

LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES

BOARD MEETING

JANUARY 8, 1998

DANIEL BABIN  
CHAIRMAN

BATON ROUGE, LOUISIANA

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

Tapes of the meetings are kept at the  
Louisiana Department of Wildlife and Fisheries  
2000 Quail Drive

Baton Rouge, Louisiana 70808

For more information, call (504) 765-2806

**AGENDA**  
**LOUISIANA WILDLIFE AND FISHERIES COMMISSION**  
**BATON ROUGE, LOUISIANA**  
**JANUARY 8, 1998**

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MINUTES OF THE MEETING  
OF  
LOUISIANA WILDLIFE AND FISHERIES COMMISSION

Thursday, January 8, 1998

Chairman Daniel Babin presiding.

Jerald Hanchey  
Tom Gattle  
Thomas Kelly  
Glynn Carver  
Bill Busbice

Secretary James Jenkins, Jr. was also present.

Commissioner Norman McCall was absent from the meeting.

Chairman Babin introduced Mr. Tom Kelly from Jeanerette who will serve a six year term replacing Mr. Perry Gisclair. Then he introduced Mr. Bill Busbice from Lafayette who would fulfill the one year unexpired term of Mr. J. B. Cormier.

Chairman Babin called for a motion for approval of the **December 4, 1997 Commission Minutes**. A motion for approval was made by Commissioner Carver and seconded by Commissioner Gattle. The motion passed with no opposition.

Mr. Rick Kasprzak handled the next item, **Donation by Chevron to Artificial Reef Program**. Three platforms in the South Timbalier area, 30 miles south of Fourchon, have been donated by Chevron to the Department in August 1997. Also Chevron donated a check in the amount of \$505,000 which represents a portion of the savings generated as a result of reduced platform removal cost. Twenty-one structures and over \$1.7 million has been donated to the Artificial Reef program by Chevron to date. Mr. Kasprzak then introduced Mr. Greg Shulte, Mr. Rick Ellard and Ms. Maureen Bodron of Chevron. Mr. Shulte stated Chevron was donating a check in the amount of \$505,000 and three platforms as Mr. Kasprzak explained. Then he stated Chevron continues to be a big supporter of the Reef program not only in Louisiana, but other states and possibly in the international areas. Plans for the next year involve from two to nine structures depending on the budget. He thanked Mr. Kasprzak for all his help. Secretary Jenkins appreciated Chevron's efforts with this program and invited them back on a monthly basis. Chairman Babin thanked Chevron for their efforts.

**A Declaration of Emergency & Notice of Intent - Apprentice Fisherman's License** was handled by Mrs. Janis Landry. Mrs. Landry stated these rules were a result of Act 1413 of the 1997 Legislature which established an apprentice fisherman license for

fishermen who never held a commercial fisherman's license. After these fishermen keep this apprentice license for two years, they then qualify to purchase a spotted seatrout permit, mullet permit or a commercial rod and reel license. She recommended changing subsection C to "...The apprentice license must be purchased prior to January 31..." in order to make 1998 a qualifying year for the fishermen. Chairman Babin asked, as it was written, the fishermen would have had to apply last year? Mrs. Landry stated yes, but since January 1 has passed, giving them until January 31 will allow 1998 to be a qualifying year. Chairman Babin then asked Mr. Don Puckett if it was okay just to change the wording? Mr. Puckett stated all that was needed was a verbal motion to change the Declaration of Emergency. Then another motion would be needed to approve the Declaration of Emergency as amended. Commissioner Hanchey made a motion to change the date as recommended by Mrs. Landry. The motion was seconded by Commissioner Carver and approved by all. Chairman Babin then asked if there were any questions on the program. Hearing none, he then asked if there was a motion to accept the Declaration of Emergency. Commissioner Carver made the motion and it was seconded by Commissioner Gattle. This motion passed with no opposition. Mrs. Landry then requested changing the date on the Notice of Intent and making a motion to accept it. Commissioner Gattle made a motion to change the Notice of Intent to read January 31. Commissioner Kelly seconded the motion and it passed with no opposition. The final motion to accept the Notice of Intent subject to the change was made by Commissioner Gattle. Commissioner Hanchey seconded the motion and it also passed with no opposition.

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

#### DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

The Wildlife and Fisheries Commission does hereby exercise the emergency provisions of the Administrative Procedure Act, R.S. 49:953(B), and pursuant to its authority under R.S. 56:303.8 adopts the rule set forth below. This emergency rule is necessary to implement the provisions of R.S. 56:303.8 enacted by Act 1413 of the 1997 Regular Session of the Louisiana Legislature. This Act became effective on July 15, 1997 and it is necessary to promulgate this rule as a Declaration of Emergency in order to expedite the mandate of this Act.

This Declaration of Emergency is effective January 8, 1998 and shall remain in effect for the maximum period allowed under the Administrative Procedure Act or until adoption of the final rule, whichever occurs first.

**Title 76**

**WILDLIFE AND FISHERIES**

**Part VII. Fish and Other Aquatic Life**

**Chapter 4. License and License Fees**

**§409. Apprentice Fisherman License**

**A. Definitions**

Apprentice - a real person that engages in the taking of finfish for a period of two years only with and aboard the vessel of a validly licensed commercial fisherman who also holds a valid and appropriate permit/license issued by the Department and who is engaged in the commercial taking of saltwater finfish by approved methods.

**B. Application**

1. At the time of application for an apprentice license, the applicant must provide by notarized affidavit signed by both the applicant and the mentor, providing the social security number, name, address and Commercial Fisherman's License number of his mentor and stating the intent to participate in the apprenticeship program.

2. The cost for the apprentice license shall be one-half the cost of a commercial fisherman's license.

**C. Seasons.** A person who holds an apprentice license shall be aboard the vessel with and in the presence of his mentor while engaged in the taking of finfish under this "special apprentice license". The apprentice license shall authorize, under the same conditions as the regular license or permit, the commercial taking of saltwater finfish by the apprentice while in the presence of his mentor during the period for which it is valid. The special apprentice license shall be valid from January 1 through December 31. An apprentice license must be purchased prior to January 31 to qualify for one full year as an apprentice for the following license year.

**D. Eligibility**

1. Having held a valid apprentice license for two full years may substitute for the requirement of having held a gill net gear license in two of the years 1993, 1994 and 1995 when applying for a Spotted Seatrout Permit, Mullet Permit, or Rod and Reel License. In addition to providing all commercial license application information, the applicant shall be required to show

that he derived more than 50 percent of his earned income from the legal capture and sale of seafood species for the two years in which he held the apprentice license. Proof of such income shall be provided by the apprentice using one of the methods listed in the appropriate permit or license section that has been approved by the commission.

2. In addition to all other requirements, any applicant applying for a Rod and Reel License must provide a signed copy of his/her state income tax return for the years in which an Apprentice License was held or a notarized affidavit certifying that he/she was not required to file a state tax return.

3. The Socioeconomic Section of the Department of Wildlife and Fisheries, Office of Management and Finance, will review the submitted tax return information and determine if applicant meets the income eligibility requirement.

E. General Provision. Any person who previously held a commercial fisherman's license, or who has been convicted of a class three or greater violation, shall not be eligible to purchase an apprentice license.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:303.8.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR .

Daniel J. Babin  
Chairman

#### NOTICE OF INTENT

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

The Wildlife and Fisheries Commission hereby gives notice of its intent to adopt a rule on the regulations for selling an apprentice fisherman license.

#### Title 76

#### WILDLIFE AND FISHERIES

#### Part VII. Fish and Other Aquatic Life

#### Chapter 4. License and License Fees

#### §409. Apprentice Fisherman License

#### A. Definitions

Apprentice - a real person that engages in the taking of finfish for a period of two years only with and aboard the vessel of a validly licensed commercial fisherman who also holds a valid and appropriate permit/license issued by the Department and who is engaged in the commercial taking of saltwater finfish by approved methods.

#### B. Application

1. At the time of application for an apprentice license, the applicant must provide by notarized affidavit signed by both the applicant and the mentor, providing the social security number, name, address and Commercial Fisherman's License number of his mentor and stating the intent to participate in the apprenticeship program.

2. The cost for the apprentice license shall be one-half the cost of a commercial fisherman's license.

C. Seasons. A person who holds an apprentice license shall be aboard the vessel with and in the presence of his mentor while engaged in the taking of finfish under this "special apprentice license". The apprentice license shall authorize, under the same conditions as the regular license or permit, the commercial taking of saltwater finfish by the apprentice while in the presence of his mentor during the period for which it is valid. The special apprentice license shall be valid from January 1 through December 31. An apprentice license must be purchased prior to January 31 to qualify for one full year as an apprentice for the following license year.

#### D. Eligibility

1. Having held a valid apprentice license for two full years may substitute for the requirement of having held a gill net gear license in two of the years 1993, 1994 and 1995 when applying for a Spotted Seatrout Permit, Mullet Permit, or Rod and Reel License. In addition to providing all commercial license application information, the applicant shall be required to show that he derived more than 50 percent of his earned income from the legal capture and sale of seafood species for the two years in which he held the apprentice license. Proof of such income shall be provided by the apprentice using one of the methods listed in the appropriate permit or license section that has been approved by the commission.

2. In addition to all other requirements, any applicant applying for a Rod and Reel License must provide a signed copy of his/her state income tax return for the years in which an Apprentice License was held or a notarized affidavit certifying that he/she was not required to file a state tax return.

3. The Socioeconomic Section of the Department of Wildlife and Fisheries, Office of Management and Finance, will review the submitted tax return information and determine if applicant meets the income eligibility requirement.

E. General Provision. Any person who previously held a commercial fisherman's license, or who has been convicted of a class three or greater violation, shall not be eligible to purchase an apprentice license.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:303.8.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR .

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

Interested persons may submit written comments on the proposed rule to Mrs. Janis Landry, Fiscal Section, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000 no later than 4:30 p.m., Thursday, March 5, 1998.

Daniel J. Babin  
Chairman

A Declaration of Emergency on the Commercial Red Snapper Season was presented by Mr. Harry Blanchet. This proposed action would set seasons to commercially harvest red snapper in state waters and would parallel the regulations in federal waters. The federal regulations were approved December 30, 1997 thus requiring a Declaration of Emergency. Two seasons have been established, the spring season to open February 1 and the fall season which will open September 1. The first 15 days of each month are open to harvest and the second half of the month is closed. This procedure will be followed each month until the quota for that season is reached. Two-thirds of the commercial quota will be harvested during the spring season and the remaining third during the second season. Chairman Babin asked if these regulations parallel federal regulations? Mr. Blanchet stated this is what will happen in federal waters, but should the regulations change, a provision has been included in the Resolution that will allow the Secretary to make changes. Commissioner Gattle asked if the federal governments idea behind the season structure was to have a uniform season throughout the year? Mr. Blanchet stated the federal government wanted to try to extend the season further into the spring time. Commissioner Gattle asked what would happen if the spring season's quota was not met? Mr. Blanchet felt there would be no problem in

reaching that quota. But if it did not, then it would continue on into the September season. Chairman Babin stated there would be a big enforcement problem if the federal government shut down the season and the state did not. Commissioner Carver asked how far out into the Gulf does enforcement authority extend? Lt. Col. Charlie Clark stated it was three miles except for three locations in the State. Chairman Babin then asked Mr. Blanchet to read the Therefore Be It Resolved portion of the Resolution. Commissioner Hanchey made a motion accepting the Resolution and it was seconded by Commissioner Gattle. This motion passed with a unanimous vote.

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

#### RESOLUTION

##### 1998 COMMERCIAL RED SNAPPER SEASONS

- WHEREAS,** the red snapper fishery in the Gulf of Mexico off the coast of Louisiana is cooperatively managed by the Louisiana Department of Wildlife and Fisheries (LDWF) and the National Marine Fisheries Service (NMFS) with advice from the Gulf of Mexico Fishery Council (Gulf Council), and
- WHEREAS,** regulations promulgated by NMFS are applicable in waters of the Exclusive Economic Zone (EEZ) of the U.S., generally three miles offshore, and
- WHEREAS,** on December 30, 1997, rules were established by NMFS to provide for commercial harvest seasons and limits for red snapper in the EEZ off of Louisiana, and
- WHEREAS,** the Department of Wildlife and Fisheries has received a request from the Gulf Council and NMFS requesting consistent regulations in Louisiana state waters, and
- WHEREAS,** consistent regulations within both Federal and State jurisdictions are preferable as they assist in enforcement of fishery rules, and
- WHEREAS,** the 1998 commercial red snapper fishery in EEZ waters will operate under two sets of seasonal openings, one beginning February 1 and one beginning September 1, and
- WHEREAS,** during each season, the fishery will open at noon of the first day of each month, and close at noon on the 15th day of each month, until the allotted portion of the commercial red snapper quota has been harvested, and

**WHEREAS,** two-thirds of the annual commercial quota has been allotted to the first set of seasonal openings that begins in February, and the remainder of the quota will be harvested under the second set of openings that begin in September, and

**WHEREAS,** in order to enact regulations in a timely manner so as to have compatible regulations in place in Louisiana waters for the 1998 commercial red snapper season, it is necessary that emergency rules be enacted, and

**WHEREAS,** R.S. 49:953(B) and R.S. 49:967 allow the Wildlife and Fisheries Commission to use emergency procedures to set finfish seasons, and

**WHEREAS,** R.S. 56:326.3 provides that the Wildlife and Fisheries Commission may set seasons for saltwater finfish,

**THEREFORE BE IT RESOLVED,** the Wildlife and Fisheries Commission hereby establishes the 1998 seasons for commercial harvest of red snapper in Louisiana state waters as set forth in the attached Declaration of Emergency, and

**BE IT FURTHER RESOLVED,** that the Commission authorizes the Secretary of the Department of Wildlife and Fisheries to close the 1998 commercial red snapper seasons in Louisiana state waters when he is informed that the designated portions of the commercial red snapper quota for the Gulf of Mexico have been filled, or projected to be filled, for each set of seasons, and

**BE IT FURTHER RESOLVED,** that such closure order shall close the season until the date set for the re-opening of the commercial red snapper season in Federal waters, and

**BE IT FURTHER RESOLVED,** that all applicable rules regarding red snapper harvest including trip limits, permit requirements, and size limits, established by the Commission shall be in effect during the open seasons hereby established.

**BE IT FURTHER RESOLVED,** that 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 Declaration of Emergency.

**BE IT FURTHER RESOLVED,** a Declaration of Emergency setting the 1998 commercial red snapper season in Louisiana state waters is attached to and made part of this Resolution.

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Daniel J. Babin, Chairman

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James H. Jenkins, Jr., Secretary

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

The red snapper fishery in the Gulf of Mexico is cooperatively managed by the Department of Wildlife and Fisheries and the National Marine Fisheries Service (NMFS) with advice from the Gulf of Mexico Fishery Management Council (Gulf Council). Regulations promulgated by NMFS are applicable in waters of the Exclusive Economic Zone (EEZ) of the United States, generally three miles offshore. Rules were recently established by NMFS to provide for commercial harvest seasons and limits for red snapper in the EEZ off of Louisiana, and NMFS and the Gulf Council requested that consistent regulations be established in Louisiana waters. NMFS and the Gulf Council typically request consistent regulations in order to enhance the effectiveness and enforceability of regulations for EEZ waters.

The 1998 commercial red snapper fishery in EEZ waters will operate under two sets of seasonal openings, one beginning February 1 and one beginning September 1. During each season, the fishery will open at noon of the first day of each month, and close at noon on the 15th day of each month, until the allotted portion of the commercial red snapper quota has been harvested. Two-thirds of the annual commercial quota has been allotted to the first set of seasonal openings that begins in February and the remainder of the quota will be harvested under the second set of openings that begin in September. In order to enact regulations in a timely manner so as to have compatible regulations in place in Louisiana waters for the 1998 commercial red snapper season, it is necessary that emergency rules be enacted.

In accordance with the emergency provisions of R.S. 49:953(B), the Administrative Procedure Act, R.S. 49:967 which allows the Wildlife and Fisheries Commission to use emergency procedures to set finfish seasons, and R.S. 56:326.3 which provides that the Wildlife and Fisheries Commission may set seasons for saltwater finfish; the Wildlife and Fisheries Commission hereby sets the following seasons for commercial harvest of red snapper in Louisiana state waters:

The season for the commercial fishery for red snapper in Louisiana state waters will open at 12:00 noon, February 1, 1998. The commercial fishery for red snapper in Louisiana waters will close at 12:00 noon, February 15, 1998. The commercial season for red snapper harvest in Louisiana state waters will also re-open at 12:00 noon on March 1, 1998 and close at 12:00 noon on March 15, and thereafter open at 12:00 noon on the first of each month and

close at 12:00 noon on the fifteenth of each month for each month of 1998, until two-thirds of the 1998 commercial red snapper quota for the Gulf of Mexico has been harvested or projected to be harvested.

The Commission grants authority to the Secretary of the Department of Wildlife and Fisheries to change the closing dates for the commercial red snapper season in Louisiana state waters when he is informed that two-thirds of the commercial red snapper quota for the Gulf of Mexico has been harvested or projected to be harvested, such closure order shall close the season until 12:00 noon September 1, 1998, which is the date set for the re-opening of the 1998 commercial red snapper season in Federal waters.

The season for the commercial fishery for red snapper in Louisiana state waters will re-open at 12:00 noon September 1, 1998. The commercial fishery for red snapper in Louisiana waters will close at 12:00 noon September 15, 1998. The commercial season for red snapper harvest in Louisiana state waters will also re-open at 12:00 noon on October 1, 1998 and close at 12:00 noon on October 15, and thereafter open at 12:00 noon on the first of each month and close at 12:00 noon on the fifteenth of each month for each month of 1998, until the remainder of the 1998 commercial quota is harvested.

The Commission grants authority to the Secretary of the Department of Wildlife and Fisheries to change the closing dates for the commercial red snapper season in Louisiana state waters when he is informed that the commercial red snapper quota for the Gulf of Mexico has been harvested or projected to be harvested; such closure order shall close the season until the date set for the opening of the 1999 commercial red snapper season in Federal waters.

The Commission also grants authority to the Secretary of the Department of Wildlife and Fisheries to change the opening dates for the commercial red snapper season in Louisiana state waters if he is informed by the Regional Director of the National Marine Fisheries Service (NMFS) that the season dates for the commercial harvest of red snapper in the federal waters of the Gulf of Mexico as set out herein have been modified, and that the Regional Director of NMFS requests that the season be modified in Louisiana state waters.

Nothing herein shall preclude the legal harvest of red snapper by legally licensed recreational fishermen. Effective with any closure, no person shall commercially harvest, transport, purchase, barter, trade, sell or attempt to purchase, barter, trade or sell red snapper. Effective with the closure, no person shall possess red snapper in excess of a daily bag limit. Provided however, that fish in excess of a daily bag limit which were legally taken prior to the closure may be purchased, possessed, transported, and sold

by a licensed wholesale/retail dealer if appropriate records in accordance with R.S. 56:306.4 are properly maintained, and those other than wholesale/retail dealers may purchase such fish in excess of the daily bag limit from wholesale/retail dealers for their own use or for sale by a restaurant as prepared fish.

Daniel J. Babin  
Chairman

Mr. Harry Blanchet also handled the next agenda item, **Declaration of Emergency & Notice of Intent - Reef Fish, Commercial Rules**. The proposed rule will bring the Commission's rule on reef fish into compliance with federal regulations. One of the proposed changes will allow fishermen to hold a Class 1 or Class 2 red snapper license with the same trip limits as is currently allowed. If a fisherman did not receive a red snapper license, he would be limited to a recreational bag limit which can not be sold, stated Mr. Blanchet. The second change in the rule would close the season for commercial harvest of greater amberjack during the months of March, April and May of each year. With approximately 30 percent of the amberjack harvest occurring during these three months, this closure will allow for protection of the amberjack during spawning times. Commissioner Hanchey asked what was the difference between Class 1 and Class 2 licenses? Chairman Babin then asked Mr. Blanchet to read the Therefore Be It Resolved portion of the Resolution. Commissioner Hanchey made a motion to accept the Resolution. Commissioner Busbice seconded the motion and it passed with no opposition.

(The full text of the Resolution, Declaration of Emergency and Notice of Intent is made a part of the record.)

#### RESOLUTION

##### REEF FISH RULES - COMMERCIAL FISHERIES

- WHEREAS,** the reef fish fisheries in the Gulf of Mexico off the coast of Louisiana are cooperatively managed by the Louisiana Department of Wildlife and Fisheries (LDWF) and the National Marine Fisheries Service (NMFS) with advice from the Gulf of Mexico Fishery Management Council (Gulf Council), and
- WHEREAS,** regulations promulgated by NMFS are applicable in waters of the Exclusive Economic Zone (EEZ) of the U.S., generally three miles offshore, and
- WHEREAS,** on December 30, 1997, rules were established by NMFS implementing Amendment 15 to the Gulf Council's Management Plan for the Reef Fish Fishery for the Gulf of

Mexico, with provisions to provide for a closed season for commercial harvest of greater amberjack, and qualifications for various trip limits for red snapper harvest in the EEZ off of Louisiana, and

**WHEREAS,** the Department of Wildlife and Fisheries has received a request from the Gulf Council and NMFS requesting consistent regulations in Louisiana state waters, and

**WHEREAS,** consistent regulations within both Federal and State jurisdictions are preferable as they assist in enforcement of fishery rules, and

**WHEREAS,** the commercial season for the harvest of red snapper in the Federal EEZ off of Louisiana is scheduled to open on February 1, 1998, and

**WHEREAS,** existing State rules providing for trip limits for commercial harvest of red snapper refer to Federal reef fish permits and red snapper endorsements, a structure that has been changed in the recent Federal rule, and

**WHEREAS,** the existing moratorium on issuance of Federal reef fish permits will expire December 31, 2000, at which time more Federal reef fish permits may be issued that, under present rules would not include the privilege to harvest red snapper over the bag limit or to sell red snapper, and

**WHEREAS,** new language is needed to remain consistent with existing rules and new Federal language regarding reef fish permits and red snapper licenses, and

**WHEREAS,** the closed commercial season for greater amberjack in the Federal EEZ off of Louisiana is scheduled to begin on March 1, 1998 and run March through May of each year, and

**WHEREAS,** in order to enact regulations in a timely manner so as to have compatible regulations in place in Louisiana waters, it is necessary that emergency rules be enacted, and

**WHEREAS,** R.S. 49:953(B) and R.S. 49:967 allow the Wildlife and Fisheries Commission to use emergency procedures to set finfish seasons, and

**WHEREAS,** R.S. 56:326.3 provides that the Wildlife and Fisheries Commission may set seasons for saltwater finfish

**THEREFORE BE IT RESOLVED,** that an Emergency Rule to provide for a closed season for the commercial harvest of greater amberjack in Louisiana waters and for qualifications for commercial trip limits for commercial harvest of red

snapper in Louisiana state waters is attached to and made part of this resolution, and

**BE IT FURTHER RESOLVED**, that the Wildlife and Fisheries Commission also hereby promulgates a Notice of Intent to establish permanent rules through the Administrative Procedure Act, and

**BE IT FURTHER RESOLVED**, that 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 emergency rule, 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.

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Daniel J. Babin, Chairman  
La. Wildlife and Fisheries  
Commission

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James H. Jenkins, Jr., Secretary  
La. Department of Wildlife &  
Fisheries

#### DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

The Wildlife and Fisheries Commission does hereby exercise the emergency provision of the Administrative Procedure Act, R.S. 49:953(B) and 49:967(D), and pursuant to its authority under R.S. 56:6(25)(a), 56:326.1 and 56:326.3 adopts the rule set forth below. This emergency rule is necessary to expedite the enforceability and effectiveness of Federal regulations on commercial reef fish fisheries for red snapper and greater amberjack, which became effective December 30, 1997, and require action before February 1, 1998 and March 1, 1998 respectively. It is therefore in the best interest of the State, and appropriate that these regulations be enacted concurrently, thereby requiring emergency action.

This emergency rule is effective January 8, 1998 and shall remain in effect for the maximum period allowed under the Administrative Procedure Act or until adoption of the final rule, whichever occurs first.

#### Title 76

#### WILDLIFE AND FISHERIES

#### Part VII. Fish and Other Aquatic Life

#### Chapter 3. Saltwater Sport and Commercial Fishery

**§335. Daily Take, Possession and Size Limits Set by Commission, Reef Fish**

\* \* \*

E. All persons who do not possess a Class 1 or Class 2 Red Snapper License issued by the National Marine Fisheries Service under the Federal Fishery Management Plan for the Gulf of Mexico Reef Fish resources are limited to the recreational bag limit for red snapper. Those persons possessing a Class 2 Red Snapper License issued by the National Marine Fisheries Service under the Federal Fishery Management Plan for the Gulf of Mexico Reef Fish resources are limited to a daily take and possession limit of 200 pounds of red snapper per vessel.

F. Those persons possessing a Class 1 Red Snapper License issued by the National Marine Fisheries Service under the Federal Fishery Management Plan for the Gulf of Mexico Reef Fish resources are limited to a daily take and possession limit of 2,000 pounds of red snapper per vessel.

\* \* \*

J. The season for the commercial harvest of greater amberjack shall be closed during the months of March through May of each year. Possession of greater amberjack in excess of the daily bag limit while on the water is prohibited during the closed season. Any greater amberjack harvested during the closed season shall not be purchased, sold, traded, bartered or exchanged or attempted to be purchased, sold, traded, bartered or exchanged. The provisions of this subsection apply to fish taken within or without Louisiana's territorial waters.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6(25)(a), 56:326.1 and 326.3.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 16:539 (June 1990), amended LR 19:1442 (November 1993), LR 20:797 (July 1994), LR 21:1267 (November 1995), LR 22:860 (September 1996), LR 24:.

Daniel J. Babin  
Chairman

**NOTICE OF INTENT**

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

The Wildlife and Fisheries Commission does hereby give notice of intent to amend a rule (Title 76:VII.335) modifying commercial red snapper harvest requirements, and establishing a closed season for commercial harvest of greater amberjack, as part of the

existing rule for daily take, possession and size limits for reef fishes set by the Commission. Authority for adoption of this Rule is included in R.S. 56:6(25)(a), 56:326.1 and 56:326.3.

## Title 76

### WILDLIFE AND FISHERIES

#### Part VII. Fish and Other Aquatic Life

#### Chapter 3. Saltwater Sport and Commercial Fishery

#### §335. Daily Take, Possession and Size Limits Set by Commission, Reef Fish

\* \* \*

E. All persons who do not possess a Class 1 or Class 2 Red Snapper License issued by the National Marine Fisheries Service under the Federal Fishery Management Plan for the Gulf of Mexico Reef Fish resources are limited to the recreational bag limit for red snapper. Those persons possessing a Class 2 Red Snapper License issued by the National Marine Fisheries Service under the Federal Fishery Management Plan for the Gulf of Mexico Reef Fish resources are limited to a daily take and possession limit of 200 pounds of red snapper per vessel.

F. Those persons possessing a Class 1 Red Snapper License issued by the National Marine Fisheries Service under the Federal Fishery Management Plan for the Gulf of Mexico Reef Fish resources are limited to a daily take and possession limit of 2,000 pounds of red snapper per vessel.

\* \* \*

J. The season for the commercial harvest of greater amberjack shall be closed during the months of March through May of each year. Possession of greater amberjack in excess of the daily bag limit while on the water is prohibited during the closed season. Any greater amberjack harvested during the closed season shall not be purchased, sold, traded, bartered or exchanged or attempted to be purchased, sold, traded, bartered or exchanged. The provisions of this subsection apply to fish taken within or without Louisiana's territorial waters.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 56:6(25)(a), 56:326.1 and 326.3.

**HISTORICAL NOTE:** Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 16:539 (June 1990), amended LR 19:1442 (November 1993), LR 20:797 (July 1994), LR 21:1267 (November 1995), LR 22:860 (September 1996), LR 24:.

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 statements, the filing of the notice of intent and final rule and the preparation of reports and correspondence to other agencies of government.

Interested persons may submit written comments on the proposed rule to Mr. Harry Blanchet, Marine Fisheries Division, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000 no later than 4:30 p.m., Friday, April 3, 1998.

Daniel J. Babin  
Chairman

The Monthly Law Enforcement Report for December was given by Major Keith LaCaze. The following numbers of citations were issued during the month of December.

Region I - Minden - 111 citations.  
Region II - Monroe - 126 citations.  
Region III - Alexandria - 236 citations.  
Region IV - Ferriday - 150 citations.  
Region V - Lake Charles - 194 citations.  
Region VI - Opelousas - 173 citations.  
Region VII - Baton Rouge - 197 citations.  
Region VIII - New Orleans - 268 citations.  
Region IX - Thibodaux - 215 citations.  
Statewide Strike Force - 55 citations.  
Seafood Investigative Unit - 35 citations.  
Oyster Strike Force - 84 citations.  
SWEP - 27 citations.

The grand total of citations issued statewide for the month of December was 1,670.

The aviation report for December 1997 showed enforcement pilots flew three airplanes a total of 56.3 hours for enforcement and 14.0 hours for other divisions.

Chairman Babin asked if the total citations issued was a typical month? Major LaCaze answered yes it was typical for December. Commissioner Busbice asked if a violator pays a ticket he got on a Wildlife Management Area, is he allowed back on that area? Major LaCaze stated most of these type violations are Class 2 and a judge could order that that person can not enter an area during his probationary period.

Chairman Babin then asked for **Division Reports**, to which Secretary Jenkins stated there were none for this month.

**Election of Chairman and Vice-Chairman** began with Chairman Babin stating each January a new Chairman and Vice-Chairman are elected according to the By-Laws. He then stated he has enjoyed being Chairman and that it has been an eye opening experience. Chairman Babin expressed his appreciation to everyone in the Department and the other Commissioners for their help. First choice to be considered was the method of election, either voice or roll call. Commissioner Gattle made a motion to vote via voice. Commissioner Kelly seconded the motion and it passed with no opposition. Commissioner Hanchey nominated Commissioner Gattle for Chairman and it was seconded by Commissioner Busbice. The motion passed with no opposition. The meeting was then turned over to Chairman-Elect Gattle.

Chairman Gattle stated he appreciated the vote of confidence and would do his duties to the best of his ability. He then stated Commissioner Babin did a very good job as Chairman. Chairman Gattle felt committees have been a valid part of the operation and he then encouraged committees help the Commission make the proper decision in the future. He then felt the election process came at an unfair time when there are new appointments being made and that it should be done one month prior to January.

Chairman Gattle then asked for nominations for Vice-Chairman. Commissioner Hanchey nominated Commissioner Babin for Vice-Chairman. Hearing no further nominations, the nominations were closed and Commissioner Babin was elected by acclamation.

Commissioner Babin asked to make a comment on the next item, setting the **May 1998 Meeting**. The last few years the May meeting has been held in Thibodaux because of the setting of the spring shrimp season in Louisiana. This past legislative session, a bill passed that mandates the opening of the season in Zone 2 no later than the third Monday in May. Commissioner Babin then requested moving the meeting back to Baton Rouge. Commissioner Busbice agreed with Commissioner Babin. Chairman Babin then announced the meeting would be held on Thursday, May 7, 1998 beginning at 10:00 a.m. at the Baton Rouge Headquarters.

Chairman Gattle then asked if there were any **Public Comments**. Mr. John Roussel reminded everyone that a group of people came

before the Commission in December 1996 expressing their concerns on impacts of seismic regulations on fish and wildlife habitat. The Commission passed a resolution at that point for the Department to study the issue and see if any changes would be necessary. Meetings have been held and revised regulations have been written. Mr. Roussel then suggested a Minerals Committee meeting be held prior to the next Commission Meeting to review the proposed changes.

Secretary Jenkins stated with new members on the Commission not being familiar with the Administrative Procedure Act, a short meeting should be held so Mr. Don Puckett could explain the process. Several members agreed to stay following the meeting.

Commissioner Busbice stated he liked the idea of moving the election back to the December meeting. Commissioner Babin stated there needed to be an agenda item to propose that change. He then explained that the election of officers were held in December a few years back. Secretary Jenkins stated Mr. Puckett could explain the procedure to amend the By-Laws. Mr. Puckett read Article IX of the By-Laws. He then recommended a written notice of the change be given at the February meeting and follow-up with a draft of the amendment 48 hours before the March meeting. Chairman Gattle requested this proposed action be included on the February agenda. Commissioner Babin asked that a copy of the By-Laws and Title 56 be provided to each of the new Commission members.

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

  
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James H. Jenkins, Jr.  
Secretary

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MINUTES OF THE MEETING

OF

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

Thursday, January 8, 1998

Chairman Daniel Babin presiding.

Jerald Hanchey  
Tom Gattle  
Thomas Kelly  
Glynn Carver  
Bill Busbice

Secretary James Jenkins, Jr. was also present.

Commissioner Norman McCall was absent from the meeting.

Chairman Babin introduced Mr. Tom Kelly from Jeanerette who will serve a six year term replacing Mr. Perry Gisclair. Then he introduced Mr. Bill Busbice from Lafayette who would fulfill the one year unexpired term of Mr. J. B. Cormier.

Chairman Babin called for a motion for approval of the **December 4, 1997 Commission Minutes**. A motion for approval was made by Commissioner Carver and seconded by Commissioner Gattle. The motion passed with no opposition.

Mr. Rick Kasprzak handled the next item, **Donation by Chevron to Artificial Reef Program**. Three platforms in the South Timbalier area, 30 miles south of Fourchon, have been donated by Chevron to the Department in August 1997. Also Chevron donated a check in the amount of \$505,000 which represents a portion of the savings generated as a result of reduced platform removal cost. Twenty-one structures and over \$1.7 million has been donated to the Artificial Reef program by Chevron to date. Mr. Kasprzak then introduced Mr. Greg Schulty, Mr. Rick Ellard and Ms. Maureen Bodron of Chevron. Mr. Schulty stated Chevron was donating a check in the amount of \$505,000 and three platforms as Mr. Kasprzak explained. Then he stated Chevron continues to be a big supporter of the Reef program not only in Louisiana, but other states and possibly in the international areas. Plans for the next year involve from two to nine structures depending on the budget. He thanked Mr. Kasprzak for all his help. Secretary Jenkins appreciated Chevron's efforts with this program and invited them back on a monthly basis. Chairman Babin thanked Chevron for their efforts.

**A Declaration of Emergency & Notice of Intent - Apprentice Fisherman's License** was handled by Mrs. Janis Landry. Mrs. Landry stated these rules were a result of Act 1413 of the 1997 Legislature which established an apprentice fisherman license for

fishermen who never held a commercial fisherman's license. After these fishermen keep this apprentice license for two years, they then qualify to purchase a spotted seatrout permit, mullet permit or a commercial rod and reel license. She recommended changing subsection C to "...The apprentice license must be purchased prior to January 31..." in order to make 1998 a qualifying year for the fishermen. Chairman Babin asked, as it was written, the fishermen would have had to apply last year? Mrs. Landry stated yes, but since January 1 has passed, giving them until January 31 will allow 1998 to be a qualifying year. Chairman Babin then asked Mr. Don Puckett if it was okay just to change the wording? Mr. Puckett stated all was needed was a verbal motion to change the Declaration of Emergency. Then another motion would be needed to approve the Declaration of Emergency as amended. Commissioner Hanchey made a motion to change the date as recommended by Mrs. Landry. The motion was seconded by Commissioner Carver and approved by all. Chairman Babin then asked if there were any questions on the program. Hearing none, he then asked if there was a motion to accept the Declaration of Emergency. Commissioner Carver made the motion and it was seconded by Commissioner Gattle. This motion passed with no opposition. Mrs. Landry then requested changing the date on the Notice of Intent and making a motion to accept it. Commissioner Gattle made a motion to change the Notice of Intent to read January 31. Commissioner Kelly seconded the motion and it passed with no opposition. The final motion to accept the Notice of Intent subject to the change was made by Commissioner Gattle. Commissioner Hanchey seconded the motion and it also passed with no opposition.

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

#### DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

The Wildlife and Fisheries Commission does hereby exercise the emergency provisions of the Administrative Procedure Act, R.S. 49:953(B), and pursuant to its authority under R.S. 56:303.8 adopts the rule set forth below. This emergency rule is necessary to implement the provisions of R.S. 56:303.8 enacted by Act 1413 of the 1997 Regular Session of the Louisiana Legislature. This Act became effective on July 15, 1997 and it is necessary to promulgate this rule as a Declaration of Emergency in order to expedite the mandate of this Act.

This Declaration of Emergency is effective January 8, 1998 and shall remain in effect for the maximum period allowed under the Administrative Procedure Act or until adoption of the final rule, whichever occurs first.

Title 76

WILDLIFE AND FISHERIES

Part VII. Fish and Other Aquatic Life

Chapter 4. License and License Fees

§409. Apprentice Fisherman License

A. Definitions

Apprentice - a real person that engages in the taking of finfish for a period of two years only with and aboard the vessel of a validly licensed commercial fisherman who also holds a valid and appropriate permit/license issued by the Department and who is engaged in the commercial taking of saltwater finfish by approved methods.

B. Application

1. At the time of application for an apprentice license, the applicant must provide by notarized affidavit signed by both the applicant and the mentor, providing the social security number, name, address and Commercial Fisherman's License number of his mentor and stating the intent to participate in the apprenticeship program.

2. The cost for the apprentice license shall be one-half the cost of a commercial fisherman's license.

C. Seasons. A person who holds an apprentice license shall be aboard the vessel with and in the presence of his mentor while engaged in the taking of finfish under this "special apprentice license". The apprentice license shall authorize, under the same conditions as the regular license or permit, the commercial taking of saltwater finfish by the apprentice while in the presence of his mentor during the period for which it is valid. The special apprentice license shall be valid from January 1 through December 31. An apprentice license must be purchased prior to January 31 to qualify for one full year as an apprentice for the following license year.

D. Eligibility

1. Having held a valid apprentice license for two full years may substitute for the requirement of having held a gill net gear license in two of the years 1993, 1994 and 1995 when applying for a Spotted Seatrout Permit, Mullet Permit, or Rod and Reel License. In addition to providing all commercial license application information, the applicant shall be required to show

that he derived more than 50 percent of his earned income from the legal capture and sale of seafood species for the two years in which he held the apprentice license. Proof of such income shall be provided by the apprentice using one of the methods listed in the appropriate permit or license section that has been approved by the commission.

2. In addition to all other requirements, any applicant applying for a Rod and Reel License must provide a signed copy of his/her state income tax return for the years in which an Apprentice License was held or a notarized affidavit certifying that he/she was not required to file a state tax return.

3. The Socioeconomic Section of the Department of Wildlife and Fisheries, Office of Management and Finance, will review the submitted tax return information and determine if applicant meets the income eligibility requirement.

E. General Provision. Any person who previously held a commercial fisherman's license, or who has been convicted of a class three or greater violation, shall not be eligible to purchase an apprentice license.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:303.8.  
HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR .

Daniel J. Babin  
Chairman

#### NOTICE OF INTENT

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

The Wildlife and Fisheries Commission hereby gives notice of its intent to adopt a rule on the regulations for selling an apprentice fisherman license.

#### Title 76

#### WILDLIFE AND FISHERIES

#### Part VII. Fish and Other Aquatic Life

#### Chapter 4. License and License Fees

#### §409. Apprentice Fisherman License

#### A. Definitions

Apprentice - a real person that engages in the taking of finfish for a period of two years only with and aboard the vessel of a validly licensed commercial fisherman who also holds a valid and appropriate permit/license issued by the Department and who is engaged in the commercial taking of saltwater finfish by approved methods.

B. Application

1. At the time of application for an apprentice license, the applicant must provide by notarized affidavit signed by both the applicant and the mentor, providing the social security number, name, address and Commercial Fisherman's License number of his mentor and stating the intent to participate in the apprenticeship program.

2. The cost for the apprentice license shall be one-half the cost of a commercial fisherman's license.

C. Seasons. A person who holds an apprentice license shall be aboard the vessel with and in the presence of his mentor while engaged in the taking of finfish under this "special apprentice license". The apprentice license shall authorize, under the same conditions as the regular license or permit, the commercial taking of saltwater finfish by the apprentice while in the presence of his mentor during the period for which it is valid. The special apprentice license shall be valid from January 1 through December 31. An apprentice license must be purchased prior to January 31 to qualify for one full year as an apprentice for the following license year.

D. Eligibility

1. Having held a valid apprentice license for two full years may substitute for the requirement of having held a gill net gear license in two of the years 1993, 1994 and 1995 when applying for a Spotted Seatrout Permit, Mullet Permit, or Rod and Reel License. In addition to providing all commercial license application information, the applicant shall be required to show that he derived more than 50 percent of his earned income from the legal capture and sale of seafood species for the two years in which he held the apprentice license. Proof of such income shall be provided by the apprentice using one of the methods listed in the appropriate permit or license section that has been approved by the commission.

2. In addition to all other requirements, any applicant applying for a Rod and Reel License must provide a signed copy of his/her state income tax return for the years in which an Apprentice License was held or a notarized affidavit certifying that he/she was not required to file a state tax return.

3. The Socioeconomic Section of the Department of Wildlife and Fisheries, Office of Management and Finance, will review the submitted tax return information and determine if applicant meets the income eligibility requirement.

E. General Provision. Any person who previously held a commercial fisherman's license, or who has been convicted of a class three or greater violation, shall not be eligible to purchase an apprentice license.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:303.8.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR .

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

Interested persons may submit written comments on the proposed rule to Mrs. Janis Landry, Fiscal Section, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000 no later than 4:30 p.m., Thursday, March 5, 1998.

Daniel J. Babin  
Chairman

**A Declaration of Emergency on the Commercial Red Snapper Season** was presented by Mr. Harry Blanchet. This proposed action would set seasons to commercially harvest red snapper in state waters and would parallel the regulations in federal waters. The federal regulations were approved December 30, 1997 thus requiring a Declaration of Emergency. Two seasons have been established, the spring season to open February 1 and the fall season which will open September 1. The first 15 days of each month are open to harvest and the second half of the month is closed. This procedure will be followed each month until the quota for that season is reached. Two-thirds of the commercial quota will be harvested during the spring season and the remaining third during the second season. Chairman Babin asked if these regulations parallel federal regulations? Mr. Blanchet stated this is what will happen in federal waters, but should the regulations change, a provision has been included in the Resolution that will allow the Secretary to make changes. Commissioner Gattle asked if the federal governments idea behind the season structure was to have a uniform season throughout the year? Mr. Blanchet stated the federal government wanted to try to extend the season further into the spring time. Commissioner Gattle asked what would happen if the spring season's quota was not met? Mr. Blanchet felt there would be no problem in

reaching that quota. But if it did not, then it would continue on into the September season. Chairman Babin stated there would be a big enforcement problem if the federal government shut down the season and the state did not. Commissioner Carver asked how far out into the Gulf does enforcement authority extend? Lt. Col. Charlie Clark stated it was three miles except for three locations in the State. Chairman Babin then asked Mr. Blanchet to read the Therefore Be It Resolved portion of the Resolution. Commissioner Hanchey made a motion accepting the Resolution and it was seconded by Commissioner Gattle. This motion passed with a unanimous vote.

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

#### RESOLUTION

##### 1998 COMMERCIAL RED SNAPPER SEASONS

- WHEREAS,** the red snapper fishery in the Gulf of Mexico off the coast of Louisiana is cooperatively managed by the Louisiana Department of Wildlife and Fisheries (LDWF) and the National Marine Fisheries Service (NMFS) with advice from the Gulf of Mexico Fishery Council (Gulf Council), and
- WHEREAS,** regulations promulgated by NMFS are applicable in waters of the Exclusive Economic Zone (EEZ) of the U.S., generally three miles offshore, and
- WHEREAS,** on December 30, 1997, rules were established by NMFS to provide for commercial harvest seasons and limits for red snapper in the EEZ off of Louisiana, and
- WHEREAS,** the Department of Wildlife and Fisheries has received a request from the Gulf Council and NMFS requesting consistent regulations in Louisiana state waters, and
- WHEREAS,** consistent regulations within both Federal and State jurisdictions are preferable as they assist in enforcement of fishery rules, and
- WHEREAS,** the 1998 commercial red snapper fishery in EEZ waters will operate under two sets of seasonal openings, one beginning February 1 and one beginning September 1, and
- WHEREAS,** during each season, the fishery will open at noon of the first day of each month, and close at noon on the 15th day of each month, until the allotted portion of the commercial red snapper quota has been harvested, and

**WHEREAS,** two-thirds of the annual commercial quota has been allotted to the first set of seasonal openings that begins in February, and the remainder of the quota will be harvested under the second set of openings that begin in September, and

**WHEREAS,** in order to enact regulations in a timely manner so as to have compatible regulations in place in Louisiana waters for the 1998 commercial red snapper season, it is necessary that emergency rules be enacted, and

**WHEREAS,** R.S. 49:953(B) and R.S. 49:967 allow the Wildlife and Fisheries Commission to use emergency procedures to set finfish seasons, and

**WHEREAS,** R.S. 56:326.3 provides that the Wildlife and Fisheries Commission may set seasons for saltwater finfish,

**THEREFORE BE IT RESOLVED,** the Wildlife and Fisheries Commission hereby establishes the 1998 seasons for commercial harvest of red snapper in Louisiana state waters as set forth in the attached Declaration of Emergency, and

**BE IT FURTHER RESOLVED,** that the Commission authorizes the Secretary of the Department of Wildlife and Fisheries to close the 1998 commercial red snapper seasons in Louisiana state waters when he is informed that the designated portions of the commercial red snapper quota for the Gulf of Mexico have been filled, or projected to be filled, for each set of seasons, and

**BE IT FURTHER RESOLVED,** that such closure order shall close the season until the date set for the re-opening of the commercial red snapper season in Federal waters, and

**BE IT FURTHER RESOLVED,** that all applicable rules regarding red snapper harvest including trip limits, permit requirements, and size limits, established by the Commission shall be in effect during the open seasons hereby established.

**BE IT FURTHER RESOLVED,** that 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 Declaration of Emergency.

**BE IT FURTHER RESOLVED,** a Declaration of Emergency setting the 1998 commercial red snapper season in Louisiana state waters is attached to and made part of this Resolution.

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Daniel J. Babin, Chairman

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James H. Jenkins, Jr., Secretary

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

The red snapper fishery in the Gulf of Mexico is cooperatively managed by the Department of Wildlife and Fisheries and the National Marine Fisheries Service (NMFS) with advice from the Gulf of Mexico Fishery Management Council (Gulf Council). Regulations promulgated by NMFS are applicable in waters of the Exclusive Economic Zone (EEZ) of the United States, generally three miles offshore. Rules were recently established by NMFS to provide for commercial harvest seasons and limits for red snapper in the EEZ off of Louisiana, and NMFS and the Gulf Council requested that consistent regulations be established in Louisiana waters. NMFS and the Gulf Council typically request consistent regulations in order to enhance the effectiveness and enforceability of regulations for EEZ waters.

The 1998 commercial red snapper fishery in EEZ waters will operate under two sets of seasonal openings, one beginning February 1 and one beginning September 1. During each season, the fishery will open at noon of the first day of each month, and close at noon on the 15th day of each month, until the allotted portion of the commercial red snapper quota has been harvested. Two-thirds of the annual commercial quota has been allotted to the first set of seasonal openings that begins in February and the remainder of the quota will be harvested under the second set of openings that begin in September. In order to enact regulations in a timely manner so as to have compatible regulations in place in Louisiana waters for the 1998 commercial red snapper season, it is necessary that emergency rules be enacted.

In accordance with the emergency provisions of R.S. 49:953(B), the Administrative Procedure Act, R.S. 49:967 which allows the Wildlife and Fisheries Commission to use emergency procedures to set finfish seasons, and R.S. 56:326.3 which provides that the Wildlife and Fisheries Commission may set seasons for saltwater finfish; the Wildlife and Fisheries Commission hereby sets the following seasons for commercial harvest of red snapper in Louisiana state waters:

The season for the commercial fishery for red snapper in Louisiana state waters will open at 12:00 noon, February 1, 1998. The commercial fishery for red snapper in Louisiana waters will close at 12:00 noon, February 15, 1998. The commercial season for red snapper harvest in Louisiana state waters will also re-open at 12:00 noon on March 1, 1998 and close at 12:00 noon on March 15, and thereafter open at 12:00 noon on the first of each month and

close at 12:00 noon on the fifteenth of each month for each month of 1998, until two-thirds of the 1998 commercial red snapper quota for the Gulf of Mexico has been harvested or projected to be harvested.

The Commission grants authority to the Secretary of the Department of Wildlife and Fisheries to change the closing dates for the commercial red snapper season in Louisiana state waters when he is informed that two-thirds of the commercial red snapper quota for the Gulf of Mexico has been harvested or projected to be harvested, such closure order shall close the season until 12:00 noon September 1, 1998, which is the date set for the re-opening of the 1998 commercial red snapper season in Federal waters.

The season for the commercial fishery for red snapper in Louisiana state waters will re-open at 12:00 noon September 1, 1998. The commercial fishery for red snapper in Louisiana waters will close at 12:00 noon September 15, 1998. The commercial season for red snapper harvest in Louisiana state waters will also re-open at 12:00 noon on October 1, 1998 and close at 12:00 noon on October 15, and thereafter open at 12:00 noon on the first of each month and close at 12:00 noon on the fifteenth of each month for each month of 1998, until the remainder of the 1998 commercial quota is harvested.

The Commission grants authority to the Secretary of the Department of Wildlife and Fisheries to change the closing dates for the commercial red snapper season in Louisiana state waters when he is informed that the commercial red snapper quota for the Gulf of Mexico has been harvested or projected to be harvested; such closure order shall close the season until the date set for the opening of the 1999 commercial red snapper season in Federal waters.

The Commission also grants authority to the Secretary of the Department of Wildlife and Fisheries to change the opening dates for the commercial red snapper season in Louisiana state waters if he is informed by the Regional Director of the National Marine Fisheries Service (NMFS) that the season dates for the commercial harvest of red snapper in the federal waters of the Gulf of Mexico as set out herein have been modified, and that the Regional Director of NMFS requests that the season be modified in Louisiana state waters.

Nothing herein shall preclude the legal harvest of red snapper by legally licensed recreational fishermen. Effective with any closure, no person shall commercially harvest, transport, purchase, barter, trade, sell or attempt to purchase, barter, trade or sell red snapper. Effective with the closure, no person shall possess red snapper in excess of a daily bag limit. Provided however, that fish in excess of a daily bag limit which were legally taken prior to the closure may be purchased, possessed, transported, and sold

by a licensed wholesale/retail dealer if appropriate records in accordance with R.S. 56:306.4 are properly maintained, and those other than wholesale/retail dealers may purchase such fish in excess of the daily bag limit from wholesale/retail dealers for their own use or for sale by a restaurant as prepared fish.

Daniel J. Babin  
Chairman

Mr. Harry Blanchet also handled the next agenda item, **Declaration of Emergency & Notice of Intent - Reef Fish, Commercial Rules**. The proposed rule will bring the Commission's rule on reef fish into compliance with federal regulations. One of the proposed changes will allow fishermen to hold a Class 1 or Class 2 red snapper license with the same trip limits as is currently allowed. If a fisherman did not receive a red snapper license, he would be limited to a recreational bag limit which can not be sold, stated Mr. Blanchet. The second change in the rule would close the season for commercial harvest of greater amberjack during the months of March, April and May of each year. With approximately 30 percent of the amberjack harvest occurring during these three months, this closure will allow for protection of the amberjack during spawning times. Commissioner Hanchey asked what was the difference between Class 1 and Class 2 licenses? Chairman Babin then asked Mr. Blanchet to read the Therefore Be It Resolved portion of the Resolution. Commissioner Hanchey made a motion to accept the Resolution. Commissioner Busbice seconded the motion and it passed with no opposition.

(The full text of the Resolution, Declaration of Emergency and Notice of Intent is made a part of the record.)

#### RESOLUTION

#### REEF FISH RULES - COMMERCIAL FISHERIES

**WHEREAS,** the reef fish fisheries in the Gulf of Mexico off the coast of Louisiana are cooperatively managed by the Louisiana Department of Wildlife and Fisheries (LDWF) and the National Marine Fisheries Service (NMFS) with advice from the Gulf of Mexico Fishery Management Council (Gulf Council), and

**WHEREAS,** regulations promulgated by NMFS are applicable in waters of the Exclusive Economic Zone (EEZ) of the U.S., generally three miles offshore, and

**WHEREAS,** on December 30, 1997, rules were established by NMFS implementing Amendment 15 to the Gulf Council's Management Plan for the Reef Fish Fishery for the Gulf of

Mexico, with provisions to provide for a closed season for commercial harvest of greater amberjack, and qualifications for various trip limits for red snapper harvest in the EEZ off of Louisiana, and

**WHEREAS,** the Department of Wildlife and Fisheries has received a request from the Gulf Council and NMFS requesting consistent regulations in Louisiana state waters, and

**WHEREAS,** consistent regulations within both Federal and State jurisdictions are preferable as they assist in enforcement of fishery rules, and

**WHEREAS,** the commercial season for the harvest of red snapper in the Federal EEZ off of Louisiana is scheduled to open on February 1, 1998, and

**WHEREAS,** existing State rules providing for trip limits for commercial harvest of red snapper refer to Federal reef fish permits and red snapper endorsements, a structure that has been changed in the recent Federal rule, and

**WHEREAS,** the existing moratorium on issuance of Federal reef fish permits will expire December 31, 2000, at which time more Federal reef fish permits may be issued that, under present rules would not include the privilege to harvest red snapper over the bag limit or to sell red snapper, and

**WHEREAS,** new language is needed to remain consistent with existing rules and new Federal language regarding reef fish permits and red snapper licenses, and

**WHEREAS,** the closed commercial season for greater amberjack in the Federal EEZ off of Louisiana is scheduled to begin on March 1, 1998 and run March through May of each year, and

**WHEREAS,** in order to enact regulations in a timely manner so as to have compatible regulations in place in Louisiana waters, it is necessary that emergency rules be enacted, and

**WHEREAS,** R.S. 49:953(B) and R.S. 49:967 allow the Wildlife and Fisheries Commission to use emergency procedures to set finfish seasons, and

**WHEREAS,** R.S. 56:326.3 provides that the Wildlife and Fisheries Commission may set seasons for saltwater finfish

**THEREFORE BE IT RESOLVED,** that an Emergency Rule to provide for a closed season for the commercial harvest of greater amberjack in Louisiana waters and for qualifications for commercial trip limits for commercial harvest of red

snapper in Louisiana state waters is attached to and made part of this resolution, and

**BE IT FURTHER RESOLVED**, that the Wildlife and Fisheries Commission also hereby promulgates a Notice of Intent to establish permanent rules through the Administrative Procedure Act, and

**BE IT FURTHER RESOLVED**, that 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 emergency rule, 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.

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Daniel J. Babin, Chairman  
La. Wildlife and Fisheries  
Commission

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James H. Jenkins, Jr., Secretary  
La. Department of Wildlife &  
Fisheries

#### DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

The Wildlife and Fisheries Commission does hereby exercise the emergency provision of the Administrative Procedure Act, R.S. 49:953(B) and 49:967(D), and pursuant to its authority under R.S. 56:6(25)(a), 56:326.1 and 56:326.3 adopts the rule set forth below. This emergency rule is necessary to expedite the enforceability and effectiveness of Federal regulations on commercial reef fish fisheries for red snapper and greater amberjack, which became effective December 30, 1997, and require action before February 1, 1998 and March 1, 1998 respectively. It is therefore in the best interest of the State, and appropriate that these regulations be enacted concurrently, thereby requiring emergency action.

This emergency rule is effective January 8, 1998 and shall remain in effect for the maximum period allowed under the Administrative Procedure Act or until adoption of the final rule, whichever occurs first.

#### Title 76

#### WILDLIFE AND FISHERIES

#### Part VII. Fish and Other Aquatic Life

#### Chapter 3. Saltwater Sport and Commercial Fishery

**§335. Daily Take, Possession and Size Limits Set by Commission, Reef Fish**

\* \* \*

E. All persons who do not possess a Class 1 or Class 2 Red Snapper License issued by the National Marine Fisheries Service under the Federal Fishery Management Plan for the Gulf of Mexico Reef Fish resources are limited to the recreational bag limit for red snapper. Those persons possessing a Class 2 Red Snapper License issued by the National Marine Fisheries Service under the Federal Fishery Management Plan for the Gulf of Mexico Reef Fish resources are limited to a daily take and possession limit of 200 pounds of red snapper per vessel.

F. Those persons possessing a Class 1 Red Snapper License issued by the National Marine Fisheries Service under the Federal Fishery Management Plan for the Gulf of Mexico Reef Fish resources are limited to a daily take and possession limit of 2,000 pounds of red snapper per vessel.

\* \* \*

J. The season for the commercial harvest of greater amberjack shall be closed during the months of March through May of each year. Possession of greater amberjack in excess of the daily bag limit while on the water is prohibited during the closed season. Any greater amberjack harvested during the closed season shall not be purchased, sold, traded, bartered or exchanged or attempted to be purchased, sold, traded, bartered or exchanged. The provisions of this subsection apply to fish taken within or without Louisiana's territorial waters.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 56:6(25)(a), 56:326.1 and 326.3.

**HISTORICAL NOTE:** Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 16:539 (June 1990), amended LR 19:1442 (November 1993), LR 20:797 (July 1994), LR 21:1267 (November 1995), LR 22:860 (September 1996), LR 24:.

Daniel J. Babin  
Chairman

**NOTICE OF INTENT**

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

The Wildlife and Fisheries Commission does hereby give notice of intent to amend a rule (Title 76:VII.335) modifying commercial red snapper harvest requirements, and establishing a closed season for commercial harvest of greater amberjack, as part of the

existing rule for daily take, possession and size limits for reef fishes set by the Commission. Authority for adoption of this Rule is included in R.S. 56:6(25)(a), 56:326.1 and 56:326.3.

## Title 76

### WILDLIFE AND FISHERIES

#### Part VII. Fish and Other Aquatic Life

#### Chapter 3. Saltwater Sport and Commercial Fishery

#### §335. Daily Take, Possession and Size Limits Set by Commission, Reef Fish

\* \* \*

E. All persons who do not possess a Class 1 or Class 2 Red Snapper License issued by the National Marine Fisheries Service under the Federal Fishery Management Plan for the Gulf of Mexico Reef Fish resources are limited to the recreational bag limit for red snapper. Those persons possessing a Class 2 Red Snapper License issued by the National Marine Fisheries Service under the Federal Fishery Management Plan for the Gulf of Mexico Reef Fish resources are limited to a daily take and possession limit of 200 pounds of red snapper per vessel.

F. Those persons possessing a Class 1 Red Snapper License issued by the National Marine Fisheries Service under the Federal Fishery Management Plan for the Gulf of Mexico Reef Fish resources are limited to a daily take and possession limit of 2,000 pounds of red snapper per vessel.

\* \* \*

J. The season for the commercial harvest of greater amberjack shall be closed during the months of March through May of each year. Possession of greater amberjack in excess of the daily bag limit while on the water is prohibited during the closed season. Any greater amberjack harvested during the closed season shall not be purchased, sold, traded, bartered or exchanged or attempted to be purchased, sold, traded, bartered or exchanged. The provisions of this subsection apply to fish taken within or without Louisiana's territorial waters.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 56:6(25)(a), 56:326.1 and 326.3.

**HISTORICAL NOTE:** Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 16:539 (June 1990), amended LR 19:1442 (November 1993), LR 20:797 (July 1994), LR 21:1267 (November 1995), LR 22:860 (September 1996), LR 24:.

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 statements, the filing of the notice of intent and final rule and the preparation of reports and correspondence to other agencies of government.

Interested persons may submit written comments on the proposed rule to Mr. Harry Blanchet, Marine Fisheries Division, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000 no later than 4:30 p.m., Friday, April 3, 1998.

Daniel J. Babin  
Chairman

The **Monthly Law Enforcement Report for December** was given by Major Keith LaCaze. The following numbers of citations were issued during the month of December.

Region I - Minden - 111 citations.  
Region II - Monroe - 126 citations.  
Region III - Alexandria - 236 citations.  
Region IV - Ferriday - 150 citations.  
Region V - Lake Charles - 194 citations.  
Region VI - Opelousas - 173 citations.  
Region VII - Baton Rouge - 197 citations.  
Region VIII - New Orleans - 268 citations.  
Region IX - Thibodaux - 215 citations.  
Statewide Strike Force - 55 citations.  
Seafood Investigative Unit - 35 citations.  
Oyster Strike Force - 84 citations.  
SWEP - 27 citations.

The grand total of citations issued statewide for the month of December was 1,670.

The aviation report for December 1997 showed enforcement pilots flew three airplanes a total of 56.3 hours for enforcement and 14.0 hours for other divisions.

Chairman Babin asked if the total citations issued was a typical month? Major LaCaze answered yes it was typical for December. Commissioner Busbice asked if a violator pays a ticket he got on a Wildlife Management Area, is he allowed back on that area? Major LaCaze stated most of these type violations are Class 2 and a judge could order that that person can not enter an area during his probationary period.

Chairman Babin then asked for **Division Reports**, to which Secretary Jenkins stated there were none for this month.

**Election of Chairman and Vice-Chairman** began with Chairman Babin stating each January a new Chairman and Vice-Chairman are elected according to the By-Laws. He then stated he has enjoyed being Chairman and that it has been an eye opening experience. Chairman Babin expressed his appreciation to everyone in the Department and the other Commissioners for their help. First choice to be considered was the method of election, either voice or roll call. Commissioner Gattle made a motion to vote via voice. Commissioner Kelly seconded the motion and it passed with no opposition. Commissioner Hanchey nominated Commissioner Gattle for Chairman and it was seconded by Commissioner Busbice. The motion passed with no opposition. The meeting was then turned over to Chairman-Elect Gattle.

Chairman Gattle stated he appreciated the vote of confidence and would do his duties to the best of his ability. He then stated Commissioner Babin did a very good job as Chairman. Chairman Gattle felt committees have been a valid part of the operation and he then encouraged committees help the Commission make the proper decision in the future. He then felt the election process came at an unfair time when there are new appointments being made and that it should be done one month prior to January.

Chairman Gattle then asked for nominations for Vice-Chairman. Commissioner Hanchey nominated Commissioner Babin for Vice-Chairman. Hearing no further nominations, the nominations were closed and Commissioner Babin was elected by acclamation.

Commissioner Babin asked to make a comment on the next item, setting the **May 1998 Meeting**. The last few years the May meeting has been held in Thibodaux because of the setting of the spring shrimp season in Louisiana. This past legislative session, a bill passed that mandates the opening of the season in Zone 2 no later than the third Monday in May. Commissioner Babin then requested moving the meeting back to Baton Rouge. Commissioner Busbice agreed with Commissioner Babin. Chairman Babin then announced the meeting would be held on Thursday, May 7, 1998 beginning at 10:00 a.m. at the Baton Rouge Headquarters.

Chairman Gattle then asked if there were any **Public Comments**. Mr. John Roussel reminded everyone that a group of people came

before the Commission in December 1996 expressing their concerns on impacts of seismic regulations on fish and wildlife habitat. The Commission passed a resolution at that point for the Department to study the issue and see if any changes would be necessary. Meetings have been held and revised regulations have been written. Mr. Roussel then suggested a Minerals Committee meeting be held prior to the next Commission Meeting to review the proposed changes.

Secretary Jenkins stated with new members on the Commission not being familiar with the Administrative Procedure Act, a short meeting should be held so Mr. Don Puckett could explain the process. Several members agreed to stay following the meeting.

Commissioner Busbice stated he liked the idea of moving the election back to the December meeting. Commissioner Babin stated there needed to be an agenda item to propose that change. He then explained that the election of officers were held in December a few years back. Secretary Jenkins stated Mr. Puckett could explain the procedure to amend the By-Laws. Mr. Puckett read Article IX of the By-Laws. He then recommended a written notice of the change be given at the February meeting and follow-up with a draft of the amendment 48 hours before the March meeting. Chairman Gattle requested this proposed action be included on the February agenda. Commissioner Babin asked that a copy of the By-Laws and Title 56 be provided to each of the new Commission members.

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

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James H. Jenkins, Jr.  
Secretary

JHJ:sch

## HOCKEY/WILDLIFE & FISHERIES

# LWFC passes three Declarations of Emergency at meeting

By JOE MACALUSO  
Advocate outdoors writer

Three far-ranging commercial fishing Declarations of Emergency were passed and went into effect Thursday at the year's first meeting of the Louisiana Wildlife and Fisheries Commission.

The first declaration, set aside fears by commercial fishermen that their industry was being phased out by the 1995 passage of the gill net-ban act by the State Legislature.

Approved Thursday was a plan that authorizes "an Apprentice Fisherman License, a two-year pro-

gram that grants newcomers the chance to learn from a fully licensed commercial fisherman. The apprentice must work solely with the licensed fisherman for the two-year period.

The gill net-ban act stated that commercial fishermen who held licenses in the years 1993, 1994 and 1995 were eligible for the special rod-and-reel commercial license and other special commercial netting licenses. Commercial fishermen complained that the act denied licenses to their children wanting to continue a family's commercial fishing operation. The Declaration of

Emergency stays in effect until the LWFC acts on a Notice of Intent at its May meeting.

The other two declarations and notices covered changes in the National Marine Fisheries Service and adopted by the Gulf of Mexico Fisheries Management Council (GMFMC) with regards to commercial red snapper and greater amberjack seasons.

The GMFMC broke 1998's commercial red snapper season into two seasons, a spring season beginning Feb. 1 and a fall season opening Sept. 1.

Thirds of the annual commercial quota, and the fall season will get the remaining third of the quota.

Furthermore, these seasons will run from the first of the month to noon on the 15th of each month until the respective quotas are reached. It means commercial red snapper operations can fish from Feb. 1-15, then, if the spring season's quota has not been reached, fishing will resume March 1 then end March 15. This will be repeated each month until the quota is met. Beginning Sept. 1, the same process will take place until the fall quota has been reached.

The plan was approved by NMFS to keep snapper prices stable. In past years, the Feb. 1 opening, and straight-through run to the quota produced a glut of snapper in the market and lowered prices.

The third declaration also included a closed commercial season, from March through May of each year on greater amberjack. Biologists have found this is the spawning period for amberjack, a time that made amberjack easier to catch.

Other action included: • Accepting a \$505,034 check from Chevron Oil as the Department of Wildlife and Fisheries' share of the savings to the oil company in the state's Rigs-to-Reefs Program. • Electing Tom Gattie of Lake Providence and Dan Babh of Houma as chairman and vice-chairman, respectively, for 1998. • Learning that enforcement agents wrote 1,670 citations in December 1997, including 317 on wildlife management areas. • And approved May 7 for its meeting date for that month, and voted to have the meeting in Baton Rouge. This meeting is set aside to approve dates for the spring inshore shrimp season.

## MYSTICKS VS. KINGFISH

# Kostos dismissed from IceGators job

By BOBBY ARDOIN  
Special to The Advocate

LAFAYETTE — The Louisiana IceGators have fired assistant general manager Peter Kostos as part of a front office realignment involving three other employees.

Kostos, who also served as the IceGators' director of public relations and media relations, was informed of his firing on Monday afternoon, said Louisiana general manager Jady Regard.

"I feel like in the wake of my arrival and after sitting back for the past four weeks and seeing how the operation was going, I decided this was the right decision to make," said Regard, who was named the team's general manager Dec. 8. Kostos, who was employed by the IceGators since the start of the 1996-

assistant general manager and director of marketing and public relations for the Mississippi Sea Wolves.

Cenar, a native of Amsterdam, N.Y., is a recent Tulane University graduate, where he received an undergraduate degree in sports management.

During the past two years, Cenar has also completed internships with three separate professional hockey teams including the American Hockey League's Philadelphia Phantoms and Adirondack Red Wings and the East Coast Hockey League's Mississippi Sea Wolves. Regard said he first met Cenar when the two worked together with the Sea Wolves. Bourj started this season as director of marketing and sales. Girouard was previously director of

# Solid from day one



## Energizer

It keeps going... and going... and going...

I think he's been the biggest surprise we've seen here. I didn't expect him to be as good as he is and he's

COMMISSION MEETING  
ROLL CALL

Thursday, January 8, 1998  
Baton Rouge, LA  
Wildlife & Fisheries Building

	Attended	Absent
Daniel Babin (Chairman)	<u>✓</u>	—
Thomas Kelly	<u>✓</u>	—
Tom Gattle	<u>✓</u>	—
Glynn Carver	<u>✓</u>	—
Bill Busbice	<u>✓</u>	—
Jerald Hanchey	<u>✓</u>	—
Norman McCall	—	<u>✓</u>

Mr. Chairman:

There are 6 Commissioners in attendance and we have a quorum.  
Secretary Jenkins is also present.

AGENDA

LOUISIANA WILDLIFE AND FISHERIES COMMISSION  
BATON ROUGE, LA  
January 8, 1998  
10:00 AM

1. Roll Call
2. Approval of Minutes of December 4, 1997
3. Donation by Chevron to Artificial Reef Program
4. Declaration of Emergency & Notice of Intent - Apprentice Fisherman's License - Janis Landry
5. Declaration of Emergency - Commercial Red Snapper Season - Harry Blanchet
6. Declaration of Emergency & Notice of Intent - Reef Fish, Commercial Rules - Harry Blanchet
7. Enforcement & Aviation Reports/December - Winton Vidrine
8. Division Reports
9. Election of Chairman and Vice-Chairman
10. Set May 1998 Meeting Date
11. Public Comments
12. Adjourn

AGENDA

LOUISIANA WILDLIFE AND FISHERIES COMMISSION  
BATON ROUGE, LA  
January 8, 1998  
10:00 AM

- ~~1.~~ Roll Call
- ~~2.~~ Approval of Minutes of December 4, 1997
- ~~3.~~ Donation by Chevron to Artificial Reef Program
- ~~4.~~ Declaration of Emergency & Notice of Intent - Apprentice Fisherman's License - Janis Landry
- ~~5.~~ Declaration of Emergency - Commercial Red Snapper Season - Harry Blanchet
- ~~6.~~ Declaration of Emergency & Notice of Intent - Reef Fish, Commercial Rules - Harry Blanchet
- ~~7.~~ Enforcement & Aviation Reports/December - Winton Vidrine
- ~~8.~~ Division Reports
- ~~9.~~ Election of Chairman and Vice-Chairman
- ~~10.~~ Set May 1998 Meeting Date
- ~~11.~~ Public Comments
12. Adjourn

## The Chevron Companies

935 Gravier Street, New Orleans, LA 70112

D.B. Wood (504) 592-6371 • T.C. Garcia (504) 592-6432

# News

FOR IMMEDIATE RELEASE



### CHEVRON CONTRIBUTES THREE MORE STRUCTURES AND \$500,000 TO THE LOUISIANA RIGS TO REEF PROGRAM

BATON ROUGE, January 8, 1998 -- In ceremonies held today during the Louisiana Department of Wildlife & Fisheries (LDW&F) Commissioner's meeting, Chevron U.S.A. Production Company contributed \$505,034 and three more structures to the Louisiana program.

Since the program's inception in 1987, Chevron has turned 28 structures into reefs and donated \$1,733,408. Chevron leads all participants in both the number of structures reefed and the dollars contributed.

"Chevron's participation in the Rigs to Reef program has been critical to the its overall success" said Rick Kasprzak, coordinator of the state program.

"The Artificial Reef program is a winning situation for all involved. The state benefits by receiving funds for the management of marine habitat, the environment benefits from the artificial reef and the companies benefit by reducing dismantling expenses" said Maureen Bodron, Facilities Representative for Chevron's Rigs to Reef team.

This year marks the 12<sup>th</sup> anniversary of the signing of the Louisiana Fishing Enhancement Act, which laid the groundwork for the program. Since the program began, the state has created 14 reefing sites in 9 planning areas with more than 40 structures turned into reefs. The areas are located from South of Lake Charles to east of Plaquemines Parish.

The submerged drill and production structures provide a hard bottom substrate to support some of the most basic sources of nutrition to many sport fish. The massive steel stanchions that criss-cross the huge structure provides the necessary surface area to raise communities of alga, corals and barnacles. These in turn provide hiding places and food for large communities of fish. Snapper, mackerel, sea trout, sheephead, amberjack and redfish are but a few of the species that can be found at the reef sites.

State monitoring has shown the reefs to harbor 20 to 50 times more fish than nearby soft-bottom environments of the Gulf of Mexico. Artificial reefs and oil & gas structures are the destination of more than 75 percent of all saltwater fishing trips originating in Louisiana.

Chevron U.S.A. Production Company is a wholly owned subsidiary of Chevron Corporation. Chevron has about 3000 employees in Louisiana.

###

1/08/98

Contact: Tom Garcia -- (504) 592-6432

## DECLARATION OF EMERGENCY

### Department of Wildlife and Fisheries Wildlife and Fisheries Commission

The Wildlife and Fisheries Commission does hereby exercise the emergency provisions of the Administrative Procedure Act, R.S. 49:953(B), and pursuant to its authority under R.S. 56:303.8 adopts the rule set forth below. This emergency rule is necessary to implement the provisions of R.S. 56:303.8 enacted by Act 1413 of the 1997 Regular Session of the Louisiana Legislature. This Act became effective on July 15, 1997 and it is necessary to promulgate this rule as a Declaration of Emergency in order to expedite the mandate of this Act.

This Declaration of Emergency is effective January 15, 1998 and shall remain in effect for the maximum period allowed under the Administrative Procedure Act or until adoption of the final rule, whichever occurs first.

### Title 76

#### WILDLIFE AND FISHERIES

#### Part VII. Fish and Other Aquatic Life

#### Chapter 4. License and License Fees

#### §409. Apprentice Fisherman License

##### A. Definitions

Apprentice - a real person that engages in the taking of finfish for a period of two years only with and aboard the vessel of a validly licensed commercial fisherman who also holds a valid and appropriate permit/license issued by the Department and who is engaged in the commercial taking of saltwater finfish by approved methods.

B. Application

1. At the time of application for an apprentice license, the applicant must provide by notarized affidavit signed by both the applicant and the mentor, providing the social security number, name, address and Commercial Fisherman's License number of his mentor and stating the intent to participate in the apprenticeship program.

2. The cost for the apprentice license shall be one-half the cost of a commercial fisherman's license.

C. Seasons. A person who holds an apprentice license shall be aboard the vessel with and in the presence of his mentor while engaged in the taking of finfish under this "special apprentice license". The apprentice license shall authorize, under the same conditions as the regular license or permit, the commercial taking of saltwater finfish by the apprentice while in the presence of his mentor during the period for which it is valid. The special apprentice license shall be valid from January 1 through December 31. An apprentice license must be purchased prior to January <sup>31</sup>/~~X~~ to qualify for one full year as an apprentice for the following license year.

D. Eligibility

1. Having held a valid apprentice license for two full years may substitute for the requirement of having held a gill net gear license in two of the years 1993, 1994 and 1995 when applying for a Spotted Seatrout Permit, Mullet Permit, or Rod and Reel License. In addition to providing all commercial license application information, the applicant shall be required to show

that he derived more than 50 percent of his earned income from the legal capture and sale of seafood species for the two years in which he held the apprentice license. Proof of such income shall be provided by the apprentice using one of the methods listed in the appropriate permit or license section that has been approved by the commission.

2. In addition to all other requirements, any applicant applying for a Rod and Reel License must provide a signed copy of his/her state income tax return for the years in which an Apprentice License was held or a notarized affidavit certifying that he/she was not required to file a state tax return.

3. The Socioeconomic Section of the Department of Wildlife and Fisheries, Office of Management and Finance, will review the submitted tax return information and determine if applicant meets the income eligibility requirement.

E. General Provision. Any person who previously held a commercial fisherman's license, or who has been convicted of a class three or greater violation, shall not be eligible to purchase an apprentice license.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:303.8.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR .

Daniel J. Babin

Chairman

NOTICE OF INTENT

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

The Wildlife and Fisheries Commission hereby gives notice of its intent to adopt a rule on the regulations for selling an apprentice fisherman license.

**Title 76**

**WILDLIFE AND FISHERIES**

**Part VII. Fish and Other Aquatic Life**

**Chapter 4. License and License Fees**

**§409. Apprentice Fisherman License**

A. Definitions

Apprentice - a real person that engages in the taking of finfish for a period of two years only with and aboard the vessel of a validly licensed commercial fisherman who also holds a valid and appropriate permit/license issued by the Department and who is engaged in the commercial taking of saltwater finfish by approved methods.

B. Application

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2. The cost for the apprentice license shall be one-half the cost of a commercial fisherman's license.

C. Seasons. A person who holds an apprentice license shall

be aboard the vessel with and in the presence of his mentor while engaged in the taking of finfish under this "special apprentice license". The apprentice license shall authorize, under the same conditions as the regular license or permit, the commercial taking of saltwater finfish by the apprentice while in the presence of his mentor during the period for which it is valid. The special apprentice license shall be valid from January 1 through December 31. An apprentice license must be purchased prior to January <sup>31</sup> to qualify for one full year as an apprentice for the following license year.

D. Eligibility

1. Having held a valid apprentice license for two full years may substitute for the requirement of having held a gill net gear license in two of the years 1993, 1994 and 1995 when applying for a Spotted Seatrout Permit, Mullet Permit, or Rod and Reel License. In addition to providing all commercial license application information, the applicant shall be required to show that he derived more than 50 percent of his earned income from the legal capture and sale of seafood species for the two years in which he held the apprentice license. Proof of such income shall be provided by the apprentice using one of the methods listed in the appropriate permit or license section that has been approved by the commission.

2. In addition to all other requirements, any applicant applying for a Rod and Reel License must provide a signed copy of his/her state income tax return for the years in which an Apprentice License was held or a notarized affidavit certifying

that he/she was not required to file a state tax return.

3. The Socioeconomic Section of the Department of Wildlife and Fisheries, Office of Management and Finance, will review the submitted tax return information and determine if applicant meets the income eligibility requirement.

E. General Provision. Any person who previously held a commercial fisherman's license, or who has been convicted of a class three or greater violation, shall not be eligible to purchase an apprentice license.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:303.8.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR .

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

Interested persons may submit written comments on the proposed rule to Mrs. Janis Landry, Fiscal Section, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000 no later than 4:30 p.m., Thursday, March 5, 1998.

Chairman

## RESOLUTION

### 1998 COMMERCIAL RED SNAPPER SEASONS

- WHEREAS, The red snapper fishery in the Gulf of Mexico off the coast of Louisiana is cooperatively managed by the Louisiana Department of Wildlife and Fisheries (LDWF) and the National Marine Fisheries Service (NMFS) with advice from the Gulf of Mexico Fishery Management Council (Gulf Council), and
- WHEREAS, regulations promulgated by NMFS are applicable in waters of the Exclusive Economic Zone (EEZ) of the U.S., generally three miles offshore, and
- WHEREAS, on December 30, 1997, rules were established by NMFS to provide for commercial harvest seasons and limits for red snapper in the EEZ off of Louisiana, and
- WHEREAS, the Department of Wildlife and Fisheries has received a request from the Gulf Council and NMFS requesting consistent regulations in Louisiana state waters, and
- WHEREAS, consistent regulations within both Federal and State jurisdictions are preferable as they assist in enforcement of fishery rules, and
- WHEREAS, the 1998 commercial red snapper fishery in EEZ waters will operate under two sets of seasonal openings, one beginning February 1 and one beginning September 1, and
- WHEREAS, during each season, the fishery will open at noon of the first day of each month, and close at noon on the 15<sup>th</sup> day of each month, until the allotted portion of the commercial red snapper quota has been harvested, and
- WHEREAS, two-thirds of the annual commercial quota has been allotted to the first set of seasonal openings that begins in February, and the remainder of the quota will be harvested under the second set of openings that begin in September, and
- WHEREAS, in order to enact regulations in a timely manner so as to have compatible regulations in place in Louisiana waters for the 1998 commercial red snapper season, it is necessary that emergency rules be enacted, and
- WHEREAS, R.S.49:953(B) and R.S.49:967 allow the Wildlife and Fisheries Commission to use emergency procedures to set finfish seasons, and
- WHEREAS, R.S.56:326.3 provides that the Wildlife and Fisheries Commission may set seasons for saltwater finfish,

THEREFORE BE IT RESOLVED, the Wildlife and Fisheries Commission hereby establishes the 1998 seasons for commercial harvest of red snapper in Louisiana state waters as set forth in the attached Declaration of Emergency, and

BE IT FURTHER RESOLVED, that the Commission authorizes the Secretary of the Department of Wildlife and Fisheries to close the 1998 commercial red snapper seasons in Louisiana state waters when he is informed that the designated portions of the commercial red snapper quota for the Gulf of Mexico have been filled, or projected to be filled, for each set of seasons, and

BE IT FURTHER RESOLVED, that such closure order shall close the season until the date set for the re-opening of the commercial red snapper season in Federal waters, and

BE IT FURTHER RESOLVED, that all applicable rules regarding red snapper harvest including trip limits, permit requirements, and size limits, established by the Commission shall be in effect during the open seasons hereby established.

BE IT FURTHER RESOLVED, that 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 declaration of emergency.

BE IT FURTHER RESOLVED, a Declaration of Emergency setting the 1998 commercial red snapper season in Louisiana state waters is attached to and made part of this resolution.



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Daniel J. Babin, Chairman



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James H. Jenkins, Jr.  
Secretary

## DECLARATION OF EMERGENCY

### Department of Wildlife and Fisheries Wildlife and Fisheries Commission

The red snapper fishery in the Gulf of Mexico is cooperatively managed by the Department of Wildlife and Fisheries and the National Marine Fisheries Service (NMFS) with advice from the Gulf of Mexico Fishery Management Council (Gulf Council). Regulations promulgated by NMFS are applicable in waters of the Exclusive Economic Zone (EEZ) of the United States, generally three miles offshore. Rules were recently established by NMFS to provide for commercial harvest seasons and limits for red snapper in the EEZ off of Louisiana, and NMFS and the Gulf Council requested that consistent regulations be established in Louisiana waters. NMFS and the Gulf Council typically request consistent regulations in order to enhance the effectiveness and enforceability of regulations for EEZ waters.

The 1998 commercial red snapper fishery in EEZ waters will operate under two sets of seasonal openings, one beginning February 1 and one beginning September 1. During each season, the fishery will open at noon of the first day of each month, and close at noon on the 15th day of each month, until the allotted portion of the commercial red snapper quota has been harvested. Two-thirds of the annual commercial quota has been allotted to the first set of seasonal openings that begins in February and the remainder of the quota will be harvested under the second set of openings that begin in September. In order to enact regulations in a timely manner so as to have compatible regulations in place in Louisiana waters for the 1998 commercial red snapper season, it is necessary that

emergency rules be enacted.

In accordance with the emergency provisions of R.S. 49:953(B), the Administrative Procedure Act, R.S. 49:967 which allows the Wildlife and Fisheries Commission to use emergency procedures to set finfish seasons, and R.S. 56:326.3 which provides that the Wildlife and Fisheries Commission may set seasons for saltwater finfish; the Wildlife and Fisheries Commission hereby sets the following seasons for commercial harvest of red snapper in Louisiana state waters:

The season for the commercial fishery for red snapper in Louisiana state waters will open at 12:00 noon, February 1, 1998. The commercial fishery for red snapper in Louisiana waters will close at 12:00 noon, February 15, 1998. The commercial season for red snapper harvest in Louisiana state waters will also re-open at 12:00 noon on March 1, 1998 and close at 12:00 noon on March 15, and thereafter open at 12:00 noon on the first of each month and close at 12:00 noon on the fifteenth of each month for each month of 1998, until two-thirds of the 1998 commercial red snapper quota for the Gulf of Mexico has been harvested or projected to be harvested.

The Commission grants authority to the Secretary of the Department of Wildlife and Fisheries to change the closing dates for the commercial red snapper season in Louisiana state waters when he is informed that two-thirds of the commercial red snapper quota for the Gulf of Mexico has been harvested or projected to be harvested, such closure order shall close the season until 12:00 noon September 1, 1998, which is the date set for the re-opening of

the 1998 commercial red snapper season in Federal waters.

The season for the commercial fishery for red snapper in Louisiana state waters will re-open at 12:00 noon September 1, 1998. The commercial fishery for red snapper in Louisiana waters will close at 12:00 noon September 15, 1998. The commercial season for red snapper harvest in Louisiana state waters will also re-open at 12:00 noon on October 1, 1998 and close at 12:00 noon on October 15, and thereafter open at 12:00 noon on the first of each month and close at 12:00 noon on the fifteenth of each month for each month of 1998, until the remainder of the 1998 commercial quota is harvested.

The Commission grants authority to the Secretary of the Department of Wildlife and Fisheries to change the closing dates for the commercial red snapper season in Louisiana state waters when he is informed that the commercial red snapper quota for the Gulf of Mexico has been harvested or projected to be harvested; such closure order shall close the season until the date set for the opening of the 1999 commercial red snapper season in Federal waters.

The Commission also grants authority to the Secretary of the Department of Wildlife and Fisheries to change the opening dates for the commercial red snapper season in Louisiana state waters if he is informed by the Regional Director of the National Marine Fisheries Service (NMFS) that the season dates for the commercial harvest of red snapper in the federal waters of the Gulf of Mexico as set out herein have been modified, and that the Regional Director of NMFS requests that the season be modified in Louisiana

state waters.

Nothing herein shall preclude the legal harvest of red snapper by legally licensed recreational fishermen. Effective with any closure, no person shall commercially harvest, transport, purchase, barter, trade, sell or attempt to purchase, barter, trade or sell red snapper. Effective with the closure, no person shall possess red snapper in excess of a daily bag limit. Provided however, that fish in excess of a daily bag limit which were legally taken prior to the closure may be purchased, possessed, transported, and sold by a licensed wholesale/retail seafood dealer or retail seafood dealers if appropriate records in accordance with R.S. 56:306.4 are properly maintained, and those other than wholesale/retail seafood dealers or retail seafood dealers may purchase such fish in excess of the daily bag limit from wholesale/retail seafood dealers or retail seafood dealers for their own use or for sale by a restaurant as prepared fish.

Daniel J. Babin

Chairman

## RESOLUTION

### 1998 COMMERCIAL RED SNAPPER SEASONS

- WHEREAS, The red snapper fishery in the Gulf of Mexico off the coast of Louisiana is cooperatively managed by the Louisiana Department of Wildlife and Fisheries (LDWF) and the National Marine Fisheries Service (NMFS) with advice from the Gulf of Mexico Fishery Management Council (Gulf Council), and
- WHEREAS, regulations promulgated by NMFS are applicable in waters of the Exclusive Economic Zone (EEZ) of the U.S., generally three miles offshore, and
- WHEREAS, on December 30, 1997, rules were established by NMFS to provide for commercial harvest seasons and limits for red snapper in the EEZ off of Louisiana, and
- WHEREAS, the Department of Wildlife and Fisheries has received a request from the Gulf Council and NMFS requesting consistent regulations in Louisiana state waters, and
- WHEREAS, consistent regulations within both Federal and State jurisdictions are preferable as they assist in enforcement of fishery rules, and
- WHEREAS, the 1998 commercial red snapper fishery in EEZ waters will operate under two sets of seasonal openings, one beginning February 1 and one beginning September 1, and
- WHEREAS, during each season, the fishery will open at noon of the first day of each month, and close at noon on the 15<sup>th</sup> day of each month, until the allotted portion of the commercial red snapper quota has been harvested, and
- WHEREAS, two-thirds of the annual commercial quota has been allotted to the first set of seasonal openings that begins in February, and the remainder of the quota will be harvested under the second set of openings that begin in September, and
- WHEREAS, in order to enact regulations in a timely manner so as to have compatible regulations in place in Louisiana waters for the 1998 commercial red snapper season, it is necessary that emergency rules be enacted, and
- WHEREAS, R.S.49:953(B) and R.S.49:967 allow the Wildlife and Fisheries Commission to use emergency procedures to set finfish seasons, and
- WHEREAS, R.S.56:326.3 provides that the Wildlife and Fisheries Commission may set seasons for saltwater finfish,

THEREFORE BE IT RESOLVED, the Wildlife and Fisheries Commission hereby establishes the 1998 seasons for commercial harvest of red snapper in Louisiana state waters as set forth in the attached Declaration of Emergency, and

BE IT FURTHER RESOLVED, that the Commission authorizes the Secretary of the Department of Wildlife and Fisheries to close the 1998 commercial red snapper seasons in Louisiana state waters when he is informed that the designated portions of the commercial red snapper quota for the Gulf of Mexico have been filled, or projected to be filled, for each set of seasons, and

BE IT FURTHER RESOLVED, that such closure order shall close the season until the date set for the re-opening of the commercial red snapper season in Federal waters, and

BE IT FURTHER RESOLVED, that all applicable rules regarding red snapper harvest including trip limits, permit requirements, and size limits, established by the Commission shall be in effect during the open seasons hereby established.

BE IT FURTHER RESOLVED, that 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 declaration of emergency.

BE IT FURTHER RESOLVED, a Declaration of Emergency setting the 1998 commercial red snapper season in Louisiana state waters is attached to and made part of this resolution.

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Daniel J. Babin, Chairman

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James H. Jenkins, Jr.  
Secretary

## DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

The red snapper fishery in the Gulf of Mexico is cooperatively managed by the Department of Wildlife and Fisheries and the National Marine Fisheries Service (NMFS) with advice from the Gulf of Mexico Fishery Management Council (Gulf Council). Regulations promulgated by NMFS are applicable in waters of the Exclusive Economic Zone (EEZ) of the United States, generally three miles offshore. Rules were recently established by NMFS to provide for commercial harvest seasons and limits for red snapper in the EEZ off of Louisiana, and NMFS and the Gulf Council requested that consistent regulations be established in Louisiana waters. NMFS and the Gulf Council typically request consistent regulations in order to enhance the effectiveness and enforceability of regulations for EEZ waters.

The 1998 commercial red snapper fishery in EEZ waters will operate under two sets of seasonal openings, one beginning February 1 and one beginning September 1. During each season, the fishery will open at noon of the first day of each month, and close at noon on the 15th day of each month, until the allotted portion of the commercial red snapper quota has been harvested. Two-thirds of the annual commercial quota has been allotted to the first set of seasonal openings that begins in February and the remainder of the quota will be harvested under the second set of openings that begin in September. In order to enact regulations in a timely manner so as to have compatible regulations in place in Louisiana waters for the 1998 commercial red snapper season, it is necessary that

emergency rules be enacted.

In accordance with the emergency provisions of R.S. 49:953(B), the Administrative Procedure Act, R.S. 49:967 which allows the Wildlife and Fisheries Commission to use emergency procedures to set finfish seasons, and R.S. 56:326.3 which provides that the Wildlife and Fisheries Commission may set seasons for saltwater finfish; the Wildlife and Fisheries Commission hereby sets the following seasons for commercial harvest of red snapper in Louisiana state waters:

The season for the commercial fishery for red snapper in Louisiana state waters will open at 12:00 noon, February 1, 1998. The commercial fishery for red snapper in Louisiana waters will close at 12:00 noon, February 15, 1998. The commercial season for red snapper harvest in Louisiana state waters will also re-open at 12:00 noon on March 1, 1998 and close at 12:00 noon on March 15, and thereafter open at 12:00 noon on the first of each month and close at 12:00 noon on the fifteenth of each month for each month of 1998, until two-thirds of the 1998 commercial red snapper quota for the Gulf of Mexico has been harvested or projected to be harvested.

The Commission grants authority to the Secretary of the Department of Wildlife and Fisheries to change the closing dates for the commercial red snapper season in Louisiana state waters when he is informed that two-thirds of the commercial red snapper quota for the Gulf of Mexico has been harvested or projected to be harvested, such closure order shall close the season until 12:00 noon September 1, 1998, which is the date set for the re-opening of

the 1998 commercial red snapper season in Federal waters.

The season for the commercial fishery for red snapper in Louisiana state waters will re-open at 12:00 noon September 1, 1998. The commercial fishery for red snapper in Louisiana waters will close at 12:00 noon September 15, 1998. The commercial season for red snapper harvest in Louisiana state waters will also re-open at 12:00 noon on October 1, 1998 and close at 12:00 noon on October 15, and thereafter open at 12:00 noon on the first of each month and close at 12:00 noon on the fifteenth of each month for each month of 1998, until the remainder of the 1998 commercial quota is harvested.

The Commission grants authority to the Secretary of the Department of Wildlife and Fisheries to change the closing dates for the commercial red snapper season in Louisiana state waters when he is informed that the commercial red snapper quota for the Gulf of Mexico has been harvested or projected to be harvested; such closure order shall close the season until the date set for the opening of the 1999 commercial red snapper season in Federal waters.

The Commission also grants authority to the Secretary of the Department of Wildlife and Fisheries to change the opening dates for the commercial red snapper season in Louisiana state waters if he is informed by the Regional Director of the National Marine Fisheries Service (NMFS) that the season dates for the commercial harvest of red snapper in the federal waters of the Gulf of Mexico as set out herein have been modified, and that the Regional Director of NMFS requests that the season be modified in Louisiana

state waters.

Nothing herein shall preclude the legal harvest of red snapper by legally licensed recreational fishermen. Effective with any closure, no person shall commercially harvest, transport, purchase, barter, trade, sell or attempt to purchase, barter, trade or sell red snapper. Effective with the closure, no person shall possess red snapper in excess of a daily bag limit. Provided however, that fish in excess of a daily bag limit which were legally taken prior to the closure may be purchased, possessed, transported, and sold by a licensed wholesale/retail seafood dealer or retail seafood dealers if appropriate records in accordance with R.S. 56:306.4 are properly maintained, and those other than wholesale/retail seafood dealers or retail seafood dealers may purchase such fish in excess of the daily bag limit from wholesale/retail seafood dealers or retail seafood dealers for their own use or for sale by a restaurant as prepared fish.

Daniel J. Babin

Chairman

## DECLARATION OF EMERGENCY

Louisiana Department of Wildlife and Fisheries

Wildlife and Fisheries Commission

The red snapper fishery in the Gulf of Mexico is cooperatively managed by the Louisiana Department of Wildlife and Fisheries (LDWF) and the National Marine Fisheries Service (NMFS) with advice from the Gulf of Mexico Fishery Management Council (Gulf Council). Regulations promulgated by NMFS are applicable in waters of the Exclusive Economic Zone (EEZ) of the U.S., generally three miles offshore. Rules were recently established by NMFS to provide for commercial harvest seasons and limits for red snapper in the EEZ off of Louisiana, and NMFS and the Gulf Council requested that consistent regulations be established in Louisiana waters. NMFS and the Gulf Council typically request consistent regulations in order to enhance the effectiveness and enforceability of regulations for EEZ waters.

The 1998 commercial red snapper fishery in EEZ waters will operate under two sets of seasonal openings, one beginning February 1 and one beginning September 1. During each season, the fishery will open at noon of the first day of each month, and close at noon on the 15<sup>th</sup> day of each month, until the allotted portion of the commercial red snapper quota has been harvested. Two-thirds of the annual commercial quota has been allotted to the first set of seasonal openings that begins in February, and the remainder of the quota will be harvested under the second set of openings that begin in September. In order to enact regulations in a timely manner so as to have compatible regulations in place in Louisiana waters for the 1998 commercial red snapper season, it is necessary that emergency rules be enacted.

In accordance with the emergency provisions of R.S.49:953(B), the Administrative Procedure Act, R.S.49:967 which allows the Wildlife and Fisheries Commission to use emergency procedures to set finfish seasons, and R.S.56:326.3 which provides that the Wildlife and Fisheries Commission may set seasons for saltwater finfish; the Wildlife and Fisheries Commission hereby sets the following seasons for commercial harvest of red snapper in Louisiana state waters:

The season for the commercial fishery for red snapper in Louisiana state waters will open at 12:00 noon February 1, 1998. The commercial fishery for red snapper in Louisiana waters will close at 12:00 noon February 15, 1998. The commercial season for red snapper harvest in Louisiana state waters will also reopen at 12:00 noon on March 1, 1998 and close at 12:00 noon on March 15, and thereafter open at 12:00 noon on the first of each month and close at 12:00 noon on the fifteenth of each month for each month of 1998, until two-thirds (2/3) of the 1998 commercial red snapper quota for the Gulf of Mexico has been harvested or projected to be harvested.

The Commission grants authority to the Secretary of the Department of Wildlife and Fisheries to change the closing dates for the commercial red snapper season in Louisiana state waters when he is informed that two-thirds (2/3) of the commercial red snapper quota for the Gulf of Mexico has been harvested or projected to be harvested, such closure order shall close the season until 12:00 noon September 1, 1998, which is the date set for the re-opening of the 1998 commercial red snapper season in Federal waters.

The season for the commercial fishery for red snapper in Louisiana state waters will re-open at 12:00 noon September 1, 1998. The commercial fishery for red snapper in Louisiana waters will close at 12:00 noon September 15, 1998. The commercial season for red snapper harvest in Louisiana state waters will also reopen at 12:00 noon on October 1, 1998 and close at 12:00 noon on October 15, and thereafter open at 12:00 noon on the first of each month and close at 12:00 noon on the fifteenth of each month for each month of 1998, until the remainder of the 1998 commercial quota is harvested.

The Commission grants authority to the Secretary of the Department of Wildlife and Fisheries to change the closing dates for the commercial red snapper season in Louisiana state waters when he is informed that the commercial red snapper quota for the Gulf of Mexico has been harvested or projected to be harvested; such closure order shall close the season until the date set for the opening of the 1999 commercial red snapper season in Federal waters.

The Commission also grants authority to the Secretary of the Department of Wildlife and Fisheries to change the opening dates for the commercial red snapper season in Louisiana state waters if he is informed by the Regional Director of the National Marine Fisheries Service (NMFS) that the season dates for the commercial harvest of red snapper in the federal waters of the Gulf of Mexico as set out herein have been modified, and that the Regional Director of NMFS requests that the season be modified in Louisiana state waters.

Nothing herein shall preclude the legal harvest of red snapper by legally licensed recreational fishermen. Effective with any closure, no person shall commercially harvest, transport, purchase, barter, trade, sell or attempt to purchase, barter, trade or sell red snapper.

Effective with the closure, no person shall possess red snapper in excess of a daily bag limit. Provided however, that fish in excess of the daily bag limit which were legally taken prior to the closure may be purchased, possessed, transported, and sold by a licensed

wholesale/retail dealer if appropriate records in accordance with R.S.56:306.4 are properly maintained, and those other than wholesale/retail dealers may purchase such fish in excess of the daily bag limit from wholesale/retail dealers for their own use or for sale by a restaurant as prepared fish.

Daniel J. Babin  
Chairman

James H. Jenkins, Jr.  
Secretary

## RESOLUTION

### REEF FISH RULES - COMMERCIAL FISHERIES

- WHEREAS, The reef fish fisheries in the Gulf of Mexico off the coast of Louisiana are cooperatively managed by the Louisiana Department of Wildlife and Fisheries (LDWF) and the National Marine Fisheries Service (NMFS) with advice from the Gulf of Mexico Fishery Management Council (Gulf Council), and
- WHEREAS, regulations promulgated by NMFS are applicable in waters of the Exclusive Economic Zone (EEZ) of the U.S., generally three miles offshore, and
- WHEREAS, on December 30, 1997, rules were established by NMFS implementing Amendment 15 to the Gulf Council's Management Plan for the Reef Fish Fishery for the Gulf of Mexico, with provisions to provide for a closed season for commercial harvest of greater amberjack, and qualifications for various trip limits for red snapper harvest in the EEZ off of Louisiana, and
- WHEREAS, the Department of Wildlife and Fisheries has received a request from the Gulf Council and NMFS requesting consistent regulations in Louisiana state waters, and
- WHEREAS, consistent regulations within both Federal and State jurisdictions are preferable as they assist in enforcement of fishery rules, and
- WHEREAS, the commercial season for the harvest of red snapper in the Federal EEZ off of Louisiana is scheduled to open on February 1, 1998, and
- WHEREAS, existing State rules providing for trip limits for commercial harvest of red snapper refer to Federal reef fish permits and red snapper endorsements, a structure that has been changed in the recent Federal rules, and
- WHEREAS, the existing moratorium on issuance of Federal reef fish permits will expire December 31, 2000, at which time more Federal reef fish permits may be issued that, under present rules would not include the privilege to harvest red snapper over the bag limit or to sell red snapper, and
- WHEREAS, new language is needed to remain consistent with existing rules and new Federal language regarding reef fish permits and red snapper licenses, and

WHEREAS, the closed commercial season for greater amberjack in the Federal EEZ off of Louisiana is scheduled to begin on March 1, 1998 and run March through May of each year, and

WHEREAS, in order to enact regulations in a timely manner so as to have compatible regulations in place in Louisiana waters, it is necessary that emergency rules be enacted, and

WHEREAS, R.S.49:953(B) and R.S.49:967 allow the Wildlife and Fisheries Commission to use emergency procedures to set finfish seasons, and

WHEREAS, R.S.56:326.3 provides that the Wildlife and Fisheries Commission may set seasons for saltwater finfish,

THEREFORE BE IT RESOLVED, that an Emergency Rule to provide for a closed season for the commercial harvest of greater amberjack in Louisiana waters and for qualifications for commercial trip limits for commercial harvest of red snapper in Louisiana state waters is attached to and made part of this resolution, and

BE IT FURTHER RESOLVED, that the Wildlife and Fisheries Commission also hereby promulgates a Notice of Intent to establish permanent rules through the Administrative Procedures Act, and

BE IT FURTHER RESOLVED, that 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 emergency rule, notice of intent and the final rule, including but not limited to, the filing of the fiscal and economic impact statements, the filing of the notice of intent and final rule and the preparation of reports and correspondence to other agencies of government.



Daniel J. Babin, Chairman



James H. Jenkins, Jr.  
Secretary

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

The Wildlife and Fisheries Commission does hereby exercise the emergency provision of the Administrative Procedure Act, R.S. 49:953(B) and 49:967(D), and pursuant to its authority under R.S. 56:6(25)(a), 56:326.1 and 56:326.3 adopts the rule set forth below. This emergency rule is necessary to expedite the enforceability and effectiveness of Federal regulations on commercial reef fish fisheries for red snapper and greater amberjack, which became effective December 30, 1997, and require action before February 1, 1998 and March 1, 1998 respectively. It is therefore in the best interest of the State, and appropriate that these regulations be enacted concurrently, thereby requiring emergency action.

This emergency rule shall remain in effect for the maximum period allowed under the Administrative Procedure Act or until adoption of the final rule, whichever occurs first.

**Title 76**

**WILDLIFE AND FISHERIES**

**Part VII. Fish and Other Aquatic Life**

**Chapter 3. Saltwater Sport and Commercial Fishery**

**§335. Daily Take, Possession and Size Limits Set by Commission,  
Reef Fish**

\* \* \*

E. All persons who do not possess a Class 1 or Class 2 Red Snapper License issued by the National Marine Fisheries Service under the Federal Fishery Management Plan for the Gulf of Mexico Reef Fish resources are limited to the recreational bag limit for

red snapper. Those persons possessing a Class 2 Red Snapper License issued by the National Marine Fisheries Service under the Federal Fishery Management Plan for the Gulf of Mexico Reef Fish resources are limited to a daily take and possession limit of 200 pounds of red snapper per vessel.

F. Those persons possessing a Class 1 Red Snapper License issued by the National Marine Fisheries Service under the Federal Fishery Management Plan for the Gulf of Mexico Reef Fish resources are limited to a daily take and possession limit of 2,000 pounds of red snapper per vessel.

\* \* \*

J. The season for the commercial harvest of greater amberjack shall be closed during the months of March through May of each year. Possession of greater amberjack in excess of the daily bag limit while on the water is prohibited during the closed season. Any greater amberjack harvested during the closed season shall not be purchased, sold, traded, bartered or exchanged or attempted to be purchased, sold, traded, bartered or exchanged. The provisions of this subsection apply to fish taken within or without Louisiana's territorial waters.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6(25)(a), 56:326.1 and 326.3.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 16:539 (June 1990), amended LR 19:1442 (November 1993), LR 20:797 (July 1994), LR 21:1267 (November 1995), LR 22:860 (September 1996), LR 24:.

Daniel J. Babin

NOTICE OF INTENT

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

The Wildlife and Fisheries Commission does hereby give notice of intent to amend a rule (Title 76:VII.335) modifying commercial red snapper harvest requirements, and establishing a closed season for commercial harvest of greater amberjack, as part of the existing rule for daily take, possession and size limits for reef fishes set by the Commission. Authority for adoption of this Rule is included in R.S. 56:6(25)(a), 56:326.1 and 56:326.3.

**Title 76**

**WILDLIFE AND FISHERIES**

**Part VII. Fish and Other Aquatic Life**

**Chapter 3. Saltwater Sport and Commercial Fishery**

**§335. Daily Take, Possession and Size Limits Set by Commission,  
Reef Fish**

\* \* \*

E. All persons who do not possess a Class 1 or Class 2 Red Snapper License issued by the National Marine Fisheries Service under the Federal Fishery Management Plan for the Gulf of Mexico Reef Fish resources are limited to the recreational bag limit for red snapper. Those persons possessing a Class 2 Red Snapper License issued by the National Marine Fisheries Service under the Federal Fishery Management Plan for the Gulf of Mexico Reef Fish resources are limited to a daily take and possession limit of 200 pounds of red snapper per vessel.

F. Those persons possessing a Class 1 Red Snapper License issued by the National Marine Fisheries Service under the Federal

Fishery Management Plan for the Gulf of Mexico Reef Fish resources are limited to a daily take and possession limit of 2,000 pounds of red snapper per vessel.

\* \* \*

J. The season for the commercial harvest of greater amberjack shall be closed during the months of March through May of each year. Possession of greater amberjack in excess of the daily bag limit while on the water is prohibited during the closed season. Any greater amberjack harvested during the closed season shall not be purchased, sold, traded, bartered or exchanged or attempted to be purchased, sold, traded, bartered or exchanged. The provisions of this subsection apply to fish taken within or without Louisiana's territorial waters.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6(25)(a), 56:326.1 and 326.3.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 16:539 (June 1990), amended LR 19:1442 (November 1993), LR 20:797 (July 1994), LR 21:1267 (November 1995), LR 22:860 (September 1996), LR 24:.

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 statements, the filing of the notice of intent and final rule and the preparation of reports and correspondence to other agencies of government.

Interested persons may submit written comments on the proposed

rule to Mr. Harry Blanchet, Marine Fisheries Division, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000 no later than 4:30 p.m., Friday, April 3, 1998.

Daniel J. Babin

Chairman

RESOLUTION

REEF FISH RULES - COMMERCIAL FISHERIES

- WHEREAS, The reef fish fisheries in the Gulf of Mexico off the coast of Louisiana are cooperatively managed by the Louisiana Department of Wildlife and Fisheries (LDWF) and the National Marine Fisheries Service (NMFS) with advice from the Gulf of Mexico Fishery Management Council (Gulf Council), and
- WHEREAS, regulations promulgated by NMFS are applicable in waters of the Exclusive Economic Zone (EEZ) of the U.S., generally three miles offshore, and
- WHEREAS, on December 30, 1997, rules were established by NMFS implementing Amendment 15 to the Gulf Council's Management Plan for the Reef Fish Fishery for the Gulf of Mexico, with provisions to provide for a closed season for commercial harvest of greater amberjack, and qualifications for various trip limits for red snapper harvest in the EEZ off of Louisiana, and
- WHEREAS, the Department of Wildlife and Fisheries has received a request from the Gulf Council and NMFS requesting consistent regulations in Louisiana state waters, and
- WHEREAS, consistent regulations within both Federal and State jurisdictions are preferable as they assist in enforcement of fishery rules, and
- WHEREAS, the commercial season for the harvest of red snapper in the Federal EEZ off of Louisiana is scheduled to open on February 1, 1998, and
- WHEREAS, existing State rules providing for trip limits for commercial harvest of red snapper refer to Federal reef fish permits and red snapper endorsements, a structure that has been changed in the recent Federal rules, and
- WHEREAS, the existing moratorium on issuance of Federal reef fish permits will expire December 31, 2000, at which time more Federal reef fish permits may be issued that, under present rules would not include the privilege to harvest red snapper over the bag limit or to sell red snapper, and
- WHEREAS, new language is needed to remain consistent with existing rules and new Federal language regarding reef fish permits and red snapper licenses, and

WHEREAS, the closed commercial season for greater amberjack in the Federal EEZ off of Louisiana is scheduled to begin on March 1, 1998 and run March through May of each year, and

WHEREAS, in order to enact regulations in a timely manner so as to have compatible regulations in place in Louisiana waters, it is necessary that emergency rules be enacted, and

WHEREAS, R.S.49:953(B) and R.S.49:967 allow the Wildlife and Fisheries Commission to use emergency procedures to set finfish seasons, and

WHEREAS, R.S.56:326.3 provides that the Wildlife and Fisheries Commission may set seasons for saltwater finfish,

THEREFORE BE IT RESOLVED, that an Emergency Rule to provide for a closed season for the commercial harvest of greater amberjack in Louisiana waters and for qualifications for commercial trip limits for commercial harvest of red snapper in Louisiana state waters is attached to and made part of this resolution, and

BE IT FURTHER RESOLVED, that the Wildlife and Fisheries Commission also hereby promulgates a Notice of Intent to establish permanent rules through the Administrative Procedure Act, and

BE IT FURTHER RESOLVED, that 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 emergency rule, notice of intent and the final rule, including but not limited to, the filing of the fiscal and economic impact statements, the filing of the notice of intent and final rule and the preparation of reports and correspondence to other agencies of government.

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Daniel J. Babin, Chairman

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James H. Jenkins, Jr.  
Secretary

## DECLARATION OF EMERGENCY

### Department of Wildlife and Fisheries Wildlife and Fisheries Commission

The Wildlife and Fisheries Commission does hereby exercise the emergency provision of the Administrative Procedure Act, R.S. 49:953(B) and 49:967(D), and pursuant to its authority under R.S. 56:6(25)(a), 56:326.1 and 56:326.3 adopts the rule set forth below. This emergency rule is necessary to expedite the enforceability and effectiveness of Federal regulations on commercial reef fish fisheries for red snapper and greater amberjack, which became effective December 30, 1997, and require action before February 1, 1998 and March 1, 1998 respectively. It is therefore in the best interest of the State, and appropriate that these regulations be enacted concurrently, thereby requiring emergency action.

This emergency rule shall remain in effect for the maximum period allowed under the Administrative Procedure Act or until adoption of the final rule, whichever occurs first.

### Title 76

### WILDLIFE AND FISHERIES

#### Part VII. Fish and Other Aquatic Life

#### Chapter 3. Saltwater Sport and Commercial Fishery

#### §335. Daily Take, Possession and Size Limits Set by Commission, Reef Fish

\* \* \*

E. All persons who do not possess a Class 1 or Class 2 Red Snapper License issued by the National Marine Fisheries Service under the Federal Fishery Management Plan for the Gulf of Mexico Reef Fish resources are limited to the recreational bag limit for

red snapper. Those persons possessing a Class 2 Red Snapper License issued by the National Marine Fisheries Service under the Federal Fishery Management Plan for the Gulf of Mexico Reef Fish resources are limited to a daily take and possession limit of 200 pounds of red snapper per vessel.

F. Those persons possessing a Class 1 Red Snapper License issued by the National Marine Fisheries Service under the Federal Fishery Management Plan for the Gulf of Mexico Reef Fish resources are limited to a daily take and possession limit of 2,000 pounds of red snapper per vessel.

\* \* \*

J. The season for the commercial harvest of greater amberjack shall be closed during the months of March through May of each year. Possession of greater amberjack in excess of the daily bag limit while on the water is prohibited during the closed season. Any greater amberjack harvested during the closed season shall not be purchased, sold, traded, bartered or exchanged or attempted to be purchased, sold, traded, bartered or exchanged. The provisions of this subsection apply to fish taken within or without Louisiana's territorial waters.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6(25)(a), 56:326.1 and 326.3.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 16:539 (June 1990), amended LR 19:1442 (November 1993), LR 20:797 (July 1994), LR 21:1267 (November 1995), LR 22:860 (September 1996), LR 24:.

Daniel J. Babin

NOTICE OF INTENT

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

The Wildlife and Fisheries Commission does hereby give notice of intent to amend a rule (Title 76:VII.335) modifying commercial red snapper harvest requirements, and establishing a closed season for commercial harvest of greater amberjack, as part of the existing rule for daily take, possession and size limits for reef fishes set by the Commission. Authority for adoption of this Rule is included in R.S. 56:6(25)(a), 56:326.1 and 56:326.3.

Title 76

WILDLIFE AND FISHERIES

Part VII. Fish and Other Aquatic Life

Chapter 3. Saltwater Sport and Commercial Fishery

§335. Daily Take, Possession and Size Limits Set by Commission,  
Reef Fish

\* \* \*

E. All persons who do not possess a Class 1 or Class 2 Red Snapper License issued by the National Marine Fisheries Service under the Federal Fishery Management Plan for the Gulf of Mexico Reef Fish resources are limited to the recreational bag limit for red snapper. Those persons possessing a Class 2 Red Snapper License issued by the National Marine Fisheries Service under the Federal Fishery Management Plan for the Gulf of Mexico Reef Fish resources are limited to a daily take and possession limit of 200 pounds of red snapper per vessel.

F. Those persons possessing a Class 1 Red Snapper License issued by the National Marine Fisheries Service under the Federal

Fishery Management Plan for the Gulf of Mexico Reef Fish resources are limited to a daily take and possession limit of 2,000 pounds of red snapper per vessel.

\* \* \*

J. The season for the commercial harvest of greater amberjack shall be closed during the months of March through May of each year. Possession of greater amberjack in excess of the daily bag limit while on the water is prohibited during the closed season. Any greater amberjack harvested during the closed season shall not be purchased, sold, traded, bartered or exchanged or attempted to be purchased, sold, traded, bartered or exchanged. The provisions of this subsection apply to fish taken within or without Louisiana's territorial waters.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6(25)(a), 56:326.1 and 326.3.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 16:539 (June 1990), amended LR 19:1442 (November 1993), LR 20:797 (July 1994), LR 21:1267 (November 1995), LR 22:860 (September 1996), LR 24:.

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 statements, the filing of the notice of intent and final rule and the preparation of reports and correspondence to other agencies of government.

Interested persons may submit written comments on the proposed

rule to Mr. Harry Blanchet, Marine Fisheries Division, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000 no later than 4:30 p.m., Friday, April 3, 1998.

Daniel J. Babin

Chairman

DECLARATION OF EMERGENCY  
Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

Commercial Reef Fish Harvest Rules (LAC 76:VII.335)

The Wildlife and Fisheries Commission does hereby exercise the emergency provision of the Administrative Procedure Act, R.S. 49:953(B) and 49:967(D), and pursuant to its authority under R.S. 56:6(25)(a), 56:326.1 and 56:326.3 adopts the rule set forth below. This emergency rule is necessary to expedite the enforceability and effectiveness of Federal regulations on commercial reef fish fisheries for red snapper and greater amberjack, which became effective December 30, 1997, and require action before February 1, 1998 and March 1, 1998 respectively. It is therefore in the best interest of the state, and appropriate that these regulations be enacted concurrently, thereby requiring emergency action. This emergency rule shall remain in effect for the maximum period allowed under the Administrative Procedure Act or until adoption of the final rule, whichever occurs first.

TITLE 76  
WILDLIFE AND FISHERIES

PART VII. FISH AND OTHER AQUATIC LIFE

CHAPTER 3. SALTWATER SPORT AND COMMERCIAL FISHERY

§ 335. Daily Take, Possession and Size Limits Set by Commission, Reef Fish

\* \* \* \*

E. **All persons who do not possess a Class 1 or Class 2 Red Snapper License issued by the National Marine Fisheries Service under the Federal Fishery Management Plan for the Gulf of Mexico Reef Fish resources are limited to the recreational bag limit for red snapper.** Those persons possessing a **Class 2 Red Snapper License** issued by the National Marine Fisheries Service under the Federal Fishery Management Plan for the Gulf of Mexico Reef Fish resources are limited to a daily take and possession limit of 200 pounds **of red snapper** per vessel.

F. Those persons possessing a **Class 1 Red Snapper License** issued by the National Marine Fisheries Service under the Federal Fishery Management Plan for the Gulf of Mexico Reef Fish resources are limited to a daily take and possession limit of 2,000 pounds **of red snapper** per vessel.

\* \* \* \*

**J. The season for the commercial harvest of greater amberjack shall be closed during the months of March through May of each year. Possession of greater amberjack in excess of the daily bag limit while on the water is prohibited during the closed season. Any greater amberjack harvested during the closed season shall not be purchased, sold, traded, bartered or exchanged or attempted to be purchased, sold, traded, bartered or exchanged. The provisions of this paragraph apply to fish taken within or without Louisiana's territorial waters.**

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6(25)(a), 56:326.1 and 326.3.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 16:539 (June 1990), amended LR 19:1442 (November 1993), LR 20:797 (July 1994), LR 21:1267 (November 1995), LR 22:860 (September 1996); LR 23: \_\_\_\_\_ (November, 1997); LR 24: \_\_\_\_\_ (\_\_\_\_\_, 1998); LR 24: \_\_\_\_\_ (\_\_\_\_\_, 1998).

NOTICE OF INTENT

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

The Louisiana Wildlife and Fisheries Commission does hereby give notice of intent to amend a Rule (Title 76, Part VII, Ch. 3, Sec. 335) modifying commercial red snapper harvest requirements, and establishing a closed season for commercial harvest of greater amberjack, as part of the existing rule for daily take, possession, and size limits for reef fishes set by the Commission. Authority for adoption of this Rule is included in R.S.56:6(25)(a), 56:326.1 and 56:326.3. Said Rule is attached to and made a part of this Notice of Intent.

TITLE 76  
WILDLIFE AND FISHERIES

PART VII. FISH AND OTHER AQUATIC LIFE

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F. Those persons possessing a Class 1 Red Snapper License ~~permit~~ issued by the National Marine Fisheries Service under the Federal Fishery Management Plan for the Gulf of Mexico Reef Fish resources, ~~who do possess a red snapper endorsement on that permit~~ are limited to a daily take and possession limit of 2,000 pounds of red snapper per vessel.

\* \* \* \*

J. The season for the commercial harvest of greater amberjack shall be closed during the months of March through May of each year. Possession of greater amberjack in excess of the daily bag limit while on the water is prohibited during the closed season. Any greater amberjack harvested during the closed season shall not be purchased, sold, traded, bartered or exchanged or attempted to be

**purchased, sold, traded, bartered or exchanged. The provisions of this paragraph apply to fish taken within or without Louisiana's territorial waters.**

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6(25)(a), 56:326.1 and 326.3.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 16:539 (June 1990), amended LR 19:1442 (November 1993), LR 20:797 (July 1994), LR 21:1267 (November 1995), LR 22:860 (September 1996); LR 23: \_\_\_\_\_ (November, 1997); LR 24: \_\_\_\_\_ (\_\_\_\_\_, 1998); LR 24: \_\_\_\_\_ (\_\_\_\_\_, 1998).

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 statements, 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 comments relative to the proposed Rule to: Harry Blanchet, Marine Fisheries Division, Louisiana Department of Wildlife and Fisheries, P.O. Box 98000, Baton Rouge, LA 70898-9000, prior to February 20, 1998.

**ENFORCEMENT CASE REPORT**

**DECEMBER 1997**

**ENFORCEMENT CASE REPORT-DECEMBER 1997**

**REGION I**

**TOTAL CASES-111**

**WMA&REFUGES-21**

**4-Boating**

**3-Angling W/O License**

**10-Hunting W/O Resident License**

**2-Hunting W/o Non-Resident License**

**2-Failure to Abide By Commission Rules**

**2-Hunting From A Moving Vehicle**

**4-Hunting With Unplugged Gun**

**5-Hunt, Stand, Loiter From A Public Road**

**1-Failure To Comply With Hunter Safety Regulations**

**9-Hunt W/O Big Game License**

**2-Hunt W/O Non-Resident Big Game License**

**22-Hunt Deer From A Public Road**

**2-Possession Illegally Taken Deer Out Of Season**

**1-Field Possession Of Deer Meat W/O A Tag**

**9-Failure To Wear Hunters Orange**

**1-Possessing FBA W/O A License**

**1-Hunting Ducks W/O A Federal Stamp**

**2-Hunt MB Illegal Hours**

**2-Wanton Waste Of MB**

**3-Using Lead Shot In Area Designated As Steel Shot**

Page (2)

**REGION I CONTD.**

**3-Hunting Ducks Closed Season**

**1-Hunting MB W/O State Stamp**

**17-Not Abiding By Rules and Regs. On WMA**

**1-Operate ATV On A Public Road**

**2-Discharge Firearm From A Public Road**

**CONFISCATIONS:**

**4 deer, 4 weapons, 9 lead shot.**

**TOTAL OF EACH CATEGORY FOR REGION I:**

**4-Boating**

**3-Fishing**

**71-Hunting**

**1-FBA**

**12-MGB**

**20-Misc.**

**TOTAL OF CASES MADE ON WMA:**

**Bodcau-21**

Page (3)

**REGION 2**

**TOTAL CASES-126**

**WMA&REFUGES-56**

7-Boating

4-Hunting W/O Resident License

1-Hunting W/O Non-Resident License

4-Hunt W/O Resident Big Game License

1-Hunt W/O Non-Resident Big Game License

6-Hunt/Take Deer From Public Road

15-Hunt From Public Road

2-Hunt Deer Closed Season

3-Fail To Comply With Hunter Orange Regs.

1-Hunt Deer From Public Road

1-Hunt Game Quadrupeds Illegal Hours W/Artificial Light

3-Hunt Deer Illegal Hours

1-Take Deer Limit Deer

1-Possess Untagged Deer

1-Hunt Turkey Closed Season

3-Hunt Raccoons Illegal Hours

1-Using Lead Shot In Steel Shot Area

4-Hunt MB Illegal Hours

56-Not Abiding By Rules And Regs. On WMA

2-Criminal Trespass

Page (4)

**REGION 2 CONTD.**

2-D.W.I.

4-Littering

3-Other

**CONFISCATIONS:**

8 weapons, 5 ducks, 1 turkey, 3 raccoons, 1 hand held light, 1-Q-Beam light, 3 deer.

**TOTAL OF EACH CATEGORY FOR REGION 2:**

7-Boating

4-Littering

47-Hunting

5-MGB

63-Other

**TOTAL OF CASES MADE ON WMA:**

RUSSELL SAGE-15

JACKSON BIENVILLE-11

OUACHITA-19

GEORGIA PACIFIC-11

Page (5)

**REGION 3**

**TOTAL CASES-236**

**WMA&REFUGES-55**

- 3-Boating**
- 6-Hunt W/O Basic Resident Hunting License**
- 10-Hunt W/O Resident Big Game License**
- 2-Hunt W/O State Duck Stamp**
- 6-Hunt W/O Non-Resident Basic License**
- 5-Hunt W/O Non-Resident Big Game License**
- 21-Hunt Deer Illegal Hours**
- 5-Possession Illegally Taken Deer**
- 1-Over Limit Of Deer**
- 3-Take Illegal Deer Open Season**
- 1-Hunt Deer Illegal Methods**
- 1-Possession Of Untagged Deer**
- 3-Hunt Deer In Closed Season**
- 4-Hunt Wild Quadrupeds Illegal Hours**
- 66-Hunt/Discharge Firearm From Public Road**
- 23-Hunt From Moving Vehicle**
- 2-Hunt With Unplugged Gun**
- 16-Failure To Wear Hunters Orange**
- 2-Hunt Raccoons Illegally**
- 1-Fail To Comply W/Hunters Safety Regs.**

Page (6)

**REGION 3 CONTD.**

**32-Failure To Abide By Rules And Regs. On WMA**

**2-Hunt MB Illegal Hours**

**3-Hunt Ducks W/O Federal Duck Stamp**

**6-Use Lead Shot In Steel Shot Zone**

**1-Hunt MB W/Unplugged Gun**

**2-Reckless Operation Of Motor Vehicle**

**1-Flight From An Officer**

**1-No License Plate**

**2-Littering**

**3-Operate ATV On Public Road**

**2-Simple Obstruction Of Highway Of Commerce**

**CONFISCATIONS:**

**7 deer, 35 nutria, 6 wood ducks, 3 mallards, 1 ring neck duck, 2 teal, 1 widgeon, 2 gadwall,  
2 scaup, 4 basic resident hunting licenses, 2 resident big game licenses, 2 basic fishing  
licenses, 12 weapons, 1 volt light, 2 flashlights, 46 lead shot.**

**TOTAL OF EACH CATEGORY FOR REGION 3:**

**3-Boating**

**210-Hunting**

**12-MGB**

**11-Other**

Page (7)

**TOTAL CASES MADE ON WMA:**

**Camp Beauregard-14**

**Fort Polk-16**

**Grassy Lake-16**

**Peason Ridge-4**

**Spring Bayou-5**

REGION 4

TOTAL CASES-150

WMA&REFUGES-56

**11-Boating**

**1-Angling W/O A License**

**1-Using Gear W/O Rec. Gear License**

**6-Hunting W/O Resident License**

**2-Hunting W/O Non-Resident License**

**1-Failure To Abide By Commission Rules**

**4-Hunting From A Moving Vehicle**

**1-Hunting W/Unplugged Gun**

**5-Hunting Wild Quadrupeds Illegal Hours**

**1-Hunt Across Road Or Public Right-Of-Way**

**1-Hunt, Stand, Loiter From Public Road Or Right-Of-Way**

**3-Hunt MB W/O State Stamp**

**2-Possession Of Buckshot During Closed Season**

**7-Hunt W/O Resident Big Game License**

**4-Hunt Deer Closed Area**

**1-Hunt Or Take Deer Or Bear Closed Season**

**2-Hunt Or Take Deer Illegal Hours, Artificial Light**

**3-Hunt Or Take Deer From Public Road**

**3-Hunt Or Take Illegal Deer Open Season**

**2-Possess Over Limit Of Deer Or Bear**

**REGION 4 CONTD.**

- 1-Possession Of Illegally Taken Deer
- 1-Fail To Maintain Sex I.D.
- 4-Fail to Comply With Hunters Orange
- 1-Hunt W/O Muzzle loader License
- 2-Hunt On DMAP Lands W/O Permit From Owner
- 8-Hunt Raccoons Illegally
- 6-Hunting Ducks W/O Federal Stamp
- 3-Hunting With Unsigned Duck Stamp
- 5-Hunt MB With Unplugged Gun
- 3-Hunting MB Illegal Hours
- 4-Hunting MB Over Baited Area
- 6-Using Lead Shot In Area Designated As Steel Shot
- 3-Taking Of Other Non-Game Birds-No Season
- 42-Not Abiding By Rules And Regs. On WMA

**CONFISCATIONS:**

6 weapons, 1 spotlight, 1 tree stand, 64 lead shot shells, 1 Evinrude motor, 7 deer, 4 ducks,  
1 pelican, 3 rabbits, 7 coons, 1 beaver.

**TOTAL OF EACH CATEGORY FOR REGION 4:**

11-Boating	30-Federal
2-Fishing	42-Other
65-Hunting	

**Page (10)**

**REGION 4 CONTD.**

**TOTAL OF CASES FOR WMA:**

**Big Lake-14**

**Boeuf-16**

**Buckhorn-4**

**Dewey Wills-22**

Page (11)

REGION 5

TOTAL CASES-194

WMA&REFUGES-49

**11-Boating**

**1-Fishing W/O A Resident License**

**3-Take Or Possess Undersize Black Drum**

**2-Take Or Possess Over limit Of Black Drum**

**1-Take Or Possess Commercial Fish W/O Vessel License**

**1-Transport W/O Required License**

**1-Theft Of Crab Trap**

**1-Commercial Truck W/O Display Of Owner Name And Address**

**3-Violate Calcasieu Lake Regs.**

**20-No Abiding By Rules And Regs. On WMA**

**6-Violation Of Sanitary Code-Chapter 9**

**2-Take Commercial Fish W/O Commercial Gear License**

**6-Hunting W/O Resident License**

**10-Hunting From Moving Vehicle And or Aircraft**

**1-Hunting With Unplugged Gun**

**8-Hunt Wild Quadrupeds And/Or Wild Birds Illegal Hours**

**3-Hunt, Stand, Loiter From Public Road**

**1-Take Rabbits Illegal Methods**

**1-Take Squirrel Closed Season**

**2-Hunt Or Take Deer Illegal Hours**

**REGION 5 CONTD.**

**2-Hunt Or Take Deer Illegal Hours**

**3-Hunt Or Take Deer From Public Road**

**2-Hunt W/O Resident License**

**1-Fail To Wear Hunters Orange**

**2-Hunt-Trap On DMAP Lands W/O Permit From Owner Lessee**

**2-Hunt Raccoons Illegally**

**1-Take Bobcats Illegally**

**4-Hunting Ducks Or Geese W/O Federal Stamp**

**2-Taking Or Possessing Alligator Closed Season**

**3-Possess Untagged MB**

**2-Hunting MB W/Unplugged Gun**

**23-Hunting MB Illegal Hours**

**4-Hunting MB From A Vehicle**

**8-Wanton Waste Of MB**

**13-Using Lead Shot In Area Designated As Steel Shot Only**

**2-Creeping Geese**

**4-Hunting MB W/Electric Calling Device**

**1-Possess Over Limit Or Geese**

**12-Possess Over Limit Of Ducks**

**1-Hunting Woodcocks Closed Season**

**3-Hunt MB W/O State Stamp**

**REGION 5 CONTD.**

**3-Hunt MB W/O State Hunting License**

**4-Hunt MB From Public Road**

**1-Littering**

**1-Possession Of Firearm Of Convicted Felon**

**1-Operate ATV Vehicle On Public Road**

**3-Discharge Firearm From Public Road**

**2-Criminal Trespass**

**CONFISCATIONS:**

**122 ducks, 101 geese, 72 sacks of oysters, 1 deer, 5 rabbits, 2 woodcock, 8 crab traps, 84**

**lead shot shells, 11 raccoon, 15 coots, 143 weapons.**

**TOTAL OF EACH CATEGORY FOR REGION 5:**

**11-Boating**

**2-Other**

**1-Littering**

**41-Fishing**

**140-Hunting**

**TOTAL OF CASES MADE ON WMA:**

**Marsh Island-12**

**State Wildlife-8**

**Rockefeller-20**

**West Bay-9**

REGION 6

TOTAL CASES-173

WMA&REFUGES-37

48-Boating

6-Angling W/O A License

1-Take Over Limit Of Freshwater Game Fish

4-Take Illegal Size Black Bass

1-Fail To Maintain Records

19-Failure To Abide By Rules And Regs. On WMA

1-Use WMA W/O License Or State Stamp

1-Littering

1-Hunt W/O Resident Big Game License

3-Hunt Deer In Closed Area

6-Hunt Or Take Deer Illegal Hours

5-Hunt Or Take Deer From Public Road

1-Take Illegal Deer Open Season

1-Fail To Wear Hunters Orange

6-Hunt W/O Resident License

9-Hunt From Moving Vehicle

4-Hunt With Unplugged Gun

4-Hunt Wild Quadrupeds Illegal Hours Or With Artificial Light

1-Hunt From Public Road

3-Hunt From Levee Road

**REGION 6 CONTD.**

- 2-Hunt MB W/O State Stamp
- 1-Driving On Levee (Parish Ordinance)
- 1-Possession Of Buckshot During Closed Deer Season
- 3-Fail To Comply With Hunter Safety Regs.
- 5-Hunt Duck/Geese W/O Federal Duck Stamp
- 3-Hunt MB With Unplugged Gun
- 5-Hunt Ducks Illegal Hours
- 4-Possession Of Untagged MB
- 6-Using Lead Shot In Area Designated As Steel Shot Only
- 2-Possession Over Limit Of Ducks
- 1-Taking Grobec-No Season
- 1-Hunt Ducks Without State Stamp
- 13-Hunt Raccoons Illegally
- 1-Fail To Mark Containers

**CONFISCATIONS:**

8 wood ducks, 2 shovelers, 3 gadwall, 19 mallard, 4 scaup, 1 coot, 3 pintail, 2 teal, 2 grobec,  
10 raccoon, 1 deer, 1 rabbit, 22 black bass, 3 pints of oysters, 68 federal lead shot shells, 1-  
14 foot flatboat, 6 weapons, 1 truck, 3 outboard motors.

**TOTAL OF EACH CATEGORY FOR REGION 6:**

48-Boating	1-Commercial Fishing	64-Hunting	1-Littering
11-Sport Fishing	20-W.A.	27-Federal	1-Other

Page (16)

**TOTAL OF CASES MADE ON WMA:**

**Sherburne-36**

**Thistlewaite-1**

REGION 7

TOTAL CASES-197

WMA&REFUGES-7

- 7-Boating
- 3-Angling W/O Resident License
- 4-Failure To Maintain Records
- 1-Illegal Shipping Of Commercial Fish
- 1-Failure To Tag Containerized Oysters
- 1-Selling For Re-sale Untagged Oysters
- 15-Hunt W/O Resident Basic License
- 2-Hunt With Non-Resident Basic License
- 26-Hunt From Moving Vehicle
- 7-Hunting With Unplugged Gun
- 8-Hunt Wild Quadrupeds Illegal Hours
- 14-Hunt From A Public Road
- 4-Fail To Comply With Hunter Safety Regs.
- 1-Obtain License Fraudently
- 9-Hunt With Resident Big Game License
- 2-Hunt Without Non-Resident Big Game License
- 20-Hunt Deer Illegal Hours
- 2-Hunt Deer Illegal Methods
- 23-Hunt Deer From Public Road
- 2-Take Illegal Deer Open Season

Page (18)

**REGION 7 CONTD.**

**1-Possession Illegally Taken Deer Open Season**

**14-Failure To Wear Hunter Orange**

**1-Hunt W/O Muzzleloader License**

**1-Buy Or Sell F.B.A. W/O Buyers License**

**1-Operate W/O Wholesale/Retail Reptile Amphibian License**

**4-Failure To Comply With Rules And Regs. On WMA**

**1-Resisting An Officer**

**8-Criminal Trespass**

**1-DWI**

**2-Littering**

**2-Contributing Delinquency To A Juvenile**

**3-Flight From An Officer**

**2-Illegal Shucking And Repacking Of Oysters**

**1-Shucking Oysters W/O Certificate**

**1-Discharge Firearm From Public Road**

**1-Driving W/O A License**

**1-Reckless Operation Of A Vehicle**

**CONFISCATIONS:**

**7 raccoons, 6 deer, 5 red ear turtles, 23 quarts of oysters, 1 sack of oysters.**

**Page (19)**

**TOTAL OF EACH CATEGORY FOR REGION 7**

**7-Boating**

**4-WMA**

**11-Commercial Fishing**

**3-Sport Fishing**

**151-Hunting**

**1-Reptile/Amphibian**

**20-Other**

**TOTAL OF CASES MADE ON WMA:**

**Manchac-1**

**Joyce-1**

**Sandy Hollow-1**

**Ben's Creek-2**

**Pearl River-2**

**REGION 8**

**TOTAL CASES-268**

**WMA&REFUGES-26**

**29-Boating**

**27-Angling W/O A Basic License**

**3-Angling W/O A Non-Resident License**

**8-Angling W/O A Saltwater License**

**2-Angling W/O A Non-Resident Saltwater License**

**5-Fail To Have Saltwater Stamp As Per 56:13.1 E**

**1-Take/Possess Over The Limit Of Undersize Freshwater Gamefish**

**4-Take/Possess Over The Limit Of Red Drum**

**4-Possess Over 10 Red Drum**

**17-Take/Possess Undersize Red Drum**

**1-Take/Possess Undersize Speckled Trout**

**14-Take/Possess Undersize Black Drum**

**5-Possess Over 50 Speckled Trout**

**4-Take/Possess Over The Limit Of Black Drum**

**1-Fail To Have Commercial License In Possession**

**2-Take Or Sell Commercial Fish Or Bait Species W/O Commercial License**

**1-Take Commercial Fish W/O Commercial Gear License**

**3-Take/Possess Commercial Fish W/O Vessel License**

**1-Sell Or Buy Fish W/O Wholesale/Retail Dealer's License**

**2-Fail to Maintain Records**

**REGION 8 CONTD.**

- 1-Buy Commercial Fish From Unlicensed Fisherman**
- 2-Take Speckled Trout With Mullet Strike Net**
- 1-Take/Possess Oysters W/O Oyster Harvester's License**
- 1-Fail To Mark/Tag Nets**
- 1-Violation Of Mullet Regs.: Sell Mullet W/O A Permit**
- 1-Take Mullet Commercially W/O A Permit**
- 2-Take Commercial Mullet During Illegal Hours**
- 1-Fail To Have Written Permission**
- 10-Take Oysters From Polluted Area**
- 1-Fail To Mark Oyster Lease While Harvesting**
- 1-Harvest Oysters W/O Oyster Harvester's License**
- 4-Hunt W/O Basic Resident License**
- 4-Possess Wild Birds Or Wild Quadrupeds W/O A License**
- 4-Fail To Abide By Commission Rules And Regs.**
- 2-Hunt From Moving Vehicle**
- 2-Hunt With Unplugged Gun**
- 7-Hunt Wild Quadrupeds Or Wild Birds Illegal Hours**
- 2-Hunt MB W/O State Stamp**
- 2-Obtain License Fraudulently**
- 2-Hunt Or Take Deer Illegal Hours**
- 5-Fail To Comply With Hunter's Orange Regs.**

REGION 8 CONTD.

- 6-Hunt Raccoons Illegally**
- 2-Possess Fur Bearing Animals W/O A License**
- 6-Take Non-Game Quadrupeds Illegally**
- 4-Trespass On Marshlands To Take Fur Bearing animals**
- 6-Hunt ducks W/O A Federal Stamp**
- 3-Hunt MB With An Unplugged Gun**
- 2-Hunt MB Illegal Hours**
- 2-Hunt MB Over Baited Area**
- 2-Hunt MB From Moving Motorboat**
- 8-Possess Untagged MB**
- 2-Transport completely Dressed MB**
- 2-Wanton Waste Of MB**
- 5-Using Lead Shot In Area Designated As Steel Shot Only**
- 1-Possess Over The Limit Of Coots**
- 2-Possess Over The Limit Of Ducks**
- 1-Take Grebe-No Season**
- 2-Hunt MB W/O State Stamp**
- 2-Hunt MB W/O State Hunting License**
- 5-Not Abiding By Commission Rules And Regs. On WMA**
- 2-Violation Of Sanitary Code-Chapter 9**
- 10-Other**

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REGION 8 CONTD.

CONFISCATIONS:

342 sacks oysters, 300 mullet, 30 garfish, 5 black drum, 2 red drum, 1 grebe, 1 rabbit, 10 nutria, 1 raccoon, 1 speckled trout, 7 rabbits, 421 speckled trout, 375 lbs. Of catfish, 28 ducks, 55 coots, 144 red drum, 1 merganser, 117 black drum, 12 weapons, 1 crossbow, 2 resident fishing licenses, 2 saltwater resident licenses, 1 commercial gear license, 1 outboard motor, 1 boat, 1 boat trailer, 1-1200 foot strike net, 5 buckshot shotgun shells, 5 lead shotgun shells, 4 ice chests, 1 headlight, 1 unattended net at 1000 feet.

TOTAL OF EACH CATEGORY FOR REGION 8:

29-Boating

95-Recreational Fishing

38-Commercial Fishing

56-Hunting

40-MGB

10-Other

TOTAL OF CASES FOR WMA:

Salvador-11

Biloxi-5

Pas A Loutre-10

**SHRIMP ACTIVITY REPORT**

**REGION 8 ENFORCEMENT**

**COMPLAINTS**

1. No shrimp complaints were received this month. Activity was minimal in inside waters.

Activity in outside waters was largely in compliance-all seasons open.

**PATROLS**

1. Regular patrols by boat have been continued. Very few shrimpers active.

**INQUIRIES**

1. We received a few inquiries for TED information, which were referred to the LSU

Cooperative Extension Service Agent Gerald Horst.

2. We received numerous calls regarding the closure and extension of inside waters.

**CASES**

No cases or seizures this month.

REGION 9

TOTAL CASES-215

WMA&REFUGES-10

20-Boating

45-Angling W/O A License

4-Angling W/O Non-Resident License

1-Fish W/O Resident Pole License

2-Angling W/O Saltwater License Non-Resident

14-Fail To Have Saltwater Stamp

17-Angling W/O Saltwater License

1-Possess Over Limit Of Red Drum

6-Take Undersize Red Drum

3-Take Undersize Spotted Sea Trout

15-Take Undersize Black Drum

2-Possession Over Limit Of Sea Trout

4-Take Over Limit Black Drum

1-Take Commercial Fish W/O Vessel License

9-Take Undersize Oysters From Natural Reef

1-Fail To Display Proper Vessel Numbers

1-Fail to Fill Out Oyster Tags Correctly

2-Take Oysters From Unapproved Area

8-Hunting W/O Resident License

3-Hunting With Unplugged Gun

REGION 9 CONTD.

4-Hunting From Moving Vehicle

2-Hunting Wild Quadrupeds With Artificial Light

2-Hunting From Highway Right-Of-Way

1-Hunting From Public Road

4-Hunting W/O Resident Big Game License

2-Hunting W/O Non-Resident Big Game License

7-Hunt Deer Illegal Hours W/Artificial Light

2-Hunt Deer Illegally From A Boat

4-Hunt Raccoons Illegally

2-Hunting Ducks W/O Federal Stamp

1-Hunting MB Illegal Hours

1-Hunting MB W/Unplugged Gun

3-Hunting MB W/Illegal Firearm

5-Rally MB

3-Using Lead Shot In Area Designated Steel Shot Only

1-Hunting Coots Closed Season

2-Possess Over Limit Of Ducks

2-Taking Killdeer-No Season

3-Hunt MB W/O State Stamp

2-Hunt MB W/O State Hunting License

1-Fail To Keep Federally Controlled Fish Intact

**REGION 9 CONTD.**

**1-Take Federal Controlled Fish In Closed Season**

**1-Fail To Follow Shark Regs.**

**CONFISCATIONS:**

211 sacks of oysters released, 3 raccoons, 1 gallinule, 76 coots, 27 red drum, 142 black drum, 2 deer, 2 killdeer, 8 scaup, 1 teal, 11 wood ducks, 65 specks, 6,287 lbs. Of shark sold for \$3,772.20, 28 lbs. Of wahoo sold for \$35.00, 32 lbs. Of mako sold for \$32.00, 151 lbs. Of blackfin tuna sold for \$45.30, 626 lbs. Of atlantic sharpnose sold for \$250.40, 6 guns, 1 gun case, 3 headlights, 1 spotlight, 1-6v battery, 1 gun case.

**TOTAL OF EACH CATEGORY FOR REGION 9:**

**21-Boating**

**113-Sport Fishing**

**1-Commercial Fishing**

**39-Hunting**

**18-MGB**

**7-Non Game MB**

**13-Oysters**

**3-Misc.**

**TOTAL OF CASES MADE ON WMA:**

**Pointe Au Chien-9**

**Manchac -1**

Page (28)

**STATEWIDE STRIKE FORCE**

**TOTAL CASES-55**

**2-Boating**

**1-Angling W/o A Basic License**

**4-Hunting W/O Resident License**

**2-Hunting W/O Non-Resident License**

**2-Hunting From Moving Vehicle**

**1-Hunt With an Unplugged Gun**

**2-Hunt Across Public Road Or Right-Of-Way**

**5-Hunt, Stand, Loiter, From Public Road**

**1-Hunt MB W/O State Stamp**

**2-Possession Of Buckshot During Closed Deer Season**

**1-Fail To Comply With Hunter Safety Regs.**

**1-Hunt W/O Non-Resident Big Game License**

**1-Hunt Deer Closed Area**

**2-Hunt Or Take Deer Illegal Hours Or With Artificial Light**

**2-Hunt Or Take Deer From A Public Road**

**2-Fail to Wear Hunters Orange**

**1-Hunt Ducks Or Geese W/O Federal Stamp**

**2-Hunting With Unsigned Duck Stamp**

**2-Hunting MB With Unplugged Gun**

**2-Hunting MB Illegal Hours**

Page (29)

**SPECIAL STRIKE FORCE CONTD.**

1-Possession Untagged MB

5-Use Lead Shot In Area Designated As Steel Only

1-Hunt Ducks Closed Season

6-Not Abiding By Rules And Regs. On WMA

1-Illegal Possession Of Drugs Or Marijuana

1-Other

1-Operate ATV On Public Road

1-Discharge Firearm From Public Road

**CONFISCATIONS:**

60 lead shot, 3 weapons, 1 spotlight, 1 deer, 1 duck

**TOTAL OF EACH CATEGORY FOR SPECIAL STRIKE FORCE:**

2-Boating

1-Sport Fishing

28-Hunting

14-MGB

6-WMA

4-MISC.

**TOTAL OF CASES MADE ON WMA:**

State Wildlife-6

**SEAFOOD INVESTIGATIVE UNIT:**

**TOTAL CASES-35**

**2-Take/Sell Commercial Fish/Bait Species**

**1-Sell/Buy fish W/O Wholesale/Retail Dealers License**

**2-Sell/buy fish W/O Retail Seafood License**

**11-Fail To Maintain Records**

**1-Illegal Shipping Of Commercial Fish**

**1-Sell/Purchase Game Fish**

**2-Buy Permitted Species From Unpermitted Fisherman**

**4-Buy Commercial Fish From Unlicensed Fisherman**

**2-Fail to Tag Sacked/Containerized Oysters**

**1-Buy/Sell For Resale Untagged Oysters**

**1-Trap/Sell Fur Bearing Animals/Parts W/O Resident/Non-Resident License**

**3-Violate Sanitary Code, Chapter 9, Fail To Refrigerate Property**

**2-Misbranded Or Adulterated Foods**

**2-Sell Reef Fish**

**CONFISCATIONS:**

**7 raccoons, 7 ½ gallons of oysters, 93 lbs. Of black drum, 132 lbs. Of mullet, 31 lbs. Of sheepshead;(black drum, mullet and sheepshead sold for \$97.20), 21 lbs. Of red fish, 2 black bass, 1 speckled trout, 1 channel catfish.**

**TOTAL OF EACH CATEGORY FOR SEAFOOD INVESTIGATIVE UNIT:**

**Commercial Fishing-35**

**OYSTER STRIKE FORCE**

**TOTAL CASES-84**

**16-Take Undersize Oysters From Natural Reef**

**4-Take Oysters Without Vessel License**

**6-Failure To Cover Oysters With Vessel Tarp**

**3-Take Oysters From Unapproved Area**

**1-Take Oysters Without Gear License**

**3-Take Oysters Without Commercial License**

**5-Take Oysters Without Harvester License**

**3-Take Oysters Without Written Permission**

**5-Take Oysters From Unmarked Lease**

**2-Failure To Fill Out Oyster Tag Completely**

**1-Failure To Tag Oysters**

**16-Angling W/O A Basic License**

**4-Fishing W/O A Saltwater License**

**2-Fishing W/O Marine Conservation Stamp**

**3-Take Undersize Red Drum**

**2-Take Undersize Spotted Sea Trout**

**2-Take Over Limit Spotted Sea Trout**

**2-Take Undersize Black Drum**

**2-Rallying Coots**

**1-Hunt Coots W/O State Stamp**

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**OYSTER STRIKE FORCE CONTD.**

**1-Hunt Coots W/O State License**

**CONFISCATIONS:**

**13 coots, 506 sacks of oysters, 63 spotted sea trout, 5 red drum, 8 black drum.**

**TOTAL OF EACH CATEGORY FOR OYSTER STRIKE FORCE:**

**49-Commercial**

**31-Recreational**

**4-Federal**

Page (33)

S.W.E.P.

TOTAL CASES-27

BOATS CHECKED-75

RUNNING TIME-30 HOURS

1-Boating

5-Take/Possess Over 50 Spotted Sea trout

4-Take/Possess Undersize Red Drum

2-Take/Possess Undersize Black Drum

1-Take/Possess Over Limit Of Black Drum

9-Angling W/O A License

1-Angling W/O A Saltwater License

2-Angling W/O A Saltwater Conservation Stamp

1-No Wholesale/Retail Dealers License

1-Hunt At Night With Light And Gun

CONFISCATIONS:

293 spotted sea trout, 4 black drum.

TOTAL OF EACH CATEGORY FOR S.W.E.P.:

24-Recreational

1-Boating

1-Commercial

1-Hunting

Page (34)

TOTAL CASES WMA&REFUGES-317

TOTAL CASES -1670

ENFORCEMENT AVIATION REPORT  
DECEMBER, 1997

185-Amph. - 61092  
Hrs. - 35.3

185-Float - 70365  
Hrs. - 35.0

210 - 9467Y  
Hrs. -

Enforcement Hours - 56.3

Other Divisions - 14.0

Total Plane Use - 70.3

**Procedure for Election of Chairman and Vice Chairman  
(According to Article IV of the Bylaws)**

I. Election Procedure

Chair entertains motion to adopt the recommended procedure, subject to whatever changes the Commission deems appropriate.

- Include within this motion or in a subsequent motion, the method of voting. Choose:

1. Viva voce, coupled with show of hands;

**OR**

2. Roll call.

(See II.D. below.)

*Use for*

*1998*

*Election*

II. Chairman

A. Chair entertains nominations for chairman

- Any number may be nominated.
- No second required for nominations.
- Chairman may not serve succeeding terms.

B. When it appears that no further nominations are forthcoming, the Chair can declare nominations closed.

C. When nominations are closed, the chair will call for votes for each of the persons nominated - in the order of nomination.

- D. Voting must be by:
1. Viva voce, in which case the Chair would say: "All in favor of 'X' "for Chairman, say 'Aye'" (this should be combined with a show of hands) or
  2. Roll call, in which case each member, when called upon, states his preference for Chairman from among the nominees.
- E. When any nominee receives a majority vote of the members present, then voting ceases and he is declared Chairman.
- F. In the event that there are more than two nominees for Chairman and no nominee receives a majority vote of those present, then the balloting should be repeated as many times as necessary until one candidate obtains a majority vote. If second and subsequent balloting is required, all nominees are kept on the ballot.
- G. Chairman-elect takes possession of his office immediately upon election.

### III. Vice-Chairman

When a Chairman is declared, then the Commission proceeds to elect a Vice-Chairman using the same procedure set out above for Chairman. (Vice-Chairman can succeed himself.)

- IV. Points of Order - All objections, questions or points of order concerning the above procedure or the election must be made prior to adjournment of this meeting.

1998		May				1998	
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	
					1	2	
3	4	5	6	7	8	9	
10	11	12	13	14	15	16	
17	18	19	20	21	22	23	
24	25	26	27	28	29	30	
31							

LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES  
 CIVIL RESTITUTION ACTIVITY REPORT

CURRENT MONTH 12/01/1997 TO 12/31/1997 FISCAL YEAR TO DATE 07/01/1997 TO 12/31/1997 INCEPTION TO DATE 12/31/1997

	# CASES	AMOUNT	# CASES	AMOUNT	# CASES	AMOUNT	# CASES	AMOUNT
ORIG RESTITUTION VALUES ENTERED	25	\$36,881.09	113	\$128,042.62	3,489	\$2,387,100.44		
HEARING COSTS ASSESSED	0	\$0.00	0	\$0.00	133	\$3,325.00		
SALE OF CONFISCATED COMMODS	0	\$0.00	0	\$0.00	331	\$269,865.45		
SALES EXCEEDING RESTITUTION	0	\$0.00	0	\$0.00	148	\$71,951.21		

	# CASES	AMOUNT	# CASES	AMOUNT	# CASES	AMOUNT	# CASES	AMOUNT
RESTITUTION ASSESSED	25	\$36,881.09	113	\$128,042.62	3,489	\$2,192,511.20		
PAYMENTS	15	\$4,376.97	73	\$15,119.60	2,261	\$353,711.90		
DISCOUNTS FOR TIMELY PAYMENTS	13	\$2,775.66	61	\$8,938.12	1,537	\$175,799.62		
OVERPAYMENTS	1	\$0.01	2	\$1.01	94	\$1,614.28		
REFUND OF OVERPAYMENT	0	\$0.00	0	\$0.00	37	\$7,150.51		
APPLIED CONFISCATED COMMODS	0	\$0.00	0	\$0.00	4	\$18,449.45		
APPLIED EXCEEDING BALANCE DUE	0	\$0.00	0	\$0.00	4	\$10,601.49		
REFUND OF CONFISCATED COMMOD.	0	\$0.00	0	\$0.00	18	\$78,254.09		
RETURNED CHECKS	0	\$0.00	0	\$0.00	1	\$36.75		
MISC. ADJUSTMENTS								
DEBITS	0	\$0.00	0	\$0.00	2	\$35.00		
CREDITS	0	\$0.00	0	\$0.00	13	\$10.22		
REASSESSMENTS								
DEBITS	0	\$0.00	0	\$0.00	18	\$6,532.69		
CREDITS	0	\$0.00	0	\$0.00	52	\$33,593.61		
WRITE-OFFS	0	\$0.00	1	\$0.02	206	\$112,914.44		
ASSESSMENTS WITHDRAWN	0	\$0.00	0	\$0.00	6	\$1,399.24		
ADJUDICATION ADJUSTMENTS	0	\$0.00	0	\$0.00	0	\$58.90		
FOUND NOT RESPONSIBLE	0	\$0.00	0	\$0.00	21	\$22,867.51		
CASES VOIDED BY ENFORCEMENT	0	\$0.00	0	\$0.00	0	\$0.00		
** TOTAL OUTSTANDING					1,003	\$1,577,931.12		

FOOTNOTE:

PAYMENTS FROM COLLECTION EFFORT	0	\$0.00	2	\$49.00	57	\$11,069.67
AMOUNT PAID TO COLLECTOR		\$0.00		\$12.25		\$2,767.41
FORFEIT OF CONFISCATED COMMODS	0	\$0.00	1	\$3,202.60	2	\$3,202.60 *



# MONTHLY CIVIL RESTITUTION REPORT

PERIOD	NO. CASES ASSESSED	AMOUNT ASSESSED	CREDIT FOR SALE GOODS	NO. CASES PAID	AMOUNT PAID	DISCOUNTS TAKEN	Percent Dollars Paid	Percent Cases Paid
<b>FISCAL YEAR 1993-94</b>								
July, 1993	25	21,039	(9,778)	29	4,855	2,545		
Aug., 1993	53	44,922	(1,137)	41	7,950	3,603		
Sept., 1993	42	137,635	(17,938)	35	6,783	3,048		
Oct., 1993	49	21,471	(11,282)	40	3,285	1,519		
Nov., 1993	57	31,207	(13,260)	32	3,053	2,845		
Dec., 1993	53	13,777		27	6,507	6,713		
Jan., 1994	38	18,918		32	4,423	2,831		
Feb., 1994	68	38,131	(8,238)	46	9,124	5,993		
Mar., 1994	38	22,739	(2,482)	51	10,854	6,796		
April, 1994	14	44,732	(1,404)	27	7,307	4,632		
May, 1994	10	4,504	(165)	7	5,447	3,808		
June, 1994	29	26,167	(2,986)	12	1,886	1,214		
<b>Total FY 1994</b>	<b>476</b>	<b>425,242</b>	<b>(68,670)</b>	<b>379</b>	<b>71,474</b>	<b>45,547</b>	<b>27.5%</b>	<b>79.6%</b>
<b>FISCAL YEAR 1994-95</b>								
July, 1994	17	2,127	(335)	23	2,101	1,437		
Aug., 1994	41	96,403	(3,035)	20	1,010	605		
Sept., 1994	34	14,614	(14,002)	26	2,596	2,342		
Oct., 1994	94	17,426	(8,677)	38	2,922	3,179		
Nov., 1994	43	103,592		45	3,992	2,803		
Dec., 1994	68	31,400		35	4,315	2,329		
Jan., 1995	55	27,601		52	7,493	4,921		
Feb., 1995	70	61,119		41	6,472	3,973		
Mar., 1995	31	25,072		44	8,315	4,737		
Apr., 1995	13	15,353		16	3,565	1,538		
May., 1995	23	11,632		16	4,315	654		
June 1995	45	31,008		18	2,630	1,025		
<b>Total FY 1995</b>	<b>534</b>	<b>437,347</b>	<b>(26,049)</b>	<b>374</b>	<b>49,726</b>	<b>29,543</b>	<b>18.1%</b>	<b>70.0%</b>
<b>FISCAL YEAR 1995-96</b>								
July, 1995	0	0						
Aug., 1995	46	17,425		27	9,028	1,729		
Sept., 1995	1	125		21	3,093	2,049		
Oct., 1995	122	206,244		29	2,720	1,161		
Nov., 1995	55	23,124		62	10,151	6,383		
Dec., 1995	50	18,607		32	4,781	2,803		
Jan., 1996	49	13,815	(15,296)	36	5,297	3,473		
Feb., 1996	50	14,717		38	5,778	3,417		
Mar., 1996	33	24,937		36	6,035	3,422		
Apr., 1996	30	11,007		36	7,173	2,712		
May., 1996	23	7,989		24	3,942	2,020		
June 1996	50	22,151		16	2,790	1,182		
<b>Total FY 1996</b>	<b>509</b>	<b>360,141</b>	<b>(15,296)</b>	<b>357</b>	<b>60,787</b>	<b>30,350</b>	<b>25.3%</b>	<b>70.1%</b>
<b>FISCAL YEAR 1995-96</b>								
July, 1996	40	71,894		32	5,250	2,948		
Aug., 1996	32	5,363		32	6,255	3,784		
Sept., 1996	41	7,210		29	2,260	1,327		
Oct., 1996	29	11,093		25	3,698	2,262		
Nov., 1996	20	10,009		22	1,625	698		
Dec., 1996	13	238,466		22	5,877	2,122		
Jan., 1997	27	11,755		17	4,393	2,377		
Feb., 1997	47	18,521		42	8,580	5,553		
Mar., 1997	26	13,434		27	5,000	2,758		
Apr., 1997	10	2,909		15	2,323	1,299		
May., 1997	20	11,683		15	5,199	1,399		
June 1997	5	8,037		10	2,335	765		
<b>Total FY 1997</b>	<b>310</b>	<b>410,373</b>	<b>0</b>	<b>288</b>	<b>52,794</b>	<b>27,290</b>	<b>19.5%</b>	<b>92.9%</b>
<b>FISCAL YEAR 1997 - 98</b>								
July, 1997	10	2,812		8	1,585	823		
Aug., 1997	14	8,741		8	1,496	779		
Sept., 1997	29	19,926		12	2,052	1,278		
Oct., 1997	12	4,717		23	3,185	2,064		
Nov., 1997	23	54,965		10	2,425	1,218		
Dec., 1997	25	36,881		15	4,377	2,776		
Jan., 1998								
Feb., 1998								
Mar., 1998								
Apr., 1998								
May., 1998								
June 1998								
<b>Total FY 1998</b>	<b>113</b>	<b>128,043</b>	<b>0</b>	<b>76</b>	<b>15,120</b>	<b>8,938</b>	<b>18.8%</b>	<b>67.3%</b>

**SCHEDULE FOR FINAL RULES TO BE PUBLISHED IN STATE REGISTER**

- FEB-98**                    **RULES - Proof of Income (Spotted Seatrout, Mullet & Saltwater Rod & Reel License)**
- MAR-98**                    **RULE - Daily Take & Size Limits Set by Commission - Reef Fish (Commission)**
- RULE - Black Bass Regulation - False River Lake (Commission)**
- APR-98**                    **RULE - 3-Day Basic & Saltwater Nonresident Fishing License Fees (Commission)**
- RULE - Hunting of Farm Raised White-Tailed Deer & Exotics (Commission)**
- RULE - White-Tailed Deer Importation (Commission)**

Louisiana Department of Wildlife and Fisheries

# NEWS RELEASE

James H. Jenkins Jr.  
Secretary



CONTACT  
504/765-2923

98-1

1/5/98

## NEW AGENDA FOR JANUARY COMMISSION MEETING

The agenda for the next regular meeting of the Louisiana Wildlife and Fisheries Commission has been amended. The meeting will take place at 10 a.m. on Thursday, Jan. 8, 1998, in the Louisiana room of the Wildlife and Fisheries headquarters, 2,000 Quail Dr., Baton Rouge.

The meeting is open to the public. The new agenda follows.

1. Roll call.
2. Approval of minutes of Dec. 4, 1997, Commission meeting.
3. Donation by Chevron to Artificial Reef Program.
4. Declaration of Emergency and Notice of Intent: apprentice fisherman's license.
5. Declaration of Emergency: commercial red snapper season.
6. Declaration of Emergency and Notice of Intent: reef fish, commercial rules.
7. Enforcement and Aviation reports — December.
8. Division reports.
9. Election of Chairman and Vice-Chairman.
10. Set May 1998 meeting date.
11. Public comments.
12. Adjourn.

-30-

January 5, 1998

NEWS RELEASE

APPROVED: \_\_\_\_\_



AMENDED AGENDA FOR COMMISSION MEETING

The next regular public board meeting has been scheduled by the Commission for 10:00 A.M. on Thursday, January 8, 1998, at the Wildlife and Fisheries Building, 2000 Quail Drive, Baton Rouge, LA.

1. Roll Call
2. Approval of Minutes of December 4, 1997
3. Donation by Chevron to Artificial Reef Program
4. Declaration of Emergency & Notice of Intent - Apprentice Fisherman's License
5. Declaration of Emergency - Commercial Red Snapper Season
6. Declaration of Emergency & Notice of Intent - Reef Fish, Commercial Rules
7. Enforcement & Aviation Reports/December
8. Division Reports
9. Election of Chairman and Vice-Chairman
10. Set May 1998 Meeting Date
11. Public Comments
12. Adjourn

Louisiana Department of Wildlife and Fisheries

# NEWS RELEASE

James H. Jenkins Jr.  
Secretary



CONTACT  
504/765-2923

97-347

12/31/97

## JANUARY COMMISSION MEETING SET

The Louisiana Wildlife and Fisheries Commission will conduct its next regular meeting at 10 a.m. On Thursday, Jan. 8, 1998, in the Louisiana room of the Wildlife and Fisheries headquarters, 2,000 Quail Dr., Baton Rouge.

The meeting is open to the public. The agenda follows.

1. Roll call.
2. Approval of minutes of Dec. 4, 1997, Commission meeting.
3. Donation by Chevron to Artificial Reef Program.
4. Notice of intent - Apprentice Fisherman's License.
5. Enforcement and Aviation reports — December.
6. Division reports.
7. Election of Chairman and Vice-Chairman.
8. Set May 1998 meeting date.
9. Public comments.
10. Adjourn.

-30-

December 23, 1997

NEWS RELEASE

APPROVED: \_\_\_\_\_



AGENDA FOR COMMISSION MEETING

The next regular public board meeting has been scheduled by the Commission for 10:00 A.M. on Thursday, January 8, 1998, at the Wildlife and Fisheries Building, 2000 Quail Drive, Baton Rouge, LA.

1. Roll Call
2. Approval of Minutes of December 4, 1997
3. Donation by Chevron to Artificial Reef Program
4. Notice of Intent - Apprentice Fisherman's License
5. Enforcement & Aviation Reports/December
6. Division Reports
7. Election of Chairman and Vice-Chairman
8. Set May 1998 Meeting Date
9. Public Comments
10. Adjourn

# State of Louisiana



James H. Jenkins, Jr.  
Secretary

Department of Wildlife and Fisheries  
Post Office Box 98000  
Baton Rouge, LA 70898-9000  
(504)765-2800

M.J. "Mike" Foster, Jr.  
Governor

December 23, 1997

## MEMORANDUM

TO: Chairman and Members of Commission  
FROM: James H. Jenkins, Jr., Secretary  
SUBJECT: January Commission Meeting Agenda

The next regular Commission meeting will be held at 10:00 A.M. on Thursday, January 8, 1998, in the Louisiana Room at the Wildlife and Fisheries Building, 2000 Quail Drive, Baton Rouge, LA.

The following items will be discussed:

1. Roll Call
2. Approval of Minutes of December 4, 1997
3. Donation by Chevron to Artificial Reef Program

### OFFICE OF MANAGEMENT AND FINANCE

4. Notice of Intent - Apprentice Fisherman's License

### OFFICE OF WILDLIFE

### OFFICE OF FISHERIES

### WINTON VIDRINE

5. Enforcement & Aviation Reports/December

Page 2  
Commission Meeting  
December 23, 1997

6. Division Reports
7. Election of Chairman and Vice-Chairman
8. Set May 1998 Meeting Date
9. Public Comments

JHJ:sch

cc: Clyde Kimball  
Ron Couvillion  
Johnnie Tarver  
John Roussel  
Craig Lamendola  
Don Puckett  
Dennis Kropog  
Division Chiefs

okayed by Danny  
12/23/97 -  
9:50 AM

, 1997

MEMORANDUM

TO: Chairman and Members of Commission  
FROM: James H. Jenkins, Jr., Secretary  
SUBJECT: January Commission Meeting Agenda

The next regular Commission meeting will be held at 10:00 A.M. on Thursday, January 8, 1997, in the Louisiana Room at the Wildlife and Fisheries Building, 2000 Quail Drive, Baton Rouge, LA.

The following items will be discussed:

1. Roll Call
2. Approval of Minutes of December 4, 1997
3. Donation by Chevron to Artificial Reef Program
4. ~~Election of Chairman and Vice-Chairman~~ bottom

OFFICE OF MANAGEMENT AND FINANCE

5. Notice of Intent - Apprentice Fisherman's License

OFFICE OF WILDLIFE

OFFICE OF FISHERIES

Page 2  
Commission Meeting  
, 1997

WINTON VIDRINE

- . Enforcement & Aviation Reports/December
- . Division Reports
- . Set May 1998 Meeting Date
- . Public Comments

JHJ:sch

cc: Clyde Kimball  
Ron Couvillion  
Johnnie Tarver  
John Roussel  
Craig Lamendola  
Don Puckett  
Dennis Kropog  
Division Chiefs

State of Louisiana

Wildlife Div.



James H  
Se

No agenda

items.

Butch/sch  
12/16/97

Wildlife and Fisheries  
Office Box 98000  
Baton Rouge, LA 70898-9000  
(504) 765-2800

M.J. "Mike" Foster, Jr.  
Governor

December 3, 1997

TO: Deputy Secretary, Undersecretary, Assistant Secretary-  
Office of Wildlife, Assistant Secretary-Office of  
Fisheries and Confidential Assistant

FROM: James H. Jenkins, Jr., Secretary

SUBJECT: Commission Meeting Agenda - January 8, 1998

Please write on the bottom of this memo and return to Susan Hawkins by Wednesday, December 17 any agenda items your office may have for the Thursday, January 8th Commission Meeting to be held in Baton Rouge, Louisiana, at the Wildlife and Fisheries Building, 2000 Quail Drive. This meeting will begin at 10:00 a.m. on January 8th. If you do not have anything for the agenda, please return memo and indicate so on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

Resolutions and Notices of Intent should be included with the list of items to be placed on the agenda. Thank you for your

12-17-97

John-

\* Chevron has requested to make a presentation of their Artificial Reef clock for \$505,000 at the January meeting

Pending; do not put on list now.

\* If Reef/uh Amendment 15 is finalized in time, we will have a DOE/NOI for compatible rules as appropriate. Raw

2HREBWD	
2CHEXVADEH	

# State of Louisiana



James H. Jenkins, Jr.  
Secretary

Department of Wildlife and Fisheries  
Post Office Box 98000  
Baton Rouge, LA 70898-9000  
(504)765-2800

M.J. "Mike" Foster, Jr.  
Governor

December 3, 1997

## MEMORANDUM

TO: Deputy Secretary, Undersecretary, Assistant Secretary-  
Office of Wildlife, Assistant Secretary-Office of  
Fisheries and Confidential Assistant

FROM: James H. Jenkins, Jr., Secretary

SUBJECT: Commission Meeting Agenda - January 8, 1998

Please write on the bottom of this memo and return to Susan Hawkins by Wednesday, December 17 any agenda items your office may have for the Thursday, January 8th Commission Meeting to be held in Baton Rouge, Louisiana, at the Wildlife and Fisheries Building, 2000 Quail Drive. This meeting will begin at 10:00 a.m. on January 8th. If you do not have anything for the agenda, please return memo and indicate so on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

Resolutions and Notices of Intent should be included with the list of items to be placed on the agenda. Thank you for your cooperation!

JHJ/sch

cc: Commissioners  
Don Puckett  
Winton Vidrine ✓  
Hugh Bateman  
Bennie Fontenot  
Karen Foote  
Wynnette Kees  
Karl Turner  
Lyle Soniat  
Phil Bowman

*Enf. Report*  
*O.K.*  
*W.V.*

*Bob and Maurice anything? No 12-5-97*

# State of Louisiana



James H. Jenkins, Jr.  
Secretary

Department of Wildlife and Fisheries  
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# State of Louisiana

to Susan  
12/16



James H. Jenkins, Jr.  
Secretary

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Phil Bowman

12/16/97

No agenda items.

Bennie J. Fontenot, Jr. /js

# State of Louisiana



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Secretary

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