

HUNTING AND FISHING ADVISORY EDUCATION COUNCIL

MINUTES

September 21, 2010

WOODY CREWS
CHAIRMAN

BATON ROUGE, LOUISIANA

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AGENDA
HUNTING AND FISHING ADVISORY EDUCATION COUNCIL
BATON ROUGE, LOUISIANA
SEPTEMBER 21, 2010

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MINUTES OF THE MEETING

OF

HUNTING AND FISHING ADVISORY EDUCATION COUNCIL

Tuesday, September 21, 2010

Chairman Woody Crews presiding.

Vance Gordon
Nelson "Snoop" Roth
Mike Rainwater
Samuel Smith
Mike Windham
Lyle Johnson
Stephen Pellessier
Jeff DeBlieux

Council Members Alexander Perret, C. T. Williams, Shane Crochet, David Rousseau, Eric Sunstrom and Donald Reed were absent from the meeting.

The Council did not have any comments or corrections to the **Minutes of March 16, 2010** so the Minutes were approved.

For the **Welcome and Opening Comments** agenda item, Chairman Crews noted the biggest problem at their last meeting in March was trying to find out why there were not as many ducks killed or fish caught as everyone wanted. But since then the BP oil spill has stained the coast. The Chairman added he was proud of the joint efforts by the many organizations in an attempt to right the wrong. He then noted he read a copy of a letter from Secretary Barham to the Chief Executive Officer of BP asking BP to reconsider the Department's request to fund a 20-year testing plan to prove that seafood is safe. Chairman Crews asked that this letter be included with the Minutes of this meeting.

The Enforcement Division Report: Oil Spill Response began with Lt. Col. Keith LaCaze stating the Mississippi Canyon 252 was a very significant event for the state and Department. During events such as hurricanes, the Enforcement Division was responsible for search and rescue missions with support from the other divisions. But the oil spill event involved all of the divisions within the Department. The rig exploded on April 20

at 10 PM and was located about 41 miles offshore of Louisiana. There were 126 people present but 11 people died from this tragedy. The Enforcement Division's initial response was in search and rescue mode as soon as they were notified by the Coast Guard. Once it was determined there would be a continuing flow of oil into the Gulf waters, it became obvious the oil would encroach into state waters and then on the coast. The Mobile Command Unit was deployed to the Hopedale area and covered the Hopedale-Venice areas. In early May, another Forward Command was set up at the new Marine Lab in Grand Isle. About 80 agents and 30 boats patrolled the waters around the areas of operation. Agents and the supervisory staff were rotated from all areas of the state to help with the patrols. Chairman Crews asked if there was a significant turnover of personnel due to the extra workload and Lt. Col. LaCaze answered "not a one". He added that all of the agents knew what was involved and the impacts on the coast and wildlife, and they stepped up with no hesitation at all. Agents actively enforced the Department's fishing closures as well as the closures on oyster areas issued by the Department of Health and Hospitals. A large number of citations were issued for both recreational and commercial fishermen while enforcing the closures and an additional 250 plus warning citations were issued. Another activity included handling media requests by providing transportation in an effort to get the message out on the impact that was occurring and how significant it was. Also, agents helped with the placement of oil boom, provided transportation to anyone that may have been injured and assisted stranded boats in getting back to land. While patrolling, agents reported oil sightings and oiled wildlife was brought in if possible. Chairman Crews asked if Enforcement did air search. Lt. Col. LaCaze mentioned that the Department has 3 airplanes which were used daily in overflight that reported and confirmed oil sightings. Every day after agents did their patrol, the boats were removed from the water and then went through a haz mat process to get them cleaned. Having entered into a joint enforcement agreement (JEA) with NOAA enforcing federal fisheries regulations, the Department receives about \$2 million per year that was used for patrolling the federal waters. The boats bought with JEA funds were used during this event and came in very handy. Another factor agents handled during the event was the heat. Now that the flow from the oil spill has stopped, the operations were shifting from response to more of an assessment and recovery which allows the Forward Command Centers to be pulled back and lets the local agents maintain their

service. Mr. Gordon asked if there was any idea of the economic impact to the Department and Lt. Col. LaCaze stated he did not know, but knew that the operations with the overtime pay went into the millions of dollars and BP was providing funding for overtime pay. He added there has been a request submitted for replacement of boats and equipment used during the oil spill. Mr. Lyle Johnson asked if the acreage of marshlands impacted was known and Mr. Mike Carloss felt it was questionable, but thought it was less than 100 acres. Chairman Crews asked, with this event being a budget buster, how would the division fair the rest of the year. Lt. Col. LaCaze stated BP did provide funding for the state to use for overtime pay and the equipment was already in place, so this did not impact the money already in the Conservation Fund. Then Chairman Crews asked if agents were still patrolling offshore and he was told yes, as part of the JEA agreement.

Mr. Mike Carloss began his presentation on **Bird Rescue Mission: Oil Spill Response** by agreeing with Lt. Col. LaCaze in that this was a group effort with all divisions involved as well as the U.S. Fish and Wildlife Service and other federal agencies. The visuals that will be shown provided the story. The Coastal and Nongame Resources and Wildlife Divisions were involved in more than just bird rescue. Their activities included manning the Incident Command Center in Houma and in other areas, deploying staff in Department boats, BP contracted boats and Fish and Wildlife boats daily to look at boom issues, wildlife and habitat issues. Now those activities were winding down very quickly. Slides shown were of oil coming onshore from the mouth of the Mississippi River towards the Pass-a-Loutre area, the different types of oil that came in and media events. One of the things the staff looked at was habitat assessment and boom issues. The boom assessment focused mainly on the bird colonies and other important wildlife areas. One problem was boom being oiled and not removed quickly enough, but the staff stayed on top of this issue and accomplished quite a bit. There are over 200 active bird colonies in the state with most being in the southeast areas. These birds like fragmented marsh and fragmented islands. The oil spill this year occurred right at the start of the nesting season or during the peak of nesting which Mr. Carloss noted was not a good time. A picture of Queen Bess with heavily stained young royal terns was shown with heavy oil that stayed in the area for a while. This was an active colony and staff was very cautious in not going into the area to clean for the benefit of the birds. Another bad site was

Mangrove Island where stained young pelicans were found. Several other pictures were shown of heavily oiled areas with immobilized birds to areas with spotted oiled having snowy egrets and seagulls. The bird rescue mission was handled by picking up the birds along the beaches, patrolling the areas by boat to know which birds can and/or need to be caught, using a pirogue or other method to go out and net the bird, putting them in a dog kennel and taking them to triage. Once the birds were caught, they were taken to a triage unit at Grand Isle, Fort Jackson or Hammond to stabilize and then be released. Over 8,000 birds from the Gulf Coast were affected. Once staff was able to get to the colonies, the number of dead birds began to rise. To date, 1,089 birds were released and 18 were left in rehab. Over half of the birds were brown pelicans, 31 percent were laughing gulls and then other wading birds. Mr. Carloss then talked about media releases with contacts from all over the world interested in the event. Staff has been able to get into the colonies once the birds were off the nest, picked up the eggs that did not hatch, picked up dead birds and look for any other oiled live birds. The current status shows a few young pelicans still in the areas. Potential impacts of the marsh occurred along Pass-a-Loutre and Biloxi WMAs which may affect waterfowl. Could it have been worse was a question Mr. Carloss liked to ask and answers yes adding the oil hit at the peak of the breeding island, but at this time of year, there are lots of birds including migratory birds congregating along the shoreline which could have been worse. Mr. Smith asked if the oil spill affected the area where whooping cranes may be introduced and Mr. Carloss answered no, White Lake was interior and did not have any oil and was well protected. Mr. Carloss noted they will be doing bag checks on harvested birds from the WMAs and trying to spot any oiled birds. Chairman Crews asked if there was a guess on the number of birds that survived. Mr. Carloss stated the data indicated there was a lot better survival, but the longevity or regular life of the birds was hard to determine. Mr. Johnson asked what would have been the impact if the birds could not have been saved and Mr. Carloss noted that was a difficult question to answer. He knew that lots of the birds that were picked up may have survived. But in terms of overall, there were not that many birds saved (1,500) as opposed to total population of birds saved which was insignificant at this time. He added that there was no way to know if there will be reproductive issues down the road.

The next agenda item, **2010-11 Duck Season Forecast, Oil Spill Impacts on Habitat** was presented by Mr. Larry Reynolds. He began by stating that the Natural Resource Damage Assessment comes with a gag order which is a document that is signed that says information would not be passed around except inside the trust agencies. The waterfowl concern was on the residual oil in the sediments and on species like scaup that feed on clams which have been in the oiled sediment. But he assured the Council they were concerned and people were talking about it. Mr. Reynolds added that he was not assigned to the field like Mr. Carloss and Lt. Col. LaCaze but was assigned to the office to keep doing his normal duties. When he did go out into the field, it took him 13 hours to arrange to have 14 stitches put into his head. Mr. Reynolds reminded the Council that he gave a presentation about 5 months prior but wanted to do it again since everyone agreed with what was said but now he knows it was not true. Last year, the duck season began with duck populations up about 13 percent, mallards were up 10 percent, pond numbers were up 45 percent and everything was looking good. For geese, there was a near reproductive bust for snow and white-fronted in the eastern Arctic. There was a full season on canvasback, a limit of 2 on scaup, but a reduced bag limit on mottled duck (from 3 to 1). Habitat showed there was a great production of seed producing annuals in southwest Louisiana, Catahoula Lake had great food production, and water conditions in the agricultural lands were a hit or miss. But what happened? There was lots of rain, the wettest October on record and the fifth wettest December on record. This not only occurred in Louisiana but up along the Mississippi Flyway. The September 2009 waterfowl survey was about 60 percent of the long term average, and the November survey was 40 percent below long term average but there was an all time record number of blue winged teal. December survey was up to slightly below long term average and January survey was slightly below along the coast but quite a number of ducks and geese in northeast Louisiana. Following the season, Mr. Reynolds has to write a report on how was the hunting and the information was based on reports and perception gathered throughout the season. He then relayed comments he received from hunters in southeast Louisiana stating "they had by far the worst season ever" to "...I personally harvested 115 of those birds, not bad for a crappy year" that averaged to 4.8 ducks per hunt. Mr. Reynolds also killed 4.8 ducks per hunt and he felt it was the finest year of his life. Hunting success numbers for Pass-a-Loutre, Salvador, Atchafalaya Delta, and Pointe-aux-Chenes showed 2009 was not very good. The

number of birds brought in from duck cleaners was down 15-20 percent. So, Mr. Reynolds asked, what was wrong with the data, and the answer was that it was all data from the coast. The report to the Mississippi Flyway Council said that "duck hunting was spotty but generally below average to poor during the first split; not much better after the first weekend of the second split along the coast, but improved in northeast Louisiana; excellent after the freeze in northeast and central Louisiana and much improved in southeast Louisiana; and goose hunting was tough." In July was when the question, how was the hunting really, answered. This is the month harvest data comes out which was collected from a random sample of hunters from all states that gives an estimate of hunting success. In 2008, 1.75 million ducks were harvested and in 2009, it went to 1.85 million ducks. With the number of hunters going up, the ducks per hunter went from 25 to 23. Knowing some people may not agree with the numbers, Mr. Reynolds looked at what was known going into the season. The mottled duck went from 3 to 1 and felt this would result in a 19 to 20 percent in harvest and ended up with a 23 percent reduction for this bird. It was also known that record numbers of blue-winged teals were in Louisiana before the season began and those harvest numbers increased. Then with the reproductive bust in geese, specklebelly harvest was down 60 percent and there was a 48 percent reduction in snow goose harvest. The bottom line was that more ducks were killed in 2009 than the previous year. Chairman Crews asked why did NRDA have a gag order and Mr. Reynolds noted it was litigation meaning that NRDA was collecting information for a lawsuit.

Next, Mr. Reynolds talked about the upcoming season. He began stating this year there are 41 million ducks, 8.4 million mallards and 6.7 million ponds which were all similar to last year. The season will run for 60 days with a 6 duck limit. Proposed changes discussed were to increase the possession limit to 3 times the daily bag limit and to increase the zone and split option. These 2 options were being discussed in the Law Enforcement group for comment and then may be considered at the upcoming winter meeting. The other change was an increase in pintail bag limit from 1 to 2. The reasons for the change was due to harvest strategy which was to close the season if the pintail population dropped to 1.75 million and no daily bag limits could be higher than 2. When Mr. Reynolds made decisions they were based on values. His values included no partial seasons and not caring about bag limits of 5 or 7 pintails which would have resulted in a different outcome. Communication with

the hunters through the hunter opinion survey gave Mr. Reynolds information that was valuable to the hunter.

In regards to the oil spill, it was Mr. Reynolds responsibility to come up with a contingency plan. He noted he wrote a contingency plan and posted it on the Department's website and announced there would be 6 public meetings. There was good attendance at the meetings from 41 in Abbeville to 14 in Jefferson Parish. July 25, 2010 SCAT maps were shown which showed marsh areas that did not have any oil, light oil and heavy oil. This was shown as a perspective to the major points made at the public hearings. The points were that there will be a waterfowl season statewide, there will be localized hunting closures due to the presence of oil and clean-up activities, additional closures will be considered if impacts get substantially worse, and opening waterfowl season would be a benefit since it could increase surveillance of oiled habitat and wildlife. Hunters have been requested not to eat oiled birds, to assist with reporting oiled areas and help in collecting oiled birds. The Department would continue to assess habitat conditions as hunting season approaches, maintain communication with the Coast Guard and oil spill response partners to minimize hunting closures; test collected waterfowl to assess risks for human consumption; and keep hunters informed of any changes. If the oil spill does get worse, Mr. Reynolds felt staff would consider additional hunting closures and consider closing non-impact areas. At this point, the explanation of worst case scenario, and moderate and non-impact areas were given. Mr. Reynolds then noted that the teal season had opened the week prior. There were discussions with the Coast Guard and the Joint Incident Command and they asked what was teal hunting, what did it look like, where did it happen, who participates, when do they participate and what can be done to avoid impacts. The meeting went well with no additional restrictions imposed; airboats were removed from the public lands, the low level air flights were reduced, crews delayed their work start times, and the clean-up crews were briefed to avoid active hunting. Mr. Reynolds gave the public information on which boat launches were closed, those that were busy, instructions on oiled birds, recognition of oil spill workers, and a phone number to call for help with conflicts. As of the day prior to the meeting, there were no reported conflicts nor were any oiled birds brought to Mr. Reynolds. Mr. DeBlieux felt there was a lot less rain than last year and Mr. Reynolds commented the habitat was "fantastic".

Next Mr. Marty Bourgeois gave an update on the **Office of Fisheries: Oil Spill Response**. He began stating that all of the different Offices within the Department worked together as a team and continue to work together on this event. The Office of Fisheries activities included: logistical support, oil spill reconnaissance, tissue sampling, seafood safety, information and data transfer, Natural Resources Damage Assessment (NRDA), and fisheries monitoring. For the logistical support activity, the staff manned the Incident Command Center in Houma and participated in local emergency operation centers as well as real time reporting of oil sightings, boom maintenance issues, oiled wildlife, fish kills, etc. Oil spill reconnaissance involved coastwide tracking by vessels which resulted in real time reporting, collecting of samples from 59 marine mammals (dolphins) and 132 sea turtles, investigation of numerous oiled wildlife, fish kills and boom maintenance issues. Fish tissue samples were collected even before oil entered state waters and to date 474 samples have been taken which represents about 10,000 organisms (species). Staff continues to collect fish tissues and conduct testing. In regards to seafood safety, Mr. Bourgeois noted that at one time about 70 percent of all saltwater areas of the state were closed to recreational and commercial fishing. To date, there have been 60 actions taken by Secretary Barham or the Wildlife and Fisheries Commission in state waters. One of 3 recreational fishing maps posted on the Department's website was shown with 11 percent of the saltwater areas closed to recreational angling. On the commercial side, 1 of the 4 fishing closure maps was shown and those closures represent 15 percent of the saltwater areas closed to commercial fishing. In terms of information and data transfers, Mr. Bourgeois noted the maps were maintained on the Department's website, staff participated in outreach meetings, expos, town hall meetings to provide information to fishermen, responded to public records request, media interviews and data request. The trip ticket information was currently being used by BP to qualify fishermen and dealers for assistance. Mr. Bourgeois went through the process of sample testing and added that to date, there have been 101 composite tissue samples submitted. The NRDA's design was to study the damages to the natural resources (not only fish and wildlife, but habitats as well). BP has agreed to fund a \$13 million, 3-year fisheries monitoring plan (inshore phase, near shore and offshore). The inshore phase would enhance the current monitoring program by establishing additional stations. The near shore plan would be

sampled quarterly. Then the offshore component was designed to monitor the reef fish and highly migratory species. Mr. Johnson asked if the 14 percent of the closed commercial fisheries included oysters and Mr. Bourgeois answered no, it would be less than that one percent. Mr. DeBlieux asked if the NRDA process would take a while and was it happening now. Mr. Bourgeois stated that they were participating in the process, with NOAA being the lead for fisheries. Mr. Roth stated he followed closely the openings and closings and felt the Department and Commission did an outstanding job of monitoring the oil spill during a challenging time. He then noted that CCA and the Department had filed a plan with BP for a fish hatchery similar to a facility in Texas. Mr. Roth added that the hatchery would cost between \$38 million and \$50 million. Chairman Crews asked Mr. Bourgeois who would he speak to for answers on when the federal waters would open and he was told Mr. Roy Crabtree, Regional Administrator for the Southeast Region.

Following the presentations, Chairman Crews asked Mr. Roth what was CCA doing about getting federal waters open. Mr. Roth thought NOAA would make an announcement that day.

Chairman Crews wanted information on how bad the budget was "busted" if at all and how to fix it. Ms. Tammy Calix, Office of Management and Finance, stated that currently there was \$12.5 million funding authority which was subject to change with an additional \$3.8 million being requested from BP. Expenditures and encumbrances as of September 18 was about \$13 million. Revenue filed with BP shows a \$1.9 million loss for recreational saltwater licenses at the end of July. Chairman Crews asked if the Department was okay and Ms. Calix answered yes, adding that the Department spent \$13 million but was expecting \$16 million which was subject to change if additional expenditures come up. Mr. Pellessier wondered if there was a projection of loss on future license sales. Ms. Janis Landry felt it was too early to tell, there was a need to look at the figures over a long term. Mr. Roth asked what percentage were the saltwater license sales down and he was told it was \$1.9 million as of the end of July. Mr. Johnson asked if any of the numbers have been recouped and Ms. Landry stated she had not looked at the August numbers yet.

There were no **Public Comments** heard.

The Council set the **Next Meeting Date** for Tuesday, December 7, 2010 beginning at 1:30 PM.

Chairman Crews **Adjourned** the meeting.