hammett, Jr.
Secretary

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