

LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES

BOARD MEETING

JANUARY 10, 1991

**JIMMY JENKINS
CHAIRMAN**

BATON ROUGE, LOUISIANA

AGENDA
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
BATON ROUGE, LOUISIANA
JANUARY 10, 1991

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MINUTES OF MEETING

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

JANUARY 10, 1991

Chairman James H. Jenkins presiding:

Thursday, January 10, 1991

Houston Foret
Bert Jones
Norman McCall
Warren Pol
Jeff Schneider
Pete Vujnovich

Acting Secretary A. Kell McInnis III was also present.

Chairman Jenkins called the Thursday, January 10, 1991, Commission meeting to order. A motion was made by Mr. Jones for adoption of the December 6, 1990 Commission Minutes. The motion was seconded by Mr. McCall and passed unanimously.

At Thursday's meeting Mr. Hugh Bateman presented a Resolution for Adoption of the Rule on Regulations for Signs and Sign Placement for DMAP Cooperators. Mr. Bateman advised that a notice of intent had been passed in September by the Commission which would establish signage for DMAP that would allow people to be charged with a more serious violation if an animal is taken on posted land that would otherwise be legal on the outside. The Legislative Oversight Committee has reviewed and approved the proposed rule. Mr. Bateman then read the THEREFORE BE IT RESOLVED part of the resolution. A motion was made by Mr. Jones and seconded by Mr. Vujnovich that the Commission adopt the rule. Chairman Jenkins called for discussion or questions. There being none Chairman Jenkins called for the vote on the motion. The motion passed unanimously.

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

RESOLUTION
LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES
WILDLIFE AND FISHERIES COMMISSION

THE FOLLOWING WAS ADOPTED BY THE LOUISIANA WILDLIFE AND FISHERIES COMMISSION AT ITS REGULAR MEETING HELD IN BATON ROUGE, JANUARY 10, 1991.

WHEREAS, R. S. 56.111.1 was passed during the 1990 Legislative Session, and

WHEREAS, this statute directs the Louisiana Department of Wildlife and Fisheries to develop regulations to provide for marking property enrolled in the Deer Management Assistance Program (DMAP), and

WHEREAS, these regulations will allow trespassers to be charged with illegal harvest of wildlife species on lands enrolled in the DMAP, and

WHEREAS, the Louisiana Department of Wildlife and Fisheries has developed regulations concerning placement and type of signs, and

WHEREAS, compliance with these rules and regulations will be voluntary for DMAP cooperators, and

WHEREAS, these rules and regulations have been established in accordance with the Administrative Procedure Act, now

THEREFORE BE IT RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby ratify the attached rules and regulations in accordance with R.S. 56:111.1.

A. Kell McInnis III, Acting
Secretary, LA Dept. Wildlife and
Fisheries

Jimmy Jenkins, Chairman
LA Wildlife and Fisheries
Commission

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

RULE
DEPARTMENT OF WILDLIFE AND FISHERIES
WILDLIFE AND FISHERIES COMMISSION

TITLE 76
WILDLIFE AND FISHERIES

Part V: Wild Birds and Wild Quadrupeds

Chapter 1. Wild Quadrupeds

Section 109. Regulations for Signs and Sign Placement for DMAP Cooperators

Rules and regulations to comply with R.S. 56:111.1 relative to the Deer Management Assistance Program and which will prohibit unauthorized persons from taking game on Deer Management Assistance Program areas are as follows:

Sign Color: Orange

Size: 11 1/4" x 11 1/4"

Lettering: The words DMAP and Posted can be no less than 4" (four inches) in height.

Construction: Metal, wood, plastic, paper or other material

Placement: Signs will be placed no more than 200' (two hundred feet) apart and at each point of entry.

The provisions of this Act are applicable only to clubs enrolled in the Deer Management Assistance Program and participation with the requirement of R.S. 56:111.1 are optional.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:11.1.
HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 17: (January 1991).

Jimmy Jenkins
Chairman

At Thursday's meeting Mr. Hugh Bateman presented a **Resolution for Adoption of an Emergency Declaration for Corps Property Associated with Sherburne WMA**. Mr. Bateman pointed out that back in October there was a last minute agreement with the Corps of Engineers to transfer usage of about 9,000 acres of property that they had acquired in the Basin. An emergency rule was done at this time to get through the hunting season. The department is still working on the license agreement with the Corps. This agreement would turn the control of the property over to the department. This emergency declaration is an extension of the first declaration that was passed in October and will take the department through the end of the hunting season. When the license is received from the Corps these lands will be part of the department's regular WMA rules and regulations. This property since it was "add on" was not included in the regular rules and regulations that the Commission promulgated last spring when the hunting seasons were established advised Mr. Bateman. Mr. Bateman then read the **THEREFORE BE IT RESOLVED** part of the resolution. A motion was made by Mr. McCall and seconded by Mr. Pol for adoption of the emergency declaration. Chairman Jenkins called for discussion or questions. There being none Chairman Jenkins called for a vote on the motion. The motion passed unanimously.

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

RESOLUTION
LOUISIANA WILDLIFE AND FISHERIES COMMISSION

WHEREAS, the Atchafalaya Basin Floodway is the largest bottomland hardwood swamp in North America, and supports a wide variety of wildlife species indigenous to such habitat, and

WHEREAS, in recent years an agreement, incorporated in an interagency feasibility study led by the U.S. Army Corps of Engineers, designed to keep the Basin in a natural state called for the acquisition and management of 90,000 acres within the Basin for public access, and

WHEREAS, Dow Chemical Company donated 40,000 acres, the Louisiana Department of Wildlife and Fisheries purchased 11,780 acres and created the Sherburne WMA, the U.S. Fish and Wildlife Service purchased 15,220 acres and created the Atchafalaya National Wildlife Refuge, and

WHEREAS, the remaining 23,000 acres are to be acquired by the U.S. Army Corps of Engineers, authorized by the Supplemental Appropriations Act of 1985, and

WHEREAS, cost sharing provisions were modified in the Water Resources Development Act of 1986--Public Law 99-662. The Energy and Water Development Appropriations Act of 1986--Public Law 100-102, passed by Congress in December 1987, provided current funds for Corps acquisitions, and

WHEREAS, the Sherburne Wildlife Management Area, and the Atchafalaya National Wildlife Refuge, are managed by the Louisiana Department of Wildlife and Fisheries, and

WHEREAS, initial acquisitions by the U.S. Army Corps of Engineers of 8,281.70 acres are proposed to be managed by the Louisiana Department of Wildlife and Fisheries, and

WHEREAS, the U.S. Army Corps of Engineers has issued a license to the Louisiana Department of Wildlife and Fisheries delegating management authority to the state, now

THEREFORE BE IT RESOLVED, that the Louisiana Wildlife and Fisheries does hereby adopt the emergency rule and accept the U.S. Army Corps of Engineers license authorizing the Louisiana Department of Wildlife and Fisheries to execute management authority over Corps acquired fee lands in the Atchafalaya Basin, consistent with rules and regulations adopted by the Louisiana Wildlife and Fisheries Commission for Sherburne

Wildlife Management Area and the Atchafalaya National Wildlife Refuge, now

BE IT FURTHER RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby authorize and delegate to the Secretary of the Department of Wildlife and Fisheries, the authority to take any and all necessary steps on behalf of the Commission to promulgate and effectuate these emergency regulations 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 preparation of reports and correspondence to other agencies of government.

A. Kell McInnis III
Acting Secretary

James H. Jenkins
Chairman

(The full text of the emergency declaration is made a part of the record)

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

In accordance with the emergency provisions of R.S. 49:953(B) of the Administrative Procedure Act and under the authority of R.S. 56:6 and 115, the Wildlife and Fisheries Commission hereby finds that the public welfare and the wildlife resources are best served by adopting the following emergency rule:

The Louisiana Department of Wildlife and Fisheries assumes management responsibilities on recently purchased fee lands in the Atchafalaya Basin by the U.S. Army Corps of Engineers. Said lands encompass 8,281.70 acres in Iberville Parish north of Interstate 10. Further, that these lands are primarily located within the boundaries and are contiguous with the Atchafalaya National Wildlife Refuge lands on which the Louisiana Department of Wildlife and Fisheries is the managing agency. This emergency rule will be in effect from February 1, 1991 and extend for a period of 120 days.

The Commission finds that the Louisiana Department of Wildlife and Fisheries' management authority authorized by license from U.S. Corps of Engineers would serve to provide public access and effect a more positive and practical management approach for a larger land base within the Atchafalaya Basin. Management rules and

regulations, season dates, and bag limits for said lands are to be consistent with such published for Sherburne Wildlife Management Area - Atchafalaya National Wildlife Refuge in the 1990-91 hunting season rules and regulations officially approved and adopted by the Wildlife and Fisheries Commission under authority vested by Section 115 of Title 56 of the Louisiana Revised Statutes of 1950.

James H. Jenkins
Chairman

At Thursday's meeting Mr. Jerry Clark presented the **Rule on Daily Take and Possession Limits for Freshwater Trout** for ratification. Dr. Clark informed the Commission that a notice of intent was published previously and has passed Legislative Oversight Committee. There have been no comments received on the rule. This rule is for the urban freshwater trout program and is non-controversial as far as Dr. Clark can tell. Dr. Clark then read the rule. Chairman Jenkins called for discussion or questions. Mr. Jones asked how did the first fishing go. Dr. Clark advised that it got off to a bad start and the reason for this was that the truck was delayed because of a mechanical breakdown and was again delayed because of the weather. The fish were delivered on the day that the fishing was to take place. It takes the fish at least 24 hours to get acclimated and start biting. The first couple of days did not work very well. A lot of people did show up and there were no complaints stated Dr. Clark. The press has been very excellent on this project and an editorial in the Hammond paper stated that this was one of the greatest things that the department has ever done. The fish were delivered for the second stocking yesterday and hopefully when it opens by this weekend the fish will be biting stated Dr. Clark. Chairman Jenkins asked if there was any more discussion or questions. There being none a motion was made by Mr. Jones and seconded by Mr. Schneider for adoption of the rule. The motion passed unanimously.

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

RULE
DEPARTMENT OF WILDLIFE AND FISHERIES
WILDLIFE AND FISHERIES COMMISSION

TITLE 76
WILDLIFE AND FISHERIES

Part VII. Fish and Other Aquatic Life

Chapter 1. Freshwater Sport and Commercial Fishing

Section 147. Daily Take and Possession Limits for Freshwater Trout

The Louisiana Wildlife and Fisheries Commission hereby established a daily take and possession limit of 5 fish for freshwater trout, Salvelinus spp. Salmo spp., taken in waters designated as being part of the Department's Freshwater Trout Program.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6, 56:326.3 and Act 376 of 1990 Legislative Session.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 17: (January 1991).

Jimmy Jenkins
Chairman

At Thursday's meeting Dr. Jerry Clark presented a Notice of Intent for the Head and Caudal Fin Intact - Freshwater Gamefish Rule for approval. Dr. Clark explained that when the largemouth bass plan was brought before the Commission there was some discussion of whether or not it would be appropriate or timely to think about a freshwater bill similar to what is done in saltwater for the heads and tails intact so that people are not filleting freshwater fish on the water thus causing the department to loose the ability to manage some of the species. The department has been working on this proposed rule for the last two months and is bringing the notice of intent before the Commission so that it can be published and public comments can be received. What is being proposed is only for the species that are likely to be the principle part of the management over the coming years. This proposed rule will aid law enforcement and allow the department to carry out its management plans. Chairman Jenkins asked if there was any discussion or questions. There being none Dr. Clark read the notice of intent and advised that this proposed rule will go to Legislative Oversight Committee. A motion was made by Mr. Pol and seconded by Mr. Vujnovich for adoption of the notice of intent. The motion passed unanimously.

(The full text of the notice of intent is made a part of the record)

NOTICE OF INTENT
DEPARTMENT OF WILDLIFE AND FISHERIES
WILDLIFE AND FISHERIES COMMISSION

TITLE 76
WILDLIFE AND FISHERIES

Part VII: Fish and Other Aquatic Life

Chapter 1. Freshwater Sport and Commercial Fishing

Section: 153. Head and Caudal Fin Intact - Freshwater Gamefish

The Louisiana Wildlife and Fisheries Commission hereby advertises its intent to establish a rule which requires that all Micropterus spp. (black bass and their hybrids), Pomoxis spp. (crappie and their hybrids), Lepomis spp. (bream and their hybrids), Ambloplites rupestris (shadow bass and its hybrids), Centrarchys macropterus (flier and its hybrids), Morone spp. (striped bass and its hybrids, white bass and its hybrids, yellow bass and its hybrids) possessed by recreational fishermen shall, prior to being set or put on shore from a vessel, have their carcasses intact and be in a whole condition, except that the gills, scales and internal organs only may be removed.

Interested persons may submit written comments on the proposed rule to the following address before March 4, 1991: Bennie J. Fontenot, Jr., Administrator, Inland Fish Division, Louisiana Department of Wildlife and Fisheries, P.O. Box 98000, Baton Rouge, Louisiana 70898-9000.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6 (25)(a), 325 (c), 326.3.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 17: (1991).

James H. Jenkins
Chairman

At Thursday's meeting Major Charlie Clark presented a **Resolution and Declaration of Emergency on Orleans Parish Closure of Hunting or Shooting.** Major Clark advised that this declaration of emergency is an extension of the first one that was passed in September which will run out on January 18, 1991. This declaration runs concurrent with the ordinances that already exist in Orleans Parish to prohibit hunting in the Bayou Sauvage area advised Major Clark. Chairman Jenkins called for discussion or questions. Major Clark read the THEREFORE BE IT RESOLVED part of the resolution. Chairman Jenkins called for a motion. A motion for adoption of the resolution on the emergency declaration was called for by Chairman Jenkins. The motion was made by Mr. Foret and seconded by Mr. Vujnovich. The motion passed unanimously.

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

RESOLUTION

Louisiana Department of Wildlife and Fisheries
Louisiana Wildlife and Fisheries Commission

WHEREAS, That portion of Orleans Parish East of the Jefferson-Orleans Parish line, Northward to the southern shoreline of Lake Pontchartrain, northeast along the southern shoreline of Lake Pontchartrain to South Point, east-southeast along the southern shoreline of Lake Pontchartrain to Chef Pass, the southern shoreline of Chef Pass eastward to the western shoreline of the Intra-Coastal Waterway, the western shoreline of the Intra-Coastal Waterway southward to the Industrial Canal, the Industrial Canal south to the Mississippi River, and the Mississippi River to the Orleans-Jefferson Parish line, is included in city municipal ordinances that prohibit the discharge of all firearms; and

WHEREAS, The newly formed Bayou Sauvage National Wildlife Refuge lies within this section of Orleans Parish and will prohibit all hunting activities for resident and migratory game; and

WHEREAS, This area in and around the Bayou Sauvage National Wildlife Refuge will soon be a popular area used by citizens for fishing, camping, nature study and other outdoor recreational purposes; and

WHEREAS, The Refuge will provide an outdoor setting for enjoyment of family oriented activities particularly for children and older adults; and

WHEREAS, Existing small tracts of wooded land bordering the Refuge and city subdivisions will only provide an enforcement dilemma; and

WHEREAS, The U.S. Fish and Wildlife Service and the New Orleans Police Department support correcting this situation before someone is injured; and

WHEREAS, This area of Orleans Parish, in the judgment of the Department of Wildlife and Fisheries, is not a safe or proper environment for hunting activities to take place.

THEREFORE BE IT RESOLVED that that portion of Orleans Parish East of the Jefferson-Orleans Parish line, Northward to the southern shoreline of Lake Pontchartrain, northeast along the southern shoreline of Lake Pontchartrain to South Point, east-southeast along the southern shoreline of Lake Pontchartrain to Chef Pass, the southern shoreline of Chef Pass eastward to the western shoreline of the Intra-Coastal Waterway, the western shoreline of the Intra-Coastal Waterway southward to the Industrial Canal, the Industrial Canal south to the Mississippi River, and the Mississippi River to the Orleans-

Jefferson Parish line shall be closed to all shooting or hunting by any means or device until further notice, effective January 10, 1991.

James H. Jenkins, Chairman

A. Kell McInnis III, Acting Secretary

(The full text of the declaration of emergency is made a part of the record)

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

In accordance with the emergency provisions of R.S. 49:953(b) of the Administrative Procedure Act, and under the authority of R.S. 56:6 and 115, the Wildlife and Fisheries Commission hereby finds that an imminent peril to public welfare exists and accordingly adopts the following emergency rule:

That portion of Orleans Parish East of the Jefferson-Orleans Parish line; Northward to the southern shoreline of Lake Pontchartrain, northeast along the southern shoreline of Lake Pontchartrain to South Point, east-southeast along the southern shoreline of Lake Pontchartrain to Chef Pass, the southern shoreline of Chef Pass eastward to the western shoreline of the Intra-Coastal Waterway, the western shoreline of the Intra-Coastal Waterway southward to the Industrial Canal, the Industrial Canal south to the Mississippi River, and the Mississippi River to the Orleans-Jefferson Parish line shall be closed to all shooting or hunting, by any means or device until further notice, effective January 10, 1991.

The Commission finds that the above closure is necessary for reasons of public safety and recreation; and further due to the fact that this portion of Orleans Parish is included in city municipal ordinances that prohibit the discharge of all firearms, and said area adjacent to Bayou Sauvage National Wildlife Refuge wherein hunting activities are prohibited. The Commission further finds that this action is necessary to enhance enforcement of hunting restrictions in the general area.

James H. Jenkins
Chairman

At Thursday's meeting Ms. Bettsie Baker gave an **Update on the Chartres Street Property**. Ms. Baker reported that contracts have

been initiated to have some interior demolition work done on the Chartres Street property in preparation of asbestos abatement. The department is also in the process of opening up for bids for 30 days the asbestos abatement project in preparation of sale of the building. A sale date of February 14, 1991, has been established and the building will be sold at public auction by the Sheriff's Office. Hopefully this time the department will get a bid on the building since it will be sold asbestos free stated Ms. Baker. The established minimum bid is \$570,000 and there are currently about 30 interested buyers. The proceeds from the sale of the building will be used to fund the acquisition of a new office in New Orleans for the department. The department has received the "line of credit" as promised by Mr. Dennis Stine and in so doing the 400 Royal Street property has been surplused. Because of this new housing is needed for the department employees in New Orleans. Ms. Baker asked if there were any questions.

Chairman Jenkins asked if checks could be written on the account? Mr. Baker stated that she would not say that we could write a check but they can work through Facility Planning if there was a piece of property to acquire. There are funds available from which the department can draw. Chairman Jenkins asked if the building was going to be sold asbestos free. Ms. Baker answered correct. Chairman Jenkins stated that it still has the asbestos in it. Ms. Baker answered right and the way that the language is written is that the actual title will transfer upon the completion of the asbestos demolition so that whoever receives title, receives title and a warranty from the state that the building is asbestos free. Removing the asbestos should not take long and once the contract is in place it should take about two to three weeks to remove. Actual title transfer should take place about the end of March if the building is sold.

At Thursday's meeting Mr. Bob Love presented the a Resolution for the Act of Donation on the Plass Estate, Bohemia Wildlife Management Area. Mr. Love gave a brief background as to why the land was being donated to the department. This piece of property in Plaquemines Parish, 425.43 acres is within the existing Bohemia WMA which is leased from the Orleans Levee Board. In 1984-85 there was legislation passed which took the property and returned it to the original owners by a complicated process in which they had to demonstrate a clear line of title succession to the Department of Natural Resources. This has been tested and upheld in court and the department is anticipating that by the end of 1992 Orleans Parish will not have Bohemia and the department will not have a wildlife management area stated Mr. Love. Mr. Love pointed out that the act of donation is a little bit premature but Legal Counsel has advised that there would be no downfall to the department for them to accept it at this time. The lady donating the land, Ms. Marie Plass, lives in New York and wants to maintain minerals in perpetuity but donated the surface rights to the department. The front half of the land is bottomland hardwood with

marsh at the backside. The land is in the middle of an old existing oil and gas field. Department personnel have inspected the property and reported that there are no hazardous waste pits or drums of hazardous waste and Mr. Love does not think there will be any problem with the department accepting the land. Mr. Puckett has worked out an act of donation with Ms. Plass's attorneys and all is in order concluded Mr. Love. Mr. Love asked for questions.

Mr. Jones questioned that as the marsh erodes would the department be giving away mineral rights that possibly would have been the State of Louisiana's at a later date? Mr. Prickett answered that currently this would not be the case. As the land erodes the ownership of the subsurface minerals reverts to the state. Mr. Prickett pointed out that this small tract of land may have some ramifications for the department in the future. The department is currently working with the Governor's Office and the Mineral Board to try and facilitate an agreement whereby as land erodes the state would share the mineral rights with the owners of the former property. If this agreement can be worked out there may be many more donations of coastal wetlands coming to the department stated Mr. Prickett.

Acting Secretary McInnis added that the land in that part of the state is subjected to erosion and time factors have to be considered. These are factors that the Land Office and Mineral Board will take into consideration in establishing the percentage of value and each individual piece of land will be looked at individually.

Mr. Vujnovich informed the Commissioners that in the area of Bohemia the erosion is not too bad and the area is holding very well. There is a lot of river water which keeps the land from saltwater intrusion.

Mr. Love advised that the only waterways on the property are manmade canals and the department has checked with the State Land Office and they lay no claims to this at this time.

Mr. Jenkins pointed out that an inspection of property for any kind of waste or EPA problems that could occur on land is getting to be a very serious consideration in any kind of property transaction and asked if the department had any kind of policy about looking for these things when they accept or buy property.

Mr. Love answered that he thinks the department commonly does this on lands that they are buying or lands that are being donated but does not know if it is written anywhere. Mr. Prickett advised that it is the standard policy of the department to inspect all the properties that are required and asbestos abatement is the only thing that is in writing in the land acquisition policy.

Mr. Jenkins stated that he does not know if the department should take a look at the way it is being done in the private sector but the department could inherit something that could be very unfortunate.

Upon Chairman Jenkins' request Mr. Love read the THEREFORE part of the resolution. Chairman Jenkins called for further discussion or questions. There being none Chairman Jenkins asked for a motion. Mr. Vujnovich made a motion that they adopt the resolution. The motion was seconded by Mr. Foret and passed unanimously. Chairman Jenkins recommended that a letter be sent thanking Ms. Plass and was informed that it was being done.

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

RESOLUTION
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES
January 10, 1991

WHEREAS, the Louisiana Wildlife and Fisheries commission supports the acquisition of property to provide habitat for resident and migratory wildlife as well as public enjoyment of these resources, and

WHEREAS, the distributees of the estate of Marie Witte Plass have offered the donation of 425.43 acres of productive wildlife habitat in Section 12, T18S, R15E in Plaquemines Parish and within the boundaries of the existing Bohemia Wildlife Management Area, to insure that these acres will be forever managed to benefit the wildlife resources and public of Louisiana, now

THEREFORE BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission authorizes the Chairman and the Secretary to accept this donation of property from the estate of Marie Witte Plass.

A. Kell McInnis, III, Acting
Secretary, LA Department of
Wildlife and Fisheries

James H. Jenkins, Jr. Chairman
LA Wildlife and Fisheries
Commission

At Thursday's meeting Mr. Hugh Bateman gave a review and recommendations on the Adopt a Pothole Program. Mr. Bateman stated that at the November meeting Mr. Lloyd Abadie, Louisiana Outdoor Writers Association, raised the question in terms of the department making a contribution to the "Adopt a Pothole" program. Subsequent

to this Mr. Bateman raised several objections to doing this on the basis of the departments unfamiliarity with the details of how the program was going to work and exactly what it was involved with. Mr. Abadie had agreed not to bring the issue back before the Commission in December but wait until January which allowed Mr. Bateman time to make some contact with some people who work for the North American Wildlife Foundation and other people in Canada who are familiar with the details of how the program is suppose to be applied in the field. Mr. Bateman informed the Commissioners that this has been done and at this juncture he would simply tell the Commissioners that his original position back in November has not changed appreciably, but he does understand a lot more about the program. The actual concept of the program is sound and what remains to be agreed upon from the people who are dealing with the program in Canada is approval of this concept as part of a legitimate wildlife or waterfowl management technique on the ground. Mr. Bateman's information at this point is that the details of who will handle this program and how it will be applied on the ground are not complete. They are basically in the fund raising mode at this time and have produced a video that was shown in November and have also produced some other written materials in terms of asking people for contributions advised Mr. Bateman. Mr. Bateman stated that there is no way for the department to contribute because there is nothing in the budget. At the present time his personal view and the view of the people he has talked to is that they can understand why the Commission would be reluctant to ask the department to make a sizable contribution because the program has not been applied in the field yet. The first single contract has not been signed in terms of putting something in place and will not happen until this spring. In talking with people that work with this program and other people in other agencies the program is drifting in the direction of being an individual making contributions rather than big agency contributions. Once this program is proven and works in the field than maybe agency participation can happen pointed out Mr. Bateman and that an appropriate position by the Commission might be to view this program as something that would have merit but at this time they would not want to make a commitment. Mr. Bateman advised that Mr. Lloyd Abadie was attending the meeting and the Commission might like to ask him some questions.

Chairman Jenkins asked if there was any discussion or questions. There being none Chairman Jenkins asked Mr. Abadie if he would like to address the subject.

Mr. Lloyd Abadie from Crowley, Louisiana, addressed the Commission. Mr. Abadie stated that the North American Wildlife Foundation is not new and has a track record dating back to 1911 before Ducks Unlimited. This program is not in competition with Ducks Unlimited and the Outdoor Writers Association thinks that DU is the best conservation organization that has ever come down the pipe. The association wants to enhance what Ducks Unlimited is doing. Ducks

Unlimited is going for big water. The association believes that they can help the ducks and the hunters. The Louisiana hunter depends on ducks coming down to Louisiana. The legislature made a provision that the Commission would decide how they would spend up to ten percent of the license sales money. The Commission is being asked by the Outdoor Writers to commit a certain amount to help the North American Wildlife Foundation to get this program off the ground. Louisiana has had a bad name and is considered an outlaw state. This is an opportunity for the state to send a message to the rest of the United States that we are concerned about poaching and people who are outlawing and killing ducks. Louisiana can show that they want to help and a donation by the Commission would go a long way toward this message. Mr. Abadie asked if there were any questions. There being no questions Mr. Abadie concluded by saying that he would like to hear a motion by the Commission that they would give a certain amount of money but will leave how much up to the Commission.

Chairman Jenkins asked if anyone else from the audience would like to speak on the subject. Mr. Gary Salmon from Lafayette, Louisiana, State Chairman, Ducks Unlimited, addressed the Commission. Mr. Salmon stated that he was at the meeting to try and add a little something to the wonderful notion that the potholes be protected and thanked Mr. Abadie for his kind remarks about Ducks Unlimited. Ducks Unlimited has been around for 50 years and has worked with the state of Louisiana for most of that time very successfully. Mr. Salmon stated that he thinks Ducks Unlimited is getting short changed a little bit by the "Adopt a Pothole" program and without challenging the goodness of it, because DU certainly does and has recognized how important the pothole regions are to the duck populations it needs to be pointed out that DU has a program in existence and has been in the field for almost 2 years called "Prairie Care". This program is working with the Provincial Governments in the pothole regions. Potholes are being put in upland cover to work for duck populations this year, last year and the year before. DU whole heartily understands and endorses that this situation has to be addressed. There are a lot of people who are taking parts of what DU is doing and coming up with very sound marketable ideas to raise money. DU is standing up and saying that as soon as they get, they being "Adopt a Pothole" or whoever, their implementation guidelines to a point where they are accepted by the technical experts in Canada where these need to be implemented DU is ready to stand in support of each of these programs; today that does not exist advised Mr. Salmon. Mr. Salmon cautioned the Commission that before they jump into "Adopt a Pothole" or another good sounding program that has a good biological base that they look into the implementation projects. Mr. Salmon stated that he thought Mr. Bateman has done some research and knows that as State Chairman of Ducks Unlimited that his technical expertise is very limited and always defers to their technical people who they consider to be the finest in the country. DU has understood and joined with the North American Waterfowl Management Plan, taking

their lead where it was necessary to accomplish regional as well as individual good for the wetlands in Canada. Concluding, Mr. Salmon added certainly not to knock "Adopt a Pothole" but only to ask the Commission today to look further into the technical aspects that are evidence what Ducks Unlimited, the North American, and Ducks Unlimited Canada are presently doing before any action is taken.

There being no other comments Mr. Pol made a motion that the recommendations made by Mr. Bateman be followed and delay any action on this item until the Commission receives further information. The motion was seconded by Mr. McCall.

Mr. Abadie addressed the Commission and stated that he had some questions. Mr. Abadie asked from whom would the further information come from? Mr. Pol answered from Mr. Bateman. Mr. Abadie asked where would Mr. Bateman get his information. Mr. Pol advised that he was not interested in that, all that he is interested in are the recommendations that he makes to the Commission. Mr. Abadie asked if the recommendations would be made public or not. Mr. Pol answered that everything the Commission does is public. Mr. Abadie stated that everything Mr. Bateman does is public. Mr. Pol answered yes.

Chairman Jenkins called for a vote on the motion. The motion passed unanimously.

Colonel Winton Vidrine, at Thursday's meeting, gave the **Monthly Law Enforcement Report for December**. Colonel Vidrine reported briefly the following number of cases were made in the following regions:

Region I - Minden - 190 citations. There were 44 for hunting deer off of public roads. There were 45 ducks confiscated, a robin, 7 channel catfish, 2 packages of deer meat, 7 guns, 3 deer, 1 pickup truck, spotlight and some flashlights.

Region II - Monroe - 198 citations. There were 22 for hunting without a resident license, 31 without a big game license, 27 hunting and taking deer off of public roads, and 19 for failing to wear hunters orange. There were 3 shotguns confiscated, 7 illegal deer, 5 ducks, 3 rabbits, 1 DMAP tag, 1 federal duck stamp, 3 raccoons and a couple of rabbits. Chairman Jenkins asked about the DMAP tag. Colonel Vidrine explained that what probably happened is that they had not clamped the tag on the deer. If the tags are not snapped they can be reused.

Region III - Alexandria - 307 citations. There were 26 for hunting without resident license, 20 for hunting without big game licenses, 85 for hunting on public road, and 12 for not abiding by rules and regulations on a WMA. There were a couple of fish confiscated, 100 feet of gill net, 9 deer, 4 rifles, 9 wood ducks and several other ducks.

Region IV - Ferriday - 182 citations. There were 35 for not abiding by rules and regulations on a WMA, and 25 for hunting on public right-of-ways, public roads. There were 3 deer confiscated, 22 ducks, 13 squirrels, 8 rifles, 4 shotguns, 2 pistols and 4 headlights.

Region V - Lake Charles - 233 citations. There were 30 for hunting without resident license, 18 for hunting from public roads and right-of-ways, 22 for hunting migratory game birds illegal hours, and 15 using lead shot in steel shot areas. There were 17 sacks of oysters confiscated, 5,700 feet of gill net, 2 deer, 36 black drum, 12 raccoons, 22 ducks, 11 geese, 2 two-way radios, 350 crabs and 175 pounds of garfish. Mr. McCall asked if the gill net was part of the gill nets taken on the ship channel and where did the 2 radios come from? Colonel Vidrine yes the nets were part of those from the ship channel and thought the radios came from some duck hunters.

Region VI - Opelousas - 148 citations. There were 26 for hunting without resident license, 18 for hunting migratory birds at illegal hours, and 8 for hunting on public highways. There were 822 crappie confiscated, 46 bream, 23 striped bass, 1 raccoon, 2 rabbits, 1 rifle, 4 deer, several ducks, 1 outboard motor, and 14 baby alligators.

Region VII - Baton Rouge - 204 citations. There were 18 for fishing without a license, 12 for hunting from a moving vehicle, 17 for hunting migratory birds illegal hours, 33 for hunting deer on public roads, and 12 for taking illegal deer (doe or spotted fawns). There were 2 squirrels confiscated, 12 deer, 9 ducks, 6 rabbits, 1 turkey, 2 raccoon and 13 packs of meat, 23 guns, and 5 lights.

Regions VIII - New Orleans - 155 citations. There were 17 for hunting migratory game birds illegal hours, 12 for hunting from moving vehicles, and 14 for hunting off of public roads. There were 11 guns, 11 lights, 1 boat, 9 gill nets, 2 butterfly nets, 2 oyster dredges, 24 ducks, 11 rabbits, 1 deer, 9 red drum, 11 black drum, 83 speckled trout, 1 white trout, 66 pounds of mullet, 50 sacks of oysters and 81 pounds of fish (catfish).

Region IX - Grey - 175 citations. There were 16 for taking oysters from unapproved areas, 12 for using lead shot in a steel shot area, and 10 for hunting deer at night. There were 4 rabbits confiscated, 6 nutria, 4 raccoons, 16 sacks of oysters, 90 pounds of crabs, 34 coots, 60 ducks, 1980 Chevrolet Caprice, and 9 guns.

The Oyster Strike Force had a total of 23 citations and confiscated 50 sacks of oysters, 6 dredges, 3 boats and five rabbits. Colonel Vidrine advises that one of the agents from the Terrebonne-LaFouche area had left the department about six months. He had

requested to come back to work with the department and was put on the Oyster Strike Force this morning.

SWEP had a slow month and did not issue any citations statewide. They worked with Region VIII and issued tickets out of that region which shows on Region VIII case report. The month of December is a slow month for the big boats in the coastal areas so most of the agents take their vacations during this month. One of the employees was in school advised Colonel Vidrine. Mr. McCall asked if the boats will start running more in January than they did in November and December. Colonel Vidrine stated yes they will and the whole crew will be back. Acting Secretary McInnis added that it is his impression that for about a two week period the agents also worked with the Caernarvan project in the transfer of oysters and the boats were used as mobile bases for a two week effort in locating oysters.

Statewide there was a total of 1,805 citations issued for the month of December. This was a couple of hundred cases over last year for the month of December advised Colonel Vidrine. This duck season there were fewer citations issued than in the past 8 years that Colonel Vidrine knows of; it was a very slow season and the agents with the U.S. Fish and Wildlife Service also stated it was the slowest year that they can remember.

Mr. Schneider asked about the number of cases involving hunting deer off of public roads and if this was an increasing problem, is it getting worst, or was it normal? Colonel Vidrine answered that it was about normal and was about the same last year at this time.

Mr. Jenkins asked what was hawking. Hawking is hunting with a hawk advised Colonel Vidrine. Mr. Jenkins questioned if it was illegal to blow a duck caller in a blind before legal hunting hours and if anybody had ever been written up for this. Colonel Vidrine answered that it is not illegal and no, no one has been written up. Colonel Vidrine explained that this came up with the hawking case and in Mr. Jones area rumors got started a week or so ago about people getting charged for blowing duck calls before legal shooting hours.

Mr. Jones stated that they were told they could not do that. Colonel Vidrine stated that it is not illegal to call ducks before the legal shooting hours or after the legal shooting hours unless you are attempting to take them.

Mr. McCall asked where did the mullet boats that come from out-of-state get their license or permit. Are they issued through the Wildlife and Fisheries? Colonel Vidrine advised that they are issued through Wildlife and Fisheries. Mr. McCall asked how many were issued this year. Colonel Vidrine answered that he did not know and that maybe Ms. Baker would know. Major Candies advised that as long as you use legal gear, mullet can be taken with the

proper license but there is no special permit for the mullet boats. Mr. McCall asked how many out-of-state boats were issued licenses to fish in Louisiana. Major Candies stated that probably the License Section could answer that question and probably for the mullet industry it is more than you have residents, licenses are not separate, are sold in commercial fishing license. Mr. McCall stated that his question was how many were sold to out-of-state boats. Major Candies stated that he could have that number for Mr. McCall this afternoon.

Mr. Jones asked what were the other state's laws about limited entry to commercial fishing; in other words can Louisiana fishermen go over to Alabama or Florida and fish? Major Candies answered yes that is true.

Ms. Baker at this point during the meeting informed the Commissioners that she could get the Computer Section to run a cross reference of out-of-state or non-residence fishing licenses with vessel licenses and could have this information for next month. This would not separate the mullet from the rest of the fish but there are some generic gear licenses that could give ranges advised Ms. Baker.

Mr. Jones stated that other states have limited entry to commercial fishing; if he wanted to go to Florida and buy a commercial lobster license to go commercial lobstering could he do this. He was told the other day by a friend that he could not do this. If Louisiana allows people from Florida to commercial fish there may be some reciprocal arrangement that Louisiana might be thinking about stated Mr. Jones.

Dr. Clark commented that there are two issues that especially reflects the mullet. The first one is that Florida is in the process of additionally restricting their mullet boats and their mullet fleets and probably even more so in the next year or two. This has lead to Florida boats moving out of Florida to try and find mullet elsewhere. Louisiana has a lot of mullet and the boats have been here. This is one of the reasons Louisiana has increased pressure for mullet from out-of-state. Florida has a licensing program that is broken into two parts for commercial fisheries. One part is that they have restricted species licenses. In order to be a commercial fisherman, when a person buys a commercial fishing license he can fish any species under that commercial fishing license unless it is a restricted species. If it is a restricted species then you have to meet certain income requirements. Dr. Clark advised that he did not know for sure if mullet was a restricted species in Florida but thought it might be. As far as discriminating against out-of-state fishermen, constitutionally this cannot be done, but sometime rulemaking is such that if you don't show up on the right day or if you are not there during the right period you don't qualify and Dr. Clark has

understood from some of the Louisiana fishermen that this has happened in the last year in Florida.

Mr. McCall asked why Florida was getting so strict on the mullet situation, was it because the population was decreasing? Dr. Clark answered that this is almost hearsay information and that they are becoming increasingly concerned about their mullet stocks. They have had recent stock assessments that suggest that they need further protection and this is what Florida is doing. Mr. McCall stated that this was the point that he was beginning to worry about. If all of these people are coming from out-of-state and fishing the mullet in Louisiana besides Louisiana's own fishermen what is going to happen to our stock in a year or two asked Mr. McCall? Dr. Clark answered to the extent possible, Louisiana is not going to let that happen. Right now in the Office of Fisheries there is a mullet plan due out before the end of this year and before next mullet season in Louisiana the department will be going before the Commission with its proposal for mullet, advised Dr. Clark. It was pointed out by Dr. Clark that the Commission and department can do time and seasons, etc. but do not have any authority to do gear, licenses, etc. which is under the authority of the legislature. Mr. McCall stated that he knew this and the reason he asked the question was that he was trying to determine how many out-of-state boats had come in this year. One person informed Mr. McCall that he saw 27 mullet boats tied up in one area. If you have 27 boats and they each have a 1,000 or 1,200 foot net, this is 30,000 feet of net in one bay; in one given day this would will wipe out the mullet just like it has wiped out several other species of fish, commented Mr. McCall. Dr. Clark advised that they have gotten reports on "the" boat that had purse seined red drum off of the coast of Louisiana was purse seining mullet in federal waters off of the coast of Louisiana this year. This is a first and of serious concern stated Dr. Clark but the state has no authority to stop that boat from purse seining mullet off of its shores.

Colonel Vidrine referred back to Mr. McCall's question on how many non-resident commercial fishermen were issued licenses in Louisiana. There were 2,174 licenses sold as of November 29, 1990.

Mr. Vujnovich referred back to the oyster move on the Caernarvan project and suggested that if there are more moves such as this there should be a fee to help offset the cost of enforcement. This needs to be looked at because there are lot of areas that are closed to pollution and this is a way to keep the polluted oysters off the market. If it is not legal to charge a fee Mr. Vujnovich stated that he would like to see legislation pass that this be done.

Ms. Baker advised that they tried to get the Legislature last year to approve the department charging an administrative fee and it did not even get out of committee. Mr. Vujnovich asked that when the

department tries again this year that he be able to talk before the Natural Resources Committee. This is a protection for the health of the people not only in Louisiana but all over the United States.

Chairman Jenkins asked Colonel Vidrine if he had anything else. Acting Secretary asked Colonel Vidrine and Mr. Bateman to get together, compare notes and prepare a waterfowl season report for the February Commission meeting. Secretary McInnis also asked Colonel Vidrine for an update to be given at the February Commission meeting on a report that was given several years ago which showed the comparison of different regions, acres per agents, etc.

Mr. McCall asked Colonel Vidrine if he understood him to say that the people on the two big boats took their vacations in December. Colonel Vidrine answered normally. Mr. McCall stated that if the general public knows that you are going to be taking vacations every December year in and year out doesn't this leave a lot of room for violations undetected? Colonel Vidrine answered somewhat. Mr. McCall asked if the vacations could be staggered so as to keep the boats going. Colonel Vidrine asked Major Clark to address this. Major Clark answered there were several reasons for this. December is probably the most turbulent month offshore and the violators do not get out that much. This is also the month when the northerners come through and blow most of the water out, advised Major Clark, so in the month of December most of the people will help Regions VII, VIII, and IX in small boats when needed. If the department is aware of something going on, on the outside, the big boats will be brought back out. Since January has rolled over and new licenses have come into effect the boats will be back out there advised, Major Clark.

The Acting Secretary's Report to the Commission was given by Mr. A. Kell McInnis III at Thursday's meeting. Acting Secretary McInnis reported that since the last meeting in December there have been a number of holidays and most of the hunting seasons were opened. This has been a very busy time for the people in the department and all of the activities that so much time is spent working on during the year are taking place right now.

Under Ms. Baker's supervision the department is in the process of installing the new computer system. This system was scheduled to go on line the first part of January and this is exactly what it is doing. There was one little mishap that occurred which was addressed on an immediate basis. This new system will benefit not only the public but the entire department as well.

During the Christmas season notification was received that the State of California's Health Department had issued a emergency regulation indicating that a virus was found in oysters, which is found in most shell fish as well as other fishes, and have determined that the Gulf Coast oyster should be singled out as one

that needed particular signage in their restaurants and wholesale, retail houses. The department contacted California's health department, fish and game department, and Louisiana's congressional delegation. There was a meeting in Baton Rouge attended by a number of people from the department along with the Department of Agriculture, Attorney General's Office, and people from industry trying to come up with a plan to address this issue. The state will be going forward basically under the leadership of the Attorney General's Office but with support from the department, the Department of Agriculture and industry. The Commissioners will be kept posted on this advised Acting Secretary McInnis.

There have been several task force meetings in the last two weeks. The Oil Spill Task Force is going forward with the legislative mandate to develop a program for implementation and coordination of monitoring all spills. There is a technical group which Mr. Barney Barrett and Mr. Jim Hanifen of the department are working with that have been making recommendations back to the full task force which are beginning to be implemented. This is expected to be completed in time for the coming legislative session.

The Wetlands Task Force meeting this week was attended by Mr. Johnnie Tarver and Acting Secretary McInnis. This is the second meeting in the last two weeks. Of particular interest was the Avoca Island Levee Extension which was addressed by the task force. The task force went on record as opposing the extension as proposed by the Corps of Engineers and supporting a barrier, levee type solution to the problem which still has a good bit of additional work to be done on it. The Corps has gotten their direction from the task force and will be reporting back, advised Acting Secretary McInnis.

There has been a lot of discussion on the Reef Fish plan, particularly with the red snapper and the by-catch issue that got everyone's attention in the shrimp industry. The recommendation from the Gulf Council went to National Marine Fisheries. Information has been received from the National Marine Fisheries that the recommendation is not suitable as far as they are concerned. They felt that it more than inadequately affected the recreational take and have requested that the Council review this issue again. There will be a meeting of the Council in Houston, Texas, beginning on the 21st of January. The item will not be on the agenda but this does not prohibit it from being addressed at this time. In the near future the Gulf Council will be called upon to review this situation and the department will keep the Commissioners posted on what is taking place advised Acting Secretary McInnis. Dr. Clark will be going to Houston and Acting Secretary McInnis is working out a schedule so that he can be available for pertinent meetings that will take place there.

Acting Secretary McInnis traveled to Houma, Louisiana, to meet with Mr. Butch Knockhand the new D.A. from Lafourche and Mr. Doug

Greenberg the D.A. who was re-elected in Terrebonne. The department has an active relationship with these two D.A.'s as they are in Region IX. Acting Secretary McInnis advised that he wanted to discuss matters with them and they have indicated a willingness to work with the department on projects. There were at least a dozen new D.A.'s elected around the state and Acting Secretary McInnis has made contact with a couple of them. The District Attorney's Association was contacted to find out when the first full meeting would be held which will be in March at which time Secretary McInnis will meet with them.

The disposition reports that were initiated a year ago have been modified. A request was made to switch the turn around time for a criminal case from a 3 month period to a 6 month period. The computer run has been done for the 6 month period which ended November 30, 1990. This information will be mailed to each of the District Attorneys with the request that the information be submitted back to the department by March 1, 1991. A lot of the District Attorneys have gone to the computer system and hopefully the department's new system will be compatible. The information that the department will produce for them will make it easier for them to respond. Several of the District Attorneys have indicated a major concern about the road hunting which is predominately in north and central Louisiana and the Florida parishes. This is something that needs to be addressed and gotten a tighter grip on, advised Acting Secretary McInnis. Another problem that has developed is with tagging. With a better explanation and understanding of what the tagging laws are a good portion of the tagging violations can be cleared up. The department's citation form has also been slightly modified which allows for a single case in most instances to be put on a single ticket. This will eliminate some of the number of tickets given and will be strictly the number of citations issued as compared to the number of violations cited.

Acting Secretary McInnis stated that he and Major Candies met with Mr. Al Brown the new Computer Center Coordinator for the department. The enforcement staff will be working with the Computer Center in trying to update and upgrade the computer system as far as information available on violations.

There will be a graduation on January 18, 1991, with 14 cadets finishing up approximately 18 weeks of training. They have completed the POST Certification through the State Police Academy plus their in-house training. This will be the most educated class of cadets to every come out of training in the department, advised Acting Secretary McInnis. At the end of February a new POST Certification class will begin.

Mr. Johnnie Tarver, just yesterday, was in Dallas, Texas, to met with a group of 59 different organizations. Before the International meeting in New Orleans there was a meeting that was

termed the National Wildlife Coalition. This is a group of concerned individuals and groups that wish to maintain the availability and opportunity for hunting and fishing in the country and are very concerned about the effects that the anti-animal use groups are beginning to have on seasons, control of populations, water control, etc. The group felt a need to meet and present a united front. At the meeting yesterday they changed their name from the National Wildlife Coalition to the United Conservation Coalition. Mr. Larry Jahn who was Executive Director of the Wildlife Management Institute will be taking over the position to head up the new coalition. Louisiana will be working closely with them and monitoring what they are doing. The International Association in conjunction with this has appointed Mr. George LaPointe, their former Legislative Counsel, as the point man for the International. Mr. LaPointe will not only be working with the United Conservation Coalition group but working and coordinating the pro-active strategies initiative put forth by the International Association. Mr. LaPointe will be moving to Louisiana in February and working in coordination with the department in coordinating his activities for the International. Acting Secretary McInnis advised that he would like to have Mr. LaPointe come and address the Commission on the pro-active strategies initiative.

Acting Secretary McInnis reported that the Ecological Studies Section of the department go through a tremendous amount of paperwork and investigation on issuing permits. A great deal of Acting Secretary McInnis' time is spent in reviewing the permits that the section has already reviewed. This is a very important role in the department and the section works in conjunction with the coastal people, DEQ, DNR, Governor's office, Corps of Engineers, and the different federal agencies. In the last month there was a total of 174 permits reviewed.

The Scenic Rivers Section is in the same position. They go through a number of permit application inspections. The department did get a new employee in the section just recently and he will be working with Mr. Blue Watson and staff.

The Deer Season Advisory group will meet in Baton Rouge at 10:00 a.m., January 11, 1991, in the Louisiana Room of the Wildlife and Fisheries Building. This group is working through the conflict resolution process to narrow down recommendations which in turn will come to the Commission in the form of recommendations as to a long-range program for deer hunting and allocations of lands and dates for the various types of deer hunting.

On the T. V. Conservation program tonight there will be some discussions of the department's proposed black bass plan. The department is now in the comment period for the plan. Comments are being received and the proposed rule will go to the Oversight Committee.

The Shrimp Task Force is scheduled to meet on the 17th of January at the Wildlife and Fisheries Building in Baton Rouge. This is a important meeting as there will be serious discussion on night shrimping and mesh sizes.

Mr. Don Puckett will be liaison between the department and the legislature. Acting Secretary McInnis will be working very closely with Mr. Puckett in trying to get the department's package together. A number of things have been identified by the department that need attention and modification to clarify some problems.

Concluding his report, Acting Secretary McInnis asked if there were any questions.

Mr. Jenkins commented that over 2 years ago it was realized that there was problem, statewide, with the prosecution of violations. The Commission and the department on their own went out and made a very good effort to try and remedy this. The thought was to try to make this information as public as possible and hopefully the public, sportsmen, outdoor writers, etc. would get involved and help solve the problem. This did not come along quite as fast as Chairman Jenkins hoped it would have but it has come a long way. Chairman Jenkins pointed out that there was an article that appeared in the Acadiana Outdoors written by a sports writer which slam dunks the Commission and department on what they are trying to do. The article says "that instead of being removed from the Enforcement Division we believe the politics is becoming more prevalent. The disposition report as we said before is a joke." Chairman Jenkins stated that if the public, sportsmen and sports writers really believe this then we have done a poor job. On the other hand Chairman Jenkins thinks we have done a good job and believes there is a misconception in the article. This writer thinks that we can prosecute these cases stated Chairman Jenkins and he asked Acting Secretary McInnis to explain the ticket writing, prosecuting, judging process and what can be done as an enforcement agency so that there is no misunderstanding.

Acting Secretary McInnis pointed out that the D.A.s' Association is a non-binding deal. They have members that attend, some don't and some of them have never been to D.A.s' Association meeting. The department coordinated with the Association because it is hard to enter into 64 separate agreements with D.A.s'. The department has worked through the D.A.s' Association trying to come up with a uniform method of doing reports. There has been great cooperation in some areas and there has been some reluctance to do much of anything in some other areas. The first time the report was sent out there were 16 reports that were not returned. The second time it was sent out virtually all of them were returned. The attitude and approach that the department has gone through in trying to work through the D.A.s' Association to get the D.A.'s to cooperate as a group has been effective, stated Acting Secretary

McInnis but he will not say it has been perfect because everything has room for improvement. The state ticket is issued by the agent in the field. That agent has multiple copies. One of the copies goes to the violator, one goes to the District Attorney, one goes to the regional office, one comes to the home office and one copy is sent to the computer room. Once the copy goes to the District Attorney's office the report is read that goes along with the citation and they may determine in their wisdom that there is insufficient evidence to pursue the charge that is on the ticket. They have the option of finding another charge that would fit in or they have to make the decision that there is insufficient evidence there to go forward with the charge. This is not something that the department can control but they do work very hard on the report writing and making sure that the basic ingredient that is necessary for the prosecution of each individual charge is contained in the report and that all the evidence that is available is noted on that report so that the District Attorney can make a fair evaluation of what the set of events were that caused the citation to be issued. Once this process is started, again the D.A. takes it and puts it on his docket. It is then evaluated by the D.A. or his assistant and schedules a hearing if this is what he is going to do with it. He can have a preliminary hearing and have different motions. This can drag out for a while and the defendant can plead guilty. The department has in their statutes, Title 56, the requirement that they prosecute all viable charges and report back to the department. There are a number of the District Attorneys that questions the constitutionality of this particular statute in that it mandates that they do every case. This is in their opinion a conflict with their constitutional mandate in ability to use their broad discretion. There are D.A.s' who will take a case and take it to the courtroom or take it to the next step. They get into the court and the judge has to again evaluate the evidence presented by the District Attorney, the witnesses in the case and make a determination as to guilt or innocence and then determine what type of penalty, cost, etc. are appropriate in that particular matter. What the department is trying to do is get back from the District Attorney the results of those hearings. If it is a plea it is fairly easy to get; if it is a determination by the courts the Clerk of Court certainly has the information and it is presumed that the District Attorney at the end of the case made a notation what it was. The D.A. has a blue copy of the ticket which will come back to the department with the disposition of the case on it. This in turn is received in the headquarters office and goes to the computer section for input into the computer system. This is not a short quick process and it takes a little while to encode the material and put it in the system. The department is trying to address part of the information that is on hand and available to the department, other agencies, and to the public by modifying the information that is captured. Instead of just saying cost the department would like to know what the costs are; instead of saying he was fined such and such the department would be interested in knowing if it was paid.

There are things that the department would like to have in the system that takes a while to have put in. The department believes that the efforts that have been made are giant steps from when it was started. Acting Secretary McInnis advised that he was proud of the efforts that have been made but thinks it still has room for improvement and the accountability that the D.A.s' have is much more realized by them. The Class 1 violations were removed from the District Attorneys last year and this will make a tremendous difference in the numbers of cases that D.A.s' handle. It was estimated last year that some 12,000 Class 1 violations were issued over the course of the year. By removing this from the court system they certainly should have a better opportunity to address the Class 2 and more serious violations on a timely matter. The Class 1 violations had to be brought in-house to get it out of the D.A.s' way. Not all of them were excited about this and pointed out that they got a lot of cost out of that particular program and did not want especially to give it up advised Acting Secretary McInnis. As a group the D.A.s' were willing to do this in order to free their dockets and address more serious issues. The Class 1 violations is a program that the department has estimated would generate some dollars to help out the Enforcement Division in bringing on some new enforcement people as well as provide some funds to be used for additional things such as the uniform cleaning allowance. This has not generated the dollars to date that were anticipated but it has removed the problem from the District Attorneys, concluded Acting Secretary McInnis.

Chairman Jenkins stated that his simple explanation of this is that the department can write the ticket but cannot prosecute them. This is an extra effort on the Commission's and department's part to try and make sure that the public knows what their District Attorneys and judges are doing. If they are not doing right then it is up to the public in that area to try and do something about that. Chairman Jenkins commented that he does not appreciate unjust criticism when the Commission and department are trying to do a better job than they have been doing and if somebody has got some better ideas on how to do this they would be receptive. Acting Secretary McInnis stated that if someone had any suggestions that they think would be helpful in improving this system he would love to hear about them.

Chairman Jenkins asked if anyone had any questions for Acting Secretary McInnis. Mr. McCall asked about the personnel that were supposed to be hired for the alligator program. Acting Secretary McInnis advised that he attended a joint meeting of the Fur and Alligator Council and the alligator farming group where this was discussed. Mr. Tommy Prickett was asked by Acting Secretary McInnis to address the question. Mr. Prickett informed the Commissioners that interviews will be held for the Specialist positions this coming Monday at Rockefeller Refuge for the position in Iberia Parish and the position in Cameron. An additional list was called for on the position in Orleans Parish because there were

some individuals who had applied but were not included on the Civil Service's first list. It should take about a week or 10 days to get the list back. The Specialist position that was lined out to be in East Baton Rouge Parish has been changed to Webster Parish in north Louisiana because it was felt there was a greater need with many of the alligator farmers now being located in north Louisiana. This person will service the north Louisiana alligator farmers. The list for the alligator farm biologist position is still called for and the department still has not received it. Mr. Prickett advised that he checked on this list day before yesterday and was told it should be arriving any day.

Mr. McCall stated that a couple of months ago one of the planes was in a crash and asked Acting Secretary McInnis for information on whether or not it has been repaired, the cost, etc. Acting Secretary McInnis informed the Commissioners that this was the amphibious plane and there was some damage done to the floats. There are thousands of rivets that have got to be reworked. The plane is being worked on and it was determined to be an accidental type situation. It is covered entirely by insurance but it will take some time to repair the floats. The problem causing the accident was with a gear and the wheels that come out of the floats. Ms. Baker who supervises the Aviation Section had reports from the Chief Pilot and other persons that were on site at the time as to the nature of the accident. The FFA looked at it and this was the determination that the FFA came back with, advised Acting Secretary McInnis. Mr. McCall asked if the pilot was still flying other planes at this time? Acting Secretary McInnis stated that the pilot flies different aircraft and has been flying waterfowl surveys since that time.

Chairman Jenkins called for other questions. There being none Chairman Jenkins called for a motion to adjourn for lunch and reconvene at 1:30 p.m. A motion was made by Mr. McCall for adjournment and seconded by Mr. Jones. The motion passed unanimously

Chairman Jenkins called the meeting back to order at 1:30 p.m. on Thursday, January 10, 1991.

At Thursday's meeting Dr. Jerry Clark presented a **Resolution for Domestication of Tilapia and Triploid Grass Carp for Agricultural Purposes** for approval. Dr. Clark gave a brief background on the proposed resolution. By state law in order for the department to grant a permit for certain species to be reared in aquaculture the Commission has to declare them as a domesticated species. The department has a recommendation in the form of a resolution for the Commission to declare triploid grass carp which is a sterile grass carp and tilapia as domesticated species. This would allow these species to be reared in aquacultural. This resolution will not open the doors for the production of either of these species in Louisiana for aquaculture. Subsequent to this the agency will

promulgate rules, and the permits to rear these species will only be granted after those rules are adopted. These rules are going to be very restrictive advised Dr. Clark. Over the last three or four years a Grass Carp Task Force had several meetings which included recreational fishermen, commercial aquacultural people, catfish farmers and a number of other people. This group met for a series of meetings and came to a conclusion about under what conditions triploid grass carp should be allowed into this state. It is the department's intention to follow the letter and the spirit of that agreement and not allow triploid grass carp to be anywhere else in the state other than what was part of the agreement, commented Dr. Clark. It is also the department's intention to write rules for tilapia in which they would have to be reared only in closed aquacultural systems which means in tanks in buildings. The department is going to treat tilapia or the escape of tilapia as a hazardous waste.

Mr. Jones asked if tilapia got out in the wild in the Atchafalaya Basin what would happen? Dr. Clark answered it would reproduce and it is possible that it could interfere with other species that are already in the basin. Mr. Jones asked why did the department want to deal with this and why would they want to consider the risk? Dr. Clark stated because we think we can control it. In the last year a case was made against a catfish farmer who had diploid grass carp (fertile grass carp) in his ponds. Grass carp are showing up in the National Marine Fisheries Service commercial report in Louisiana's major river systems. These fish are in the state and if the department can provide a legal opportunity to use a triploid grass carp this might stop the spread of the grass carp. The tilapia, to Dr. Clark's knowledge, has not been established in the state whereas grass carp has.

Chairman Jenkins called for any other questions. Dr. Clark reiterated that this will not allow these species into the state. It would only be under the rules that will be promulgated as an agency. It would be appropriate for the Commission to be a part of this process since they are part of the process by domesticating the fish stated, Dr. Clark. If the Commission does not like the rules they can exercise their authority to de-domesticate the fish anytime they want. Mr. Jones questioned why we were doing this. Dr. Clark answered that we are doing this because a number of people in a number of industries throughout the state, the aquacultural industry, catfish industry, and others have said that this state could benefit from the activities that could be permitted under this system. Individuals could make money rearing tilapia in the state; individuals could make more money rearing catfish in the state if they could use these species for grass control in their ponds. For every action there is a benefit and a cost pointed out Dr. Clark. Mr. McCall asked if the risk was worth it. Dr. Clark answered we think it is or we would not have recommended it. Mr. Schneider asked how big of a problem are the diploid grass carp right now and were people bringing them in

illegally and using them? Dr. Clark answered yes but all he has is rumors. He has had people tell him that every catfish farmer in the state has got them. Dr. Clark does not think this is true but thinks there are probably significant numbers that do. Dr. Clark explained how dangerous diploid were. Lake Conroe in Texas was stocked with diploid by the university people from Texas A&M. Within a number of years, not very many, every piece of vegetation in the lake was gone. The lake has not yet recovered, advised Dr. Clark and the diploid grass carp have shown up in the bays and estuaries of Texas downstream from Lake Conroe. The diploid grass carp are a potential serious problem and are fertile fish. Dr. Clark stated that we are talking about a program that we would be undertaking where anybody getting a permit would have to have certified triploid fish (sterile fish) and the department would do their own investigations on every one of the permits to make sure that the fish are triploid. Chairman Jenkins stated that the problems is not the sterile fish that we would permit, right, it is the other species of fish that is concerning Mr. Jones? Mr. Jones stated that it was the same species of fish, is it not? Dr. Clark answered yes, triploid just means that they have taken a fertile fish and put it through a process and made it infertile by fooling with its genetics. This fish does not reproduce. Mr. Jones stated that they keep making them. Dr. Clark commented that not in Louisiana they would not keep making them, these fish would have to be imported from out-of-state. With respect to the grass carp, all the interested organizations were part of the task force and they met for a long period of time. All the department would be doing is implementing an agreement that was reached by sport fishermen, catfish farmers, etc. and are not proposing any addition to that agreement explained Dr. Clark. Mr. Foret stated that the carp can destroy everything in this state.

Acting Secretary McInnis added that three years ago one of the initial challenges the department had, in which he was involved, was the introduction of this grass carp into the catfish ponds. A great deal of time was spent learning about this, studying it, and working with the agricultural interests on the matter. After heated discussion in the House Agricultural Committee where the grass carp was being discussed they agreed to put it off and the task force was put together. The task force came back with recommendations that everyone on the task force bought into but when it got back to the committee they decided that the cost of the permit would be so costly to test the fish that the farmers decided that they did not want to do this. Since that time there have been several meetings with different representation from throughout the state who are still interested in pursuing the matter and Acting Secretary McInnis trust that if it does come back again before the legislature that it will again return to the House Agricultural Committee where it will receive its discussion. The department participates in these hearings but are not as well received in the House Agricultural Committee as in the House Natural Resources Committee. The Agricultural Committee's focus is in a different

direction and if this fish is to be introduced Acting Secretary McInnis would certainly like to see this department take the lead in drafting the regulations under which it would be conditioned.

Mr. Jones stated that he does not know enough about this to form an opinion right now and would like to have a little more information to be able to base his opinion on something other than just this quick introduction which seems to be a monumental issue to the sport fishermen, the Atchafalaya Basin people, and to the catfish farmers.

Dr. Clark pointed out that two things needed to be done. The resolution needs to be passed and a set of rules need to be promulgated. The difficulty is by statute, the Commission does the domestication and the department does the rules. If the department does not have the Commission's authority to domesticate than it did not make sense for the department to write a set of rules for an illegal fish.

Chairman Jenkins asked Dr. Clark if they were to domesticate the fish can they undomesticate it? Dr. Clark answered in a minute but cannot tell them though that if they domesticated it and put a set of rules in, get a million of these fish in the waters with 12 people investing millions of dollars that 5 years from now it will be easy to undo. Chairman Jenkins stated that he was talking about short term and if they did this today then the next thing that would come along would be further discussion, rules, etc. and if they are not adopted the fish could be undomesticated. Dr. Clark answered right and it is not the department's intention to permit any of the fish until rules are in place and it would be at the Commission's discretion to do oversight on the rules. If the Commission does not like the rules and do not believe that they are protection enough then they can undomesticate the fish. All of this can take place and would take place before anyone of those fish was permitted into the state advised Dr. Clark.

Mr. Schneider asked if 30 days would hurt either way. Dr. Clark answered no. Mr. Schneider asked if the Commissioners could get a copy of the task force report and all the information so that they could study it. Dr. Clark stated yes. Chairman Jenkins suggested that this be put on the agenda for next month for presentation and whatever information that could be sent to the Commissioners in the meantime could be reviewed. Dr. Clark agreed. Chairman Jenkins stated that this will be done.

The Date for the March Commission Meeting was set at Thursday's meeting. Mr. Jones made a motion that the March Commission meeting be set for March 7, 1991, Baton Rouge, Louisiana, 10:00 AM. The motion was seconded by Mr. McCall and passed unanimously.

Acting Secretary McInnis announced that the tentative dates for the May Commission Meeting which is held in conjunction with the

shrimp season hearing in New Orleans at the UNO auditorium have been set for May 2-3, 1991 as these are the dates that the department can have access to the auditorium where the meeting has been held for the last several years. Acting Secretary McInnis asked the Commission if they would like to confirm these dates. A motion was made by Mr. Pol to set the dates for the May meeting for the 2nd and 3rd. The motion was seconded by Mr. Vujnovich and passed unanimously.

Chairman Jenkins called for **Other Business** from the Commission members.

Mr. Vujnovich stated that he had something on the **Oyster Season**. The Louisiana Oyster Task Force had a meeting yesterday on January 9, 1991, and are recommending the following to be done. The group present (task force) looked at and voted unanimously the following regarding the remaining portion of the oyster season:

1) That the season for bedding reopen on January 15, 1991, on both the public grounds east of the Mississippi River and the Vermilion Bay area. Bay Gardene, Hackberry Bay, Sister Lake and Bay Junop shall remain closed. The oyster season on the east side of the Mississippi River should close February 15. The oyster season in Vermilion Bay should remain open till April 1, 1991.

2) These recommendations are a result of high rivers, lock problems, and various other oyster resource problems.

Mr. Vujnovich asked that the Commission adopt this today. Chairman Jenkins asked Dr. Clark if he wanted to comment on this.

Dr. Clark stated that when the Commission opened and closed the season this year they gave the Secretary the authority to do this. It has been the intent of the department to have a spring season. These dates are acceptable to the department and it is the intent that this be recommended to Acting Secretary McInnis, advised Dr. Clark. A motion is not needed by the Commission unless they would like to do a recommendation that Acting Secretary McInnis do this, pointed out Dr. Clark and commented that one of the reasons that the season was closed at the end of last year was because many of the oyster fishermen had run out of oysters to transplant and had begun to move shell off of the public reefs and putting it on their leases. Dr. Clark recommended that part of the department's decision to keep this season open will be that this not take place. Personnel will be on the water and they will board boats and if oyster fishermen in good numbers are shell dredging it will be recommended to Acting Secretary McInnis that he close the season as quickly as he can do it, advised Dr. Clark.

Mr. Vujnovich stated that he would be the first one to call Dr. Clark if this should happen. The shells should stay on the state seed grounds because that is where they are needed and with the

river coming up there may be a good crop for the coming year. Dr. Clark stated that he appreciates that support.

Chairman Jenkins asked where did the shells come from to make the oyster reefs? Mr. Vujnovich answered that the shells used to come from Lake Pontchartrain. Mr. Jenkins commented that there was no more source for that shell, right? Mr. Vujnovich stated that is right and now they have a little shell that comes from Mexico which a few people in the industry have bought and planted and it is working very well. Dr. Clark added that technically what will have to happen, and the state has applied for additional funds this year to get the federal money to deposit shell, is that a contract will have to be put out for bid. Historically as Dr. Clark understands it the Lake Pontchartrain people have won those contracts. There is shell dredging going on at the mouth of the river pointed out Dr. Clark, and whoever comes up with the shell at the lowest bid will win the contract. Chairman Jenkins asked if the remaining type of shell that is being dredged would do for bedding? Dr. Clark stated that his understanding is that the clam shell was a better product but oyster shells certainly would work. Mr. Vujnovich advised that there is a program that has been started in the industry and he is very active in it. The program is to try and save the oyster shells that are opened in the shops, stockpile them and put them back into Louisiana waters. This will take time.

Chairman Jenkins asked Mr. Vujnovich if he wanted Acting Secretary McInnis to go with the recommendations or if he wanted to make a motion. Mr. Vujnovich stated either way, and asked if he needed a motion. Dr. Clark advised unless the Commission wants its intent to be known. Mr. Vujnovich recommended that Acting Secretary McInnis do this.

Chairman Jenkins asked if there was any other business from anyone on the Commission. Mr. Jones stated that he had a small item and advised that he was still looking for a resolve of the current "Gag Order" that the department is working on. This can be resolved real easy just by saying it is o.k. to talk to the Commissioners anytime you want to. This was touched on at the last meeting but Mr. Jones commented that he has not seen anything come through that told the field people it is all right. Acting Secretary McInnis stated that this was discussed in the meeting and they were told it was o.k. at the meeting. If Mr. Jones feels it is necessary to put something in writing Acting Secretary McInnis would not mind doing this. Mr. Jones asked him to do this if he did not mind and really thinks it would be a boost for the field people. Acting Secretary McInnis stated that he would follow up on this.

Chairman Jenkins advised that there were a lot of people in the audience and knew of two items that the people attending the meeting wanted to discuss. One item is a new Crab Trap and Chairman Jenkins asked if anyone from the audience wanted to address this.

Mr. Willie Daisy addressed the Commission. Mr. Daisy stated that he is also in the oyster and fur industry which are not doing to well and the shrimping industry at this time of the year is almost at a standstill. Mr. Daisy advised that he came up with this idea from an article that he got from a commercial fishermen's magazine. The people in Virginia were using this technique. Mr. Daisy informed the Commissioners that he has come up with a devise that resembles a dredge which cost a lot less than the traditional method that is used. The old type crab trap cost from \$7 to \$9 each. Most people use from a 100 to 350 traps. This device can be produced under \$50 a piece and can be used with your boat using only 1 or 2 of them. This device is not hazardous to any other boats, etc. as it is not just sitting out in the water. This is an efficient way for the fishermen to keep an income coming in during the winter time, stated Mr. Daisy and pointed out what was needed was to have someone, the government or the Commission, to approve the use of this device. The fishermen would like something as quick as possible and if it took some legislative action Mr. Daisy would like to see this done. Chairman Jenkins asked if the problem now was that the device was illegal or unapproved. Mr. Daisy stated that they were told it is illegal but have spoken to lawyers, D.A.s', etc. and they could not find anything to say it was illegal except the Wildlife and Fisheries Agents. Chairman Jenkins asked Acting Secretary McInnis if he could address this. Acting Secretary McInnis stated that the Department of Wildlife and Fisheries historically has not prohibited gear. What they try to do is have a permissive situation, they approve gear. The problem is that it is a new type of gear and the department does not have the authority to approve it. The legislature has seen fit not to give the department the authority to permit new gears or establish that they are legal or illegal. They have reserved that on to themselves. There is some general language in the statute that does cause some confusion as to what is and is not. There seem to be definitions that would establish what industry traditionally thought of as a crab trap whether it was a net or a wire mesh device and trawls catch crabs during certain times of the year. The question is this a crab trap and if you get into criminal court you could have confusion along the coastal area. In the last several days Acting Secretary McInnis has taken the time to meet with department staff and found that there was some correspondence that had been reviewed. There is certainly a good case here and the device does a lot of positive things. The department does have some discretion in authorizing the use of new gear under the utilized species act. This does not necessarily mean that you are catching fish or crabs, it means that you are test marketing a new piece of gear. In Mr. Daisy's letter he pointed out that there was some concern about what you can and can't catch with this device. Acting Secretary McInnis commented that what he would like to see take place is personnel (enforcement and biologists) from the department work with Mr. Daisy and his group and see if they cannot come up with some type of restrictive use for the device

until the legislature meets at which point in time it can be addressed. If the device gets the support of the department they will be with Mr. Daisy but if it is found that it has some definitive conflicts with other things this would override the utilization of the gear. Even though it is a good efficient gear for crabs, the department would be in a posture of having to point that out as well, stated Acting Secretary McInnis. This suggestion would be something that might work towards bringing a resolution to this conflict that has come about. Acting Secretary McInnis explained that what he was saying was to have department personnel work with the people that have developed the gear and see if whether or not it is something that undervalued species, paragraph 2, gear exception might be something that can be developed for future use.

Mr. Vujnovich added that as a youngster he saw something similar to this device being pulled in Little Lake and Hackberry Bay. This was in the early 40s' and the Wildlife and Fisheries completely took this device off the market. Mr. Daisy pointed out that it was being pulled inside then, but they would definitely like it offshore, coastline, going out, nothing in and positively not to be pulled on anybody's oyster leases. Acting Secretary McInnis commented that if you get into a conflict with dragging across oyster bed and it has the capability to pick something up then you will get involved with not only a gear conflict but an industry conflict, the Food and Drug Administration, etc. and it would be a real mess. If an experimental program could be developed with guidelines established as to where it can be utilized this would be the best resolution to this problem for the current time. Mr. Daisy stated that he was at another meeting and it was brought to his attention about the FDA flying over and seeing all the oyster boats in the area and Mr. Daisy asked how much of the Gulf of Mexico was polluted. The answer was none. Mr. Daisy then asked him where the problem was. Mr. Vujnovich explained that this was discussed at the Oyster Task Force meeting yesterday and the problem was that the group was under the impression that this device could be used anywhere in Louisiana waters. Mr. Daisy stated no, it is to be used only in the Gulf of Mexico from the coastline going out. Mr. McCall asked if you pulled this device behind a boat just like a trawl. Mr. Daisy stated that you could pull it behind a boat and that he pulls his just like he does his dredges for oysters. The device drags the bottom but there are no teeth on it that dig into the bottom, it slides on the bottom on some skis. Acting Secretary McInnis stated that he would like to get the other people that are working on this device and those using it involved in this process so that there are not different models. Mr. Daisy suggested that there could be regulations on how the device was made.

Major Tommy Candies asked if Enforcement should continue enforcing this as illegal gear. Acting Secretary McInnis answered until such time that we get this straightened out but he hopes to have this meeting in the immediate future so that they can get this thing

resolved. Major Candies advised that he has had many, many calls from commercial fishermen from Alabama, Texas, Florida waiting to see if we are going to allow the use of this device. Mr. Mike Wassen with Motivated Seafood which is a oyster and crab packer has received many calls from non-residents just waiting to see if they can use this device. If this is allowed it will be wide open and Major Candies does not think it will be controllable. Acting Secretary McInnis stated that this is something that will be taken into consideration in meeting with Mr. Daisy and getting input from Enforcement and the biological staff. Mr. Daisy commented that if there were out-of-state boats to come in and do this they would have to have a commercial fishing license. In the future there would be a license for this type gear. In any other industry it is the same situation, they have the right to come in and do the same thing. Acting Secretary McInnis explained that he thinks the concern that Major Candies is expressing is that when you start off with a new piece of gear and doing an experimental program you do it on a small scale, take a look at what you can and can't do with it, get a feel for it and then you go forward. You don't just say o.k. it is available for everybody to use. With this type of gear it is a experimental gear which will require a specific permit from the department to utilize and there will be restrictions and conditions over its testing.

Chairman Jenkins stated that on advice of counsel the rules needed to be suspended and action taken on Mr. Vujnovich's recommendation on **Oyster Season**. A motion was made by Mr. McCall to suspend the rules. The motion was seconded by Mr. Jones and passed unanimously. Chairman Jenkins asked Mr. Vujnovich to read his resolution again and the Commission would adopt it. Mr. Vujnovich presented the following motion for adoption:

"That the season for bedding reopen on January 15, 1991, on both the public grounds east of the Mississippi River and the Vermilion Bay area. Bay Gardene, Hackberry Bay, Sister Lake and Bay Junop shall remain closed. The oyster season on the east side of the Mississippi River should close February 15. The oyster season in Vermilion Bay shall remain open until April 1, 1991. These recommendations are a result of high rivers, lock problems and various other oyster resources problems."

The motion was seconded by Mr. Jones and passed unanimously. Acting Secretary McInnis will take care of this.

Chairman Jenkins informed the Commissioners that the other item that correspondence has been received on was the **Shrimp Season** and asked if there was anyone who would like to address the Commission.

Mr. Dean Blanchard, Grand Isle, Louisiana addressed the Commission. Mr. Blanchard advised that the reason they are at the meeting is

that there are good market shrimp off of Grand Isle and they would like to be able to catch them. Shrimp are running 40/50, 50/60 off the beach and there are people catching them and have been catching them for the last week. He would like for the Commission to make it legal so that everybody can go, just not the violators. Mr. Blanchard stated that he brought his books with him that show what he has been buying the last few days if the Commissioners would like to take a look at them. Chairman Jenkins asked if he was buying illegal shrimp. Mr. Blanchard answered no, no sir. Mr. Jones asked Mr. Blanchard if he has filled out his report. Mr. Blanchard advised that they have been sent in.

Mr. Kenneth Adams, shrimper, addressed the Commission. Mr. Adams wanted to know why the season was closed. The shrimp caught were from a 16/20 to the smallest which was a 60/70. They worked the whole coast and did not know the season was closed. An agent told them the season was open. Mr. Adams pointed out that they called Wildlife and Fisheries today and were told over the phone that the season was opened for dragging white shrimp on the beach. There was bad communication on the closure of the season. Mr. Adams pointed out that at this time of the year you cannot determine the shrimp by biological data and if you get a southeast blow or just a little wind coming from the outside, the shrimp that are in the deep come up along the beach. This time of the year the season is not directed by the shrimp coming from the inside and outside like normal conditions. Mr. Adams stated that he was also confused about the law.

Mr. Leon Harvey, shrimper from Lafitte, Louisiana, addressed the Commission. Mr. Harvey stated that he had the same problem that Mr. Adams had and unknowingly daggged where they were not supposed to. It was understood that they could drag on the beach. Mr. Harvey asked how did the department set the closing of the beach? Chairman Jenkins stated he thought the size of the shrimp but asked Mr. Phil Bowman to address this. Mr. Bowman explained yes they are looking at the size of the shrimp. A series of 10 years worth of data was reviewed in order to get some sort of a feel of what the historical perspective on shrimp sizes were in the Gulf of Mexico along the Louisiana coast during the winter months. As a result of this and with consultations with the staff as well as the Shrimp Task Force the department came to the Commission with a series of recommendations for closure dates along the Louisiana coast. Mr. Bowman stated that he cannot really respond to the question about the wording or notification or any confusion that may have existed but anytime when you try to close seasons and leave as much area open as possible and splitting up the state into a number of different zones in order to take advantage of the sizes of shrimp that may be present it may become complicated which is something that could be worked on in the future. The closure was based on the size of the shrimp and shrimp that were smaller than 100 count were looked at. Mr. Harvey stated that the shrimp caught were not an illegal shrimp; if it was it would be a different ball

game. The shrimp was 4 or 5 sizes bigger than an illegal shrimp. The closure in August was a disaster to the fishermen and a tremendous amount of large brown shrimp were lost, commented Mr. Harvey. The fishermen are losing an enormous catch again with the beach closure. Mr. Harvey would like to have something worked out so that the beaches would reopen to the shrimpers. Mr. Harvey's count ranged from 80 count to 36/40 count mixed in. They are also problems with the seabob season in plenty of places, pointed out Mr. Harvey. In the places that are opened for the special seabob season the white shrimp are beautiful. Mr. Harvey concluded that he wished the Commission would consider and work with the shrimpers on the reopening of the season.

Mr. Pol stated that the thing he does not understand is why do we have this confusion about whether it is closed or not closed and certainly our agents are being told what the law is. Mr. Bowman stated that he cannot really respond to this and all the correspondence he saw was clear as to what was open, what was closed, and when it wasn't. Mr. Pol stated that he certainly believes these people when they tell the Commission that they asked an agent and he says that it is opened. He certainly does not think they would come up here and tell them that because they could go back to the agent. Also people have been caught shrimping inside the 3 mile limit with expired license and the shrimp were not confiscated.

Mr. John Roussel addressed the Commission. Mr. Roussel stated that this is just a hypothesis as to what might have caused this confusion and explained that in Louisiana, state waters extend out generally 3 miles; however, off of Grand Isle they extend out as much as 7 miles. Mr. Roussel stated that he recalls that when the season was closed that it was closed only out to 3 miles so in effect some of the state waters off of Grand Isle would be opened but they would not be within 3 miles of the beach, they would be between 3 and 7 miles. It is possible that the wording in the news release was such that lead to some confusion off of Grand Isle because essentially you have state waters open but not near shore beach waters, concluded Mr. Roussel.

Mr. Allen Gaudet, shrimper, addressed the Commission. Mr. Gaudet stated that he was the one that was booked. Friday before the weekend of New Year's eve Mr. Gaudet called the New Orleans office enforcement agent and asked the secretary if any part of state waters were open to drag on the beach for white shrimp. The secretary stated yes there is and went ahead to read the letter (news release). She read only the first paragraph of that letter, stated Mr. Gaudet. When any of the fishermen would call the office the secretary would read only the first paragraph of the letter which gave you the boundaries from Caminada Pass to Empire Canal. When the Riptide pulled up to Mr. Gaudet they did not even know if the area was closed or not and had to call Mr. Candies to find out. One part of the agency is telling him it is opened and the other

part is telling him no it is not. Mr. Gaudet pointed out that 5 or 6 years ago the beach was closed for the sole purpose to increase the white shrimp production. Those 5 years were the worst white shrimp on record. Last year from Belle Pass, Lafourche to South Pass was left open 12 months a year and there was the best crop of shrimp in that area ever on record, stated Mr. Gaudet. There is no reason the season should be closed. Mr. Gaudet showed the Commissioners the letter (news release) that he had and stated that the news release that the Riptide had was completely different. This has all been a lack of communication as far as Mr. Gaudet is concerned and this has been the biggest problem with Wildlife and Fisheries. It is hard to work under these conditions. Mr. Gaudet stated that he thought what happened was the way the news release was written. Mr. Gaudet also stated that he does not think you can make a season for one particular type of shrimp in the water because when testing you will get 70 pounds of seabobs one try and turn right around and get 30 pounds of white shrimp. Seabobs disappear and go into the sand and the white shrimp come out. Mr. Gaudet reiterated that he knows it was a lack of communication, or miscommunication mostly because of the way the letter (news release) is written up. The one that the Riptide had was even more complicated, pointed out Mr. Gaudet. Mr. Pol asked what was meant by the resolution. Mr. Bowman explained that the idea was that in the area between Caminada Pass and the Empire Ship Channel, to leave the area of state waters beyond the 3 mile limit open. The reason for doing this was because historically it has been recognized that in the deeper waters even though it is under state jurisdiction because of the way the federal government drew the line there are large shrimp in that area available to the fishery during that particular time of the year whereas once you move inside the 3 mile limit or 3 miles from the beach you normally find a smaller size shrimp. Mr. Pol stated that this did not answer his question and in other words what he was trying to get at is it 3 miles off of the beach or is it 3 miles as drawn by the federal guideline. Mr. Bowman explained that the closed area is from the beach out to 3 miles. Mr. Pol commented that if the man was fishing 4 miles out; Major Candies stated that he wasn't. Mr. Gaudet advised that he was on the beach because he asked the secretary specifically if there was any place in Louisiana he could fish white shrimp on the beach because Mr. Kenny Adams had told him the day before that the agent explained to him yes it is opened on the beach between Caminada and; Mr. Pol asked what agent? Mr. Gaudet stated that he was not one hundred percent sure but from all of the descriptions from the other fishermen we think it was Mr. Glenn Jackson. The point Mr. Gaudet is trying to make to the Commission is that this area has never been closed except when they came up with the experimental closure to help out the white shrimp about 6 years ago. Last year Mr. Blanchard and Mr. Gaudet attended the December Commission meeting in New Orleans which was Mr. Dale Vinet's last Commission meeting. Mr. Vinet agreed with Mr. Gaudet and Mr. Blanchard that the areas were different and Mr. Gaudet's and Mr. Blanchard's area for shrimp very rarely, maybe for only 4

or 5 days out the year, get 100 count. The shrimp are now constantly growing and next week they will be even bigger. This is a residue crop from the August season and if they are not caught they will go offshore. Shrimp only live for 1 year, advised Mr. Gaudet and stressed that you cannot grow a thing without cultivating it. When you are trawling a bottom you are actually cultivating it.

Mr. Pol stated that he agreed with the people that if you are trawling how can you tell whether you are going to get so many seabobs or so many other shrimp in the nets.

Mr. Gaudet pointed out that the area (Grand Isle to the mouth of the river) that was kept opened last year produced the poundage for a record year. Concluding, Mr. Gaudet commented that he was a strong believer in cultivation and mentioned that he thought there was a law on the book if shrimp are under 100 count that it has to be opened. The shrimp never went over a 100 count in their area this year.

Mr. Chris Calmwell, Grand Isle, Louisiana, addressed the Commission. Mr. Calmwell advised that he came for Mr. Wayne Estee who asked him to bring his books so that the Commissioners could review them for the size shrimp that he has been buying for the last week or so. Chairman Jenkins asked that the books be left. Mr. Calmwell stated that he would like to see the area opened so that they can go back to work.

Mr. Jessie LaCour, commercial shrimper, Chauvin and Dulac area, addressed the Commission. Mr. LaCour stated that he and his family own 6 shrimp boats and he has been shrimping for 28 years. They are successful fishermen and Mr. LaCour is tired of hearing about the poor fishermen that can't make it trawling. Mr. LaCour stated that he does not belong to any organizations because he does not have time, he has to be out there shrimping. Mr. LaCour advised that he would like to straighten out a few misconceptions about the shrimping industry. One is the idea that the shrimpers kill species such as crabs, turtles, etc. in by-catch. Mr. LaCour commented that the boat he has is about 65 feet and trawls about 10 percent of the time in inland lakes in the Breton Sound area, Grand Isle, all the way to the Cameron line. They do not shrimp in Texas or Mississippi. Mr. LaCour feels that their boat size is the backbone of the shrimping industry and he was not at the meeting to promote outside of 3 mile fishing or to promote inside butterfly nets but does not want to hurt these people. The reason that Mr. LaCour attended the meeting was that he feels now is the right time with the things that will be coming up in the near future to try to make the Commissioners understand the real and the true fisheries of the Louisiana waters. Most of the fishermen that fish with Mr. LaCour are very successful and make between \$100,000 and \$200,000 a year. Before the crisis Mr. LaCour pointed out that his monthly fuel bill was \$10,000, now it is \$20,000 but he is

still making a good living. This has been one of the best seasons they have ever had. One of the reasons why the fishermen can survive the fisheries is because they are willing to change no matter what laws are made. The thing that the fishermen fear is it seems like that people who do not know what they are talking are listened to. The Commissioners have no way of knowing what is the right or wrong thing to do, all they can make decisions by is what people tell them. A misconception about trawling is the mesh size. There is a 100 count law on the shrimp which is a great thing, commented Mr. LaCour. This law is conflicting with the people from Grand Isle. The 3 mile area when Mr. LaCour shrimps right now is immaterial because there are no shrimp inside of 3 miles at different points. The 100 count law actually moves the line. A better way to do this would be to create a mesh size law. The shrimp move with the weather which is natural and the weather creates the shrimp. If you don't have the proper weather you won't have any shrimp. All you can do is enhance what mother nature gives you. The consensus of the successful fishermen is that the Wildlife and Fisheries does a great job. They are the ones that have been creating the record years. If you look at every bumper crop of brown shrimp it is when the Wildlife and Fisheries have delayed the season. Mr. LaCour stated that he did not want to hurt anyone and was not here talking about the first time fishermen, or the night time butterflies. The point is, if you want to create laws, the Wildlife and Fisheries is doing a great job in the May season but for some reason they think this 3 mile limit is doing some good stated Mr. LaCour. You have got to have some restrictions. If you pull the right mesh trawl you will lose the little shrimp. Another misconception is that you can manage shrimp in the Gulf just like you do in the lake. This is impossible. The truth of the matter is the management has to occur on the inside and the truth is that there is no place inside left alone any more. Opening two zones differently is the right thing to do. You get the most out of the fishery this way. This year on April 25th of this past year there were 300 barrels of brazil caught outside of the pass and that brown shrimp is gone and not coming back in Louisiana. The eggs will come back but the shrimp will not come back. The white shrimp is different and this is the thing we need to protect. The 3 mile limit is a hinderance on the shrimp and the fishermen think it is useless and should not have to put up with it. After April 15th all the inside species that are going to migrate into the Gulf begin to leave and there is no more return coming in. If you let them outside of the 3 mile limit you have lost them in the state. Mr. LaCour stated that what he is suggesting and all the people he is talking for are suggesting is that there be estuaries in the inside waters and a mesh size instead of the 100 count law size. Fighting each other will lead to nowhere. The commercial and sports fishermen need to get along and laws are needed concerning the fisheries where the money or poundage is, commented Mr. LaCour. The greatest fear that Mr. LaCour's people have is that the Commission would be foolish enough to open the May season 3 miles out beyond May 1st. This would

devastate business and Louisiana fisheries because in essence this would just be letting the crop go. Once the shrimp go into the Gulf it is not the same management policy as inside. They migrate when they get in the Gulf. Mr. LaCour spoke on the by-catch. Some people have got the idea that shrimpers catch all the by-catch. The shrimping industry is in as good shape or better shape as it was in 1962. A few more proper management techniques are needed.

When you pull a inch and a half net at a knot and a half an edible size redfish can get out of the net. Mr. LaCour catches very few edible fish such as reds or specks in his nets. Mr. LaCour stated that he has asked the smaller boats if they would rather pull a by-catch and get rid of their salt box or would you rather not trawl at night. They say they would rather not trawl at night. Seventy percent of your by-catch is caught at night. Mr. LaCour stated that they would like to do a lot of things in the shrimp fishery but are afraid they would say something and the Commission would get the wrong idea. Mr. LaCour stated that he wished the Commission would consider estuaries for the white shrimp. There is no problem with the brown shrimp. The 3 mile limit to Mr. LaCour is a mismanaged thing and is unnecessary in his area. A inch and a half gear all the way would be one of the best laws the Commission could pass. You would be getting rid of a lot of by-catch by using this size mesh. Concluding, Mr. LaCour stated that what is going to happen is if nobody says the truth about this the fishermen will be stuck with a device in front of the turtle excluder.

Dr. Jerry Clark announced that the Shrimp Task Force meeting will be January 17, 1991, at the Wildlife and Fisheries Building in the Louisiana Room. The principal purpose of this meeting is to discuss two issues with respect to their recommendations for the shrimp fishery in the state. The first issue is to prohibit night shrimping throughout the state and the second issue is to increase the mesh size to a inch and a half. When the Shrimp Task Force met to discuss these two issues, those two recommendations were adopted by the task force, not by a formal vote but by a consensus. There were not more than 1 or 2 people on the entire task force that had any objection to either of those recommendations, stated Dr. Clark. Dr. Clark informed the Commissioners that at the last legislative session the regulatory authority bill that passed includes all gear. This is one thing that the Commission does not have any authority over even if the entire shrimp industry told the Commission to go to a inch and a half.

Chairman Jenkins asked Mr. Bowman if he would answer some of the questions that had been asked about Grand Isle. Mr. Bowman presented a chart showing the area that was discussed at today's meeting and explained that in the area the recommendation was to close it from the beach out to 3 miles. In this area with the slope of the shelf you get into deeper water relatively faster than you do in other areas of the state and normally have a larger shrimp available this time of year while up next to the beach you

have a strong possibility of finding very small shrimp. This past Monday the department went out and made a trawl sample. At this point during the meeting someone from the audience stated that the department was using an outdated 1966 pattern test trawl for biological data. Mr. Bowman continued with his presentation explaining the process of gathering biological data so that shrimp seasons can be set. Mr. Bowman stated that there are shrimp out there larger than a 100 count but also a high peak of some numbers of shrimp that are smaller than 100 count. At the 3 mile stations the count went to strong 60/70 count. Mr. Bowman stated that he would answer any questions.

A gentleman from the audience asked Mr. Bowman to explain to Acting Secretary McInnis about the 1966 test trawl that the department uses and if they did change all of the department's data would not be worth a zero. Mr. Bowman explained that the trawls that are being used were developed in the late 1960s' and early 1970s'. At that time there was a coastwide project that was conducted called the Gulf of Mexico Estuaries Inventory. These trawls were standardized throughout the Gulf of Mexico and Louisiana has built a data base with these particular trawls. The objective is not to see how many shrimp can be caught but to be as consistent as possible in the methodology so the department can look at differences year to year. The department samples in stations that they know they may not catch too many shrimp but for an indication of what is in that geographical area. The department has used the same trawl so that they can compare one year from the next. The trawl that is being used in this case is a 16 foot trawl and has got a inch and a half throat and wings and a quarter inch mesh tail on the back. Mr. Bowman stated that 95 percent of the total shrimp catch was white, there were about 5 or 6 brown shrimp and there were a few seabobs.

Mr. Blanchard commented that last year the season was opened in front of Grand Isle and there was an unusually good brown shrimp season and asked why the department would even attempt to close it this year.

Mr. Bowman stated that as far as brown shrimp go, the weather conditions that are experienced in March, April and the first part of May are going to govern what happens to the brown shrimp crop in the spring. This is not really a brown shrimp measure but primarily a white shrimp measure in this particular instance and was designed to allow some of the smaller shrimp that are on the beach an opportunity to grow to a larger size.

A gentleman from the audience asked if testing is done in December. Mr. Bowman answered that they do trawl in December but he does not have that information in front of him but can get it for him today.

Mr. Blanchard stated that Mr. Bowman did not answer his question about what was the reason for closing the season this year. Mr.

Bowman explained again as he mentioned earlier the recommendation was based on the historical trawl data that the department has as well as what they expected to see this year. Subsequently, as this particular data indicates it is what the department expected to see. They expected to see small shrimp in the 3 mile area and when you got out next to the 3 mile boundary they expected to see the size of the shrimp increase, which was seen, stated Mr. Bowman.

Mr. Blanchard commented that Mr. Bowman expected to see smaller shrimp than he would have seen last year at this time even with the hot weather. Mr. Bowman stated that this is not what he said. What he said was that based upon all the data that has been collected and the staff review, we expected to see small shrimp next to the beach during this particular time of the year.

Several more comments followed on the issue pertaining to the shrimp count, net size, 3 mile limit, shrimp size in inside waters and outside waters, etc.

Chairman Jenkins asked if anyone on the Commission wanted to make a motion or take any action on this item.

Mr. Foret stated that he thought they heard logic on both sides. Mr. Bowman and the staff were right to a certain extent but with the shrimpers this is their living. Mr. Foret stated that he never did see where the 3 mile had helped any of them. The shrimp in Mr. Foret's area are not running quite as big as they are in the Grand Isle area. Right now the fishermen are bringing in 70/80, 80/100 and a few 50/60. To Mr. Foret's knowledge the fishermen are not fishing in the 3 mile limit because they do not want to get a citation. There are a lot of problems, stated Mr. Foret. There is a need to go back to like it was 5 years ago and leave the whole Gulf area open. There would be a lot fewer problems with enforcement. More enforcement is needed but the department cannot afford to hire more enforcement. The way the line is written is so confusing that even the agents do not know what is going on. Mr. Foret asked the Commission to reconsider that when the seasons close in the inside waters no matter what date is picked that the Gulf be left open year round.

Mr. Jones asked if the fishermen were say that they are not opposed to having an inch and a half net. The fishermen are not opposed to this. Mr. Jones asked how did the mesh size go from a inch and a half back down. Mr. Bowman explained that the mesh sizes for the last 20 years up until about 5 or 6 years ago was a inch and a half mesh which was your restriction for the fall season. A number of years ago the shrimpers were using basically two trawls. In the spring there were using an inch and a quarter mesh and in the fall were using an inch and a half. This caused the fishermen to ask why they had to buy two trawls and asked for one mesh size. At this particular time the legislature revised the mesh sizes on the nets and brought everything back to an inch and a quarter. Mr.

Jones asked at whose request? Mr. Bowman answered at the shrimp industry's request. Mr. Jones asked if you wrote a 100 count shrimp in these books how would it read. Mr. Bowman stated that to his knowledge there never has been a count on brown shrimp in the spring season. Mr. Jones stated that he was talking about in purchasing them. Mr. Bowman stated that the count law has always been restricted to the white shrimp.

Acting Secretary McInnis recapped what had taken place. The fishermen's concerns are: a) about the mesh which is going to be addressed later this month. The mesh size is not something that the Commission or department has an opportunity to manipulate and is something that has to be addressed by the legislature. If this mesh size is the consensus of the industry the department in working with the task force will support the fishermen in getting this done. b) the sanctuary has been discussed and very little dispute that it can prove beneficial if utilized properly. The question that comes up that bothers Acting Secretary McInnis mostly is the confusion between the 3 and 7 mile situation. This is frustrating to everyone. The department should not have 2 sets of press releases going out and should be more careful in the language that is used in the releases. The information on the 3 mile and 7 mile line will be clarified and very clearly demonstrated to the field people what the real situation is. Those things that are available to the department at this time as far as clarification and working with the shrimpers on the task force the department will continue to do and straighten up the confusion that existed this time, stated Acting Secretary McInnis.

Mr. Mark Vogel addressed the Commission. Mr. Vogel asked if the Commission had the power to open the 3 mile zone from Caminada Pass or Belle Pass to South Pass and if so how does one go about getting it opened? Chairman Jenkins stated that they would have to get the Commission to pass a resolution to do this and informed Mr. Vogel that he was going to ask if somebody wanted to do this when the discussion is finished.

Chairman Jenkins asked what the pleasure of the Commission was. Mr. Foret made the statement that the only way he would vote for this would be to open the whole Gulf; he would not want to see just one part of the Gulf opened because it would create more enforcement problems.

A motion to suspend the rules was made by Mr. Foret and seconded by Mr. Vujnovich. The motion passed unanimously.

A motion was made by Mr. Foret that the whole Gulf area be opened from the Mississippi area all the way to the Texas line immediately. The motion was seconded by Mr. McCall. Chairman Jenkins called for discussion from the Commission. Mr. Jones asked what the biological staff and the Enforcement Division suggestions are concerning this motion. Dr. Clark, Office

of Fisheries, recommended that the motion not be passed. Dr. Clark advised that this discussion on how to handle this season was started several months ago. One of the first things done was to meet with the Shrimp Task Force and talk about zones, areas, gear, etc. The Shrimp Task Force formed a committee which met and made a recommendation to the task force. The task force agreed to the recommendation and the department's biological staff met several times. The biological staff unanimously made the recommendations that have been made to date. The Shrimp Task Force agreed to the recommendations that the department has made to date. There is no change in any biological information that would allow this change pointed, out Dr. Clark and it has been a time consuming management decision. Dr. Clark commented that he respected the difficulty that these fishermen are having and respected the fact that their income is down because this area is closed. Dr. Clark pointed out to the Commissioners that they are talking about a topic that is not on the agenda, talking about a decision that involves the whole coast, and talking to gentlemen from one area on the coast, therefore it is not the department's recommendation to support this motion.

Mr. Vujnovich asked if the people attending the meeting have ever approached the Shrimp Task Force for this. If they have not there will be a meeting on January 17th of the Shrimp Task Force and they should attend, suggested Mr. Vujnovich.

Mr. Mark Vogel addressed the Commission again. Mr. Vogel stated that the reason for the 3 mile closure is for undersize shrimp and you have a 100 count law. The fishermen do not want to catch those shrimp and the docks are not supposed to buy them so what is the problem? asked Mr. Vogel. Mr. Vogel advised that he was on the other side of Vermilion Bay and had just came in from shrimping at midnight. The shrimp on the beach there are marketable size. From Freshwater Bayou to the Atchafalaya the shrimp inside are running on the 100 count line and outside 3 miles they are over a 100 count. Since there is a section of the beach where the shrimp are a marketable size that the fishermen can work, why not let them work, stated Mr. Vogel. Last year the season was opened from Belle Pass to South Pass and why can't this be done again this year? questioned Mr. Vogel.

Mr. Pol made a substitute motion to Mr. Foret's motion. Mr. Pol made a motion that since the Shrimp Task Force meets on the 17th of this month that the Commission wait until the task force meets, receive the recommendations of the Shrimp Task Force on the opening from the beach out, then take this issue up at that time. The motion was seconded by Mr. McCall.

Chairman Jenkins called for discussion. Mr. Vujnovich asked that if the task force is willing to open the Gulf up can a vote of the Commission be taken by telephone? Legal Counsel, Mr. Don Puckett, advised that no, you would have to have a special meeting.

Chairman Jenkins called for a vote on Mr. Pol's motion. Those voting for the motion were McCall, Schneider, Jones, Pol and Vujnovich. Voting against the motion was Foret. The motion passed 5 to 1 in favor. Chairman Jenkins asked if there was any other new business from the Commission.

Mr. Mark Vogel asked to address the Commission. Mr. Vogel stated that there is a conflict of interest between the Shrimp Task Force and them. What they want and what the shrimpers need are two different things. The task force is made up of people on big boats that want big shrimp. The big boats can work way offshore during the winter time whereas the smaller boats cannot work 15-20 miles out. The big boats want the 3 mile line closed, they want the beach closed, so that they can catch the shrimp that are going to get out. Mr. Vogel stated that if they go to the task force and tell them that they want the 3 mile line opened they will laugh at them. There is no way they are going to approve this. Mr. Vujnovich asked Mr. Vogel if they attended the Shrimp Task Force meetings and have they tried to put somebody from their organization on it. Mr. Vogel stated yes sir we have tried. Mr. Vujnovich advised that according to the law if you have an organization you should be on that task force and have representation. Mr. Vogel stated that they thought they did have representation when they appointed him but as he was saying there is a conflict of interest between him and them. Mr. Pol advised that Mr. Vogel would have to go back to the Governor since he was the one that formed the task force. Mr. Vogel reiterated that there was a conflict of the task force board and the majority of fishermen in the state.

A gentleman from the audience asked wasn't it a law if the shrimp are under a 100 count in the Gulf that it has to be opened. Chairman Jenkins stated no. The gentleman stated that he heard it discussed last year at a meeting and they said they did have a law. Chairman Jenkins stated, no sir, not that he knew of but it is a criterion used to open and close seasons but there is no law. The gentleman questioned why couldn't the biological data even come close to the fishermen's data. This makes the fishermen mad because the Commission just fired them and they have just lost their jobs for 4 months, the gentleman stated. The gentleman went on saying it is really disgusting, this is the United States of America and here we are controlled by a few people who own big boats. The enforcement agents on the Riptide told him that Jerry Clark is anti-commercial. The gentleman stated that you most probably just fired about 5,000 people for 4 months and asked the Commission if they were proud.

Chairman Jenkins stated that they did not fire anybody, it was voted on, and the discussion is over.

Mr. Foret asked if the task force does approve of the opening of the 3 mile limit could the Commission have a special meeting as soon as possible. Chairman Jenkins stated yes.

There being no other business from the Commissioners or the floor Chairman Jenkins called for a motion to adjourn the meeting. Mr. Vujnovich made a motion that the January 10, 1991, Commission meeting be adjourned. The motion was seconded by Mr. Foret and passed unanimously.



A. Kell McInnis III
Acting Secretary

AKM: sb

COMMISSION MEETING
ROLL CALL
Thursday, January 10, 1996
Baton Rouge, LA

	Attended	Absent
Jimmy Jenkins (Chairman)	<u>✓</u>	—
Houston Foret	<u>✓</u>	—
Bert Jones	<u>✓</u>	—
Norman McCall	<u>✓</u>	—
Warren Pol	<u>✓</u>	—
John Schneider	<u>✓</u>	—
Peter Vujnovich	<u>✓</u>	—

Mr. Chairman:

There are 7 Commissioners in attendance and we have a quorum.
Acting Secretary Kell McInnis is also present.

Resolution
Louisiana Wildlife and Fisheries Commission
Louisiana Department of Wildlife and Fisheries
January 10, 1991

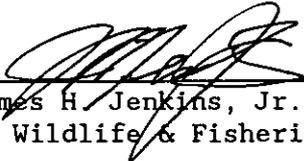
WHEREAS, the Louisiana Wildlife and Fisheries Commission supports the acquisition of property to provide habitat for resident and migratory wildlife as well as public enjoyment of these resources, and

WHEREAS, the distributees of the estate of Marie Witte Plass have offered the donation of 425.43 acres of productive wildlife habitat in Section 12, T18S, R15E in Plaquemines Parish and within the boundaries of the existing Bohemia Wildlife Management Area, to insure that these acres will be forever managed to benefit the wildlife resources and public of Louisiana, now

THEREFORE BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission authorizes the Chairman and the Secretary to accept this donation of property from the estate of Marie Witte Plass.



A. Kell McInnis, Acting Secretary
LA Dept. of Wildlife & Fisheries



James H. Jenkins, Jr., Chairman
LA Wildlife & Fisheries Commission

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

THE FOLLOWING WAS ADOPTED BY THE LOUISIANA WILDLIFE AND FISHERIES COMMISSION AT ITS REGULAR MEETING HELD IN BATON ROUGE, JANUARY 10, 1991.

WHEREAS, R.S. 56:111.1 was passed during the 1990 Legislative Session, and

WHEREAS, this statute directs the Louisiana Department of Wildlife and Fisheries to develop regulations to provide for marking property enrolled in the Deer Management Assistance Program (DMAP), and

WHEREAS, these regulations will allow trespassers to be charged with illegal harvest of wildlife species on lands enrolled in the DMAP, and

WHEREAS, the Louisiana Department of Wildlife and Fisheries has developed regulations concerning placement and type of signs, and

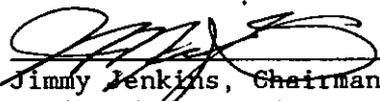
WHEREAS, compliance with these rules and regulations will be voluntary for DMAP cooperators, and

WHEREAS, these rules and regulations have been established in accordance with the Administrative Procedure Acts, now

THEREFORE BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission does hereby ratify the attached rules and regulations in accordance with R.S. 56:111.1.



A. Kell McInnis, III, Acting Secretary
La. Dept. of Wildlife & Fisheries



Jimmy Jenkins, Chairman
La. Wildlife & Fisheries Commission

RULE

**DEPARTMENT OF WILDLIFE AND FISHERIES
WILDLIFE AND FISHERIES COMMISSION**

TITLE 76

WILDLIFE AND FISHERIES

Part V: Wild Birds and Wild Quadrupeds

Chapter 1. Wild Quadrupeds

Section 109. Regulations for Signs and Sign Placement for DMAP Cooperators

Rules and regulations to comply with R.S. 56:111.1 relative to the Deer Management Assistance Program and which will prohibit unauthorized persons from taking game on Deer Management Assistance Program areas are as follows:

Sign Color: Orange

Size: 11 1/4" X 11 1/4"

Lettering: The words DMAP and Posted can be no less than 4" (four inches) in height.

Construction: Metal, wood, plastic, paper or other material

Placement: Signs will be placed no more than 200' (two hundred feet) apart and at each point of entry.

The provisions of this Act are applicable only to clubs enrolled in the Deer Management Assistance Program and participation with the requirement of R.S. 56:111.1 are optional.

Authority Note: Promulgated in accordance with R.S. 56:111.1.

Historical Note: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission LR 17: (January, 1991).

Jimmy Jenkins
Chairman

RESOLUTION
LOUISIANA WILDLIFE AND FISHERIES COMMISSION

WHEREAS, the Atchafalaya Basin Floodway is the largest bottomland hardwood swamp in North America, and supports a wide variety of wildlife species indigenous to such habitat, and

WHEREAS, in recent years an agreement, incorporated in an interagency feasibility study led by the U.S. Army Corps of Engineers, designed to keep the Basin in a natural state called for the acquisition and management of 90,000 acres within the Basin for public access, and

WHEREAS, Dow Chemical Company donated 40,000 acres, the Louisiana Department of Wildlife and Fisheries purchased 11,780 acres and created the Sherburne WMA, the U.S. Fish and Wildlife Service purchased 15,220 acres and created the Atchafalaya National Wildlife Refuge, and

WHEREAS, the remaining 23,000 acres are to be acquired by the U.S. Army Corps of Engineers, authorized by the Supplemental Appropriations Act of 1985, and

WHEREAS, cost sharing provisions were modified in the Water Resources Development Act of 1986--Public Law 99-662. The Energy and Water Development Appropriations Act of 1986-- Public Law 100-102, passed by Congress in December 1987, provided current funds for Corps acquisitions, and

WHEREAS, the Sherburne Wildlife Management Area, and the Atchafalaya National Wildlife Refuge, are managed by the Louisiana Department of Wildlife and Fisheries, and

WHEREAS, initial acquisitions by the U.S. Army Corps of Engineers 8,281.70 are proposed to be managed by the Louisiana Department of Wildlife and Fisheries, and

WHEREAS, the U.S. Army Corps of Engineers has issued a license to the Louisiana Department of Wildlife and Fisheries delegating management authority to the state, now

THEREFORE BE IT FURTHER RESOLVED, that the Louisiana Wildlife and Fisheries does hereby adopt the emergency rule and accept the U.S. Army Corps of Engineers license authorizing the management authority over Corps acquired fee lands in the Atchafalaya Basin, consistent with rules and regulations adopted by the Louisiana Wildlife and Fisheries Commission for Sherburne Wildlife Management Area and the Atchafalaya National Wildlife Refuge, now

BE FURTHER RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby authorize and delegate to the Secretary of the Department of Wildlife and Fisheries, the authority to take any and all necessary steps on behalf of the Commission to promulgate and effectuate these emergency regulations 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 preparation of reports and correspondence to other agencies of government.



A. Kell McInnis, III
Acting Secretary



James H. Jenkins, Jr.
Chairman

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

In accordance with the emergency provisions of R.S. 49:953(B) of the Administrative Procedure Act and under the authority of R.S. 56:6 and 115, the Wildlife and Fisheries Commission hereby finds that the public welfare and the wildlife resources are best served by adopting the following emergency rule:

The Louisiana Department of Wildlife and Fisheries assumes management responsibilities on recently purchased fee lands in the Atchafalaya Basin by the U.S. Army Corps of Engineers. Said lands encompass 8,281.70 acres in Iberville Parish north of Interstate 10. Further, that these lands are primarily located within the boundaries and are contiguous with the Atchafalaya National Wildlife Refuge lands on which the Louisiana Department of Wildlife and Fisheries is the managing agency. This Emergency Rule will be in effect from February 1 and extend for a period of 120 days.

The Commission finds that the Louisiana Department of Wildlife and Fisheries' authority authorized by license from U.S. Corps of Engineers would serve to provide public access and effect a more positive and practical management approach for a larger land base within the Atchafalaya Basin. Management rules and regulations, season dates, and bag limits for said lands are to be consistent with such published for Sherburne Wildlife Management Area - Atchafalaya National Wildlife Refuge in the 1990-91 hunting season

rules and regulations officially approved and adopted by the Wildlife and Fisheries Commission under authority vested by Section 115 of Title 56 of the Louisiana Revised Statutes of 1950.

James H. Jenkins, Jr.
Chairman

RESOLUTION
Louisiana Department of Wildlife and Fisheries
Louisiana Wildlife and Fisheries Commission

WHEREAS, That portion of Orleans Parish East of the Jefferson-Orleans Parish line, Northward to the southern shoreline of Lake Pontchartrain, northeast along the southern shoreline of Lake Pontchartrain to South Point, east-southeast along the southern shoreline of Lake Pontchartrain to Chef Pass, the southern shoreline of Chef Pass eastward to the western shoreline of the Intra-Coastal Waterway, the western shoreline of the Intra-Coastal Waterway southward to the Industrial Canal, the Industrial Canal south to the Mississippi River, and the Mississippi River to the Orleans-Jefferson Parish line, is included in city municipal ordinances that prohibit the discharge of all firearms; and

WHEREAS, The newly formed Bayou Sauvage National Wildlife Refuge lies within this section of Orleans Parish and will prohibit all hunting activities for resident and migratory game; and

WHEREAS, This area in and around the Bayou Sauvage National Wildlife Refuge will soon be a popular area used by citizens for fishing, camping, nature study and other outdoor recreational purposes; and

WHEREAS, The Refuge will provide an outdoor setting for enjoyment of family oriented activities particularly for children and older adults; and

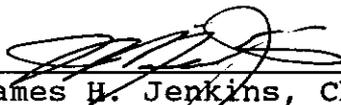
WHEREAS, Existing small tracts of wooded land bordering the Refuge and city subdivisions will only provide an enforcement dilemma; and

WHEREAS, The U.S. Fish and Wildlife Service and the New Orleans Police Department support correcting this situation before someone is injured; and

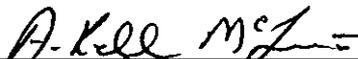
WHEREAS, This area of Orleans Parish, in the judgment of the Department of Wildlife and Fisheries, is not a safe or proper environment for hunting activities to take place.

THEREFORE BE IT RESOLVED that that portion of Orleans Parish East of the Jefferson-Orleans Parish line, Northward to the southern shoreline of Lake Pontchartrain, northeast along the southern shoreline of Lake Pontchartrain to South Point, east-southeast along the southern shoreline of Lake Pontchartrain to Chef Pass, the southern shoreline of Chef Pass eastward to the western shoreline of the Intra-Coastal Waterway, the western shoreline of the Intra-Coastal Waterway southward to the Industrial Canal, the Industrial Canal south to the Mississippi River, and the Mississippi River to the Orleans-

Jefferson Parish line shall be closed to all shooting or hunting by any means or device until further notice, effective January 10, 1991.



James H. Jenkins, Chairman



A. Kell McInnis III, Acting Secretary

*Rectified & Adopted
at January 10, 1991
Meeting L. Clark*

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

In accordance with the emergency provisions of R.S. 49:953(b) of the Administrative Procedure Act, and under the authority of R.S. 56:6 and 115, the Wildlife and Fisheries Commission hereby finds that an imminent peril to public welfare exists and accordingly adopts the following emergency rule:

That portion of Orleans Parish East of the Jefferson-Orleans Parish line, Northward to the southern shoreline of Lake Pontchartrain, northeast along the southern shoreline of Lake Pontchartrain to South Point, east-southeast along the southern shoreline of Lake Pontchartrain to Chef Pass, the southern shoreline of Chef Pass eastward to the western shoreline of the Intra-Coastal Waterway, the western shoreline of the Intra-Coastal Waterway southward to the Industrial Canal, the Industrial Canal south to the Mississippi River, and the Mississippi River to the Orleans-Jefferson Parish line shall be closed to all shooting or hunting, by any means or device until further notice, effective January 10, 1991.

The Commission finds that the above closure is necessary for reasons of public safety and recreation; and further due to the fact that this portion of Orleans Parish is included in city municipal ordinances that prohibit the discharge of all firearms, and said area adjacent to Bayou Sauvage National Wildlife Refuge wherein hunting activities are prohibited. The Commission further finds that this action is necessary to enhance enforcement of hunting restrictions in the general area.

James H. Jenkins
Chairman

AGENDA
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
BATON ROUGE, LOUISIANA
JANUARY 10, 1990

- Machine A
Tape #1, 5
18
03
56
106
155
205
Machine A
Tape #3 369
1. Roll Call
 2. Approval of Minutes of December 6, 1990
 3. Ratification of Rule for Regulations for Signs and Sign Placement for DMAP Cooperators - Butch Bateman
 4. Emergency Declaration for Corps Property Associated with Sherburne WMA - Butch Bateman
 5. Ratification of Daily Take and Possession Limit - Freshwater Trout Rule - Dr. Jerry Clark
 6. Notice of Intent for Head and Caudal Fin Intact - Freshwater Gamefish - Dr. Jerry Clark
 7. Emergency Declaration for Orleans Parish - Closure to Hunting or Shooting - Tommy Candies
 8. Resolution for Domestication of Tilapia and Triploid Grass Carp for Agricultural Purposes - Dr. Jerry Clark
 9. Adopt a Pothole Program - Review and Recommendation - Hugh Bateman *456 Long Abadie Tape #1 Machine A*
 10. *290 TAPES 1* Act of Donation - Plass Estate - Bohemia WMA - Bob Love
 11. *Tape A side #1* Update on Chartres Street Property - Bettsie Baker
 12. *Machine B Tape #2* Monthly Law Enforcement Report - December - Col. Winton Vidrine
 13. *Machine B Tape #2 448* Acting Secretary's Report to the Commission - A. Kell *Machine A Tape #3, 5* McInnis III
 14. *554 Tape 3 A* Set March Commission Meeting Dates
- OTHER BUSINESS: *557 Tape 3A*
05 Tape 4B

PUBLIC COMMENTS:

- Machine B Tape #4, 65* Crab traps
- Tape #4, 312* Shrimp season
- Tape #5 5*
- Tape #6 5*

AGENDA
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
BATON ROUGE, LOUISIANA
JANUARY 10, 1990

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- ✓ 2. Approval of Minutes of December 6, 1990
- Resolution* ✓ 3. Ratification of Rule for Regulations for Signs and Sign Placement for DMAP Cooperators - Butch Bateman
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- ✓ 11. Update on Chartres Street Property - Bettsie Baker
- ✓ 12. Monthly Law Enforcement Report - December - Col. Winton Vidrine
- ✓ 13. Acting Secretary's Report to the Commission - A. Kell McInnis III
14. Set March Commission Meeting Dates

OTHER BUSINESS:

- 15. Crab Traps
- 16. Oyster
- 17. Shrimp

PUBLIC COMMENTS:

Make sure all resolutions are signed.

AGENDA
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
BATON ROUGE, LOUISIANA
JANUARY 10, 1990

1. Roll Call
2. Approval of Minutes of December 6, 1990
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14. Set March Commission Meeting Dates

OTHER BUSINESS:

PUBLIC COMMENTS:

LOUISIANA OYSTER TASK FORCE

Ron Dugas, Chairman

Leasing Committee - Peter Vujunovich, Sr.
Enforcement Committee - John Tesvich

Management Committee - Bryan Encaled
Health Committee - Bobby Savoie

January 10, 1990

A. Kell McInnis, Jr.
Acting Secretary
Post Office Box 98000
Baton Rouge, LA 70804

Dear Kell:

The "Leasing Committee" of the Louisiana Oyster Task Force, of which I am chairman passed several resolutions, a few of which are quite critical. I have taken the liberty to send you those critical ones and am hoping that some discussion can be had with yourself regarding these matters.

In addition, the group present looked at and voted unanimously the following regarding the remaining portion of the oyster season:

1) That the season for bedding reopen on January 15, 1991 on both the public grounds east of the Mississippi River and the Vermilion Bay area. Bay Gardene, Hackberry Bay, Sister Lake and Bay Junop shall remain closed. The oyster season on the east side of the Mississippi River should close February 15. The oyster season in Vermilion Bay should remain open until April 1, 1991.

2) These recommendations are a result of high rivers, lock problems, and various other oyster resource problems.

Please feel free to contact me about these issues.

Sincerely,



Peter Vujunovich, Sr. (Capt. Pete)
Chairman, Oyster Leasing Committee

PV,Sr./lrm

Enclosures

c: La. Oyster Task Force Members

Task Force Members Present

Kenny Fox
Wilson Voisin, Jr.
Rep. Ken Ordinate

John Tesvich
Bobby Savoie

Nolan Laparouse
Mike Bacala

Ron Dugas
Buster Kass

Louisiana Oyster Task Forces --Oyster Leasing Committee Resolution

WHERE AS, for as long as oyster fishermen can remember, the Oyster Lease Survey Section has been behind on surveying applications, and

WHERE AS, the industry has voluntarily agreed to fee increase several times and seen no appreciable benefits, and

WHERE AS, the industry faces a severe performance problem with the performance of the Wildlife and Fisheries "Survey Section",

THEREFORE BE IT RESOLVED, that the Louisiana Oyster Task Force -Leasing Committee is recommending a meeting with the Survey Section Head and The Secretary of the Department of Wildlife and Fisheries Department regarding:

- 1). private surveyors
- 2). survey charges
- 3). taking of applications

Louisiana Oyster Task Force --Enforcement of Oyster Lease Status Delayed

WHERE AS, with the recent receipt of a memo from the Department regarding the immediate enforcement of the Oyster Leasee stating requirements has generated confusion, and

WHERE AS, the present laws and the rules are very vague concerning, notification, staking in polluted areas, how many poles, and staking in non productive areas, and

WHERE AS, the Oyster Task Force is working on specific rules, some of which are enclosed here,

THERE BE IT RESOLVED, that the Louisiana Oyster Task Force is asking for delay of enforcement until these rules can be administratively accepted, and the specific requirements that will be enforced spelled out.

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

THE FOLLOWING WAS ADOPTED BY THE LOUISIANA WILDLIFE AND FISHERIES COMMISSION AT ITS REGULAR MEETING HELD IN BATON ROUGE, JANUARY 10, 1991.

WHEREAS, R.S. 56:111.1 was passed during the 1990 Legislative Session, and

WHEREAS, this statute directs the Louisiana Department of Wildlife and Fisheries to develop regulations to provide for marking property enrolled in the Deer Management Assistance Program (DMAP), and

WHEREAS, these regulations will allow trespassers to be charged with illegal harvest of wildlife species on lands enrolled in the DMAP, and

WHEREAS, the Louisiana Department of Wildlife and Fisheries has developed regulations concerning placement and type of signs, and

WHEREAS, compliance with these rules and regulations will be voluntary for DMAP cooperators, and

WHEREAS, these rules and regulations have been established in accordance with the Administrative Procedure Acts, now

THEREFORE BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission does hereby ratify the attached rules and regulations in accordance with R.S. 56:111.1.

A. Kell McInnis, III, Acting Secretary
La. Dept. of Wildlife & Fisheries

Jimmy Jenkins, Chairman
La. Wildlife & Fisheries Commission

RULE

DEPARTMENT OF WILDLIFE AND FISHERIES
WILDLIFE AND FISHERIES COMMISSION

TITLE 76

WILDLIFE AND FISHERIES

Part V: Wild Birds and Wild Quadrupeds

Chapter 1: Wild Quadrupeds

Section 109: Regulations for Signs and Sign Placement for DMAP Cooperators

Rules and regulations to comply with R.S. 56:111.1 relative to the Deer Management Assistance Program and which will prohibit unauthorized persons from taking game on Deer Management Assistance Program areas are as follows:

- Sign Color: Orange
- Size: 11 1/4" X 11 1/4"
- Lettering: The words DMAP and Posted can be no less than 4" (four inches) in height.

Construction: Metal, wood, plastic, paper or other material

Placement: Signs will be placed no more than 200' (two hundred feet) apart and at each point of entry.

The provisions of this Act are applicable only to clubs enrolled in the Deer Management Assistance Program and participation with the requirement of R.S. 56:111.1 are optional.

Authority Note: Promulgated in accordance with R.S. 56:111.1.

Historical Note: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission LR 17: (January, 1991).

Jimmy Jenkins
Chairman

RESOLUTION
LOUISIANA WILDLIFE AND FISHERIES COMMISSION

WHEREAS, the Atchafalaya Basin Floodway is the largest bottomland hardwood swamp in North America, and supports a wide variety of wildlife species indigenous to such habitat, and

WHEREAS, in recent years an agreement, incorporated in an interagency feasibility study led by the U.S. Army Corps of Engineers, designed to keep the Basin in a natural state called for the acquisition and management of 90,000 acres within the Basin for public access, and

WHEREAS, Dow Chemical Company donated 40, 000 acres, the Louisiana Department of Wildlife and Fisheries purchased 11,780 acres and created the Sherburne WMA, the U.S. Fish and Wildlife Service purchased 15,220 acres and created the Atchafalaya National Wildlife Refuge, and

WHEREAS, the remaining 23,000 acres are to be acquired by the U.S. Army Corps of Engineers, authorized by the Supplemental Appropriations Act of 1985, and

WHEREAS, cost sharing provisions were modified in the Water Resources Development Act of 1986--Public Law 99-662. The Energy and Water Development Appropriations Act of 1986--Public Law 100-102, passed by Congress in December 1987, provided current funds for Corps acquisitions, and

WHEREAS, the Sherburne Wildlife Management Area, and the Atchafalaya National Wildlife Refuge, are managed by the Louisiana Department of Wildlife and Fisheries, and

WHEREAS, initial acquisitions by the U.S. Army Corps of Engineers of 8,281.70 acres are proposed to be managed by the Louisiana Department of Wildlife and Fisheries, and

WHEREAS, the U.S. Army Corps of Engineers has issued a license to the Louisiana Department of Wildlife and Fisheries delegating management authority to the state, now

THEREFORE BE IT RESOLVED, that the Louisiana Wildlife and Fisheries does hereby adopt the emergency rule and accept the U.S. Army Corps of Engineers license authorizing the Louisiana Department of Wildlife and Fisheries to execute management authority over Corps acquired fee lands in the Atchafalaya Basin, consistent with rules and regulations adopted by the Louisiana Wildlife and Fisheries Commission for Sherburne Wildlife Management Area and the Atchafalaya National Wildlife Refuge, now

BE IT FURTHER RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby authorize and delegate to the Secretary of the Department of Wildlife and Fisheries, the authority to

take any and all necessary steps on behalf of the Commission to promulgate and effectuate these emergency regulations 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 preparation of reports and correspondence to other agencies of government.

A. Kell McInnis III
Acting Secretary

James H. Jenkins
Chairman

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

In accordance with the emergency provisions of R.S. 49:953(B) of the Administrative Procedure Act and under the authority of R.S. 56:6 and 115, the Wildlife and Fisheries Commission hereby finds that the public welfare and the wildlife resources are best served by adopting the following emergency rule:

The Louisiana Department of Wildlife and Fisheries assumes management responsibilities on recently purchased fee lands in the Atchafalaya Basin by the U.S. Army Corps of Engineers. Said lands encompass 8,281.70 acres in Iberville Parish north of Interstate 10. Further, that these lands are primarily located within the boundaries and are contiguous with the Atchafalaya National Wildlife Refuge lands on which the Louisiana Department of Wildlife and Fisheries is the managing agency. This emergency rule will be in effect from February 1, 1991 and extend for a period of 120 days.

The Commission finds that the Louisiana Department of Wildlife and Fisheries' management authority authorized by license from U.S. Corps of Engineers would serve to provide public access and effect a more positive and practical management approach for a larger land base within the Atchafalaya Basin. Management rules and regulations, season dates, and bag limits for said lands are to be consistent with such published for Sherburne Wildlife Management Area - Atchafalaya National Wildlife Refuge in the 1990-91 hunting

season rules and regulations officially approved and adopted by the Wildlife and Fisheries Commission under authority vested by Section 115 of Title 56 of the Louisiana Revised Statutes of 1950.

James H. Jenkins
Chairman

RULE

DEPARTMENT OF WILDLIFE AND FISHERIES
WILDLIFE AND FISHERIES COMMISSIONTITLE 76
WILDLIFE AND FISHERIES

PART VII. FISH AND OTHER AQUATIC LIFE

CHAPTER 1. FRESHWATER SPORT AND COMMERCIAL FISHING

SECTION 147. DAILY TAKE AND POSSESSION LIMITS FOR FRESHWATER TROUT

The Louisiana Wildlife and Fisheries Commission hereby establishes a daily take and possession limit of 5 fish for freshwater trout, Salvelinus spp. Salmo spp., taken in waters designated as being part of the Department's Freshwater Trout Program.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6, 56:326.3 and Act 376 of 1990 Legislative Session.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 17: (January 1991).

Jimmy Jenkins
Chairman

NOTICE OF INTENT
DEPARTMENT OF WILDLIFE AND FISHERIES
WILDLIFE AND FISHERIES COMMISSION

TITLE 76
WILDLIFE AND FISHERIES

PART VII. FISH AND OTHER AQUATIC LIFE

CHAPTER 1. FRESHWATER SPORT AND COMMERCIAL FISHING

SECTION 153. HEAD AND CAUDAL FIN INTACT - FRESHWATER GAMEFISH

The Louisiana Wildlife and Fisheries Commission hereby advertises its intent to establish a rule which requires that all Micropterus spp. (black bass and their hybrids), Pomoxis spp. (crappie and their hybrids), Lepomis spp. (bream and their hybrids), Ambloplites rupestris (shadow bass and its hybrids), Centrarchys macropterus (flier and its hybrids), Morone spp. (striped bass and its hybrids, white bass and its hybrids, yellow bass and its hybrids) possessed by recreational fishermen shall, prior to being set or put on shore from a vessel, have their carcasses intact and be in a whole condition, except that the gills, scales, and internal organs only may be removed.

Interested persons may submit written comments on the proposed rule to the following address before March 4, 1991: Bennie J. Fontenot, Jr., Administrator, Inland Fish Division, Louisiana Department of Wildlife and Fisheries, P. O. Box 98000, Baton Rouge, Louisiana, 70898-9000.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6 (25)(a), 325 (c), 326.3
HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 17: (1991).

James H. Jenkins
Chairman



A. Kell McInnis III
Acting Secretary

DEPARTMENT OF WILDLIFE AND FISHERIES
POST OFFICE BOX 98000
BATON ROUGE, LA. 70898
PHONE (504) 765-2800

Buddy Roemer
Governor

January 3, 1990

M E M O R A N D U M

TO: Chairman and Members of the Commission
FROM: A. Kell McInnis III, Acting Secretary *AKM*
RE: Agenda Item

Attached is a copy of a resolution and declaration of emergency that will be presented at the Commission meeting January 10, 1991, by Major Tommy Candies. At the September meeting you approved the same resolution and declaration of emergency which became effective September 7, 1990, and lasted for 120 days. The 120 days will lapse on January 17, 1991, and the final rule, which you approved the notice of intent for at the October Commission meeting, cannot be ratified until the February Commission meeting. Because hunting seasons will still be going on this second declaration of emergency is needed to keep the rule in effect until the final approval next month at which time it will become a permanent rule. Should you have any questions pertaining to this please let us know.

AKM:sb

Attachments

RESOLUTION
Louisiana Department of Wildlife and Fisheries
Louisiana Wildlife and Fisheries Commission

WHEREAS, That portion of Orleans Parish East of the Jefferson-Orleans Parish line, Northward to the southern shoreline of Lake Pontchartrain, northeast along the southern shoreline of Lake Pontchartrain to South Point, east-southeast along the southern shoreline of Lake Pontchartrain to Chef Pass, the southern shoreline of Chef Pass eastward to the western shoreline of the Intra-Coastal Waterway, the western shoreline of the Intra-Coastal Waterway southward to the Industrial Canal, the Industrial Canal south to the Mississippi River, and the Mississippi River to the Orleans-Jefferson Parish line, is included in city municipal ordinances that prohibit the discharge of all firearms; and

WHEREAS, The newly formed Bayou Sauvage National Wildlife Refuge lies within this section of Orleans Parish and will prohibit all hunting activities for resident and migratory game; and

WHEREAS, This area in and around the Bayou Sauvage National Wildlife Refuge will soon be a popular area used by citizens for fishing, camping, nature study and other outdoor recreational purposes; and

WHEREAS, The Refuge will provide an outdoor setting for enjoyment of family oriented activities particularly for children and older adults; and

WHEREAS, Existing small tracts of wooded land bordering the Refuge and city subdivisions will only provide an enforcement dilemma; and

WHEREAS, The U.S. Fish and Wildlife Service and the New Orleans Police Department support correcting this situation before someone is injured; and

WHEREAS, This area of Orleans Parish, in the judgment of the Department of Wildlife and Fisheries, is not a safe or proper environment for hunting activities to take place.

THEREFORE BE IT RESOLVED that that portion of Orleans Parish East of the Jefferson-Orleans Parish line, Northward to the southern shoreline of Lake Pontchartrain, northeast along the southern shoreline of Lake Pontchartrain to South Point, east-southeast along the southern shoreline of Lake Pontchartrain to Chef Pass, the southern shoreline of Chef Pass eastward to the western shoreline of the Intra-Coastal Waterway, the western shoreline of the Intra-Coastal Waterway southward to the Industrial Canal, the Industrial Canal south to the Mississippi River, and the Mississippi River to the Orleans-

Jefferson Parish line shall be closed to all shooting or hunting by any means or device until further notice, effective January 10, 1991.

James H. Jenkins, Chairman

A. Kell McInnis III, Acting Secretary

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

In accordance with the emergency provisions of R.S. 49:953(b) of the Administrative Procedure Act, and under the authority of R.S. 56:6 and 115, the Wildlife and Fisheries Commission hereby finds that an imminent peril to public welfare exists and accordingly adopts the following emergency rule:

That portion of Orleans Parish East of the Jefferson-Orleans Parish line, Northward to the southern shoreline of Lake Pontchartrain, northeast along the southern shoreline of Lake Pontchartrain to South Point, east-southeast along the southern shoreline of Lake Pontchartrain to Chef Pass, the southern shoreline of Chef Pass eastward to the western shoreline of the Intra-Coastal Waterway, the western shoreline of the Intra-Coastal Waterway southward to the Industrial Canal, the Industrial Canal south to the Mississippi River, and the Mississippi River to the Orleans-Jefferson Parish line shall be closed to all shooting or hunting, by any means or device until further notice, effective January 10, 1991.

The Commission finds that the above closure is necessary for reasons of public safety and recreation; and further due to the fact that this portion of Orleans Parish is included in city municipal ordinances that prohibit the discharge of all firearms, and said area adjacent to Bayou Sauvage National Wildlife Refuge wherein hunting activities are prohibited. The Commission further finds that this action is necessary to enhance enforcement of hunting restrictions in the general area.

James H. Jenkins
Chairman

January 2, 1991

The information packets containing materials for the January Commission meeting have already been sent to the Commission members. Since this item was just brought forward today we need to send the Commissioners a copy of the resolution and declaration of emergency with a short explanation as to why they will be acting on this. Once you approve the memo I will make copies and mail to the Commission members with attachments.

Contact person: Sharyn Bateman
765-2806

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

RESOLUTION

Pursuant to R.S. 56:411 et seq., this Commission does hereby officially give its approval for the species tilapia and triploid grass carp as exotic fish which may be grown, managed and harvested as a "domesticated fish" under the Domestic Fish Farming Program. Said approval is given contingent upon all permittees meeting all rules, regulations, guidelines, and permit stipulations as shall be imposed by the Department based upon the biological and technical recommendations of its staff; and further contingent upon the issuance by the Department of any and all necessary permits pursuant to Section 318, 319, 319.1 or other statutes.

Chairman

Secretary

Resolution
Louisiana Wildlife and Fisheries Commission
Louisiana Department of Wildlife and Fisheries
January 10, 1991

WHEREAS, the Louisiana Wildlife and Fisheries Commission supports the acquisition of property to provide habitat for resident and migratory wildlife as well as public enjoyment of these resources, and

WHEREAS, the distributees of the estate of Marie Witte Plass have offered the donation of 425.43 acres of productive wildlife habitat in Section 12, T18S, R15E in Plaquemines Parish and within the boundaries of the existing Bohemia Wildlife Management Area, to insure that these acres will be forever managed to benefit the wildlife resources and public of Louisiana, now

THEREFORE BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission authorizes the Chairman and the Secretary to accept this donation of property from the estate of Marie Witte Plass.

A. Kell McInnis, Acting Secretary
LA Dept. of Wildlife & Fisheries

James H. Jenkins, Jr., Chairman
LA Wildlife & Fisheries Commission



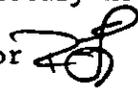
VIRGINIA VAN SICKLE
SECRETARY

DEPARTMENT OF WILDLIFE AND FISHERIES
POST OFFICE BOX 98000
BATON ROUGE, LA. 70898
PHONE (504) 765-2800
December 26, 1990

BUDDY ROEMER
GOVERNOR

MEMORANDUM

TO: Chairman and Members of the Commission, Acting Secretary McInnis

FROM: Robert Love, Assistant Pittman-Robertson Coordinator 

SUBJECT: Donation of 425 Acres-Plass Estate-Bohemia WMA

A resolution will be presented before you to accept donation of the 425.43 acres of land in Section 12, T18S, R15E all within Bohemia WMA boundaries in Plaquemines Parish. (See attached map.) Our attorneys have advised that the act of donation is in order and foresee no problems with this surface donation. The Marie Plass Estate is of course retaining a mineral servitude. We are agreeing to use the land as a wildlife management area.

RL:jc

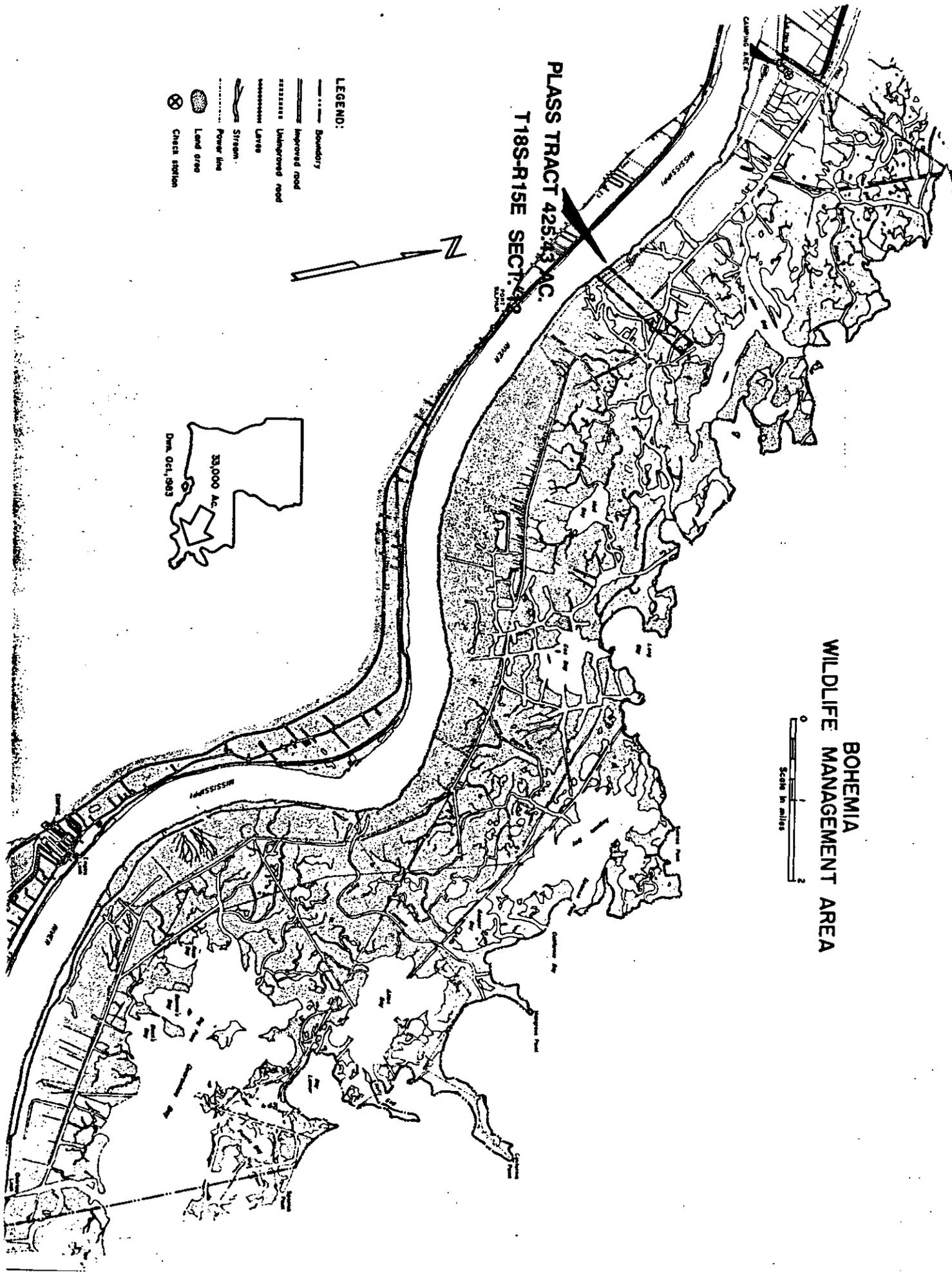
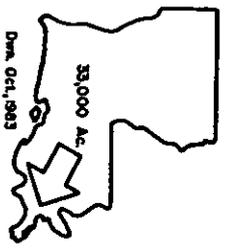
BOHEMIA WILDLIFE MANAGEMENT AREA



PLASS TRACT 425.43 AC.
T18S-R15E SECT. 28

LEGEND:

- Boundary
- Improved road
- Unimproved road
- Levee
- Stream
- Power line
- Land area
- Check station



ENFORCEMENT CASE REPORT

DECEMBER, 1990

ENFORCEMENT CASE REPORT-DECEMBER 1990

REGION I

TOTAL CASES-190

ENFORCEMENT-186

OTHER - 4

- 9-Boating
- 2-Angling W/O A License
- 13-Hunting W/O Resident License
- 1-Poss. Wild Birds Or Wild Quadrupeds W/O A License
- 1-Hunting W/O Non-Resident License
- 4-Hunting From Moving Vehicle And/Or Aircraft
- 4-Hunting W/Unplugged Gun Or Silencer
- 14-Hunt Or Discharge Firearm From Public Road Or Road Right-Of-Way
- 5-Hunt MGB Without State Stamp
- 8-Hunting W/O Resident Big Game License
- 2-Hunt W/O Non-Res. Big Game License
- 3-Hunt Or Take Deer Or Bear Illegal Hours
- 44-Hunt Or Take Deer From Public Road
- 2-Hunt Or Take Illegal Deer O/S
- 1-Poss. O/L Of Deer Or Bear
- 1-Poss. Of Untagged Deer Or Bear
- 3-Fail To Wear Hunters Orange
- 1-Take Foxes Or Bobcats Illegally
- 6-Hunting Ducks Or Geese Without Federal Stamp
- 2-Hunting MGB With Unplugged Gun
- 10-Hunting MGB Illegal Hours
- 3-Possess Untagged MGB
- 2-Possession Over The Two-Day Limit Of MGB

Page (2)

REGION I CONT'D.

- 1-Field Possession Of Freshly Killed MGB Closed Season
- 7-Using Lead Shot In Area Designated As Steel Shot Only
- 4-Hunting Ducks Closed Season
- 4-Possess Over Limit Of Ducks (Field Possession)
- 1-Taking Robins-No Season
- 1-Resisting Arrest
- 1-Simple Assault On An Officer
- 1-Littering
- 19-Other Than Wildlife And Fisheries
- 7-Operate ATV Vehicle On Public Road
- 3-Flight From An Officer

CONFISCATIONS:

45 ducks, 1 robin, 7 channel catfish, 2 packages of deer meat, 7 guns, 3 deer, 1-1979 Ford Pickup, 1 spotlight, and 2 flashlights.

REGION 2

TOTAL CASES-198

ENFORCEMENT-198

OTHER - 0

- 4-Boating
- 4-Angling W/O A License
- 22-Hunting W/O Resident License
- 4-Hunting W/O Non-Resident License
- 1-Failure To Abide By Commission Rules
- 6-Hunting From Moving Vehicle And/Or Aircraft
- 3-Hunting W/Unplugged Gun Or Silencer
- 10-Hunt Wild Quadrupeds And/Or Wild Birds Illegal Hours

Page (3)

REGION 2 CONT'D.

- 3-Hunt Or Discharge Firearm From Public Road Or Road Right-Of-Way
- 2-Hunt Or Discharge Firearm From Levee Road
- 31-Hunt W/O Resident Big Game License
- 5-Hunt W/O Non-Res. Big Game License
- 1-Hunt Or Take Deer Or Bear C/S
- 7-Hunt Or Take Deer Or Bear Illegal Hours
- 27-Hunt Or Take Deer From Public Road
- 7-Hunt Or Take Illegal Deer O/S
- 1-Take Or Hunt Deer Or Bear W/Illegal Weapon
- 2-Poss. O/L Of Deer Or Bear
- 5-Poss. Of Illegally Taken Deer Or Bear
- 1-Hunting Deer Illegal Means During Muzzleloader Season
- 19-Fail To Wear Hunters Orange
- 4-Hunt Raccoons Or Opossums Illegally
- 1-Hunting With Unsigned Ducks Or Stamp
- 1-Hunting MGB With Unplugged Gun
- 1-Hunting MGB Illegal Hours
- 3-Possess Untagged MGB
- 1-Possession Of Completely Dressed MGB
- 1-Possession Over The Two-Day Limit Of MGB
- 4-Hunting Ducks Closed Season
- 3-Possess Over Limit Of Ducks
- 1-Not Abiding By Rules And Regulations On WMA
- 1-Resisting Arrest
- 1-Possession Of Illegal Firearm

REGION 2 CONT'D.

1-DWI

1-Illegal SpotLighting From Public Road

6-Other Than Wildlife And Fisheries

4-Operate ATV Vehicle On Public Road

CONFISCATIONS:

3 shotguns, 7 illegal deer, 5 ducks, 3 rabbits, 1 D-Map tag, 1 federal stamp,
1-30-30 rifle, 1-22 rifle, 3 coon, 2 rabbits.

REGION 3

TOTAL CASES-307

ENFORCEMENT-257

OTHER - 50

3-Boating

5-Angling W/O A License

3-Take Game Fish Illegally

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

3-Take Commercial Fish W/O Commercial Gear License

3-Not Abiding By Rules And Regulations of Commission

26-Hunting W/O Resident License

15-Hunting From Moving Vehicle And/Or Aircraft

12-Hunting W/Unplugged Gun Or Silencer

1-Poss. Of Live Wild Quadrupeds, Wild Birds W/O Permit

5-Hunt Wild Quadrupeds And/Or Wild Birds Illegal Hours

19-Hunt Or Discharge Firearm From Public Road Or Road Right-Of-Way

5-Hunt Or Discharge Firearm From Levee Road

1-Violate Lake Ponchartrain Bird Sanctuary Rules

Page (5)

REGION 3 CONT'D.

- 20-Hunt W/O Resident Big Game License
- 2-Hunt W/O Non-Res. Big Game License
- 5-Hunt Deer Closed Area
- 2-Running Deer Dogs During Still Hunt Season
- 10-Hunt Or Take Deer Or Bear Illegal Hours
- 85-Hunt Or Take Deer From Public Road
- 6-Hunt Or Take Illegal Deer O/S
- 4-Take Or Hunt Deer Or Bear W/Illegal Weapon
- 4-Poss. Of Illegally Taken Deer Or Bear
- 4-Field Poss. Of Deer Meat W/O Tag
- 9-Fail To Wear Hunters Orange
- 4-Hunting Ducks Or Geese Without Federal Stamp
- 3-Hunting MGB With Unplugged Gun
- 2-Hunting MGB Illegal Hours
- 2-Hunting MGB Over Baited Area
- 8-Using Lead Shot In Area Designated As Steel Shot Only
- 1-Hunting Ducks Closed Season
- 4-Possess Over Limit Of Ducks
- 1-Taking Killdeer-No Season
- 1-Hunt MGB Without State Stamp
- 12-Not Abiding By Rules And Regulations On WMA
- 1-Resisting Arrest
- 3-Criminal Trespass On State Property
- 3-Illegal Possession Of Drugs Or Marijuana
- 2-Littering

REGION 3 CONT'D.

1-Other Than Wildlife And Fisheries

3-Operate ATV Vehicle On Public Road

CONFISCATIONS:

1 crappie, 2 striped bass, 1 buffalo fish, 100 feet of 3 inch gill net, 9 deer, 4 rifles, 9 wood ducks, 10 teal, 3 widgeon, 11 ringnecks, 2 mallards, 1 killdeer, 1 raccoon.

REGION 4

TOTAL CASES-182

ENFORCEMENT-117

OTHER - 65

4-Boating

1-Fish Without Resident Pole License

1-Fail To Have Commercial License In Possession

2-Sell And/Or Buy Fish W/O Wholesale/Retail Dealer's License

2-Transport W/O Required License

2-Sell And/Or Purchase Game Fish

10-Hunting W/O Resident License

2-Hunting W/O Non-Resident License

3-Failure To Abide By Commission Rules

15-Hunting From Moving Vehicle And/Or Aircraft

3-Hunting W/Unplugged Gun Or Silencer

9-Hunt Wild Quadrupeds And/Or Wild Birds Illegal Hours

25-Hunt Or Discharge Firearm From Public Road Or Road Right-Of-Way

7-Hunt Or Discharge Firearm From Levee Road

2-Hunt MGB Without State Stamp

10-Hunt W/O Resident Big Game License

Page (7)

REGION 4 CONT'D.

- 5-Hunt Deer Closed Area
- 11-Hunt Or Take Deer Or Bear Illegal Hours
- 1-Hunt Or Take Deer From Public Road
- 5-Hunt Or Take Illegal Deer O/S
- 1-Take Or Hunt Deer Or Bear W/Illegal Weapon
- 2-Fail To Wear Hunters Orange
- 2-Hunt W/O Muzzleloader License
- 2-Hunt Raccoons Or Opossums Illegally
- 2-Hunting Ducks Or Geese Without Federal Stamp
- 1-Hunting MGB With Unplugged Gun
- 2-Possession Of Completely Dressed MGB
- 1-Wanton Waste Of MGB
- 2-Using Lead Shot In Area Designated As Steel Shot Only
- 6-Possess Over Limit Of Ducks
- 1-Hunt MGB Without State Stamp
- 35-Not Abiding By Rules And Regulations On WMA
- 3-Littering
- 1-Other Than Wildlife And Fisheries

CONFISCATIONS:

3 deer, 22 ducks, 13 squirrels, 1 bass, 8 rifles, 4 shotguns, 2 pistols, 4 lights.

REGION 5

TOTAL CASES-233

ENFORCEMENT-205

OTHER - 18

15-Boating

10-Angling W/O A License

1-Take Or Possess Undersized Red Drum

1-Poss. Freshwater Trout W/O Freshwater Trout Lic.

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

2-Take Commercial Fish W/O Commercial License

3-Take Or Possess Commercial Fish Without A Vessel License

7-Leave Nets Unattended

2-Taking Oysters From Unapproved Area

1-Take Undersize Oysters From Natural Reef

1-Harvest Oysters Without Oyster Harvester License

30-Hunting W/O Resident License

1-Hunting W/O Non-Resident License

9-Hunting From Moving Vehicle And/Or Aircraft

8-Hunting W/Unplugged Gun Or Silencer

13-Hunt Wild Quadrupeds And/Or Wild Birds Illegal Hours

18-Hunt Or Discharge Firearm From Public Road Or Road Right-Of-Way

3-Hunt MGB Without State Stamp

6-Hunt W/O Resident Big Game License

1-Hunt Or Take Deer Or Bear C/S

3-Hunt Or Take Deer Or Bear Illegal Hours

11-Hunt Or Take Deer From Public Road

1-Poss. Of Untagged Deer Or Bear

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REGION 5 CONT'D.

- 2-Field Possession Of Deer Meat W/O Tag
- 1-Fail To Wear Hunters Orange
- 8-Hunt Raccoons Or Opossums Illegally
- 5-Hunting Ducks Or Geese Without Federal Stamp
- 5-Hunting MGB With Unplugged Gun
- 22-Hunting MGB Illegal Hours
- 7-Hunting MGB Over Baited Area
- 1-Possess Untagged MGB
- 1-Possession Of Completely Dressed MGB
- 15-Using Lead Shot In Area Designated As Steel Shot Only
- 2-Possession Of Live MGB Illegally
- 6-Hunting MGB With Electronic Calling Device
- 2-Possess Over Limit Of Geese
- 1-Possess Over Limit Of Ducks
- 3-Not Abiding By Rules And Regulations On WMA
- 4-Other Than Wildlife And Fisheries

CONFISCATIONS:

17 1/2 sacks of oysters, 5700 feet of gill net, 2 deer, 36 black drum, 12 coons, 22 ducks, 1 red drum, 1 snipe, 11 geese, 2-2 way radios, 12 rabbits, 2 dove, 171 lbs. garfish, 350 crabs.

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REGION 6

TOTAL CASES-148

ENFORCEMENT-141

OTHER - 7

25-Boating

8-Angling W/O A License

2-Fish Without Resident Pole License

1-Take Game Fish Illegally

1-Taking/Poss. Over Limit Or Undersized Gamefish

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

2-Sell And/Or Purchase Game Fish

26-Hunting W/O Resident License

1-Failure To Abide By Commission Rules

14-Hunting From Moving Vehicle And/Or Aircraft

3-Hunting W/Unplugged Gun Or Silencer

18-Hunt Wild Quadrupeds And/Or Wild Birds Illegal Hours

8-Hunt Or Discharge Firearm From Public Road Or Road Right-Of-Way

2-Hunt MGB Without State Stamp

1-Violate Lake Ponchartrain Bird Sanctuary Rules

1-Take Rabbits Illegal Methods

5-Hunt Deer Closed Area

3-Hunt Or Take Illegal Deer O/S

1-Field Poss. Of Deer Meat W/O Tag

3-Hunt Raccoons Or Opossums Illegally

1-Possession Of Live Alligators W/O Permit

4-Hunting Ducks Or Geese Without Federal Stamp

1-Hunting MGB with Unplugged Gun

Page (11)

REGION 6 CONT'D.

4-Using Lead Shot In Area Designated As Steel Shot Only

2-Hunting Ducks Closed Season

3-Possess Over Limit Of Ducks

1-Taking Or Possession Of Other Non-Game Birds-No Season

1-Not Abiding By Rules And Regulations On WMA

1-Littering

CONFISCATIONS:

822 crappie, 46 bream, 23 striped bass, 1 raccoon, 2 rabbits, 1 rifle, 2 spotlights, 4 deer, 3 ringneck ducks, 10 wood ducks, 9.9 Evinrude outboard motor, 14 baby alligators, 3 mallard hens, 1 teal, 3 mallard drakes, 1 widgeon, 1 squirrel.

REGION 7

TOTAL CASES-204

ENFORCEMENT-192

OTHER - 12

8-Boating

18-Angling W/O A License

2-Fish Without Resident Pole License

11-Hunting W/O Resident License

1-Hunting W/O Non-Resident License

12-Hunting From Moving Vehicle And/Or Aircraft

8-Hunting W/Unplugged Gun Or Silencer

17-Hunt Or Wild Quadrupeds And/Or Wild Birds Illegal Hours

6-Hunt Or Discharge Firearm From Public Road Or Road Right-Of-Way

5-Hunt MGB Without State Stamp

2-Take Rabbits Illegal Methods

REGION 7 CONT'D.

- 4-Hunt W/O Resident Big Game License
- 2-Hunt Deer Closed Area
- 5-Hunt Or Take Deer Or Bear Illegal Hours
- 33-Hunt Or Take Deer From Public Road
- 12-Hunt Or Take Illegal Deer O/S
- 5-Take Or Hunt Deer Or Bear W/Illegal Weapon
- 3-Poss. O/L Of Deer Or Bear
- 9-Poss. Of Illegally Taken Deer Or Bear
- 2-Poss. Of Untagged Deer Or Bear
- 2-Fail To Maintain Sex I.D.
- 1-Take Illegal Turkey
- 1-Hunt Turkey With Rifle
- 1-Hunt Turkey Closed Season
- 1-Poss. Of Turkey Closed Season
- 6-Hunt Raccoons Or Opossums Illegally
- 2-Hunt Ducks Or Geese Without Federal Stamp
- 3-Hunting MGB Illegal Hours
- 1-Using Lead Shot In Area Designated As Steel Shot Only
- 2-Hunting Ducks Closed Season
- 3-Not Abiding By Rules And Regulations On WMA
- 3-Criminal Trespass
- 1-Illegal Possession Of Drugs Or Marijuana
- 1-Illegal Spotlighting From Public Road
- 7-Other Than Wildlife And Fisheries
- 2-License Fraud

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REGION 7 CONF'D.

1-Driving Without Operators License

CONFISCATIONS:

2 squirrels, 12 deer, 9 ducks, 6 rabbits, 1 turkey, 2 raccoons, 13 packs of deer meat, 23 guns, 5 lights.

REGION 8

TOTAL CASES-155

ENFORCEMENT-135

OTHER - 20

11-Boating

2-Angling W/O A License

1-Poss. O/L Of Red Drum

1-Poss. O/L Spotted Sea Trout

1-Not Abiding By Commission Rules And Regulations

1-Fail To Have Commercial License In Possession

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

2-Take Commercial Fish W/O Commercial Gear License

3-Take Or Possess Commercial Fish Without A Vessel License

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

1-Fail To Maintain Records

3-Illegal Use Of Monofilament

5-Leave Nets Unattended

1-Buy Commercial Fish From Un-Lic. Fisherman

7-Take/Possess Oysters Without Oyster Harvester License

2-Use Illegal Length Nets

7-Failure To Mark/Tag Nets

2-Butterflying In Closed Season

REGION 8 CONT'D.

- 4-Failure To Have Written Permission
- 5-Taking Oysters From Unapproved Area
- 6-Unlawfully Take Oysters Off A Private Lease
- 1-Failure To Fill Out Oyster Tags Correctly
- 2-Harvest Oysters Without Oyster Harvester License
- 3-Fail To Cull Oysters In Proper Location
- 5-Hunting W/O Resident License
- 3-Poss. Wild Birds Or Wild Quadrupeds W/O A License
- 1-Failure To Abide By Commission Rules
- 12-Hunting From Moving Vehicle And/Or Aircraft
- 2-Hunting W/Unplugged Gun Or Silencer
- 3-Illegal Poss. Of Wild Quadrupeds, Wild Birds Or Parts Thereof
- 17-Hunt Wild Quadrupeds And/Or Wild Birds Illegal Hours
- 14-Hunt Or Discharge Firearm From Public Road Or Road Right-Of-Way
- 1-Hunt Or Discharge Firearm From Levee Road
- 1-Possession Of Wild Quadrupeds Or Wild Birds W/O Permit
- 4-Hunt Or Take Deer Illegal Means During Bow Season
- 2-Hunt Raccoons Or Opossums Illegally
- 1-Hunting MGB With Unplugged Gun
- 1-Possession Of Completely Dressed MGB
- 2-Possession Over The Two-Day Limit Of MGB
- 2-Criminal Trespass
- 4-Illegal Spotlighting From Public Road
- 6-Other Than Wildlife And Fisheries
- 2-Illegal Use Of Firearm

REGION 8 CONT'D.

CONFISCATIONS:

11 guns, 11 lights, 1 boat, 9 gill nets, 2 butterfly nets, 2 oyster dredges, 24 ducks, 11 rabbits, 1 deer, 9 red drum, 11 black drum, 83 speckled trout, 1 white trout, 5 speckled trout, 1 sheephead, 66 lbs. white mullet, 8 lbs. blue catfish, 50 sacks of oysters. 81 lbs. of fish sold for \$48.55.

REGION 9

TOTAL CASES-175

ENFORCEMENT-161

OTHER - 14

13-Boating

4-Angling W/O A License

4-Angling W/O Saltwater License

2-Poss. O/L Of Red Drum

2-Take Or Possess Undersized Red Drum 16" minimum

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

1-Take Commercial Fish W/O Commercial Gear License

1-Take Or Possess Commercial Fish Without A Vessel License

1-Take Commercial Fish W/Non-Approved Traps

16-Taking Oysters From Unapproved Area

9-Hunting W/O Resident License

3-Hunting W/O Non-Resident License

4-Hunting From Moving Vehicle And/Or Aircraft

3-Hunting W/Unplugged Gun Or Silencer

9-Hunt Wild Quadrupeds And/Or Wild Birds Illegal Hours

7-Hunt Or Discharge Firearm From Public Road Or A Road Right-Of-Way

3-Hunt MGB Without State Stamp

Page (16)

REGION 9 CONT'D.

- 2-Hunt W/O Resident Big Game License
- 10-Hunt Or Take Deer Or Bear Illegal Hours
- 3-Hunt Or Take Deer Illegally From A Boat
- 3-Hunt Or Take Illegal Deer O/S
- 1-Poss. Of Illegally Taken Deer Or Bear
- 1-Deface/Destroy DMAP Signs
- 2-Hunt Raccoons Or Opossums Illegally
- 1-Possessing F.B.A. W/O License
- 1-Take Non-Game Quadrupeds Illegally
- 4-Hunting Ducks Or Geese Without Federal Stamp
- 2-Hunting MGB With Unplugged Gun
- 4-Hunting MGB Illegal Hours
- 8-Hunting MGB Over Baited Area
- 1-Hunting MGB From Moving Motorboat
- 2-Possession Of Completely Dressed MGB
- 3-Wanton Waste Of MGB
- 12-Using Lead Shot In Area Designated As Steel Shot Only
- 4-Transport MGB Illegally
- 2-Hunting Coots Closed Season
- 9-Possess Over Limit Of Ducks
- 1-Taking Or Possession Of Other Non-Game Birds-No Season
- 3-Hunt MGB Without State Stamp
- 1-Resisting Arrest
- 3-Criminal Trespass On Crawfish Pond
- 5-Other Than Wildlife And Fisheries

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REGION 9 CONT'D.

CONFISCATIONS:

4 rabbits, 6 nutria, 4 raccoon, 16 1/2 sacks of oysters, 16 dozen crabs, 90 lbs. of crabs, 34 coots, 60 ducks, 3 speckled trout, 32 red drum, 6 black drum, 8 boats, 1980 Chevrolet Caprice, 5 foot crab drag, 9 assorted guns, numerous shells and buckshot, 1 flashlight, 3 batteries, 5 headlights, 1 basic hunting license, 1 state duck stamp, 1 federal duck stamp, 2 deer.

Page (18)

OYSTER STRIKE FORCE

TOTAL CASES-23

- 4-Take Oysters From Unapproved Area
- 4-Take Oysters Without Written Permission
- 4-Take Oysters From Private Lease
- 2-Take Undersize Oysters From Natural Reef
- 3-Harvest Oysters Without Oyster Harvester License
- 2-Hunting From A Public Road
- 2-Hunting From A Moving Vehicle
- 2-Hunting Wild Quadrupeds Illegal Hours

CONFISCATIONS:

50 sacks of oysters, 6 dredges, 3 boats, 5 rabbits.

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S.W.E.P.

RIP TIDE AND DELTA TIDE

94 Engine Hours-Running Time

59 Boats Checked

0 Tickets

Note: 4 day oyster transfer

Page (20)

TOTAL CASES ENFORCEMENT- 1592

TOTAL CASES OTHER - 190

TOTAL CASES S.W.E.P. - 0

TOTAL CASES OYSTER - 23

GRAND TOTAL - 1805

LOUISIANA WRITERS' SERVICES, INC.

P.O. Box 1218
Crowley, LA 70527-1218

Lloyd F. Abadie

Phone: 318-783-3763
Home: 318-783-8074

January 9, 1991

Mr. Jimmy Jenkins, Jr.
Chairman
L.W.F.C.
P.O. Box 15279
Baton Rouge, LA 70895

Dear Mr. Jenkins:

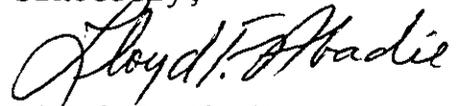
In an effort to keep members of the Wildlife and Fisheries Commission appraised of the developments in the Adopt-A-Pothole program I attach a letter from Mr. Charles S. Potter, Jr., as well as other information which has been made public as which supplement those submitted at the November Commission meeting.

Copies are being passed to members of the commission.

I look forward to seeing you on January 10th and to favorable action by the Commission in support of the Louisiana Outdoor Writers Association's sponsorship of this excellent program.

Thank you very much.

Sincerely,

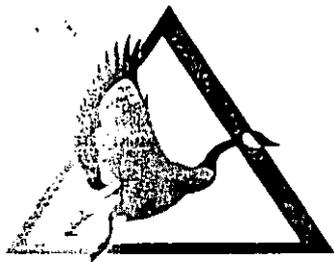


Lloyd F. Abadie
Louisiana Outdoor
Writers Association

attached: Letter Charles S. Potter, Jr.
Various pertinent copies

Outdoor Writing and Photography

Outdoor Writers Association of America / Southeastern Outdoor Press Association
Louisiana Outdoor Writers Association



NORTH AMERICAN
WILDLIFE FOUNDATION

102 Wilmot Road Suite.410
Deerfield, IL 60015
708/940-7776
Fax: 708/940-3739

December 21, 1990

Mr. Lloyd F. Abadie
Louisiana Writers' Services, Inc.
P. O. Box 1218
Crowley, LA 70527-1218

Dear Lloyd:

An update on the Adopt A Pothole Program. We are off to an excellent start. Our goal of 1,000 potholes in the Minnedosa pothole country of southwestern Manitoba is close to reality. The response from farmers has been superb and the program has the makings of being a real success for waterfowl on the Mississippi Flyway.

We are most hopeful that the state of Louisiana will help the Outdoor Writers of Louisiana in kicking off this duck restoration effort. Not only will a contribution from the state help produce ducks but it will send a great signal to Louisiana's counterparts up the Flyway about Louisiana's sincerity to help waterfowl. Through the adoption of potholes, Louisiana will get the attention in a hurry of states like Minnesota and Wisconsin, who have been critical of waterfowling in the south in recent years.

We now have in place the potholes for adoption, the farmers, the surveying methods and only await the arrival of ducks from the wintering grounds to make the program go. We very much hope Louisiana will help us by taking a leadership role at this time. We are confident that years from now this is one program that will proudly be run up the flagpole as a symbol of waterfowl restoration efforts and it would be great to have Louisiana, which winters more ducks than any other state, be one of the kickoff supporters.

Sincerely,

Charles S. Potter, Jr.
Executive Vice President

CSP:brz



Wildlife Management Institute

Suite 725, 1101 14th Street, N.W., Washington, D.C. 20005 • 202/371-1808

LAURENCE R. JAHN
President
LONNIE L. WILLIAMSON
Vice-President
RICHARD E. McCABE
Secretary
DANIEL A. POOLE
Board Chairman

October 11, 1990

Lloyd Abadie
P.O. Box 1218
Crowley, Louisiana 70527-1218

Dear Lloyd:

Thanks for the info on "Adopt-a-Pothole." I'll use it.

Sounds like a good idea to me.

Sincerely,

Lonnie L. Williamson
Vice-President

LLW:bsg

OCTOBER 1990

50¢

affiliated with



National Wildlife Federation

ABADIE

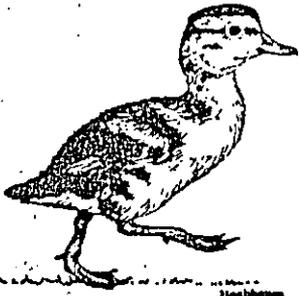
LA 70526



WILDLIFE FEDERATION

NO. 8

The Micro Approach To Raising Ducks



By Charles S. Potter, Jr.

Editor's note: Charles Potter is the executive director of the North American Wildlife Foundation. Its Prairie Farming Program is working hand in hand with the Louisiana Outdoor Writers Association in its Adopt A Pothole Program.)

At 20,000 feet the vastness of North America's prairie pothole country is apparent. Below your wing tips extends a seemingly

endless landscape of dirt roads, wheat and barley fields, drainage ditches and potholes. From high above the "duck factory", it doesn't seem possible to have a meaningful impact on land use practices, of saving potholes, or of even helping to produce a clutch of ducklings; the land is just too big.

If we take the macro approach, we will indeed not be successful in helping to reverse the decline in duck populations because, taken as a whole, the prairies are too big. They are 300,000 square miles in total, stretching from northern Iowa, through Minnesota, the Dakotas, eastern Montana See DUCKS on Page 2

DUCKS...

from Page 2.

and into southern Manitoba, Saskatchewan and Alberta. However, each acre of the 192,000,000 acre prairie breeding grounds belongs to someone.

Each pothole has an owner and each landowner is an individual interested in making a living for themselves. Consequently every pothole and farmer have the potential to become a "cell of excellence". Establishing cells of excellence on the prairies will be the key to helping the ducks. Each county, or municipality has properous farmers who are examples for others. We must identify and work with these individuals. We must go to them one on one and understand their concerns about farming and waterfowl and address them.

This is the philosophy of the PRAIRIE FARMING PROGRAM. Instead of taking the big scale approach by treating all farmers as the same, the Prairie Farming Program recognizes they are not and reduces waterfowl management to the scale where every pothole and brood of ducklings is significant. The Prairie Farming Program will work with the farmers so that they can maximize waterfowl and agricultural production on their own property through sound soil and water conservation farming practices.

The ducks don't come from some far off place, each hen mallard sitting on a nest and ducklings she produces has a caretaker and that caretaker is a farmer, who like you or me, is an individual with distinct needs. We must understand those needs if we hope to bring back the ducks.

It is the Prairies Farming Program's goal, through working with key farmers in key breeding areas, to begin the process of establishing these cells for excellence. Waterfowl may be a continental resource, but duck recovery will start one acre, one pothole and one landowner at a time.

*This is a copy of the Louisiana Act of Ducks
the publication of the Louisiana Wildlife Federation.*

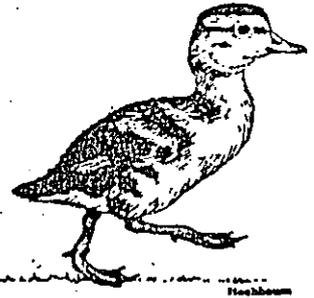
ABADIE
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This is a copy from Louisiana Out of Doors the publication of the Louisiana Wildlife Federation.



Conserving Our Natural Resources
And Your Right To Enjoy Them

LOUISIANA

OUT-OF-DOORS

OFFICIAL PUBLICATION OF THE LOUISIANA WILDLIFE FEDERATION
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DECEMBER 1990

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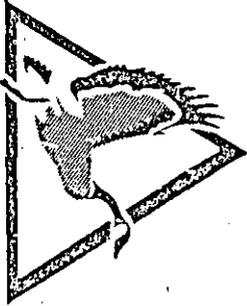
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NO. 10

Adopt-A-Pothole For Waterfowl

(a club project)

At a recent meeting of the Louisiana Outdoor Writers Association held at Toledo Bend, Lloyd Abadie, past LOVA and LWF president invited Crawford Jenkins, Director, North American Wildlife Foundation, Prairie Farming Program to speak to the group on their Adopt-A-Pothole for waterfowl project. Terry Shaughnessy of Hackberry first mentioned the idea at an LOVA meeting and Lloyd ran with it. The LOVA, after hearing Jenkins' presentation contributed to the first pothold for waterfowl from Louisiana. In other words, LOVA has "Louisiana number one" and your club or you as an individual can sponsor a pothole, too.



NORTH AMERICAN WILDLIFE FOUNDATION

The LOVA fervently believes that through the adoption of potholes we can have a big impact on improving duck populations. This belief is based upon fifty plus years of research on waterfowl in the prairie pothole region conducted by NAWF. "We have seen the region change dramatically and watched the

PROJECT

potholes.

Ninety-Five percent of ducks raised on the prairies are produced on private farmlands. Yet, the landowner has received little or no incentive to produce these ducks or keep the potholes they depend upon. As a result, millions of them have been drained and put into agricultural production. This is one of the reasons duck populations have been in steady decline since the 1950's. If the population decline is to be stopped, there must be value to landowners in producing ducks. Farmers own the duck factories, and need an incentive to maintain these. Through the adoption of potholes, NAWF hopes to begin this process.

See PROJECT on Page 5.

A one acre pothole and associated nesting cover in the prime Minnesota/Manitoba pothole country will be adopted for \$100 annually. A two acre pothole will be adopted for \$200 and pothole complexes which will incorporate several potholes and the necessary nesting cover will be adopted for \$500. It is expected that a one acre pothole will produce 10 mallard ducklings, a two acre pothole, 20, and a pothole complex, as many as 50 mallards. All potholes should also produce a number of other duck species like pintail, teal, widgeon and canvasback. Where possible, adopted potholes will have nesting baskets erected and predator controls implemented.

"If we are going to bring back the ducks, we will have to offer the landowner an incentive to raise them," said Potter. "Ducks are in competition with grain on a farmer's land and unless there is value in raising ducks, farmers cannot be expected to keep the potholes the ducks need. This is why ducks have always lost out to farming. Ducks were not treated as a cash crop. The Adopt-A-Pothole program will change this."

Crawford Jenkins, in charge of the implementing group for the new pothole adoption plan, said, "Farmers today cannot afford to raise ducks without being compensated. A pothole in a field adds to the cost of equipment operation, and produces no income. Yet, it is still taxed. As farmland, it can at least cover the taxes. This is why potholes are being drained. Across the prairies, most farmers would be happy to help raise ducks if they could afford to. Now we are going to help them."

By adopting potholes, the duck

production capabilities of the prairie can be restored and the farmers will at last have a reason to raise ducks. The NAWF estimates that approximately 95 percent of ducks are produced on prairie potholes.

NAWF also expects broad support for this program. The group is presently working closely with the Izak Walton League of America and other organizations to quickly expand the effort.

All individuals adopting a pothole receive a certificate and picture of their pothole complete with a description of its location and the landowner's name. In addition, each adopter will receive two reports annually on the pothole's condition and duck production. The landowner will receive payment for not farming the pothole and nesting cover. He also receives a sign announcing the pothole's adoption. The sign will include the farmer's name and that of the individual or club adopting the pothole.

For information on how to adopt a pothole, write to the North American Wildlife Foundation, Adopt-A-Pothole, 102 Wilmol Road, Suite 410, Decatur, IL 60015. A twelve minute video describing the Adopt-A-Pothole Program in greater detail is also available.

The North American Wildlife Foundation, founded in 1911 by sportsmen and conservationists, exists to enhance the knowledge of waterfowl and wetlands. Since 1938, through its Delta Waterfowl and Wetlands Research Station, the NAWF has trained individuals and worked on discovering the critical links between waterfowl resources and their diminishing habitat. The "Prairie Farming" program, initiated by the NAWF in 1989, brings together agricultural and waterfowl research expertise to pursue land use changes which will foster long term viability for both agriculture and waterfowl.

Now you or your club can do something for conservation by adopting a pothole. This is a project that you can contribute to, have your name put on the project and receive a report on your contribution. Whether you hunt ducks or not, many other wildlife species benefit from potholes so you or your club's adoption will help game species as well as nongame. This gives all outdoorsmen a chance to do something for conservation and management of our wildlife resources.



Conserving Our Natural Resources
And Your Right To Enjoy Them

LOUISIANA

OUT-OF-DOORS

OFFICIAL PUBLICATION OF THE LOUISIANA WILDLIFE FEDERATION
VOL. 18

DECEMBER 1990

50¢



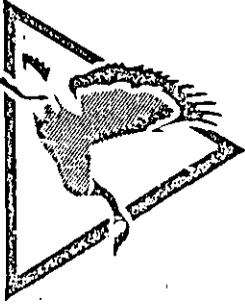
affiliated with
National Wildlife Federation

NO. 10

Adopt-A-Pothole For Waterfowl

(a club project)

At a recent meeting of the Louisiana Outdoor Writers Association held at Toledo Bend, Lloyd Abadie, past LOWA and LWF president invited Crawford Jenkins, Director, North American Wildlife Foundation, Prairie Farming Program to speak to the group on their Adopt-A-Pothole for waterfowl project. Terry Shaughnessy of Hackberry first mentioned the idea at an LOWA meeting and Lloyd ran with it. The LOWA, after hearing Jenkins' presentation contributed to the first pothole for waterfowl from Louisiana. In other words, LOWA has "Louisiana number one" and your club or you as an individual can sponsor a pothole.



NORTH AMERICAN WILDLIFE FOUNDATION

The LOWA fervently believes that through the adoption of potholes we can have a big impact on improving duck populations. This belief is based upon fifty plus years of research on waterfowl in the prairie pothole region conducted by NAWF. "We have seen the region change dramatically and watched the

PROJECT

ducks decline. Now it is time to put our research to work ourselves, and through our Prairie Farming Program, we have both the agricultural expertise and waterfowl knowledge to implement a grass roots effort like the Adopt-A-Pothole Program," states Charles S. Potter, Jr., Executive Vice President, NAWF. The North American Wildlife Foundation has unveiled a new program to help duck production on the private farmlands of the prairies of the United States and Canada. The program entitled "Adopt-A-Pothole" will provide landowners with an incentive to produce ducks and to keep their

Ninety-Five percent of ducks raised on the prairies are produced on private farmlands. Yet, the landowner has received little or no incentive to produce these ducks or keep the potholes they depend upon. As a result, millions of them have been drained and put into agricultural production. This is one of the reasons duck populations have been in steady decline since the 1950's. If the population decline is to be stopped, there must be value to landowners in producing ducks. Farmers own the duck factories, and need an incentive to maintain these. Through the adoption of potholes, NAWF hopes to begin this process.

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State of Louisiana



A. Kell McInnis III
Acting Secretary

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

Buddy Roemer
Governor

January 10, 1991

TO: James H. Jenkins
A. Kell McInnis, III
Bettsie Baker
Dave Soileau
Fred Whitrock
Rick Kasprzak

FROM: Donald E. Puckett

SUBJ: Shell Dredging Offsite Restoration



For your information, enclosed, please find my response to DRAVO's proposal per Jim Burton's letter of November 30, 1990.



VIRGINIA VAN SICKLE
SECRETARY

DEPARTMENT OF WILDLIFE AND FISHERIES
POST OFFICE BOX 98000
BATON ROUGE, LA. 70898
PHONE (504) 765-2800

BUDDY ROEMER
GOVERNOR

January 9, 1991

James A. Burton
Attorney at Law
30th Floor, Energy Centre
1100 Poydras Street
New Orleans, LA 70163-3000

Dear Jim:

This is in response to yours of November 30, 1990. Please be advised that with regard to the three projects or groups of projects identified on page three of your letter at subparagraphs (a), (b), and (c) relative to Queen Bess Island and five artificial reefs in the Vermilion Bay, Timbalier Bay, and Lake Pontchartrain, representing a total of 40,500 cubic yards, I am prepared to give assurances on behalf of the State that the State would deem these efforts to fulfill DRAVO's obligations for offsite restoration for its dredging activities in the central coast for the periods from January 1988 through November 1990. Our records indicate that DRAVO owes the State 40,742 cubic yards for offsite restoration for its dredging activities in the central coast during this period.

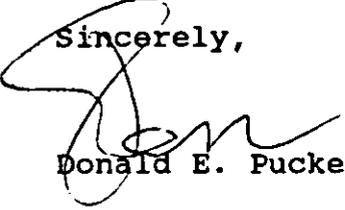
Additionally, our records indicate that DRAVO owes the State offsite restoration in the following amounts for its dredging activities in the following time periods and areas:

TIME PERIOD	AREA	AMOUNT OWED
1. 1982-1987	Lake Pontchartrain and central coast	168,376 cu yds.
2. January 1988 - June 1990	Lake Pontchartrain	17,547 cu yds.
3. December 1990 - September 26, 1991	central coast	10,000 cu yds.* (*projected)

Mr. James Burton
January 9, 1991
Page 2

It is the State's position that DRAVO's obligations for items 1, 2 and 3 above would be deemed fulfilled in exchange for the following projects: (I) restoration of marine habitat on Marsh Island (33,000 cubic yards); and (II) construction of one oyster plant in either Black Bay or Sister Lake (15,000 cubic yards). As I discussed with you previously, the State would consent to allow the shell for the Marsh Island project to be dumped at the LDWF headquarters at Marsh Island, which has a depth of some ten to twelve feet, and we will consent to the actual placement of the shell by a third party mitigator or Department personnel. Please advise if the above will form the basis of a mutual agreement between the State and your client which will permit an expeditious commencement of these much needed projects.

Sincerely,



Donald E. Puckett



VIRGINIA VAN SICKLE
SECRETARY

DEPARTMENT OF WILDLIFE AND FISHERIES
POST OFFICE BOX 98000
BATON ROUGE, LA. 70898
PHONE (504) 765-2800

BUDDY ROEMER
GOVERNOR

December 13, 1990

Mr. Jimmy Hanemann
Whitney Bank Building
Suite 1010
228 St. Charles Street
New Orleans, LA 70130

Dear Mr. Hanemann:

First let me thank you for your interest in the fish and wildlife resources of Louisiana, particularly the interest you have shown in the coastal area. Individual involvement by citizens of your background will assure the state's stewardship of its natural resources is effective. As you have expressed some concerns relative to the Department's administration of the Dingell-Johnson and Wallop-Breaux federal aid programs, let me make the following comments.

The Department is in the process of developing the 1991-92 budget and I have been assured by staff that no employee is currently funded 100% by federal aid dollars. I know that this has been an interest of yours and I can assure you that from this point on, this should not be a concern. All levels of federal funding are and will be appropriate to the actual time an employee spends on federally funded projects.

Additionally, I have instructed Dr. Jerry Clark, Assistant Secretary for the Office of Fisheries, to personally review the current boating access program with regards to use by commercial and recreational interests and to make the appropriate recommendations for any needed changes in funding sources for any existing projects, based on his findings. This will be completed by the end of January.

Regarding other points in which you have expressed concern, the Department has been apportioned \$9,707,475 of Wallop-Breaux funds since the programs inception (excluding 1991 funds). The required marine share of this is \$2,087,578. The Department has obligated \$1,693,525 in marine projects and is in the process of including a \$135,000 boating access project at Cypremont Point in St. Mary Parish. This will leave a balance of \$259,053 in the unobligated marine portion of the Wallop-Breaux funds. It is important to note that although these funds are obligated, five of the six marine boating access projects are not completed. For this reason, only \$1,074,753 have been spent to date.

Mr. Jimmy Hanemann
Page 2
December 13, 1990

The Louisiana Artificial Reef Program has been an important recipient of the marine share of the Wallop Breaux funds. The Department's commitment to the development of artificial reefs in both state and federal waters off our coast is composed of two components. The first is the project supported by Wallop-Breaux funds. The projects objectives are to develop the plans for reef development in Louisiana's inshore and offshore waters and create a program to carry out those plans within the Department of Wildlife and Fisheries.

The second component is the actual Program itself. The Program was designed to be implemented in two phases. The objectives of the first phase or the offshore phase, was designed to test the feasibility of converting offshore platforms into artificial reefs and to build up the bank account of the program. Phase I focused its efforts on the areas of the Federal OCS in water depths greater than 90 feet. Because the enabling legislation did not provide monies from the States' General Fund the program had to develop an independent funding base. Funding was dependent upon oil and gas companies donating a portion of their savings realized through their participation in the program. Money generated from the program will then be used to monitor and maintain the reefs as well as to fund the development of additional artificial reefs in Louisiana's inshore and nearshore waters.

Additionally, the first few years of the program are a learning process and slight errors in placement will have less impact in the greater water depths of Phase I than they would inshore. Working in the deeper offshore waters of the state also coincides with current Coast Guard regulations. The Coast Guard requires a minimum of 50 feet of clearance over any obstruction to navigation to be exempt from the very expensive lighting requirements required on the aids to navigation. At this point in the program, we are unable to responsibly monitor and maintain navigational aids with lights.

Phase II of the program will include the establishment and maintenance of artificial reefs in inshore waters. Five shell pads are scheduled to be constructed as part of the inshore program. It is anticipated that once the necessary permits and shell is received, construction will begin immediately. We have also identified over 6,000 structures in Louisiana's inshore waters acting as artificial reefs. These include shell pads, wellheads, the remains of oil and gas platforms as well as numerous wrecks and a variety of other hazards.

The first step in developing the inshore program will be to map all the inshore obstructions known to exist. The Department will then publish these maps and distribute them to fishermen. The first in the series of these maps is expected for completion by the summer of 1991. The state will then determine which of these structures makes the most effective reefs and whether it would be more valuable to enhance these reefs through the addition of more material or construct new ones.

It is anticipated that the program will become self sufficient early in 1991. It also must be pointed out that Wallop-Breaux funds were not used to construct any of the reefs developed under the program. The majority of the funds were used in the planning and implementation of the program and the preparation of the inshore and offshore plan. The federal funds invested in the early years of this program, while not paying immediate

Mr. Jimmy Hanemann
Page 3
December 13, 1990

dividends, will in the future provide a continuing, self-funded program that will continue to pay returns to Louisiana sportsmen in perpetuity.

I hope that this brief explanation addresses all of your concerns regarding the Dingell-Johnson - Wallop-Breaux programs and if you have any further questions, please do not hesitate to call upon me or any of my staff for additional explanation.

Sincerely,

A handwritten signature in cursive script, appearing to read "A. Kell McInnis". To the right of the signature, there are initials "AKM" and a date "12/13/90".

A. Kell McInnis
Acting Secretary

AKM:AMW:RK:sch

January 3 ,1991

Approved AKM

AGENDA FOR COMMISSION MEETING

The next regular public board meeting as set by the Commission will be at 10:00 A.M. on Thursday, January 10th, at the Wildlife and Fisheries Building, Louisiana Room, 2000 Quail Drive, Baton Rouge, Louisiana.

The following will be on the agenda:

1. Roll Call
2. Approval of Minutes of December 6, 1991
3. Ratification of Rule for Regulations for Signs and Sign Placement for DMAP Cooperators
4. Emergency Declaration for Corps Property Associated with Sherburne WMA
5. Ratification of Daily Take and Possession Limit - Freshwater Trout Rule
6. Notice of Intent for Head and Caudal Fin Intact - Freshwater Gamefish
7. Emergency Declaration for Orleans Parish - Closure to Hunting or Shooting
8. Resolution for Domestication of Tilapia and Triploid Grass Carp for Agricultural Purposes
9. Adopt A Pothole Program - Review
10. Act of Donation - Plass Estate
11. Update on Chartres Street Property
12. Monthly Law Enforcement Report
13. Acting Secretary's Report to the Commission
14. Set March Commission Meeting

#7 - The original D.E. passed in Sept. runs out Jan. 17, 1991. Since hunting seasons will still be going on until Feb. when final rule will be ratified a second D.E. has to be acted upon. Tommy Candles will present at Comm. Meeting.

Sharyh

OTHER BUSINESS:

PUBLIC COMMENTS:

January 3 ,1991

Approved _____

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OTHER BUSINESS:

PUBLIC COMMENTS:



AMM

A. Kell McInnis III
Acting Secretary

DEPARTMENT OF WILDLIFE AND FISHERIES
POST OFFICE BOX 98000
BATON ROUGE, LA. 70898
PHONE (504) 765-2800

Buddy Roemer
Governor

December, 21 1990

M E M O R A N D U M

TO: Chairman and Members of Commission
FROM: A. Kell McInnis III, Acting Secretary
RE: January Board Meeting Agenda

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HUGH BATEMAN

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4. Adopt a Pothole Program - Review and Recommendation
5. Act of Donation - Plass Estate - Bohemia WMA

JERRY CLARK

6. Ratification of Daily Take and Possession Limit - Freshwater Trout Rule
7. Notice of Intent for Head and Caudal Fin Intact - Freshwater Gamefish

December 21, 1990

Page 2

8. Resolution for Domestication of Tilapia and Triploid Grass Carp for Agricultural Purposes

BETTSIE BAKER

9. Update on Chartres Street Property - New Orleans

WINTON VIDRINE

10. Monthly Law Enforcement Report - December

KELL MCINNIS

11. Acting Secretary's Report to the Commission

OTHER BUSINESS:

12. Set March Commission Meeting

PUBLIC COMMENTS:

Don Puckett
Bettsie Baker
Jerry Clark
Wade Byrd
John Medica
Division Chiefs



Mal

A. Kell McInnis III
Acting Secretary

DEPARTMENT OF WILDLIFE AND FISHERIES
POST OFFICE BOX 99000
BATON ROUGE, LA. 70898
PHONE (504) 765-2800

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John Medica
Division Chiefs

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LA. DEPARTMENT OF WILDLIFE & FISHERIES

DEC 10 1990

ASSISTANT SECRETARY OFFICE OF FISHERIES

A. Kell McInnis III Acting Secretary



DEPARTMENT OF WILDLIFE AND FISHERIES POST OFFICE BOX 98000 BATON ROUGE, LA. 70899 PHONE (504) 765-2800

Copy to: Bennie F. Karen F. John R.

Return to me by 12/17 JC 12/11

Buddy Roemer Governor

December 10, 1990

MEMORANDUM

TO: Assistant Secretary Office of Fisheries, Undersecretary, and Office of Wildlife Chiefs
FROM: A. Kell McInnis III, Acting Secretary AKM
RE: Commission Meeting Agenda - January 10, 1991

Please write on the bottom of this memo and return to Sharyn Bateman by Tuesday, December 18th, any agenda items your Office may have for the January 10, 1991, Commission meeting to be held in Baton Rouge, Louisiana, Wildlife and Fisheries Building, 2000 Quail Drive. If you do not have anything for the agenda, please return memo and indicate this 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!

VVS/sb

C: Don Puckett Bob Dennie Winton Vidrine

Dear Jerry: I am requesting the following items be placed on the January Commission Meeting Agenda:

- 1) Ratification of 1989 daily take limit of freshwater trout
2) Notice of Intent - Head and caudal fin intact, freshwater gamefish
3) "Domestication" of tilapia and triplehead grass carp for aquaculture purposes.

sincerely: Bennie F. Roemer Director

**OFFICE OF FISHERIES
Routing Slip**

Out: 12/19
 Due: _____
 In: _____

Office of Secretary:		Inland Fish Division:		Marine Fish Division:		Research Division:	
TO:	FROM:	TO:	FROM:	TO:	FROM:	TO:	FROM:
Van Sickle		X Clark		Clark		Clark	
McInnis		Fontenot Y		Foote		Barrett	
Clark		Lee		Perret		Boudreaux	
Baker		Williams		Bowman		Arnoldi	
Byrd		Brassette		Roussel		Tilyou	
Puckett				Dugas		Shepard	
Callais							

Action:

- Please see me about this matter _____.
 - For your information. *January Commission meeting*
agenda - Inland Fish Division
 - Take appropriate action.
 - For review and/or approval.
 - Please look into this matter and prepare a written response for my or VVS signature and return a copy of your reply for filing.
- _____ within 72 hours
 _____ within 5 days
- _____ Comments?

Note:

Response:

Jimmy



DEPARTMENT OF WILDLIFE AND FISHERIES
POST OFFICE BOX 88000
BATON ROUGE, LA. 70898
PHONE (504) 765-2800

Buddy Roemer
Governor

A. Kell McInnis III
Acting Secretary

2

December 10, 1990

MEMORANDUM

TO: Assistant Secretary Office of Fisheries, Undersecretary,
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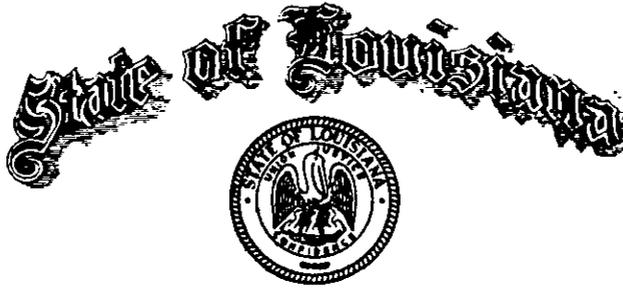
We have nothing for the agenda - Tompkins - Fur & Refuge

VVS/sb

C: Don Puckett
Bob Dennie
Winton Vidrine

RECEIVED
LA. DEPARTMENT OF
WILDLIFE & FISHERIES
DEC 10 90
FUR & REFUGE
BATON ROUGE

Butch



DEPARTMENT OF WILDLIFE AND FISHERIES
POST OFFICE BOX 98000
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A. Kell McInnis III
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Buddy Roemer
Governor

December 10, 1990

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Thank you for your cooperation! *12-14-90*

*1) Adopt a Pothole Program - Review and Recommendation,
Hugh Bateman*

**2) DMAP Regulations - Ratify Notice of Intent,
Hugh Bateman*

VVS/sb

C: Don Puckett
Bob Dennie
Winton Vidrine

** This item needs to be handled early in the meeting so that the adopted rules can be delivered to the STATE REGISTER PRIOR TO 12 NOON.*

RECEIVED

LA. DEPARTMENT OF
WILDLIFE & FISHERIES

DEC 10 1990

ASSISTANT SECRETARY
OFFICE OF FISHERIES



DEPARTMENT OF WILDLIFE AND FISHERIES
POST OFFICE BOX 88000
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A. Kell McInnis III
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Jerry
Copy to: Bennie F.
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Return to me by 12/17
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and Office of Wildlife Chiefs

FROM: A. Kell McInnis III, Acting Secretary *AKM*

RE: Commission Meeting Agenda - January 10, 1991

Please write on the bottom of this memo and return to Sharyn Bateman by Tuesday, December 18th, any agenda items your Office may have for the January 10, 1991, Commission meeting to be held in Baton Rouge, Louisiana, Wildlife and Fisheries Building, 2000 Quail Drive. If you do not have anything for the agenda, please return memo and indicate this 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!

VVS/sb

C: Don Puckett
Bob Dennie
Winton Vidrine

Jerry-
I have no items for
the Commission agenda.
I plan to attend.
Karen Fooks

Johnnie



DEPARTMENT OF WILDLIFE AND FISHERIES
POST OFFICE BOX 98000
BATON ROUGE, LA. 70898
PHONE (504) 765-2800

A. Kell McInnis III
Acting Secretary

Buddy Roemer
Governor

December 10, 1990

MEMORANDUM

TO: Assistant Secretary Office of Fisheries, Undersecretary,
and Office of Wildlife Chiefs
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Thank you for your cooperation!

Ecological Studies = ∅
Natural Heritage = ∅
Hab. Conservation = ∅

VVS/sb
C: Don Puckett
Bob Dennie
Winton Vidrine

Johnnie
12/11/90



DEC 10

INFORMATION & EDUCATION DIV.
Buddy Roemer
Governor

DEPARTMENT OF WILDLIFE AND FISHERIES
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A. Kell McInnis III
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Thank you for your cooperation!

Nothing this month - Bob Dennis

VVS/sb

C: Don Puckett
Bob Dennis
Winton Vidrine

Johnnie



A. Kell McInnis III
Acting Secretary

DEPARTMENT OF WILDLIFE AND FISHERIES
POST OFFICE BOX 98000
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Buddy Roemer
Governor

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Ecological Studies = ∅
Natural Heritage = ∅
Hab. Conservation = ∅

Johnnie
12/11/80

VVS/sb

C: Don Puckett
Bob Dennie
Winton Vidrine



DEPARTMENT OF WILDLIFE AND FISHERIES
POST OFFICE BOX 88000
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A. Kell McInnis III
Acting Secretary

Buddy Roemer
Governor

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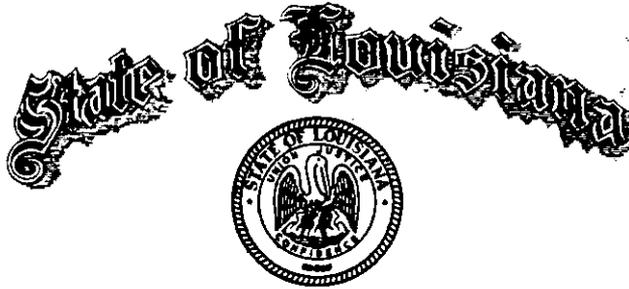
Thank you for your cooperation!

VVS/sb

C: Don Puckett
Bob Dennie
Winton Vidrine

*Enforcement Report
W.V.*

Sorry, I'm late



DEPARTMENT OF WILDLIFE AND FISHERIES
POST OFFICE BOX 98000
BATON ROUGE, LA. 70898
PHONE (504) 765-2800

A. Kell McInnis III
Acting Secretary

Buddy Roemer
Governor

December 10, 1990

M E M O R A N D U M

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and Office of Wildlife Chiefs

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C: Don Puckett
Bob Dennie
Winton Vidrine

Louisiana Department of Wildlife and Fisheries

NEWS RELEASE



A. KELL MCINNIS, III.
Acting Secretary

Contact
(504) 765-2917

91-01

01-03-91

AGENDA FOR COMMISSION MEETING

The next regular public board meeting as set by the Louisiana Wildlife and Fisheries Commission will be at 10:00 a.m. Thursday, Jan. 10, at the Wildlife and Fisheries Building, 2000 Quail Drive, Baton Rouge.

The following will be on the agenda:

1. Roll call.
2. Approval of minutes of Dec. 6.
3. Ratification of Rule for regulations for signs and sign placement for DMAP cooperators.
4. Emergency Declaration for Corps property associated with Sherburne WMA.
5. Ratification of daily take and possession limit - freshwater trout rule.
6. Notice of Intent for head and caudal fin intact - freshwater gamefish.
7. Emergency Declaration for Orleans Parish - closure to hunting or shooting.
8. Resolution for domestication of tilapia and triploid grass carp for agricultural purposes.
9. Adopt a Pothole Program - review and recommendation.
10. Act of donation - Plass Estate - Bohemia WMA.
11. Update on Chartres Street Property.
12. Monthly law enforcement report - December.
13. Acting Secretary's report to the Commission.
14. Set March Commission meeting.

Other Business:

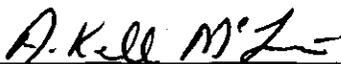
Public Comments:

Resolution
Louisiana Wildlife and Fisheries Commission
Louisiana Department of Wildlife and Fisheries
January 10, 1991

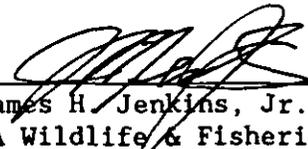
WHEREAS, the Louisiana Wildlife and Fisheries Commission supports the acquisition of property to provide habitat for resident and migratory wildlife as well as public enjoyment of these resources, and

WHEREAS, the distributees of the estate of Marie Witte Plass have offered the donation of 425.43 acres of productive wildlife habitat in Section 12, T18S, R15E in Plaquemines Parish and within the boundaries of the existing Bohemia Wildlife Management Area, to insure that these acres will be forever managed to benefit the wildlife resources and public of Louisiana, now

THEREFORE BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission authorizes the Chairman and the Secretary to accept this donation of property from the estate of Marie Witte Plass.



A. Kell McInnis, Acting Secretary
LA Dept. of Wildlife & Fisheries



James H. Jenkins, Jr., Chairman
LA Wildlife & Fisheries Commission

Draft

MINUTES OF MEETING

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

JANUARY 10, 1991

Chairman James H. Jenkins presiding:

Thursday, January 10, 1991

Houston Foret
Bert Jones
Norman McCall
Warren Pol
Jeff Schneider
Pete Vujnovich

Acting Secretary A. Kell McInnis III was also present.

Chairman Jenkins called the Thursday, January 10, 1991, Commission meeting to order. A motion was made by Mr. Jones for adoption of the December 6, 1990 **Commission Minutes**. The motion was seconded by Mr. McCall and passed unanimously.

At Thursday's meeting Mr. Hugh Bateman presented a **Resolution for Adoption of the Rule on Regulations for Signs and Sign Placement for DMAP Cooperators**. Mr. Bateman advised that a notice of intent had been passed in September by the Commission which would establish signage for DMAP that would allow people to be charged with a more serious violation if an animal is taken on posted land that would otherwise be legal on the outside. The Legislative Oversight Committee has reviewed and approved the proposed rule. Mr. Bateman then read the THEREFORE BE IT RESOLVED part of the resolution. A motion was made by Mr. Jones and seconded by Mr. Vujnovich that the Commission adopt the rule. Chairman Jenkins called for discussion or questions. There being none Chairman Jenkins called for the vote on the motion. The motion passed unanimously.

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

RESOLUTION
LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES
WILDLIFE AND FISHERIES COMMISSION

THE FOLLOWING WAS ADOPTED BY THE LOUISIANA WILDLIFE AND FISHERIES COMMISSION AT ITS REGULAR MEETING HELD IN BATON ROUGE, JANUARY 10, 1991.

WHEREAS, R. S. 56.111.1 was passed during the 1990 Legislative Session, and

WHEREAS, this statute directs the Louisiana Department of Wildlife and Fisheries to develop regulations to provide for marking property enrolled in the Deer Management Assistance Program (DMAP), and

WHEREAS, these regulations will allow trespassers to be charged with illegal harvest of wildlife species on lands enrolled in the DMAP, and

WHEREAS, the Louisiana Department of Wildlife and Fisheries has developed regulations concerning placement and type of signs, and

WHEREAS, compliance with these rules and regulations will be voluntary for DMAP cooperators, and

WHEREAS, these rules and regulations have been established in accordance with the Administrative Procedure Act, now

THEREFORE BE IT RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby ratify the attached rules and regulations in accordance with R.S. 56:111.1.

A. Kell McInnis III, Acting
Secretary, LA Dept. Wildlife and
Fisheries

Jimmy Jenkins, Chairman
LA Wildlife and Fisheries
Commission

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

RULE
DEPARTMENT OF WILDLIFE AND FISHERIES
WILDLIFE AND FISHERIES COMMISSION

TITLE 76
WILDLIFE AND FISHERIES

Part V: Wild Birds and Wild Quadrupeds

Chapter 1. Wild Quadrupeds

Section 109. Regulations for Signs and Sign Placement for DMAP Cooperators

Rules and regulations to comply with R.S. 56:111.1 relative to the Deer Management Assistance Program and which will prohibit unauthorized persons from taking game on Deer Management Assistance Program areas are as follows:

Sign Color: Orange

Size: 11 1/4" x 11 1/4"

Lettering: The words DMAP and Posted can be no less than 4" (four inches) in height.

Construction: Metal, wood, plastic, paper or other material

Placement: Signs will be placed no more than 200' (two hundred feet) apart and at each point of entry.

The provisions of this Act are applicable only to clubs enrolled in the Deer Management Assistance Program and participation with the requirement of R.S. 56:111.1 are optional.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:11.1.
HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 17: (January 1991).

Jimmy Jenkins
Chairman

At Thursday's meeting Mr. Hugh Bateman presented a **Resolution for Adoption of an Emergency Declaration for Corps Property Associated with Sherburne WMA**. Mr. Bateman pointed out that back in October there was a last minute agreement with the Corps of Engineers to transfer usage of about 9,000 acres of property that they had acquired in the Basin. An emergency rule was done at this time to get through the hunting season. The department is still working on the license agreement with the Corps. This agreement would turn the control of the property over to the department. This emergency declaration is an extension of the first declaration that was passed in October and will take the department through the end of the hunting season. When the license is received from the Corps these lands will be part of the department's regular WMA rules and regulations. This property since it was "add on" was not included in the regular rules and regulations that the Commission promulgated last spring when the hunting seasons were established advised Mr. Bateman. Mr. Bateman then read the THEREFORE BE IT RESOLVED part of the resolution. A motion was made by Mr. McCall and seconded by Mr. Pol for adoption of the emergency declaration. Chairman Jenkins called for discussion or questions. There being none Chairman Jenkins called for a vote on the motion. The motion passed unanimously.

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

RESOLUTION
LOUISIANA WILDLIFE AND FISHERIES COMMISSION

WHEREAS, the Atchafalaya Basin Floodway is the largest bottomland hardwood swamp in North America, and supports a wide variety of wildlife species indigenous to such habitat, and

WHEREAS, in recent years an agreement, incorporated in an interagency feasibility study led by the U.S. Army Corps of Engineers, designed to keep the Basin in a natural state called for the acquisition and management of 90,000 acres within the Basin for public access, and

WHEREAS, Dow Chemical Company donated 40,000 acres, the Louisiana Department of Wildlife and Fisheries purchased 11,780 acres and created the Sherburne WMA, the U.S. Fish and Wildlife Service purchased 15,220 acres and created the Atchafalaya National Wildlife Refuge, and

WHEREAS, the remaining 23,000 acres are to be acquired by the U.S. Army Corps of Engineers, authorized by the Supplemental Appropriations Act of 1985, and

WHEREAS, cost sharing provisions were modified in the Water Resources Development Act of 1986--Public Law 99-662. The Energy and Water Development Appropriations Act of 1986--Public Law 100-102, passed by Congress in December 1987, provided current funds for Corps acquisitions, and

WHEREAS, the Sherburne Wildlife Management Area, and the Atchafalaya National Wildlife Refuge, are managed by the Louisiana Department of Wildlife and Fisheries, and

WHEREAS, initial acquisitions by the U.S. Army Corps of Engineers of 8,281.70 acres are proposed to be managed by the Louisiana Department of Wildlife and Fisheries, and

WHEREAS, the U.S. Army Corps of Engineers has issued a license to the Louisiana Department of Wildlife and Fisheries delegating management authority to the state, now

THEREFORE BE IT RESOLVED, that the Louisiana Wildlife and Fisheries does hereby adopt the emergency rule and accept the U.S. Army Corps of Engineers license authorizing the Louisiana Department of Wildlife and Fisheries to execute management authority over Corps acquired fee lands in the Atchafalaya Basin, consistent with rules and regulations adopted by the Louisiana Wildlife and Fisheries Commission for Sherburne

Wildlife Management Area and the Atchafalaya National Wildlife
Refuge, now

BE IT FURTHER RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby authorize and delegate to the Secretary of the Department of Wildlife and Fisheries, the authority to take any and all necessary steps on behalf of the Commission to promulgate and effectuate these emergency regulations 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 preparation of reports and correspondence to other agencies of government.

A. Kell McInnis III
Acting Secretary

James H. Jenkins
Chairman

(The full text of the emergency
declaration is made a part of the
record)

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

In accordance with the emergency provisions of R.S. 49:953(B) of the Administrative Procedure Act and under the authority of R.S. 56:6 and 115, the Wildlife and Fisheries Commission hereby finds that the public welfare and the wildlife resources are best served by adopting the following emergency rule:

The Louisiana Department of Wildlife and Fisheries assumes management responsibilities on recently purchased fee lands in the Atchafalaya Basin by the U.S. Army Corps of Engineers. Said lands encompass 8,281.70 acres in Iberville Parish north of Interstate 10. Further, that these lands are primarily located within the boundaries and are contiguous with the Atchafalaya National Wildlife Refuge lands on which the Louisiana Department of Wildlife and Fisheries is the managing agency. This emergency rule will be in effect from February 1, 1991 and extend for a period of 120 days.

The Commission finds that the Louisiana Department of Wildlife and Fisheries' management authority authorized by license from U.S. Corps of Engineers would serve to provide public access and effect a more positive and practical management approach for a larger land base within the Atchafalaya Basin. Management rules and

regulations, season dates, and bag limits for said lands are to be consistent with such published for Sherburne Wildlife Management Area - Atchafalaya National Wildlife Refuge in the 1990-91 hunting season rules and regulations officially approved and adopted by the Wildlife and Fisheries Commission under authority vested by Section 115 of Title 56 of the Louisiana Revised Statutes of 1950.

James H. Jenkins
Chairman

121
At Thursday's meeting Mr. Jerry Clark presented the **Rule on Daily Take and Possession Limits for Freshwater Trout** for ratification. Dr. Clark informed the Commission that a notice of intent was published previously and has passed Legislative Oversight Committee. There have been no comments received on the rule. This rule is for the urban freshwater trout program and is non-controversy as far as Dr. Clark can tell. Dr. Clark then read the rule. Chairman Jenkins called for discussion or questions. Mr. Jones asked how did the first fishing go. Dr. Clark advised that it got off to a bad start and the reason for this was that the truck was delayed because of a mechanical breakdown and were again delayed because of the weather. The fish were delivered on the day that the fishing was to take place. It takes the fish at least 24 hours to get acclimated and start biting. The first couple of days did not work very well. A lot of people did showed up and there were no complaints stated Dr. Clark. The press has been very excellent on this project and an editorial in the Hammond paper stated that this was one of the greatest things that the department has ever done. The fish were delivered for the second stocking yesterday and hopefully when it opens by this weekend the fish will be biting stated Dr. Clark. Chairman Jenkins asked if there was any more discussion or questions. There being none a motion was made by Mr. Jones and seconded by Mr. Schneider for adoption of the rule. The motion passed unanimously. was

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

RULE
DEPARTMENT OF WILDLIFE AND FISHERIES
WILDLIFE AND FISHERIES COMMISSION

TITLE 76
WILDLIFE AND FISHERIES

Part VII. Fish and Other Aquatic Life

Chapter 1. Freshwater Sport and Commercial Fishing

Section 147. Daily Take and Possession Limits for Freshwater Trout

The Louisiana Wildlife and Fisheries Commission hereby established a daily take and possession limit of 5 fish for freshwater trout, Salvelinus spp. Salmo spp., taken in waters designated as being part of the Department's Freshwater Trout Program.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6, 56:326.3 and Act 376 of 1990 Legislative Session.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 17: (January 1991).

Jimmy Jenkins
Chairman

At Thursday's meeting Dr. Jerry Clark presented a **Notice of Intent for the Head and Caudal Fin Intact - Freshwater Gamefish Rule** for approval. Dr. Clark explained that when the largemouth bass plan was brought before the Commission there was some discussion of whether or not it would be appropriate or timely to think about a freshwater bill similar to what is done in saltwater for the heads and tails intact so that people are not filleting freshwater fish on the water thus causing the department to loose the ability to manage some of the species. The department has been working on this proposed rule for the last two months and is bringing the notice of intent before the Commission so that it can be published and public comments can be received. What is being proposed is only for the species that are likely to be the principle part of the management over the coming years. This proposed rule will aid law enforcement and allow the department to carry out its management plans. Chairman Jenkins asked if there was any discussion or questions. There being none Dr. Clark read the notice of intent and advised that this proposed rule will go to Legislative Oversight Committee. A motion was made by Mr. Pol and seconded by Mr. Vujnovich for adoption of the notice of intent. The motion passed unanimously.

(The full text of the notice of intent is made a part of the record)

NOTICE OF INTENT
DEPARTMENT OF WILDLIFE AND FISHERIES
WILDLIFE AND FISHERIES COMMISSION

TITLE 76
WILDLIFE AND FISHERIES

Part VII: Fish and Other Aquatic Life

Chapter 1. Freshwater Sport and Commercial Fishing

Section: 153. Head and Caudal Fin Intact - Freshwater Gamefish

The Louisiana Wildlife and Fisheries Commission hereby advertises its intent to establish a rule which requires that all Micropterus spp. (black bass and their hybrids), Pomoxis spp. (crappie and their hybrids), Lepomis spp. (bream and their hybrids), Ambloplites rupestris (shadow bass and its hybrids), Centrarchys macropterus (flier and its hybrids), Morone spp. (striped bass and its hybrids, white bass and its hybrids, yellow bass and its hybrids) possessed by recreational fishermen shall, prior to being set or put on shore from a vessel, have their carcasses intact and be in a whole condition, except that the gills, scales and internal organs only may be removed.

Interested persons may submit written comments on the proposed rule to the following address before March 4, 1991: Bennie J. Fontenot, Jr., Administrator, Inland Fish Division, Louisiana Department of Wildlife and Fisheries, P.O. Box 98000, Baton Rouge, Louisiana 70898-9000.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6 (25)(a), 325 (c), 326.3.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 17: (1991).

James H. Jenkins
Chairman

At Thursday's meeting Major Charlie Clark presented a **Resolution and Declaration of Emergency on Orleans Parish Closure of Hunting or Shooting.** Major Clark advised that this declaration of emergency is an extension of the first one that was passed in September which will run out on January 18, 1991. This declaration runs concurrent with the ordinances that already exist in Orleans Parish to prohibit hunting in the Bayou Sauvage area advised Major Clark. Chairman Jenkins called for discussion or questions. Major Clark read the THEREFORE BE IT RESOLVED part of the resolution. Chairman Jenkins called for a motion. A motion for adoption of the resolution on the emergency declaration was called for by Chairman Jenkins. The motion was made by Mr. Foret and seconded by Mr. Vujnovich. The motion passed unanimously.

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

RESOLUTION

Louisiana Department of Wildlife and Fisheries
Louisiana Wildlife and Fisheries Commission

WHEREAS, That portion of Orleans Parish East of the Jefferson-Orleans Parish line, Northward to the southern shoreline of Lake Pontchartrain, northeast along the southern shoreline of Lake Pontchartrain to South Point, east-southeast along the southern shoreline of Lake Pontchartrain to Chef Pass, the southern shoreline of Chef Pass eastward to the western shoreline of the Intra-Coastal Waterway, the western shoreline of the Intra-Coastal Waterway southward to the Industrial Canal, the Industrial Canal south to the Mississippi River, and the Mississippi River to the Orleans-Jefferson Parish line, is included in city municipal ordinances that prohibit the discharge of all firearms; and

WHEREAS, The newly formed Bayou Sauvage National Wildlife Refuge lies within this section of Orleans Parish and will prohibit all hunting activities for resident and migratory game; and

WHEREAS, This area in and around the Bayou Sauvage National Wildlife Refuge will soon be a popular area used by citizens for fishing, camping, nature study and other outdoor recreational purposes; and

WHEREAS, The Refuge will provide an outdoor setting for enjoyment of family oriented activities particularly for children and older adults; and

WHEREAS, Existing small tracts of wooded land bordering the Refuge and city subdivisions will only provide an enforcement dilemma; and

WHEREAS, The U.S. Fish and Wildlife Service and the New Orleans Police Department support correcting this situation before someone is injured; and

WHEREAS, This area of Orleans Parish, in the judgment of the Department of Wildlife and Fisheries, is not a safe or proper environment for hunting activities to take place..

THEREFORE BE IT RESOLVED that that portion of Orleans Parish East of the Jefferson-Orleans Parish line, Northward to the southern shoreline of Lake Pontchartrain, northeast along the southern shoreline of Lake Pontchartrain to South Point, east-southeast along the southern shoreline of Lake Pontchartrain to Chef Pass, the southern shoreline of Chef Pass eastward to the western shoreline of the Intra-Coastal Waterway, the western shoreline of the Intra-Coastal Waterway southward to the Industrial Canal, the Industrial Canal south to the Mississippi River, and the Mississippi River to the Orleans-

Jefferson Parish line shall be closed to all shooting or hunting by any means or device until further notice, effective January 10, 1991.

James H. Jenkins, Chairman

A. Kell McInnis III, Acting Secretary

(The full text of the declaration of emergency is made a part of the record)

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

In accordance with the emergency provisions of R.S. 49:953(b) of the Administrative Procedure Act, and under the authority of R.S. 56:6 and 115, the Wildlife and Fisheries Commission hereby finds that an imminent peril to public welfare exists and accordingly adopts the following emergency rule:

That portion of Orleans Parish East of the Jefferson-Orleans Parish line, Northward to the southern shoreline of Lake Pontchartrain, northeast along the southern shoreline of Lake Pontchartrain to South Point, east-southeast along the southern shoreline of Lake Pontchartrain to Chef Pass, the southern shoreline of Chef Pass eastward to the western shoreline of the Intra-Coastal Waterway, the western shoreline of the Intra-Coastal Waterway southward to the Industrial Canal, the Industrial Canal south to the Mississippi River, and the Mississippi River to the Orleans-Jefferson Parish line shall be closed to all shooting or hunting, by any means or device until further notice, effective January 10, 1991.

The Commission finds that the above closure is necessary for reasons of public safety and recreation; and further due to the fact that this portion of Orleans Parish is included in city municipal ordinances that prohibit the discharge of all firearms, and said area adjacent to Bayou Sauvage National Wildlife Refuge wherein hunting activities are prohibited. The Commission further finds that this action is necessary to enhance enforcement of hunting restrictions in the general area.

James H. Jenkins
Chairman

At Thursday's meeting Ms. Bettsie Baker gave an **Update on the Chartres Street Property**. Ms. Baker reported that contracts have

been initiated to have some interior demolition work done on the Chartres Street property in preparation of asbestos abatement. The department is also in the process of opening up for bids for 30 days the asbestos abatement project in preparation of sale of the building. A sale date of February 14, 1991, has been established and the building will be sold at public auction by the Sheriff's Office. Hopefully this time the department will get a bid on the building since it will be sold asbestos free stated Ms. Baker. The established minimum bid is \$570,000 and there are currently about 30 interested buyers. The proceeds from the sale of the building will be used to fund the acquisition of a new office in New Orleans for the department. The department has received the "line of credit" as promised by Mr. Dennis Stine and in so doing the 400 Royal Street property has been surplused. Because of this new housing is needed for the department employees in New Orleans. Ms. Baker asked if there were any questions.

Chairman Jenkins asked if checks could be written on the account? Mr. Baker stated that she would not say that we could write a check but they can work through Facility Planning if there was a piece of property to acquire. There are funds available from which the department can draw. Chairman Jenkins asked if the building was going to be sold asbestos free. Ms. Baker answered correct. Chairman Jenkins' stated that it still has the asbestos in it. Ms. Baker answered right and the way that the language is written is that the actual title will transfer upon the completion of the asbestos demolition so that whoever receives title, receives title and a warranty from the state that the building is asbestos free. Removing the asbestos should not take long and once the contract is in place it should take about two to three weeks to remove. Actual title transfer should take place about the end of March if the building is sold.

At Thursday's meeting Mr. Bob Love presented the a **Resolution for the Act of Donation on the Plass Estate, Bohemia Wildlife Management Area**. Mr. Love gave a brief background as to why the land was being donated to the department. This piece of property in Plaquemines Parish, 425.43 acres is within the existing Bohemia WMA which is leased from the Orleans Levee Board. In 1984-85 there was legislation passed which took the property and returned it to the original owners by a complicated process ~~by where~~ they had to demonstrate a clear line of title succession to the Department of Natural Resources. This has been tested and upheld in court and the department is anticipating that by the end of 1992 Orleans Parish will not have Bohemia and the department will not have a wildlife management area stated Mr. Love. Mr. Love pointed out that the act of donation is a little bit premature but Legal Counsel has advised that there would be no downfall to the department for them to accept it at this time. The lady donating the land, Ms. Marie Plass, lives in New York and wants to maintain minerals in perpetuity but donated the surface rights to the department. The front half of the land is bottomland hardwood with

in which

marsh at the backside. The land is in the middle of an old existing oil and gas field. Department personnel have inspected the property and reported that there are no hazardous waste pits or drums of hazardous waste and Mr. Love does not think there will be any problem with the department accepting the land. Mr. Puckett has worked out an act of donation with Ms. Plass's attorneys and all is in order concluded Mr. Love. Mr. Love asked for questions.

Mr. Jones questioned that as the marsh erodes would the department be giving away mineral rights that possibly would have been the State of Louisiana's at a later date? Mr. Prickett answered that currently this would not be the case. As the land erodes the ownership of the subsurface minerals reverts to the state. Mr. Prickett pointed out that this small tract of land may have some ramifications for the department in the future. The department is currently working with the Governor's Office and the Mineral Board to try and facilitate an agreement whereby as land erodes the state would share the mineral rights with the owners of the former property. If this agreement can be worked out there may be many more donations of coastal wetlands coming to the department stated Mr. Prickett.

Acting Secretary McInnis added that the land in that part of the state is subjected to erosion and time factors have to be considered. These are factors that the Land Office and Mineral Board will take into consideration in establishing the percentage of value and each individual piece of land will be looked at individually.

Mr. Vujnovich informed the Commissioners that in the area of Bohemia the erosion is not too bad and the area is holding very well. There is a lot of river water which keeps the land from saltwater intrusion.

Mr. Love advised that the only waterways on the property are manmade canals and the department has checked with the State Land Office and they lay no claims to this at this time.

Mr. Jenkins pointed out that an inspection of property for any kind of waste or EPA problems that could occur on land is getting to be a very serious consideration in any kind of property transaction and asked if the department had any kind of policy about looking for these things when they accept or buy property.

Mr. Love answered that he thinks the department commonly does this on lands that they are buying or lands that are being donated but does not know if it is written anywhere. Mr. Prickett advised that it is the standard policy of the department to inspect all the properties that are required and asbestos abatement is the only thing that is in writing in the land acquisition policy.

Mr. Jenkins stated that he does not know if the department should take a look at the way it is being done in the private sector but the department could inherit something that could be very unfortunate.

Upon Chairman Jenkins' request Mr. Love read the THEREFORE part of the resolution. Chairman Jenkins called for further discussion or questions. There being none Chairman Jenkins asked for a motion. Mr. Vujnovich made a motion that they adopt the resolution. The motion was seconded by Mr. Foret and passed unanimously. Chairman Jenkins recommended that a letter be sent thanking Ms. Plass and was informed that it was being done.

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

RESOLUTION
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES
January 10, 1991

WHEREAS, the Louisiana Wildlife and Fisheries commission supports the acquisition of property to provide habitat for resident and migratory wildlife as well as public enjoyment of these resources, and

WHEREAS, the distributees of the estate of Marie Witte Plass have offered the donation of 425.43 acres of productive wildlife habitat in Section 12, T18S, R15E in Plaquemines Parish and within the boundaries of the existing Bohemia Wildlife Management Area, to insure that these acres will be forever managed to benefit the wildlife resources and public of Louisiana, now

THEREFORE BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission authorizes the Chairman and the Secretary to accept this donation of property from the estate of Marie Witte Plass.

A. Kell McInnis, III, Acting
Secretary, LA Department of
Wildlife and Fisheries

James H. Jenkins, Jr. Chairman
LA Wildlife and Fisheries
Commission

At Thursday's meeting Mr. Hugh Bateman gave a review and recommendations on the Adopt a Pothole Program. Mr. Bateman stated that at the November meeting Mr. Lloyd Abadie, Louisiana Outdoor Writers Association, raised the question in terms of the department making a contribution to the "Adopt a Pothole" program. Subsequent

to this Mr. Bateman raised several objections to doing this on the basis of the departments unfamiliarity with the details of how the program was going to work and exactly what it was involved with. Mr. Abadie had agreed not to bring the issue back before the Commission in December but wait until January which allowed Mr. Bateman time to make some contact with some people who work for the North American Wildlife Foundation and other people in Canada who are familiar with the details of how the program is suppose to be applied in the field. Mr. Bateman informed the Commissioners that this has been done and at this juncture he would simply tell the Commissioners that his original position back in November has not change appreciably but does understand a lot more about the program. The actual concept of the program is sound and what remains to be agreed upon from the people who are dealing with the program in Canada is approval of this concept as part of a legitimate wildlife or waterfowl management technique on the ground. Mr. Bateman's information at this point is that the details of who will handle this program and how it will be applied on the ground are not complete. They are basically in the fund raising mode at this time and have produced a video that was shown in November and have also produced some other written materials in terms of asking people for contributions advised Mr. Bateman. Mr. Bateman stated that there is no way for the department to contribute because there is nothing in the budget. At the present time his personal view and the view of the people he has talked to is that they can understand why the Commission would be reluctant to ask the department to make a sizable contribution because the program has not been applied in the field yet. The first single contract has not been signed in terms of putting something in place and will not happen until this spring. In talking with people that work with this program and other people in other agencies the program is drifting in the direction of being an individual making contributions rather than big agencies contributions. Once this program is proven and works in the field than maybe agency participation can happen pointed out Mr. Bateman and that an appropriate position by the Commission might be to view this program as something that would have merit but at this time they would not want to make a commitment. Mr. Bateman advised that Mr. Lloyd Abadie was attending the meeting and the Commission might like to ask him some questions.

Chairman Jenkins asked if there was any discussion or questions. There being none Chairman Jenkins asked Mr. Abadie if he would like to address the subject.

Mr. Lloyd Abadie from Crowley, Louisiana, addressed the Commission. Mr. Abadie stated that the North American Wildlife Foundation is not new and has a track record dating back to 1911 before Ducks Unlimited. This program is not in competition with Ducks Unlimited and the Outdoor Writers Association thinks that DU is the best conservation organization that has ever come down the pipe. The association wants to enhance what Ducks Unlimited is doing. Ducks

Unlimited is going for big water. The association believes that they can help the ducks and the hunters. The Louisiana hunter depends on ducks coming down to Louisiana. The legislature made a provision that the Commission would decide how they would spend up to ten percent of the license sales money. The Commission is being asked by the Outdoor Writers to commit a certain amount to help North American Wildlife Foundation to get this program off the ground. Louisiana has had a bad name and is considered an outlaw state. This is an opportunity for the state to send a message to the rest of the United States that we are concerned about poaching and people who are outlawing and killing ducks. Louisiana can show that they want to help and a donation by the Commission would go a long way towards this message. Mr. Abadie asked if there were any questions. There being no questions Mr. Abadie concluded by saying that he would like to hear a motion by the Commission that they would give a certain amount of money but will leave how much up to the Commission.

Chairman Jenkins asked if anyone else from the audience would like to speak on the subject. Mr. Gary Salmon from Lafayette, Louisiana, State Chairman, Ducks Unlimited, addressed the Commission. Mr. Salmon stated that he was at the meeting to try and add a little something to the wonderful notion that the potholes be protected and thanked Mr. Abadie for his kind remarks about Ducks Unlimited. Ducks Unlimited has been around for 50 years and has worked with the state of Louisiana for most of that time very successfully. Mr. Salmon stated that he thinks Ducks Unlimited is getting short changed a little bit by the "Adopt a Pothole" program and without challenging the goodness of it, because DU certainly does and has recognized how important the pothole regions are to the duck populations it needs to be pointed out that DU has a program in existence and has been in the field for almost 2 years called "Prairie Care". This program is working with the Provincial Governments in the pothole regions. Potholes are being put in upland cover to work for duck populations this year, last year and the year before. DU whole heartily understands and endorses that this situation has to be addressed. There are a lot of people who are taking parts of what DU is doing and coming up with very sound marketable ideas to raise money. DU is standing up and saying that as soon as they get, they being "Adopt a Pothole" or whoever, their implementation guidelines to a point where they are accepted by the technical experts in Canada where these need to be implemented DU is ready to stand in support of each of these programs; today that does not exist advised Mr. Salmon. Mr. Salmon cautioned the Commission that before they jump into "Adopt a Pothole" or another good sounding program that has a good biological base that they look into the implementation projects. Mr. Salmon stated that he thought Mr. Bateman has done some research and knows that as State Chairman of Ducks Unlimited that his technical expertise is very limited and always defers to their technical people who they consider to be the finest in the country. DU has understood and joined with the North American Waterfowl Management Plan, taking

their lead where it was necessary to accomplish regional as well as individual good for the wetlands in Canada. Concluding, Mr. Salmon added certainly not to knock "Adopt a Pothole" but only to ask the Commission today to look further into the technical aspects that are evidence what Ducks Unlimited, the North American, and Ducks Unlimited Canada are presently doing before any action is taken.

There being no other comments Mr. Pol made a motion that the recommendations made by Mr. Bateman be followed and delay any action on this item until the Commission receives further information. The motion was seconded by Mr. McCall.

Mr. Abadie addressed the Commission and stated that he had some questions. Mr. Abadie asked from whom would the further information come from? Mr. Pol answered from Mr. Bateman. Mr. Abadie asked where would Mr. Bateman get his information. Mr. Pol advised that he was not interested in that all that he is interested in are the recommendations that he makes to the Commission. Mr. Abadie asked if the recommendations would be made public or not. Mr. Pol answered that everything the Commission does is public. Mr. Abadie stated that everything Mr. Bateman does is public. Mr. Pol answered yes.

Chairman Jenkins called for a vote on the motion. The motion passed unanimously.

Colonel Winton Vidrine, at Thursday's meeting, gave the **Monthly Law Enforcement Report for December**. Colonel Vidrine reported briefly the following number of cases were made in the following regions:

Region I - Minden - 190 citations. There were 44 for hunting deer off of public roads. There were 45 ducks confiscated, a robin, 7 channel catfish, 2 packages of deer meat, 7 guns, 3 deer, 1 pickup truck, spotlight and some flashlights.

Region II - Monroe - 198 citations. There were 22 for hunting without a resident license, 31 without a big game license, 27 hunting and taking deer off of public roads, and 19 for failing to wear hunters orange. There were 3 shotguns confiscated, 7 illegal deer, 5 ducks, 3 rabbits, 1 DMAP tag, 1 federal duck stamp, 3 raccoons and a couple of rabbits. Chairman Jenkins asked about the DMAP tag. Colonel Vidrine explained that what probably happened is that they had not clamped the tag on the deer. If the tags are not snapped they can be reused.

Region III - Alexandria - 307 citations. There were 26 for hunting without resident license, 20 for hunting without big game licenses, 85 for hunting on public road, and 12 for not abiding by rules and regulations on a WMA. There were a couple of fish confiscated, 100 feet of gill net, 9 deer, 4 rifles, 9 wood ducks and several other ducks.

Region IV - Ferriday - 182 citations. There were 35 for not abiding by rules and regulations on a WMA, and 25 for hunting on public right-of-ways, public roads. There were 3 deer confiscated, 22 ducks, 13 squirrels, 8 rifles, 4 shotguns, 2 pistols and 4 headlights.

Region V - Lake Charles - 233 citations. There were 30 for hunting without resident license, 18 for hunting from public roads and right-of-ways, 22 for hunting migratory game birds illegal hours, and 15 using lead shot in steel shot areas. There were 17 sacks of oysters confiscated, 5,700 feet of gill net, 2 deer, 36 black drum, 12 raccoons, 22 ducks, 11 geese, 2 two-way radios, 350 crabs and 175 pounds of garfish. Mr. McCall asked if the gill net was part of the gill nets taken on the ship channel and where did the 2 radios come from? Colonel Vidrine yes the nets were part of those from the ship channel and thought the radios came from some duck hunters.

Region VI - Opelousas - 148 citations. There were 26 for hunting without resident license, 18 for hunting migratory birds at illegal hours, and 8 for hunting on public highways. There were 822 crappie confiscated, 46 bream, 23 striped bass, 1 raccoon, 2 rabbits, 1 rifle, 4 deer, several ducks, 1 outboard motor, and 14 baby alligators.

Region VII - Baton Rouge - 204 citations. There were 18 for fishing without a license, 12 for hunting from a moving vehicle, 17 for hunting migratory birds illegal hours, 33 for hunting deer on public roads, and 12 for taking illegal deer (doe or spotted fawns). There were 2 squirrels confiscated, 12 deer, 9 ducks, 6 rabbits, 1 turkey, 2 raccoon and 13 packs of meat, 23 guns, and 5 lights.

Regions VIII - New Orleans - 155 citations. There were 17 for hunting migratory game birds illegal hours, 12 for hunting from moving vehicles, and 14 for hunting off of public roads. There were 11 guns, 11 lights, 1 boat, 9 gill nets, 2 butterfly nets, 2 oyster dredges, 24 ducks, 11 rabbits, 1 deer, 9 red drum, 11 black drum, 83 speckled trout, 1 white trout, 66 pounds of mullet, 50 sacks of oysters and 81 pounds of fish (catfish).

Region IX - Grey - 175 citations. There were 16 for taking oysters from unapproved areas, 12 for using lead shot in a steel shot area, and 10 for hunting deer at night. There were 4 rabbits confiscated, 6 nutria, 4 raccoons, 16 sacks of oysters, 90 pounds of crabs, 34 coots, 60 ducks, 1980 Chevrolet Caprice, and 9 guns.

The Oyster Strike Force had a total of 23 citations and confiscated 50 sacks of oysters, 6 dredges, 3 boats and five rabbits. Colonel Vidrine advises that one of the agents from the Terrebonne-LaFouche area had left the department about six months. He had

requested to come back to work with the department and was put on the Oyster Strike Force this morning.

SWEP had a slow month and did not issue any citations statewide. They worked with Region VIII and issued tickets out of that region which shows on Region VIII case report. The month of December is a slow month for the big boats in the coastal areas so most of the agents take their vacations during this month. One of the employees was in school advised Colonel Vidrine. Mr. McCall asked if the boats will start running more in January than they did in November and December. Colonel Vidrine stated yes they will and the whole crew will be back. Acting Secretary McInnis added that it is his impression that for about a two week period the agents also worked with the Caernarvan project in the transfer of oysters and the boats were used as mobile bases for a two week effort in locating oysters.

Statewide there was a total of 1,805 citations issued for the month of December. This was a couple of hundred cases over last year for the month of December advised Colonel Vidrine. This duck season there were fewer citations issued than in the past 8 years that Colonel Vidrine knows of; it was a very slow season and the agents with the U.S. Fish and Wildlife Service also stated it was the slowest year that they can remember.

Mr. Schneider asked about the number of cases involving hunting deer off of public roads and if this was an increasing problem, is it getting worst, or was it normal? Colonel Vidrine answered that it was about normal and was about the same last year at this time.

Mr. Jenkins asked what was hawking. Hawking is hunting with a hawk advised Colonel Vidrine. Mr. Jenkins questioned if it was illegal to blow a duck caller in a blind before legal hunting hours and if anybody had ever been written up for this. Colonel Vidrine answered that it is not illegal and no, no one has been written up. Colonel Vidrine explained that this came up with the hawking case and in Mr. Jones area rumors got started a week or so ago about people getting charged for blowing duck calls before legal shooting hours.

Mr. Jones stated that they were told they could not do that. Colonel Vidrine stated that it is not illegal to call ducks before the legal shooting hours or after the legal shooting hours unless you are attempting to take them.

Mr. McCall asked where did the mullet boats that come from out-of-state get their license or permit. Are they issued through the Wildlife and Fisheries? Colonel Vidrine advised that they are issued through Wildlife and Fisheries. Mr. McCall asked how many were issued this year. Colonel Vidrine answered that he did not know and that maybe Ms. Baker would know. Major Candies advised

that as long as you use legal gear, mullet can be taken with the proper license but there is no special permit for the mullet boats. Mr. McCall asked how many out-of-state boats were issued license to fish in Louisiana. Major Candies stated that probably the License Section could answer that question and probably for the mullet industry it is more than you have residents, licenses are not separate, are sold in commercial fishing license. Mr. McCall stated that his question was how many were sold to out-of-state boats. Major Candies stated that he could have that number for Mr. McCall this afternoon.

Mr. Jones asked what were the other state's laws about limited entry to commercial fishing; in other words can Louisiana fishermen go over to Alabama or Florida and fish? Major Candies answered yes that is true.

Ms. Baker at this point during the meeting informed the Commissioners that she could get the Computer Section to run a cross reference of out-of-state or non-residence fishing licenses with vessel licenses and could have this information for next month. This would not separate the mullet from the rest of the fish but there are some generic gear licenses that could give ranges advised Ms. Baker.

Mr. Jones stated that other states have limited entry to commercial fishing; if he wanted to go to Florida and buy a commercial lobster license to go commercial lobstering could he do this. He was told the other day by a friend that he could not do this. If Louisiana allows people from Florida to commercial fish there may be some reciprocal arrangement that Louisiana might be thinking about stated Mr. Jones.

Dr. Clark commented that there are two issues that especially reflects the mullet. The first one is that Florida is in the process of additionally restricting their mullet boats and their mullet fleets and probably even more so in the next year or two. This has lead to Florida boats moving out of Florida to try and find mullet elsewhere. Louisiana has a lot of mullet and the boats have been here. This is one of the reasons Louisiana has increased pressure for mullet from out-of-state. Florida has a licensing program that is broken into two parts for commercial fisheries. One part is that they have restricted species license. In order to be a commercial fisherman when a person buys a commercial fishing license he can fish any species under that commercial fishing license unless it is a restricted species. If it is a restricted species then you have to meet certain income requirements. Dr. Clark advised that he did not know for sure if mullet was a restricted species in Florida but thought it might be. As far as discriminating against out-of-state fishermen, constitutionally this cannot be done, but sometime rule making is such that if you don't show up on the right day or if you are not there during the right period you don't qualify and Dr. Clark has

understood from some of the Louisiana fishermen that this has happened in the last year in Florida.

Mr. McCall asked why Florida was getting so strict on the mullet situation, was it because the population was decreasing? Dr. Clark answered that this is almost hearsay information and that they are becoming increasingly concerned about their mullet stocks. They have had recent stock assessments that suggest that they need further protection and this is what Florida is doing. Mr. McCall stated that this was the point that he was beginning to worry about. If all of these people are coming from out-of-state and fishing the mullet in Louisiana besides Louisiana's own fishermen what is going to happen to our stock in a year or two asked Mr. McCall. Dr. Clark answered to the extent possible, Louisiana is not going to let that happen. Right now in the Office of Fisheries there is a mullet plan due out before the end of this year and before next mullet season in Louisiana the department will be going before the Commission with its proposal for mullet advised Dr. Clark. It was pointed out by Dr. Clark that the Commission and department can do time and seasons, etc. but do not have any authority to do gear, licenses, etc. which is under the authority of the legislature. Mr. McCall stated that he knew this and the reason he asked the question was that he was trying to determine how many out-of-state boats had come in this year. One person informed Mr. McCall that he saw 27 mullet boats tied up in one area. If you have 27 boats and they each have a 1,000 or 1,200 foot net, this is 30,000 feet of net in one bay, in one given day this would will wipe out the mullet just like it has wiped out several other species of fish, commented Mr. McCall. Dr. Clark advised that they have gotten reports on "the" boat that had purse seine red drum off of the coast of Louisiana was purse seining mullet in federal waters off of the coast of Louisiana this year. This is a first and of serious concern, stated Dr. Clark, but the state has no authority to stop that boat from purse seining mullet off of its shores.

Colonel Vidrine referred back to Mr. McCall's question on how many non-resident commercial fishermen were issued licenses in Louisiana. There were 2,174 licenses sold as of November 29, 1990.

Mr. Vujnovich referred back to the oyster move on the Caernarvan project and suggested that if there are more moves such as this there should be a fee to help offset the cost of enforcement. This needs to be looked at because there are lot of areas that are closed to pollution and this is way to keep the polluted oysters off the market. If it is not legal to charge a fee, Mr. Vujnovich stated that he would like to see legislation pass that this be done.

Ms. Baker advised that they tried to get the Legislature last year to approve the department charging an administrative fee and it did not even get out of Committee. Mr. Vujnovich asked that when the

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department tries again this year that he be able to talk before the Natural Resources Committee. This is a protection for the health of the people not only in Louisiana but all over the United States.

Chairman Jenkins asked Colonel Vidrine if he had anything else. Acting Secretary asked Colonel Vidrine and Mr. Bateman to get together, compare notes and prepare a waterfowl season report for the February Commission meeting. Secretary McInnis also asked Colonel Vidrine for an update to be given at the February Commission meeting on a report that was given several years ago which showed the comparison of different regions, acres per agents, etc.

Mr. McCall asked Colonel Vidrine if he understood him to say that the people on the two big boats took their vacations in December? Colonel Vidrine answered normally. Mr. McCall stated that if the general public knows that you are going to be taking vacations every December year in and year out doesn't this leave a lot of room for violations undetected? Colonel Vidrine answered somewhat. Mr. McCall asked if the vacations could be staggered so as to keep the boats going. Colonel Vidrine asked Major Clark to address this. Major Clark answered there were several reasons for this. December is probably the most turbulent month offshore and the violators do not get out that much. This is also the month when the northerners come through and blow most of the water out, advised Major Clark, so in the month of December most of the people will help Regions VII, VIII, and IX in small boats when needed. If the department is aware of something going on, on the outside, the big boats will be brought back out. Since January has rolled over and new licenses have come into effect the boats will be back out there - 1 advised Major Clark.

The Acting Secretary's Report to the Commission was given by Mr. A. Kell McInnis III at Thursday's meeting. Acting Secretary McInnis reported that since the last meeting in December there have been a number of holidays and most of the hunting seasons were opened. This has been a very busy time for the people in the department and all of the activities that so much time is spent working on during the year are taking place right now.

Under Ms. Baker's supervision the department is in the process of installing the new computer system. This system was scheduled to go on line the first part of January and this is exactly what it is doing. There was one little mishap that occurred which was addressed on an immediate basis. This new system will benefit not only the public but the entire department as well.

During the Christmas season notification was received that the State of California's Health Department had issued a emergency regulation indicating that a virus was found in oysters, which is found in most shell fish as well as other fishes, and have determined that the Gulf Coast oyster should be singled out as one that needed particular signage in their restaurants and wholesale,

delegation
retail houses. The department contacted California's health department, fish and game department, and Louisiana's Congressional. There was a meeting in Baton Rouge attended by a number of people from the department along with the Department of Agriculture, Attorney General's Office, and people from industry trying to come up with a plan to address this issue. The state will be going forward basically under the leadership of the Attorney General's Office but with support from the department, the Department of Agriculture and industry. The Commissioners will be kept posted on this, advised Acting Secretary McInnis.

There have been several task force meetings in the last two weeks. The Oil Spill Task Force is going forward with the legislative mandate to develop a program for implementation and coordination of monitoring all spills. There is a technical group which Mr. Barney Barrett and Mr. Jim Hanifen of the department are working with that have been making recommendations back to the full task force which are beginning to be implemented. This is expected to be completed in time for the coming legislative session.

The Wetlands Task Force meeting this week was attended by Mr. Johnnie Tarver and Acting Secretary McInnis. This is the second meeting in the last two weeks. Of particular interest was the Avoca Island Levee Extension which was addressed by the task force. The task force went on record as opposing the extension as proposed by the Corps of Engineers and supporting a barrier levee type solution to the problem which still has a good bit of additional work to be done on it. The Corps has gotten their direction from the task force and will be reporting back, advised Acting Secretary McInnis.

There has been a lot of discussion on the Reef Fish plan, particularly with the red snapper and the by-catch issue that got everyone's attention in the shrimp industry. The recommendation from the Gulf Council went to National Marine Fisheries. Information has been received from the National Marine Fisheries that the recommendation is not suitable as far as they are concerned. They felt that it more than inadequately affected the recreational take and have requested that the Council review this issue again. There will be a meeting of the Council in Houston, Texas, beginning on the 21st of January. The item will not be on the agenda but this does not prohibit it from being addressed at this time. In the near future the Gulf Council will be called upon to review this situation and the department will keep the Commissioners posted on what is taking place advised Acting Secretary McInnis. Dr. Clark will be going to Houston and Acting Secretary McInnis is working out a schedule so that he can be available for pertinent meetings that will take place there.

Acting Secretary McInnis traveled to Houma, Louisiana, to meet with Mr. Butch Knockhand the new D.A. from Lafouche and Mr. Doug Greenberg the D.A. who was re-elected in Terrebonne. The

department has an active relationship with these two D.A.'s as they are in Region IX. Acting Secretary McInnis advised that he wanted to discuss matters with them and they have indicated a willingness to work with the department on projects. There were at least a dozen new D.A.'s elected around the state and Acting Secretary McInnis has made contact with a couple of them. The District Attorney's Association was contacted to find out when the first full meeting would be held which will be in March at which time Secretary McInnis will meet with them.

The disposition reports that were initiated a year ago have been modified. A request was made to switch the turn around time for a criminal case from a 3 month period to a 6 month period. The computer run has been done for the 6 month period which ended November 30, 1990. This information will be mailed to each of the District Attorneys with the request that the information be submitted back to the department by March 1, 1991. A lot of the District Attorneys have gone to the computer system and hopefully the department's new system will be compatible. The information that the department will produce for them will make it easier for them to respond. Several of the District Attorneys have indicated a major concern about the road hunting which is predominately in north and central Louisiana and the Florida parishes. This is something that needs to be addressed and get a tighter grip on advised Acting Secretary McInnis. Another problem that has developed is with tagging. With a better explanation and understanding of what the tagging laws are a good portion of the tagging violations can be cleared up. The department's citation form has also been slightly modified which allows for a single case in most instances to be put on a single ticket. This will eliminate some of the number of tickets given and will be strictly the number of citations issued as compared to the number of violations cited.

Acting Secretary McInnis stated that he and Major Candies met with Mr. Al Brown the new Computer Center Coordinator for the department. The enforcement staff will be working with the Computer Center in trying to update and upgrade the computer system as far as information available on violations.

There will be a graduation on January 18, 1991, with 14 cadets finishing up approximately 18 weeks of training. They have completed the POST Certification through the State Police Academy plus their in-house training. This will be the most educated class of cadets to every come out of training in the department, advised Acting Secretary McInnis. At the end of February a new POST Certification class will begin.

Mr. Johnnie Tarver, just yesterday, was in Dallas, Texas, to met with a group of 59 different organizations. Before the International meeting in New Orleans there was a meeting that was termed the National Wildlife Coalition. This is a group of

concerned individuals and groups that wish to maintain the availability and opportunity for hunting and fishing in the country and are very concerned about the effects that the anti-animal use groups are beginning to have on seasons, controls of populations, water control, etc. The group felt a need to meet and present a united front. At the meeting yesterday they changed their name from the National Wildlife Coalition to the United Conservation Coalition. Mr. Larry Jahn who was Executive Director of the Wildlife Management Institute will be taking over the position to head up the new coalition. Louisiana will be working closely with them and monitoring what they are doing. The International Association in conjunction with this has appointed Mr. George LaPointe, their former Legislative Counsel, as the point man for the International. Mr. LaPointe will not only be working with the United Conservation Coalition group but working and coordinating the pro-active strategies initiative put forth by the International Association. Mr. LaPointe will be moving to Louisiana in February and working in coordination with the department in coordinating his activities for the International. Acting Secretary McInnis advised that he would like to have Mr. LaPointe come and address the Commission on the pro-active strategies initiative.

Acting Secretary McInnis reported that the Ecological Studies Section of the department go through a tremendous amount of paperwork and investigation on issuing permits. A great deal of Acting Secretary McInnis' time is spent in reviewing the permits that the section has already reviewed. This is a very important role in the department and the section works in conjunction with the coastal people, DEQ, DNR, Governor's office, Corps of Engineers, and the different federal agencies. In the last month there was a total of 174 permits reviewed.

The Scenic Rivers Section is in the same position. They go through a number of permit application inspections. The department did get a new employee in the section just recently and he will be working with Mr. Blue Watson and staff.

The Deer Season Advisory group will meet in Baton Rouge at 10:00 a.m., January 11, 1991, in the Louisiana Room of the Wildlife and Fisheries Building. This group is working through the conflict resolution process to narrow down recommendations which in turn will come to the Commission in the form of recommendations as to a long-range program for deer hunting and allocations of lands and dates for the various types of deer hunting.

On the T. V. Conservation program tonight there will be some discussions of the department's proposed black bass plan. The department is now in the comment period for the plan. Comments are being received and the proposed rule will go to the Oversight Committee.

The Shrimp Task Force is scheduled to meet on the 17th of January at the Wildlife and Fisheries Building in Baton Rouge. This is a important meeting as there will be serious discussion on night shrimping and mesh sizes.

Mr. Don Puckett will be liaison between the department and the legislature. Acting Secretary McInnis will be working very closely with Mr. Puckett in trying to get the department's package together. A number of things have been identified by the department that need attention and modification to clarify some problems.

Concluding his report, Acting Secretary McInnis asked if there were any questions.

Mr. Jenkins commented that over 2 years ago it was realized that there was problem, statewide, with the prosecution of violations. The Commission and the department on their own went out and made a very good effort to try and remedy this. The thought was to try to make this information as public as possible and hopefully the public, sportsmen, outdoor writers, etc. would get involved and help solve the problem. This did not come along quite as fast as Chairman Jenkins hoped it would have but it has come a long way. Chairman Jenkins pointed out that there was an article that appeared in the Acadiana Outdoors written by a sports writer which slam dunks the Commission and department on what they are trying to do. The article says "that instead of being removed from the Enforcement Division we believe the politics is becoming more prevalent. The disposition report as we said before is a joke." Chairman Jenkins stated that if the public, sportsmen and sports writers really believe this then we have done a poor job. On the other hand Chairman Jenkins thinks we have done a good job and believes there is a misconception in the article. This writer ^{he} thinks that we can prosecute these cases, stated Chairman Jenkins, and asked Acting Secretary McInnis to explain the ticket writing, prosecuting, judging process and what can be done as an enforcement agency so that there is no misunderstanding.

Acting Secretary McInnis pointed out that the D.A. Association is a non-binding deal. They have members that attend, some don't and some of them have never been to D.A. Association meeting. The department coordinated with the Association because it is hard to enter into 64 separate agreements with D.A.s. The department has worked through the D.A. Association trying to come up with a uniform method of doing reports. There has been great cooperation in some areas and there has been some ^{reluctance} ~~reluctants~~ to do much of anything in some other areas. The first time the report was sent out there were 16 reports that were not returned. The second time it was sent out virtually all of them were returned. The attitude and approach that the department has gone through in trying to work through the D.A. Association to get the D.A.s to cooperate as a group has been effective, stated Acting Secretary

McInnis, but ^{he} will not say it has been perfect because everything has room for improvement. The state ticket is issued by the agent in the field. That agent has multiple copies. One of the copies goes to the violator, one goes to the District Attorney, one goes to the regional office, one comes to the home office and one copy is sent to the computer room. Once the copy goes to the District Attorney's office the report is read that goes along with the citation and they may determine in their wisdom that there is insufficient evidence to pursue the charge that is on the ticket. They have the option of finding another charge that would fit in or they have to make the decision that there is insufficient evidence there to go forward with the charge. This is not something that the department can control but they do work very hard on the report writing and making sure that the basic ingredient that is necessary for the prosecution of each individual charge is contained in the report and that all the evidence that is available is noted on that report so that the District Attorney can make a fair evaluation of what the set of events were that caused the citation to be issued. Once this process is started, again the D.A. takes it and puts it on his docket. It is then evaluated by the D.A. or his assistant and schedules a hearing if this is what he is going to do with it. He can have a preliminary hearing and have different motions. This can drag out for a while and the defendant can plead guilty. The department has in their statutes, Title 56, the requirement that they prosecute all viable charges and report back to the department. There are a number of the District Attorneys that questions the constitutionality of this particular statute in that it mandates that they do every case. This is in their opinion a conflict with their constitutional mandate in ability to use their broad discretion. There are D.A.'s who will take a case and take it to the courtroom or take it to the next step. They get into the court and the judge has to again evaluate the evidence presented by the District Attorney, the witnesses in the case and make a determination as to guilt or ~~innocents~~ and then determine what type of penalty, cost, etc. are appropriate in that particular matter. What the department is trying to do is get back from the District Attorney the results of those hearings. If it is a plea it is fairly easy to get; if it is a determination by the courts the Clerk of Court certainly has the information and it is presumed that the District Attorney at the end of the case made a notation what it was. The D.A. has a blue copy of the ticket which will come back to the department with the disposition of the case on it. This in turn is received in the headquarters office and goes to the computer section for input into the computer system. This is not a short quick process and it takes a little while to encode the material and put it in the system. The department is trying to address part of the information that is on hand and available to the department, other agencies, and to the public by modifying the information that is captured. Instead of just saying cost the department would like to know what the costs are; instead of saying he was fined such and such the department would be interested in knowing if it was paid.

Innocence

There are things that the department would like to have in the system that takes a while to have put in. The department believes that the efforts that have been made are giant steps from when it was started. Acting Secretary McInnis advised that he was proud of the efforts that have been made but thinks it still has room for improvement and the accountability that the D.A.'s have is much more realized by them. The Class 1 violations were removed from the District Attorneys last year and this will make a tremendous difference in the numbers of cases that D.A.'s handle. It was estimated last year that some 12,000 Class 1 violations were issued over the course of the year. By removing this from the court system they certainly should have a better opportunity to address the Class 2 and more serious violations on a timely matter. The Class 1 violations had to be brought in-house to get it out of the D.A.'s way. Not all of them were excited about this and pointed out that they got a lot of cost out of that particular program and did not want especially to give it up, advised Acting Secretary McInnis. As a group the D.A.'s were willing to do this in order to free their dockets and address more serious issues. The Class 1 violations is a program that the department has estimated would generate some dollars to help out the Enforcement ~~Section~~ in bringing on some new enforcement people as well as provide some funds to be used for additional things such as the uniform cleaning allowance. This has not generated the dollars to date that were anticipated but it has removed the problem from the District Attorneys, concluded Acting Secretary McInnis.

Division

Chairman Jenkins stated that his simple explanation of this is that the department can write the ticket but cannot prosecute them. This is an extra effort on the Commission's and department's part to try and make sure that the public knows what their District Attorneys and judges are doing. If they are not doing right then it is up to the public in that area to try and do something about that. Chairman Jenkins commented that he does not appreciate unjust criticism when the Commission and department are trying to do a better job than they have been doing and if somebody has got some better ideas on how to do this they would be receptive. Acting Secretary McInnis stated that if someone had any suggestions that they think would be helpful in improving this system he would love to hear about them.

Chairman Jenkins asked if anyone had any questions for Acting Secretary McInnis. Mr. McCall asked about the personnel that were suppose to be hired for the alligator program. Acting Secretary McInnis advised that he attended a joint meeting of the Fur and Alligator Council and the alligator farming group where this was discussed. Mr. Tommy Prickett was asked by Acting Secretary McInnis to address the question. Mr. Prickett informed the Commissioners that interviews will be held for the Specialist positions this coming Monday at Rockefeller Refuge for the position in Iberia Parish and the position in Cameron. An additional list was called for on the position in Orleans Parish because there were

some individuals who had applied but were not included on the Civil Service's first list. It should take about a week or 10 days to get the list back. The Specialist position that was lined out to be in East Baton Rouge Parish has been changed to Webster Parish in north Louisiana because it was felt there was a greater need with many of the alligators farmers now being located in north Louisiana. This person will service the north Louisiana alligator farmers. The list for the alligator farm biologist position is still called for and the department still has not received it. Mr. Prickett advised that he checked on this list day before yesterday and was told it should be arriving any day.

Mr. McCall stated that a couple of months ago one of the planes was in a crash and asked Acting Secretary McInnis for information on whether or not it has been repaired, the cost, etc. Acting Secretary McInnis informed the Commissioners that this was the amphibious plane and there was some damage done to the floats. There are thousands of rivets that have got to be reworked. The plane is being worked on and it was determined to be an accidental type situation. It is covered entirely by insurance but it will take some time to repair the floats. The problem causing the accident was with a gear and the wheels that come out of the floats. Ms. Baker who supervises the Aviation Section had reports from the Chief Pilot and other persons that were on ~~sight~~ ^{site} at the time as to the nature of the accident. The FFA looked at it and this was the determination that the FFA came back with, advised Acting Secretary McInnis. Mr. McCall asked if the pilot was still flying other planes at this time? Acting Secretary McInnis stated that the pilot flies different aircraft and has been flying waterfowl surveys since that time.

Chairman Jenkins called for other questions. There being none Chairman Jenkins called for a motion to adjourn for lunch and reconvene at 1:30 p.m. A motion was made by Mr. McCall for adjournment and seconded by Mr. Jones. The motion passed unanimously

Chairman Jenkins called the meeting back to order at 1:30 p.m. on Thursday, January 10, 1991.

At Thursday's meeting Dr. Jerry Clark presented a **Resolution for Domestication of Tilapia and Triploid Grass Carp for Agricultural Purposes** for approval. Dr. Clark gave a brief background on the proposed resolution. By state law in order for the department to grant a permit for certain species to be reared in aquacultural the Commission has to declare them as a domesticated species. The department has a recommendation in the form of a resolution for the Commission to declare triploid grass carp which is a sterile grass carp and tilapia as domesticated species. This would allow these species to be reared in aquacultural. This resolution will not open the doors for the production of either of these species in Louisiana for aquacultural. Subsequent to this the agency will

promulgate rules and the permits to rear these species will only be granted after those rules are adopted. These rules are going to be very restrictive, advised Dr. Clark. Over the last three or four years a Grass Carp Task Force had several meetings which included recreational fishermen, commercial aquacultural people, catfish farmers and a number of other people. This group met for a series of meetings and came to a conclusion about under what conditions triploid grass carp should be allowed into this state. It is the department's intention to follow the letter and the spirit of that agreement and not allow triploid grass carp to be anywhere else in the state other than what was part of the agreement, commented Dr. Clark. It is also the department's intention to write rules for tilapia in which they would have to be reared only in closed aquacultural systems which means in tanks in buildings. The department is going to treat tilapia or the escape of tilapia as a hazardous waste.

Mr. Jones asked if tilapia got out in the wild in the Atchafalaya Basin what would happen? Dr. Clark answered it would reproduce and it is possible that it could interfere with other species that are already in the basin. Mr. Jones asked why did the department want to deal with this and why would they want to consider the risk? Dr. Clark stated because we think we can control it. In the last year a case was made against a catfish farmer who had diploid grass carp (fertile grass carp) in his ponds. Grass carp are showing up in the National Marine Fisheries Service commercial report in Louisiana's major river systems. These fish are in the state and if the department can provide a legal opportunity to use a triploid grass carp this might stop the spread of the grass carp. The tilapia, to Dr. Clark's knowledge, has not been established in the state whereas grass carp has.

Chairman Jenkins called for any other questions. Dr. Clark reiterated that this will not allow these species into the state. It would only be under the rules that will be promulgated as an agency. It would be appropriate for the Commission to be a part of this process since they are part of the process by domesticating the fish, stated Dr. Clark. If the Commission does not like the rules they can exercise their authority to de-domesticate the fish anytime they want. Mr. Jones questioned why we are doing this? Dr. Clark answered that we are doing this because a number of people in a number of industries throughout the state, the aquacultural industry, catfish industry, and others have said that this state could benefit from the activities that could be permitted under this system. Individuals could make money rearing tilapia in the state; individuals could make more money rearing catfish in the state if they could use these species for grass control in their ponds. For every action there is a benefit and a cost pointed out Dr. Clark. Mr. McCall asked if the risk was worth it? Dr. Clark answered we think it is or we would not have recommended it. Mr. Schneider asked how big of a problem are the diploid grass carp right now and were people bringing them in

illegally and using them? Dr. Clark answered yes but all he has is rumors. He has had people tell him that every catfish farmer in the state has got them. Dr. Clark does not think this is true but thinks there are probably significant numbers that do. Dr. Clark explained how dangerous diploid were. Lake Conroe in Texas was stocked with diploid by the university people from Texas A&M. Within a number of years, not very many, every piece of vegetation in the lake was gone. The lake has not yet recovered, advised Dr. Clark, and the diploid grass carp have shown up in the bays and estuaries of Texas downstream from Lake Conroe. The diploid grass carp are a potential serious problem and are fertile fish. Dr. Clark stated that we are talking about a program that we would be undertaking where anybody getting a permit ~~would have to have certified triploid fish (sterile fish)~~ and the department would do their own investigations on everyone of the permits to make sure that the fish are triploid. Chairman Jenkins stated that the problems is not the sterile fish that we would permit, right, it is the other species of fish that is concerning Mr. Jones? Mr. Jones stated that it was the same species of fish, is it not? Dr. Clark answered yes, triploid just means that they have taken a fertile fish and put it through a process and made it infertile by fooling with its genetics. This fish does not reproduce. Mr. Jones stated that they keep making them. Dr. Clark commented that not in Louisiana they would not keep making them, these fish would have to be imported from out-of-state. With respect to the grass carp, all the interested organizations were part of the task force and they met for a long period of time. All the department would be doing is implementing an agreement that was reached by sport fishermen, catfish farmers, etc. and are not proposing any addition to that agreement, explained Dr. Clark. Mr. Foret stated that the carp can destroy everything in this state. (H)

Acting Secretary McInnis added that three years ago one of the initial challenges the department had, in which he was involved, was the introduction of this grass carp into the catfish ponds. A great deal of time was spent learning about this, studying it, working with the agricultural interest on the matter. After heated discussion in the House Agricultural Committee where the grass carp was being discussed they agreed to put it off and the task force was put together. The task force came back with recommendations that everyone on the task force bought into but when it got back to the committee they decided that the cost of the permit would be so costly to test the fish that the farmers decided that they did not want to do this. Since that time there have been several meetings with different ~~represents~~ from throughout the state who are still interested in pursuing the matter and Acting Secretary McInnis trust that if it does come back again before the legislature that it will again return to the House Agricultural Committee where it will receive its discussion. The department participates in these hearings but are not as well received in the House Agricultural Committee as in the House Natural Resources Committee. The Agricultural Committee's focus is in a different S

Representatives

direction and if this fish is to be introduced Acting Secretary McInnis would certainly like to see this department take the lead in drafting the regulations under which it would be conditioned.

Mr. Jones stated that he does not know enough about this to form an opinion right now and would like to have a little more information to be able to base his opinion on something other than just this quick introduction which seems to be a monumental issue to the sport fishermen, the Atchafalaya Basin people, and to the catfish farmers.

Dr. Clark pointed out that two things needed to be done. The resolution needs to be passed and a set of rules need to be promulgated. The difficulty is by statute, the Commission does the domestication and the department does the rules. If the department does not have the Commission's authority to domesticate than it did not make sense for the department to write a set of rules for an illegal fish.

Chairman Jenkins asked Dr. Clark if they were to domesticate the fish can they undomesticated it? Dr. Clark answered in a minute but cannot tell them though that if they domesticated it and put a set of rules in, get a million of these fish in the waters with 12 people investing millions of dollars that 5 years from now it will be easy to undo. Chairman Jenkins stated that he was talking about short term and if they did this today then the next thing that would come along would be further discussion, rules, etc. and if they are not adopted the fish could be undomesticated. Dr. Clark answered right and it is not the department's intention to permit any of the fish until rules are in place and it would be at the Commission's discretion to do oversight on the rules. If the Commission does not like the rules and do not believe that they are protection enough then they can undomesticated the fish. All of this can take place and would take place before anyone of those fish was permitted into the state advised Dr. Clark.

Mr. Schneider asked if 30 days would hurt either way. Dr. Clark answered no. Mr. Schneider asked if the Commissioners could get a copy of the task force report and all the information so that they could study it. Dr. Clark stated yes. Chairman Jenkins suggested that this be put on the agenda for next month for presentation and whatever information that could be sent to the Commissioners in the mean time could be reviewed. Dr. Clark agreed. Chairman Jenkins stated that this will be done.

The Date for the March Commission Meeting was set at Thursday's meeting. Mr. Jones made a motion that the March Commission meeting be set for March 7, 1991, Baton Rouge, Louisiana, 10:00 AM. The motion was seconded by Mr. McCall and passed unanimously.

Acting Secretary McInnis announced that the tentative dates for the **May Commission Meeting** which is held in conjunction with the

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shrimp season hearing in New Orleans at the UNO auditorium have been set for May 2-3, 1991 as these are the date that the department can have access to the auditorium where the meeting has been held for the last several years. Acting Secretary McInnis asked the Commission if they would like to confirm these dates. A motion was made by Mr. Pol to set the dates for the May meeting for the 2nd and 3rd. The motion was seconded by Mr. Vujnovich and passed unanimously.

Chairman Jenkins called for **Other Business** from the Commission members.

Mr. Vujnovich stated that he had something on the **Oyster Season**. The Louisiana Oyster Task Force had a meeting yesterday on January 9, 1991, and are recommending the following to be done. The group present looked at and voted unanimously the following regarding the remaining portion of the oyster season:

1) That the season for bedding reopen on January 15, 1991, on both the public grounds east of the Mississippi River and the Vermilion Bay area. Bay Gardene, Hackberry Bay, Sister Lake and Bay Junop shall remain closed. The oyster season on the east side of the Mississippi River should close February 15. The oyster season ~~in~~ Vermilion Bay should remain open till April 1, 1991. *mm*

2) These recommendations are a result of high rivers, lock problems, and various other oyster resource problems.

Mr. Vujnovich asked that the Commission adopt this today. Chairman Jenkins asked Dr. Clark if he wanted to comment on this.

Dr. Clark stated that when the Commission opened and closed the season this year they gave the Secretary the authority to do this. It has been the intent of the department to have a spring season. These dates are acceptable to the department and it is the intent that this be recommended to Acting Secretary McInnis, advised Dr. Clark. A motion is not needed by the Commission unless they would like to do a recommendation that Acting Secretary McInnis do this, pointed out Dr. Clark and commented that one of the reasons that the season was closed at the end of last year was because many of the oyster fishermen had run out of oysters to transplant and had begun to move shell off of the public reefs and putting ~~them~~ on their leases. Dr. Clark recommended that part of the department's decision to keep this season open will be that this not take place. Personnel will be on the water and they will board boats and if oyster fishermen in good numbers are shell dredging it will be recommended to Acting Secretary McInnis that he close the season as quickly as he can do it, advised Dr. Clark. *it*

Mr. Vujnovich stated that he would be the first one to call Dr. Clark if this should happen. The shells should stay on the state seed grounds because that is where they are needed and with the

river coming up there may be a good crop for the coming year. Dr. Clark stated that he appreciates that support.

Chairman Jenkins asked where did the shells come from to make the oyster reefs? Mr. Vujnovich answered that the shells use to come from Lake Pontchartrain. Mr. Jenkins commented that there was no more source for that shell, right? Mr. Vujnovich stated that is right and now they have a little shell that comes from Mexico which a few people in the industry have bought and planted and it is working very well. Dr. Clark added that technically what will have to happen, and the state has applied for additional funds this year to get the federal money to deposit shell, is that a contract will have to be put out for bid. Historically as Dr. Clark understands it the Lake Pontchartrain people have won those contracts. There is shell dredging going on at the mouth of the river, pointed out Dr. Clark, and whoever comes up with the shell at the lowest bid will win the contract. Chairman Jenkins asked if the remaining type of shell that is being dredged, do for bedding? Dr. Clark stated that his understanding is that the clam shell was a better product but oyster shells certainly would work. Mr. Vujnovich advised that there is a program that has been started in the industry and he is very active in it. The program is to try and save the oyster shells that are opened in the shops, stockpile them and put them back into Louisiana waters. This will take time.

Chairman Jenkins asked Mr. Vujnovich if he wanted Acting Secretary McInnis to go with the recommendations or if he wanted to make a motion. Mr. Vujnovich stated either way, and asked if he needed a motion. Dr. Clark advised unless the Commission wants its intent to be know. Mr. Vujnovich recommended that Acting Secretary McInnis do this.

Chairman Jenkins asked if there was any other business from anyone on the Commission. Mr. Jones stated that he had a small item and advised that he was still looking for a resolve of the current "gag order" that the department is working on. This can be resolved real easy just by saying it is o.k. to talk to the Commissioners anytime you want to. This was touched on at the last meeting but Mr. Jones commented that he has not seen anything come through that told the field people it is all right. Acting Secretary McInnis stated that this was discussed in the meeting and they were told it was o.k. at the meeting. If Mr. Jones feels it is necessary to put something in writing Acting Secretary McInnis would not mind doing this. Mr. Jones asked him to do this if he did not mind and really thinks it would be a boost for the field people. Acting Secretary McInnis stated that he would follow up on this.

Chairman Jenkins advised that there were a lot of people in the audience and knew of two items that the people attending the meeting wanted to discuss. One item is a new Crab Trap and Chairman Jenkins asked if anyone from the audience wanted to address this.

Mr. Willie Daisy addressed the Commission. Mr. Daisy stated that he is also in the oyster and fur industry which are not doing to well and the shrimping industry at this time of the year is almost at a standstill. Mr. Daisy advised that he came up with this idea from an article that he got from a commercial fishermen's magazine. The people in Virginia were using this technique. Mr. Daisy informed the Commissioners that he has come up with a devise that resembles a dredge which cost a lot less than the traditional method that is used. The old type crab trap cost from \$7 to \$9 a piece. Most people use from a 100 to 350 traps. This device can be produced under \$50 a piece and can be used with your boat using only 1 or 2 of them. This device is not hazardous to any other boats, etc. as it is not just sitting out in the water. This is an efficient way for the fishermen to keep an income coming in during the winter time, stated Mr. Daisy and pointed out what was needed was to have someone, the government or the Commission, to approve the use of this device. The fishermen would like something as quick as possible and if it took some legislative action Mr. Daisy would like to see this done. Chairman Jenkins asked if the problem now was that the device was illegal or unapproved? Mr. Daisy stated that they were told it is illegal but have spoken to lawyers, D.A.'s, etc. and they could not find anything to say it was illegal except the Wildlife and Fisheries Agents. Chairman Jenkins asked Acting Secretary McInnis if he could address this. Acting Secretary McInnis stated that the Department of Wildlife and Fisheries historically has not prohibited gear. What they try to do is have a permissive situation, they approve gear. The problem is that it is a new type of gear and the department does not have the authority to approve it. The legislature has seen fit not to give the department the authority to permit new gears or establish that they are legal or illegal. They have reserved that on to themselves. There is some general language in the statute that does cause some confusion as to what is and is not. There seems to be definitions that would establish what industry traditionally thought of as a crab trap whether it was a net or a wire mesh device and trawls catch crabs during certain times of the year. The question is ~~is~~ this a crab trap and if you get into criminal court you could have confusion along the coastal area. In the last several days Acting Secretary McInnis has taken the time to meet with department staff and found that there was some correspondence that had been reviewed. There is certainly a good case here and the device does a lot of positive things. The department does have some discretion in authorizing the use of new gear under the utilized species act. This does not necessarily mean that you are catching fish or crabs, it means that you are test marketing a new piece of gear. In Mr. Daisy's letter he pointed out that there was some concern about what you can and can't catch with this device. Acting Secretary McInnis commented that what he would like to see take place is personnel (enforcement and biologists) from the department work with Mr. Daisy and his group and see if they cannot come up with some type of restrictive use for the device

until the legislature meets at which point in time it can be addressed. If the device gets the support of the department they will be with Mr. Daisy but if it is found that it has some definitive conflicts with other things this would override the utilization of the gear. *Even though it is a good, efficient gear for crabs, the department would be in a posture of having to point that out as well,* stated Acting Secretary McInnis. This suggestion would be something that might work towards bringing a resolution to this conflict that has come about. Acting Secretary McInnis explained that what he was saying was to have department personnel work with the people that have developed the gear and see if whether or not it is something that underutilized species, paragraph 2, gear exception might be something that can be developed for future use.

Mr. Vujnovich added that as a youngster he saw something similar to this device being pulled in Little Lake and Hackberry Bay. This was in the early '40's and the Wildlife and Fisheries completely took this device off the market. Mr. Daisy pointed out that it was being pulled inside then, but they would definitely like it offshore, coastline, going out, nothing in and positively not to be pulled on anybody's oyster leases. Acting Secretary McInnis commented that if you get into a conflict with dragging across oyster bed and it has the capability to pick something up then you will get involved with not only a gear conflict but an industry conflict, the food and drug administration, etc. and it would be a real mess. If an experimental program could be developed with guidelines established as to where it can be utilized this would be the best resolution to this problem for the current time. Mr. Daisy stated that he was at another meeting and it was brought to his attention about the FDA flying over and seeing all the oyster boats in the area and Mr. Daisy asked how much of the Gulf of Mexico was polluted. The answer was none. Mr. Daisy then asked him where the problem was. Mr. Vujnovich explained that this was discussed at the Oyster Task Force meeting yesterday and the problem was that the group was under the impression that this device could be used anywhere in Louisiana waters. Mr. Daisy stated no, it is to be used only in the Gulf of Mexico from the coastline going out. Mr. McCall asked if you pulled this device behind a boat just like a trawl. Mr. Daisy stated that you could pull it behind a boat and that he pulls his just like he does his dredges for oysters. The device drags the bottom but there are no teeth on it that digs into the bottom, slides on the bottom on some skis. Acting Secretary McInnis stated that he would like to get the other people that are working on this device and those using it involved in this process so that there are not different models. Mr. Daisy suggested that there could be regulations on how the device was made.

Major Tommy Candies asked if Enforcement should continued enforcing this as illegal gear. Acting Secretary McInnis answered ~~until such time that we get this straightened out but~~ *he* hopes to have this meeting in the immediate future so that they can get this thing

resolved. Major Candies advised that he has had many, many calls from commercial fishermen from Alabama, Texas, Florida waiting to see if we are going to allow the use of this device. Mr. Mike Wassen with Motivated Seafood which is a oyster and crab packer has received many calls from non-residents just waiting to see if they can use this device. If this is allowed it will be wide open and Major Candies does not think it will be controllable. Acting Secretary McInnis stated that this is something that will be taken into consideration in meeting with Mr. Daisy and getting input from Enforcement and the biological staff. Mr. Daisy commented that if there were out-of-state boats to come in and do this they would have to have a commercial fishing license. In the future there would be a license for this type gear. In any other industry it is the same situation, they have the right to come in and do the same thing. Acting Secretary McInnis explained that he thinks the concern that Major Candies is expressing is that when you start off with a new piece of gear and doing an experimental program you do it on a small scale, take a look at what you can and can't do with it, get a feel for it and then you go forward. You don't just say o.k. it is available for everybody to use. With this type of gear it is a experimental gear which will require a specific permit from the department to utilize and there will be restrictions and conditions over its testing.

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Chairman Jenkins stated that on advice of counsel the rules needed ~~to be suspended and~~ take action on Mr. Vujnovich's recommendation. A motion was made by Mr. McCall to suspend rules. The motion was seconded by Mr. Jones and passed unanimously. Chairman Jenkins asked Mr. Vujnovich to read his resolution again and the Commission would adopt it. Mr. Vujnovich presented the following motion for adoption:

"That the season for bedding reopen on January 15, 1991, on both the public grounds east of the Mississippi River and the Vermilion Bay area. Bay Gardene, Hackberry Bay, Sister Lake and Bay Junop shall remain closed. The oyster season on the east side of the Mississippi River should close February 15. The oyster season in Vermilion Bay shall remain open until April 1, 1991. These recommendations are a result of high rivers, lock problems and various other oyster resources problems."

The motion was seconded by Mr. Jones and passed unanimously.

Chairman Jenkins informed the Commissioners that the other item that correspondence has been received on is the **Shrimp Season** and asked if there was anyone who would like to address the Commission.

Mr. Dean Blanchard, Grand Isle, Louisiana addressed the Commission. Mr. Blanchard advised that the reason they are at the meeting is that there are good market shrimp off of Grand Isle and they would

like to be able to catch them. Shrimp are running 40/50, 50/60 off the beach and there are people catching them and have been catching them for the last week. ^{He} Would like for the Commission to make it legal so that everybody can go, just not the violators. Mr. Blanchard stated that he brought his books with him that shows what he has been buying the last few days if the Commissioners would like to take a look at them. Chairman Jenkins asked if he was buying illegal shrimp. Mr. Blanchard answered no, no sir. Mr. Jones asked Mr. Blanchard if he has filled out his report. Mr. Blanchard advised that they have been sent in.

Mr. Kenneth Adams, shrimper, addressed the Commission. Mr. Adams wanted to know why the season was closed. The shrimp caught were from a 16/20 to the smallest which was a 60/70. They worked the whole coast and did not know the season was closed. An agent told them the season was open. Mr. Adams pointed out that they called Wildlife and Fisheries today and were told over the phone that the season was opened for dragging white shrimp on the beach. There was bad communication on the closure of the season. Mr. Adams pointed out that at this time of the year you cannot determine the shrimp by biological data and if you get a southeast blow or just a little wind coming from the outside, the shrimp that are in the deep come up along the beach. This time of the year the season is not directed by the shrimp coming from the inside and outside like normal conditions. Mr. Adams stated that he was also confused about the law.

Mr. Leon Harvey, shrimper from Lafitte, Louisiana, addressed the Commission. Mr. Harvey stated that he had the same problem that Mr. Adams had and unknowingly ~~drag~~ ^{dragged} where they were not suppose to. It was understood that they could drag on the beach. Mr. Harvey asked how did the department set the closing of the beach? Chairman Jenkins stated he thought the size of the shrimp but asked Mr. Phil Bowman to address this. Mr. Bowman explained yes they are looking at the size of the shrimp. A series of 10 years worth of data was reviewed in order to get some sort of a feel of what the historical perspective on shrimp sizes were in the Gulf of Mexico along the Louisiana coast during the winter months. As a result of this and with consultations with the staff as well as the Shrimp Task Force the department came to the Commission with a series of recommendations for closure dates along the Louisiana coast. Mr. Bowman stated that he cannot really respond to the question about the wording or notification or any confusion that may have existed but anytime when you try to close seasons and leave as much area open as possible and splitting up the state into a number of different zones in order to take advantage of the sizes of shrimp that may be present it may become complicated which is something that could be worked on in the future. The closure was based on the size of the shrimp and shrimp that were smaller than 100 count were looked at. Mr. Harvey stated that the shrimp caught were not an illegal shrimp; if it was it would be a different ball

game. The shrimp was 4 or 5 sizes bigger than an illegal shrimp. The closure in August was a disaster to the fishermen and a tremendous amount of large brown shrimp were lost, commented Mr. Harvey. The fishermen are losing an enormous catch again with the beach closure. Mr. Harvey would like to have something worked out so that the beaches would reopen to the shrimpers. Mr. Harvey's count ranged from 80 count to 36/40 count mixed in. They are also problems with the seabob season in plenty of places, pointed out Mr. Harvey. In the places that are opened for the special seabob season the white shrimp are beautiful. Mr. Harvey concluded that he wished the Commission would consider and work with the shrimpers on the reopening of the season.

Mr. Pol stated that the thing he does not understand is why do we have this confusion about whether it is closed or not closed and certainly our agents are being told what the law is. Mr. Bowman stated that he cannot really respond to this and all the correspondence he saw was clear as to what was open, what was closed, and when it wasn't. Mr. Pol stated that he certainly believes these people when they tell the Commission that they asked an agent and he says that it is opened. He certainly does not think they would come up here and tell them that because they could go back to the agent. Also people have been caught shrimping inside the 3 mile limit with expired license and the shrimp were not confiscated.

Mr. John Roussel addressed the Commission. Mr. Roussel stated that this is just a hypothesis as to what might have caused this confusion and explained that in Louisiana, state waters extend out generally 3 miles; however, off of Grand Isle ~~it extends out as~~^{they} much as 7 miles. Mr. Roussel stated that he recalls that when the season was closed that it was closed only out to 3 miles so in effect some of the state waters off of Grand Isle would be opened but they would not be within 3 miles of the beach, they would be between 3 and 7 miles. It is possible that the wording in the ~~New~~^S Release was such that lead to some confusion off of Grand Isle because essentially you have state waters open but not near shore beach waters, concluded Mr. Roussel.

Mr. Allen Gaudet, shrimper, addressed the Commission. Mr. Gaudet stated that he was the one that was booked. Friday before the weekend of New Year's eve Mr. Gaudet called the New Orleans office enforcement agent and asked the secretary if any part of state waters were open to drag on the beach for white shrimp. The secretary stated yes there is and went ahead to read the letter (news release). She read only the first paragraph of that letter, stated Mr. Gaudet. When any of the fishermen would call the office the secretary would read only the first paragraph of the letter which gave you the boundaries from Caminada Pass to Empire Canal. When the Riptide pulled up to Mr. Gaudet they did not even know if the area was closed or not and had to call Mr. Candies to find out. One part of the agency is telling him it is opened and the other

part is telling him no, it is not. Mr. Gaudet pointed out that 5 or 6 years ago the beach was closed for the sole purpose to increase the white shrimp production. Those 5 years were the worst white shrimp on record. Last year from Belle Pass, Lafourche to South Pass was left open 12 months a year and there was the best crop of shrimp in that area ever on record, stated Mr. Gaudet. There is no reason the season should be closed. Mr. Gaudet showed the Commissioners the letter (news release) that he had and stated that the news release that the Riptide had was completely different. This has all been a lack of communication as far as Mr. Gaudet is concerned and this has been the biggest problem with Wildlife and Fisheries. It is hard to work under these conditions. Mr. Gaudet stated that he thought what happened was the way the news release was written. Mr. Gaudet also stated that he does not think you can make a season for one particular type of shrimp in the water because when testing you will get 70 pounds of seabobs one try and turn right around and get 30 pounds of white shrimp. Seabobs disappear and go into the sand and the white shrimp come out. Mr. Gaudet reiterated that he knows it was a lack of communication, or miscommunication mostly because of the way the letter (news release) is written up. The one that the Riptide had was even more complicated, pointed out Mr. Gaudet. Mr. Pol asked what was meant by the resolution. Mr. Bowman explained that the idea was that the area between Caminada Pass and the Empire Ship Channel, to leave the area of state waters beyond the 3 mile limit open. The reason for doing this was because historically it has been recognized that in the deeper waters even though it is under state jurisdiction because of the way the federal government drew the line there are large shrimp in that area available to the fishery during that particular time of the year whereas once you move inside the 3 mile limit or 3 miles from the beach you normally find a smaller size shrimp. Mr. Pol stated that this did not answer his question and in other words what he was trying to get at is it 3 miles off of the beach or is it 3 miles as drawn by the federal guideline. Mr. Bowman explained that the closed area is from the beach out to 3 miles. Mr. Pol commented that if the man was fishing 4 miles out; Major Candies stated that he wasn't. Mr. Gaudet advised that he was on the beach because he asked the secretary specifically if there was any place in Louisiana he could fish white shrimp on the beach because Mr. Kenny Adams had told him the day before that the agent explained to him yes it is opened on the beach between Caminada. Mr. Pol asked what agent? Mr. Gaudet stated that he was not one hundred percent sure but from all of the descriptions from the other fishermen we think it was Mr. Glenn Jackson. The point Mr. Gaudet is trying to make to the Commission is that this area has never been closed except when they came up with the experimental closure to help out the white shrimp about 6 years ago. Last year Mr. Blanchard and Mr. Gaudet attended the December Commission meeting in New Orleans which was Mr. Dale Vinet's last Commission meeting. Mr. Vinet agreed with Mr. Gaudet and Mr. Blanchard that the areas were different and Mr. Gaudet's and Mr. Blanchard's area for shrimp very rarely, maybe for only 4

or 5 days out the year, get 100 count. The shrimp are now constantly growing and next week they will be even bigger. This is a residue crop from the August season and if they are not caught they will go offshore. Shrimp only live for 1 year, advised Mr. Gaudet and stressed that you cannot grow a thing without cultivating it. When you are trawling a bottom you are actually cultivating it.

Mr. Pol stated that he agreed with the people that if you are trawling how can you tell ^{if} whether you are going to get so many seabobs or so many other shrimp in the nets.

Mr. Gaudet pointed out that the area (Grand Isle to the mouth of the river) that was kept opened last year produced the poundage for a record year. Concluding, Mr. Gaudet commented that he was a strong believer in cultivation and mentioned that he thought there was a law on the book if shrimp are under 100 count that it has to be opened. The shrimp never went over a 100 count in their area this year.

Mr. Chris Calmwell, Grand Isle, Louisiana, addressed the Commission. Mr. Calmwell advised that he came for Mr. Wayne Estee who asked him to bring his books so that the Commissioners could review them for the size shrimp that he has been buying for the last week or so. Chairman Jenkins asked that the books be left. Mr. Calmwell stated that he would like to see the area opened so that they can go back to work.

Mr. Jessie LaCour, commercial shrimper, Chauvin ^{and} Dulac area, addressed the Commission. Mr. LaCour stated that he and his family own 6 shrimp boats and he has been shrimping for 28 years. They are successful fishermen and Mr. LaCour is tired of hearing about the poor fishermen that can't make it trawling. Mr. LaCour stated that he does not belong to any organizations because he does not have time, he has to be out there shrimping. Mr. LaCour advised that he would like to straighten out a few misconceptions about the shrimping industry. One is the idea that the shrimpers kill species such as crabs, turtles, etc. in by-catch. Mr. LaCour commented that the boat he has is about 65 feet and trawls about 10 percent of the time in inland lakes in the Breton Sound area, Grand Isle, all the way to the Cameron line. They do not shrimp in Texas or Mississippi. Mr. LaCour feels that their boat size is the backbone of the shrimping industry and he was not at the meeting to promote outside of 3 mile fishing or to promote inside butterfly nets but does not want to hurt these people. The reason that Mr. LaCour attended the meeting was that he feels now is the right time with the things that will be coming up in the near future to try to make the Commissioners understand the real and the true fisheries of the Louisiana waters. Most of the fishermen that fish with Mr. LaCour are very successful and make between \$100,000 and \$200,000 a year. Before the crisis Mr. LaCour ~~is~~ pointed out that his monthly fuel bill was \$10,000, now it is \$20,000 but he

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is still making a good living. This has been one of the best season they have ever had. One of the reasons why the fishermen can survive the fisheries is because they are willing to change no matter what laws are made. The thing that the fishermen fear is it seems like that people who do not know what they are talking are listened to. The Commissioners have no way of knowing what is the right or wrong thing to do, all they can make decisions by is what people tell them. A misconceptions about trawling is the mesh size. There is a 100 count law on the shrimp which is a great thing, commented Mr. LaCour. This law is conflicting with the people from Grand Isle. The 3 mile area when Mr. LaCour shrimps right now is immaterial because there are no shrimp inside of 3 miles at different points. The 100 count law actually moves the line. A better way to do this would be to create a mesh size law. The shrimp move with the weather which is natural and the weather creates the shrimp. If you don't have the proper weather you won't have any shrimp. All you can do is enhance what mother nature gives you. The consensus of the successful fishermen is that the Wildlife and Fisheries does a great job. They are the ones that have been creating the record years. If you look at every bumper crop of brown shrimp it is when the Wildlife and Fisheries have delayed the season. Mr. LaCour stated that he did not want to hurt anyone and was not here talking about the first time fishermen, or the night time butterflies. The point is, if you want to create laws, the Wildlife and Fisheries is doing a great job in the May season but for some reason they think this 3 mile limit is doing some good, stated Mr. LaCour. You have got to have some restrictions. If you pull the right mesh trawl you will ~~lose~~ lose the little shrimp. Another misconception is that you can manage shrimp in the Gulf just like you do in the lake. This is impossible. The truth of the matter is the management has to occur on the inside and the truth is that there is no place inside left alone any more. Opening two zones differently is the right thing to do. You get the most out of the fishery this way. This year on April 25th of this past year there were 300 barrels of brazil caught outside of the pass and that brown shrimp is gone and not coming back in Louisiana. The eggs will come back but the shrimp will not come back. The white shrimp is different and this is the thing we need to protect. The 3 mile limit is a hinderance on the shrimp and the fishermen think it is useless and should not have to put up with it. After April 15th all the inside species that are going to migrate into the Gulf begin to leave and there is no more return coming in. If you let them outside of the 3 mile limit you have lost them in the state. Mr. LaCour stated that what he is suggesting and all the people he is talking for are suggesting is that there be estuaries in the inside waters and a mesh size instead of the 100 count law size. Fighting each other will lead to no where. The commercial and sports fishermen need to get along and laws are needed concerning the fisheries where the money or poundage is, commented Mr. LaCour. The greatest fear that Mr. LaCour's people have is that the Commission would be foolish enough to open the May season 3 miles out beyond May 1st. This would

edible
devastate business and Louisiana fisheries because in essence this would just be letting the crop go. Once the shrimp go into the Gulf it is not the same management policy as inside. They migrate when they get in the Gulf. Mr. LaCour spoke on the by-catch. Some people have got the idea that shrimpers catch all the by-catch. The shrimping industry is in as good of shape or better shape as it was in 1962. A few more proper management techniques are needed. When you pull a inch and a half net at a knot and a half an ~~edible~~ size red fish can get out of the net. Mr. LaCour catches very few ~~edible~~ fish such as reds or specks in his nets. Mr. LaCour stated that he has asked the smaller boats if they would rather pull a by-catch and get rid of their salt box or would you rather not trawl at night. They say they would rather not trawl at night. Seventy percent of your by-catch is caught at night. Mr. LaCour stated that they would like to do a lot of things in the shrimp fishery but are afraid they would say something and the Commission would get the wrong idea. Mr. LaCour stated that he wished the Commission would consider estuaries for the white shrimp. There is no problem with the brown shrimp. The 3 mile limit to Mr. LaCour is a mismanaged thing and is unnecessary in his area. A inch and a half gear all the way would be one of the best laws the Commission could pass. You would be getting rid of a lot of by-catch by using this size mesh. Concluding, Mr. LaCour stated that what is going to happen is if nobody says the truth about this the fishermen will be stuck with a device in front of the turtle excluder.

principal
Dr. Jerry Clark announced that the Shrimp Task Force meeting will be January 17, 1991, at the Wildlife and Fisheries Building in the Louisiana Room. The ~~principle~~ purpose of this meeting is to discuss two issues with respect to their recommendations for the shrimp fishery in the state. The first issue is to prohibit night shrimping throughout the state and the second issue is to increase the mesh size to a inch and a half. When the Shrimp Task Force met to discuss these two issues, those two recommendations were adopted by the task force, not by a formal vote but by a consensus. There were not more than 1 or 2 people on the entire task force that had any objection to either of those recommendations, stated Dr. Clark. Dr. Clark informed the Commissioners that at the last legislative session the regulatory authority bill that passed includes all gear. This is one thing that the Commission does not have any authority over even if the entire shrimp industry told the Commission to go to a inch and a half.

Chairman Jenkins asked Mr. Bowman if he would answer some of the questions that had been asked about Grand Isle. Mr. Bowman presented a chart showing the area that was discussed at today's meeting and explained that in the area the recommendation was to close it from the beach out to 3 miles. In this area with the slope of the shelf you get into deeper water relatively faster than you do in other areas of the state and normally have a larger shrimp available this time of year while up next to the beach you

have a strong possibility of finding very small shrimp. This past Monday the department went out and made a trawl sample. At this point during the meeting someone from the audience stated that the department was using an outdated 1966 pattern test trawl for biological data. Mr. Bowman continued with his presentation explaining the process of gathering biological data so that shrimp seasons can be set. Mr. Bowman stated that ~~there are shrimp out there larger than a 100 count but also have a high peak of some numbers of shrimp that are smaller than 100 count.~~ At the 3 mile stations the count went to strong 60/70 count. Mr. Bowman stated that he would answer any questions.

A gentleman from the audience asked Mr. Bowman to explain to Acting Secretary McInnis about the 1966 test trawl that the department uses and if they did change all of the department's data would not be worth a zero. Mr. Bowman explained that the trawls that are being used were developed in the late 1960s and early 1970s. At that time there was a coastwide project that was conducted called the Gulf of Mexico Estuaries Inventory. These trawls were standardized throughout the Gulf of Mexico and Louisiana ~~has built~~ ^{too} a data base with these particular trawls. The objective is not to see how many shrimp can be caught but to be as consistent as possible in the methodology so the department can look at differences year to year. The department samples in stations that they know they may not catch ~~to~~ many shrimp but for an indication of what is in that geographical area. The department has used the same trawl ~~throughout time~~ so that they can compare one year from the next. The trawl that is being used in this case is a 16 foot trawl and has got a inch and a half throat and wings and a quarter inch mesh tail on the back. Mr. Bowman stated that 95 percent of the total shrimp catch was white, there were about 5 or 6 brown shrimp and there were a few seabobs.

Mr. Blanchard commented that last year the season was opened in front of Grand Isle and there was an unusually good brown shrimp season and asked why the department would even attempt to close it this year.

Mr. Bowman stated that as far as brown shrimp ^{go,} goes the weather conditions that are experienced in March, April and the first part of May are going to govern what happens to the brown shrimp crop in the spring. This is not really a brown shrimp measure but primarily a white shrimp measure in this particular instance and was designed to allow some of the smaller shrimp that are on the beach an opportunity to grow ~~to get~~ ^{to} to a larger size.

The gentleman from the audience asked if testing is done in December. Mr. Bowman answered that they do trawl in December but does not have that information in front of him but can get it for him today. ^{she}

Mr. Blanchard stated that Mr. Bowman did not answer his question about what was the reason for closing the season this year. Mr. Bowman explained again as he mentioned earlier the recommendation was based on the historical trawl data that the department has as well as what they expected to see this year. Subsequently, as this particular data indicates it is what the department expected to see. *They* Expected to see small shrimp in the 3 mile area and when you got out next to the 3 mile boundary they expected to see the size of the shrimp increase, which was seen, stated Mr. Bowman.

was Mr. Blanchard commented that Mr. Bowman expected to see smaller shrimp than he would have seen last year at this time even with the hot weather. Mr. Bowman stated that this is not what he said. What he said ~~say~~, that based upon all the data that has been collected and the staff review, we expected to see small shrimp next to the beach during this particular time of the year.

Several more comments followed on the issue pertaining to the shrimp count, net size, 3 mile limit, shrimp size in inside waters and outside waters, etc.

Chairman Jenkins asked if anyone on the Commission wanted to make a motion or take any action on this item.

Mr. Foret stated that he thought they heard logic on both sides. Mr. Bowman and the staff were right to a certain extent but with the shrimpers this is their living. Mr. Foret stated that he never did see where the 3 mile had helped any of them. The shrimp in Mr. Foret's area are not running quite as big as they are in the Grand Isle area. Right now the fishermen are bringing in 70/80, 80/100 and a few 50/60. To Mr. Foret's knowledge the fishermen are not fishing in the 3 mile limit because they do not want to get a citation. There are a lot of problems, stated Mr. Foret. ~~There is a need to go back to like it was 5 years ago and leave the whole Gulf area open. There would be a lot less problems with enforcement. More enforcement is needed but the department cannot afford to hire more enforcement. The way the line is written is so confusing that even the agents do not know what is going on.~~ *fewer* Mr. Foret asked the Commission to reconsider that when the seasons close in the inside waters no matter what date is picked that the Gulf be left open year round.

Mr. Jones asked if the fishermen were say that they are not opposed to having an inch and a half net. The fishermen are not opposed to this. Mr. Jones asked how did the mesh size go from a inch and a half back down. Mr. Bowman explained that the mesh sizes for the last 20 years up until about 5 or 6 years ago was a inch and a half mesh which was your restriction for the fall season. A number of years ago the shrimpers were using basically two trawls. In the spring there were using an inch and a quarter mesh and in the fall were using an inch and a half. This caused the fishermen to ask why they had to buy two trawls and asked for one mesh size. At

this particular time the legislature revised the mesh sizes on the nets and brought everything back to an inch and a quarter. Mr. Jones asked at whose request? Mr. Bowman answered at the shrimp industry's request. Mr. Jones asked if you wrote a 100 count shrimp in these books how would it read. Mr. Bowman stated that to his knowledge there never has been a count on brown shrimp in the spring season. Mr. Jones stated that he was talking about in purchasing them. Mr. Bowman stated that the count law has always been restricted to the white shrimp.

Acting Secretary McInnis recapped what had taken place. The fishermen's concerns are: a) about the mesh which is going to be addressed later this month. The mesh size is not something that the Commission or department has an opportunity to manipulate and is something that has to be addressed by the legislature. If this mesh size is the consensus of the industry the department in working with the task force will support the fishermen in getting this done. b) ~~the sanctuary has been discussed and very little dispute that it can prove beneficial if utilized properly.~~ ^{the} The question that comes up that bothers Acting Secretary mostly is the confusion between the 3 and 7 mile situation. This is frustrating to everyone. The department should not have 2 sets of press releases going out and should be more careful in the language that is used in the releases. The information on the 3 mile and 7 mile line will be clarified and very clearly demonstrated to the field people of what the real situation is. Those things that are available to the department at this time as far as clarification and working with the shrimpers on the task force the department will continue to do and straighten up the confusion that existed this time, stated Acting Secretary McInnis.

Mr. Mark Vogel addressed the Commission. Mr. Vogel asked if the Commission had the power to open the 3 mile zone from Caminada Pass or Belle Pass to South Pass and if so how does one go about getting it opened? Chairman Jenkins stated that they would have to get the Commission to pass a resolution to do this and informed Mr. Vogel that he was going to ask if somebody wanted to do this when the discussion is finished.

Chairman Jenkins asked what the pleasure of the Commission was. Mr. Foret made the statement that the only way he would vote for this would be to open the whole Gulf; he would not want to see just one part of the Gulf opened because it would create more enforcement problems.

A motion to suspend the rules was made by Mr. Foret and seconded by Mr. Vujnovich. The motion passed unanimously.

A motion was made by Mr. Foret that the whole Gulf area be opened from the Mississippi Area all the way to the Texas line immediately. The motion was seconded by Mr. McCall. Chairman Jenkins called for discussion from the Commission.

Mr. Jones asked what ~~were~~ the biological staff and the Enforcement Division suggestions are concerning this motion. Dr. Clark, Office of Fisheries, recommended that the ~~this~~ motion not be passed. Dr. Clark advised that this discussion on how to handle this season was started several months ago. One of the first things done was to meet with the Shrimp Task Force and talk about zones, areas, gear, etc. The Shrimp Task Force formed a committee which met and made a recommendation to the task force. The task force agreed to the recommendation and the department's biological staff met several times. The biological staff unanimously made the recommendations that have been made to date. The Shrimp Task Force agreed to the recommendations that the department has made to date. There is no change in any biological information that would allow this change, pointed out Dr. Clark, and it has been a time consuming management decision. Dr. Clark commented that he respect the difficulty that these fishermen are having and respect the fact that their income is down because this area is closed. Dr. Clark pointed out to the Commissioners that they are talking about a topic that is not on the agenda, talking about a decision that involves the whole coast, and talking to gentlemen from one area on the coast, therefore it is not the department's recommendation to support this motion. ed

Mr. Vujnovich asked if the people attending the meeting have ever approached the Shrimp Task Force for this? If they have not, there will be a meeting on January 17th of the Shrimp Task Force and they should attend, suggested Mr. Vujnovich.

Mr. Mark Vogel addressed the Commission again. Mr. Vogel stated that the reason for the 3 mile closure is for undersize shrimp and you have a 100 count law. The fishermen do not want to catch those shrimp and the docks are not suppose to buy them so what is the problem, asked Mr. Vogel. Mr. Vogel advised that he was on the other side of Vermilion Bay and had just came in from shrimping at midnight. The shrimp on the beach there are marketable size. From Freshwater Bayou to the Atchafalaya the shrimp inside are running on the 100 count line and outside 3 miles they are over a 100 count. Since there is a section of the beach where the shrimp are a marketable size that the fishermen can work, why not let them work, stated Mr. Vogel. Last year the season was opened from Belle Pass to South Pass and why can't this be done again this year? questioned Mr. Vogel. d

Mr. Pol made a substitute motion to Mr. Foret's motion. Mr. Pol made a motion that since the Shrimp Task Force meets on the 17th of this month that the Commission waits until the task force meets, receive the recommendations of the Shrimp Task Force on th opening from the beach out, then take this issue up at that time. The motion was seconded by Mr. McCall. e

Chairman Jenkins called for discussion. Mr. Vujnovich asked that if the task force is willing to open the Gulf up, can a vote of the Commission be taken by telephone? Legal Counsel, Mr. Don Puckett,

advised that no, you would have to have a special meeting. Chairman Jenkins called for a vote on Mr. Pol's motion. Those voting for the motion were McCall, Schneider, Jones, Pol and Vujnovich. ~~Those~~ voting against the motion ~~were~~ Foret. The motion passed 5 to 1 in favor. Chairman Jenkins asked if there was any other new business from the Commission.

Mr. Mark Vogel asked to address the Commission. Mr. Vogel stated that there is a conflict of interest between the Shrimp Task Force and them. What they want and what the shrimpers need are two different things. The task force is made up of people on big boats that want big shrimp. The big boats can work way offshore during the winter time whereas the smaller boats cannot work 15-20 miles out. The big boats want the 3 mile line closed, they want the beach closed, so that they can catch the shrimp that are going to get out. Mr. Vogel stated that if they go to the task force and tell them that they want the 3 mile line opened, they will laugh at them. There is no way they are going to approve this. Mr. Vujnovich asked Mr. Vogel if they attended the Shrimp Task Force meetings and have they tried to put somebody from their organization on it. Mr. Vogel stated yes, sir, we have tried. Mr. Vujnovich advised that according to the law if you have an organization you should be on that task force and have representation. Mr. Vogel stated that they thought they did have representation when they appointed him but as he was saying there is a conflict of interest between him and them. Mr. Pol advised that Mr. Vogel would have to go back to the Governor since he was the one that formed the task force. Mr. Vogel reiterated that there was a conflict of the task force board and the majority of fishermen in the state.

Criterion A gentleman from the audience asked wasn't it a law if the shrimp are under a 100 count in the Gulf that it has to be opened. Chairman Jenkins stated no. The gentleman stated that he heard it discussed last year at a meeting and they said they did have ~~one~~ *a law.* Chairman Jenkins stated, no, sir, not that he knew of but it is a ~~criteria~~ used to open and close seasons but there is no law. The gentleman questioned why couldn't the biological data even come close to the fishermen's data. This makes the fishermen mad because the Commission just fired them and they have just lost their jobs for 4 months, the gentleman stated. The gentleman went on saying it is really disgusting, this is the United States of America and here we are controlled by a few people who own big boats. The enforcement agents on the Riptide told him that Jerry Clark is anti-commercial. The gentleman stated that you most probably just fired about 5,000 people for 4 months and asked the Commission if they were proud.

Chairman Jenkins stated that they did not fire anybody, it was voted on, and the discussion is over.

Mr. Foret asked if the task force does approve of the opening of the 3 mile limit could the Commission have a special meeting as soon as possible. Chairman Jenkins stated yes.

There being no other business from the Commissioners or the floor Chairman Jenkins called for a motion to adjourn the meeting. Mr. Vujnovich made a motion that the January 10, 1991, Commission meeting be adjourned. The motion was seconded by Mr. Foret and passed unanimously.

A. Kell McInnis III
Acting Secretary

AKM:sb