

LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES

BOARD MEETING

FEBRUARY 7, 1991

**JIMMY JENKINS
CHAIRMAN**

BATON ROUGE, LOUISIANA

AGENDA
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
BATON ROUGE, LOUISIANA
FEBRUARY 7, 1991

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MINUTES OF MEETING

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

FEBRUARY 7, 1991

Chairman James H. Jenkins presiding:

Thursday, February 7, 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, February 7, 1991, Commission meeting to order. A motion was made by Mr. Vujnovich for adoption of the January 10, 1991 Commission Minutes. The motion was seconded by Mr. Foret and passed unanimously.

At Thursday's meeting Chairman Jenkins asked Mr. Phil Bowman to address the department's opinion on the Recommendation of the Shrimp Task Force on Opening the Shrimp Season in the Gulf. Mr. Bowman first presented the department staff who were involved in collecting this recent data in Louisiana's offshore territorial waters. Slides were then shown.

Slide one showed the offshore winter shrimp closed seasons from 1985 through 1990. All the coast was closed at some point in time, however, in 1990 the areas south of Barataria was left open because primarily at that time small white shrimp were not observed.

Slide two showed the white shrimp catch during the years 1980 through 1990. The catch has fluctuated up and down. There has been good years and bad years. The slide was partitioned off so that the years when there have been no offshore closures could be observed as compared to years when there have been offshore closures. Mr. Bowman stated that it does appear that something has been going on in the last five years because an increase catch of white shrimp has been noticed during the last five years as opposed to the four years previous to that particular time period.

Slide three showed the average size of the white shrimp that are being caught in the department's trawl samples west of the Mississippi River. East of the Mississippi River there is not a white shrimp fishery on the outside of Chandeleur Islands, therefore the data has been limited to west of the Mississippi River explained Mr. Bowman and pointed out that coastal study area four, Terrebonne-Timbalier, was missing because with the last set

of data that was taken there were no white shrimp caught in the department's trawls. In the other four areas white shrimp were caught and from an average size standpoint all of the shrimp were below the one hundred count level. Mr. Bowman pointed out that in any normal distribution of organisms there will be large and small mixed together and the next slide will show that there are shrimp in some of these areas that are larger than one hundred count.

Mr. Bowman informed those attending the meeting that this information is information that the department had prior to this morning and pointed out in slide four that in the territorial offshore waters south of Barataria Bay that thirty percent of the samples caught in the trawl were larger than one hundred count, i.e. eighty count, seventy count. In the Caillou Lake or Sister Lake area it was only 1.5 percent. In Vermilion Bay it was zero percent although a fair number of shrimp were caught. Caillou Lake and Vermilion Bay are two areas that are adjacent to the Atchafalaya River and receive influence from this river. The water depth offshore is slightly shallower and the slope deepens more gradual than it does in the other two areas of the state pointed out Mr. Bowman. In Calcasieu Lake twenty percent were larger than one hundred count. Information was delivered to the department this morning showing an increase slightly from what was seen yesterday advised Mr. Bowman, however, it is still below fifty percent.

Mr. McCall asked Mr. Bowman how old this information was. Mr. Bowman advised that this information was less than two weeks old. Specifically, some of it is this week's information. The department obtained some the information the beginning of the week and the latter part of last week clarified Mr. Bowman. Mr. McCall asked how do the nets that the department uses for their tests compare in mesh size to what a shrimper would be using in a trinet or regular net? Mr. Bowman advised that the law provides that the minimum mesh size for a commercial net is an inch and a quarter stretch mesh. The department's net has an inch and a half stretch mesh in the wings with a quarter inch mesh tail. The reason for the two sizes is because the department wants to see everything that is there commented Mr. Bowman. Mr. McCall asked if the department would be recovering a lot of smaller shrimp in its test then the shrimpers would if they were out there trawling for a living. Mr. Bowman answered that is possible, however, there are some other factors that may be considered because the length of the tow does determine how tight the mesh will be stretched and what shrimp are allowed to go through the net and what shrimp are retained in the bag.

Mr. Jones asked if the department has not been towing the same net for years for continuity and information sake. Mr. Bowman answered yes sir. Mr. Jones stated, so that in other words this information could not speak valid to years prior to now if a decision to change the test nets size was made. Mr. Bowman answered yes sir. Mr. Jones continued, saying that this is being done for continuity sake

to understand and evaluate what the shrimp are doing in comparison to past records. Mr. Bowman answered that was correct. Mr. Jones stated that to answer what Mr. McCall was possibly eluding to was that the department is not trying to catch the right size shrimp but are trying to catch the what is in the water. Mr. Bowman commented that the department is trying to test the waters and see everything that is there.

Mr. Bowman went on to show slide five which showed the frequency distribution of white shrimp offshore west of the Mississippi River. There are some shrimp south of Barataria Bay and south of Calcasieu Lake that are larger than one hundred count and the department has caught some that would be in the forty/fifty count range. Although their numbers are small when it is compared to the numbers of shrimp that the department is catching that are smaller than one hundred count. Mr. Bowman pointed out that if you look at the highest peak on the curve for Barataria Bay you would note that it corresponds to about one hundred and sixty count. You have a large number of shrimp that are between one hundred fifty and two hundred count, where you have a relatively small number of shrimp that are in the larger size classes, explained Mr. Bowman.

Slide six showed the size frequency distribution for shrimp taken in the department's samples south of Barataria Bay and comparing it to what was presented to the Commission last month as to what is being found this month. Mr. Bowman explained that the peak of the curve is closer to the one hundred count line, or actually there is slightly a larger shrimp although they were still below one hundred count, but yet they were slightly larger in January than now in February because of the large group of shrimp around the one hundred fifty or so count range. Concluding, Mr. Bowman stated that this was the information that they had for the Commission and asked if they had any questions.

Chairman Jenkins asked the Commissioners if they had any questions before the public was heard from. Mr. Foret asked Mr. Bowman if he did not state that in the last four years they did see an increase in the white shrimp. Mr. Bowman answered yes sir. Mr. Foret asked if this was mostly on the big white shrimp. Mr. Bowman explained that what they did was look at the catch of white shrimp for Louisiana on a yearly biological basis and compared it from year to year. Just looking at the catch, the number of pounds that are caught in Louisiana waters and the EEZ beyond Louisiana waters, without looking at anything else, there is a difference commented Mr. Bowman. Mr. Foret commented that the difference that he can see is that there are more boats and in the last four or five years with the three wings (bib) being used the shrimp have less chance of swimming on top and this is one reason why they have caught more white shrimp. Also the two twenty-five foot nets that are in the lakes catch more shrimp stated Mr. Foret. Mr. Foret believes this is where the difference comes from and not by the three mile limit. Mr. Bowman stated that like he said this is just looking at that

one particular aspect, there is no question that the fishery has changed and advances have been made in gear and that he was not there to dispute this at all. Mr. Foret advised that he had made a few samples and found the shrimp were small from Caillou up to the west side of Freshwater Bayou. A tri-net with a inch and a half throat with a inch and a quarter bag was used and the average shrimp in this area ran anywhere from a hundred to a hundred forty count. From the west side of Freshwater Bayou going to the Cameron area an inch and a half throat with a inch and three eighth bag was used and the shrimp averaged seventy five count in that area stated Mr. Foret. A sample was also made at Belle Pass, on one of the worst days of the week, and around ninety count shrimp were caught continued Mr. Foret. Mr. Foret stated that he did not have time to go further east because of weather conditions and his schedule would not allow it.

Mr. Pol stated that he sees where the task force has recommended an inch and a half mesh stretch and asked Mr. Bowman if his recommendations would be any different if everybody went to this. Mr. Bowman answered no sir, not right now at this point and when the department gets to this point in the presentation you will see that the recommendations are going to be based on the information that is being shown right now. Mr. Bowman advised that he could not speculate as to what will happen if they go to a inch and a half or anything else at this time.

Mr. Foret stated that right now they have a hundred count law and the hundred count law ought to tell you where you can trawl and where you cannot trawl. Chairman Jenkins stated that actually that is not a law and asked Mr. Bowman to address this. Mr. Bowman explained that there is a one hundred count minimum size on white shrimp. Mr. Jenkins stated "law". Mr. Bowman answered yes sir and the law simply states that it is illegal to possess smaller than one hundred count. Mr. Jenkins stated that he thought they were talking about opening of seasons with the one hundred count.

Dr. Jerry Clark addressed the Commission. Dr. Clark stated that when the department pulls its nets their goal is to catch everything. If we went out there with a inch and a quarter, inch and a half, inch and three quarter nets, we would get the same results in most areas that Mr. Foret did pointed out Dr. Clark because in most areas there are shrimp that are larger than a hundred count. These are good marketable shrimp and the department knows they are there. In some of the areas there is as much as thirty percent and the department is not disputing this. If the department went out with these kinds of nets it would get the same results as everybody else is getting. Dr. Clark stated that the critical question that was just asked, if we had a inch and a half requirement, inch and three quarter, or inch and five eights offshore would the department's advice change. Mr. Bowman gave the right answer, probably not at this time because there is an important question that the department does not know the answer

to. Actually there are two questions stated Dr. Clark and pointed out on the chart that if you pull through a certain group of shrimp, what you bring aboard would only come from that group because this is what the mesh does, pulls through that group. This does not mean that these shrimp did not also go through the net, they will and the question is how many of them stay in the net and have to be hauled out and the other question is of those that go through the net, how many of them survive. Dr. Clark stated that they do not know the answer to this question and to his knowledge no one has researched this successfully to date. Work has been done with very short trawls actually trawling on these kinds of shrimp for a very short period of time and mortalities of something like twenty five percent of this kind of shrimp in a net were seen. This is not the same as having them go through the net but is the kind of indication about what happens when a shrimp encounters a net even when you try to keep them alive commented Dr. Clark. The answer to Mr. Pol's question would be that to date the department's recommendations would probably not change because the answer to that question is not known advised Dr. Clark. The bottom line is if you go out in those areas across the state right now where these shrimp exist and you pull a inch and a half, inch and five eights, inch and three quarters mesh you are not going to see these shrimp and you are going to catch a nice group of marketable shrimp but the other shrimp are still there pointed out Dr. Clark. Mr. Schneider asked how long would it take the department to get the information that is needed and would it take years. Dr. Clark stated that the question has been around for a long time and he did not even know if it could be answered in a year.

Mr. Foret asked Dr. Clark how long would it take the little juvenile shrimp to make the hundred count. Dr. Clark advised that the question has been asked of the staff and he believes their recommendation was that the season not be opened until a significant portion of these shrimp have move inshore. Rather than Dr. Clark trying to do this from memory he asked Mr. Bowman to address this since he was at the meeting. Dr. Clark thinks March 18th was the earliest date that they expected this to be true. Mr Bowman answered yes sir, the 18th is the earliest date that the staff could come up with recognizing that the weather patterns this time of year are unstable. Mr. Foret stated that in a normal year, not like this year with all that rain that we have had, they might not even come inside. Dr. Clark commented that this is their prediction today.

Mr. Pol asked what the date was last year. Mr. Bowman answered it was March 12th. Mr. Pol stated March 12th and you are recommending March 18th. Mr. Bowman stated that this is the date that the staff projects that the shrimp will be inside and the shrimp offshore will be larger than a hundred count or the numbers of small shrimp will be significantly reduced offshore. Dr. Clark interjected that the last point was very important, it is highly weather dependent.

Chairman Jenkins stated that they wanted to get on with the public comments and stated that those who speak should also be speaking for several people. Chairman Jenkins asked that five people who would like to speak in favor of some kind of offshore opening address the Commission.

Mayor Andy Valence, Grand Isle, addressed the Commission. Mayor Valence stated that with all due respect to Mr. Bowman and Dr. Clark he could answer the question about the unknown numbers of shrimp that will survive with a smaller or larger mesh and that is that an unknown will remain an unknown because you will never know for sure. For the shrimping industry to wait for that unknown to be known, in Mayor Valence's opinion, is unreasonable. Mayor Valence requested that the Gulf waters south of Grand Isle and east and west be opened within the three mile area. The experts that Mayor Valence depend on are the commercial fishermen on the water. Their findings up to four days ago is that the shrimp population along Grand Isle's shoreline is from seventy to eighty count. A little to the west they are a little larger. A little to the east, from Houma Pass to the Mississippi River, there is a legal population of shrimp that is available and would not be of appreciable damage to the overall population and welfare of the white shrimp along Grand Isle shore stated Mayor Valence. Concluding, Mayor Valence stated that he was not speaking for the entire shore line of Louisiana but is referring from the Houma area to the mouth of the Mississippi River and they respectfully request that the Commission open this area to the shrimping industry.

Mr. Wade Price, Lake Arthur, addressed the Commission. Mr. Price advised that everytime you have an opening, no matter what time of the year it is, the price drops before it even opens. Mr. Price stated that he was in favor of opening the Gulf in his area but a stiffer find is definitely needed on illegally caught shrimp. If the find is high enough on the shrimp the people cannot afford to take the chance to catch them and the season will not need to be closed stated Mr. Price. When the season is closed and reopens it looks like it is opened to satisfy the people in the eastern part of the state commented Mr. Price. It is understandable that they want to protect their "brownies" but there are no brownies in their area advised Mr. Price and they have got to make their spring on the white shrimp. If the shrimpers miss their white shrimp spring it will be a bad summer. Mr. Price believes by leaving the season open you would have less small shrimp killed because you have a lot of people that cannot afford to sit through the winter months without doing anything and if people can make a couple of hundred dollars extra they are going to kill whatever they can kill to try and make the months that they have to sit out. If it is left alone a lot of the boats would work on a few bigger shrimp and leave the little ones alone. It all amounts to one thing and that is there is going to have to be a stiffer fine and no closure believes Mr. Price. Every time the season is closed, it is closed to late and then it is not opened earlier enough. In December they

have small shrimp right against the beach, sometimes even late November. Then when it is time to open it, usually early March, there is a good white shrimp on the beach, and it is not opened because the people in east Louisiana do not want it opened for the "brownie". If you are going to close the season you ought to close it soon enough to protect what we have stated Mr. Price. Every year there is an extension to fish seabobs and if you have two or three seabobs in a box of a hundred and fifty count white shrimp you can sell them. There is no enforcement and this is where we a stiffer fine is needed. A count on the white shrimp is needed year round and from what Mr. Price knows the count does not make any difference until the white shrimp season opens in the fall. In Mr. Price's area a lot of times in June and July if you get a rain you can just about destroy the whole crop along the beaches because they get flushed out into the edge of the Gulf. Mr. Price advised that his brother had called the Wildlife Department time in Lake Charles to report that people were catching hundred and fifty count white shrimp that were for the fall crop. He was told that they were not catching white shrimp, there were no white shrimp till the white shrimp season opened, and there was no count on them right now. Concluding Mr. Price stated that he thinks the closed seasons makes a lot more outlaws out of honest people.

Mr. Kenneth Adams, owner of the shrimp boat "The Shiner Baby" addressed the Commission. Mr. Adams works basically from Grand Isle to the end of the river. Right now the boats are dragging the coast and are being booked with the shrimp being seized and sold. The shrimp that are being seized are 70/80, 40/50 count so the boats are not getting ticketed for shrimp over a hundred count. Mr. Adams stated that Dr. Clark made it perfectly clear that the shrimp that are out there are marketable. The shrimpers are not pulling with old equipment like the department is doing in gathering data but are pulling new improved equipment which catches what is marketable only. The little shrimp are let go. Dr. Clark is now trying to bring up a point as to whether the shrimpers are killing the small shrimp, etc. and as far as Mr. Adams is concerned the shrimpers are letting them go and live. Dr. Clark is also saying that the data has to be gathered and while they are getting this data the shrimpers are going to go hungry stated Mr. Adams. A shrimper determines how he is going to make the whole winter with his catch in January. What is determined today will determine how the shrimpers will pass the winter. They have taken the honest man and have made him into an outlaw. Mr. Price stated that he had just made a trip, staying three miles out, and watched the boats being ticketed. These shrimpers are not really outlaws but guys trying to make enough money to make it through the winter. January was taken away from the shrimpers. The shrimpers want to work and can prove that the shrimp are there. Last year Grand Isle was left open and the white shrimp season was the best there ever was and this year at Grand Isle the shrimpers caught 16/20 and 10/15 all the way into November. The three mile limit did not do the shrimpers one bit of good and the first year it was left opened was

the best white shrimp season the shrimpers have ever seen in Grand Isle. Mr. McCall asked Mr. Price if he was fishing real close to the three mile limit. Mr. Price answered right on the line and it is hard especially when you are dragging and catching a 50/60 working three miles out and another man is outlawing a mile and a half on the inside and getting six baskets while he is getting only one basket. Mr. Price pointed out that there is a communication problem between the Commission and the fishermen. Mr. Price asked the Commission to let the shrimpers go to work and next year if the biological data shows that the fishery is being hurt the shrimpers will not work.

Mr. Allen Gaudet, commercial fisherman, Grand Isle, addressed the Commission. Mr. Gaudet stated that the fishery needs to be taken as more of an interest such as a farmer takes an interest. Mr. Gaudet feels the crop that they are trying to save is a residue of a crop that the shrimpers have had with this being the end of the crop. In the Grand Isle area this is not the seeds of the beginning of a new crop; but is in a sense in some areas like the west because they depend on it. The department needs more of an input from fishermen with the biological staff to get a true evaluation of the fishery. This would be better for the fishermen. Mr. Gaudet pointed out that no one has brought up the economical impact and in the twenty one days the season has been delayed the state of Louisiana will have lost over ten and a half million dollars in revenues directly from shrimp sales if the average holds out. Everyone needs to come together and make the shrimp industry strong on what the majority wants for the industry. No one knows better about a fishery than the fishermen themselves stated Mr. Gaudet. The fishermen feel that what has happened is a major communication problem. Mr. Gaudet questioned Dr. Clark and Mr. Bowman if they thought that these seeds they want to save will mature or not and what was the biological data supporting this. Mr. Gaudet further stated that he recommends that the Gulf be opened and what is really needed is that everyone get together and make the fishery good for everybody. Make it simple and not complicated like it is getting concluded Mr. Gaudet.

Mr. Dean Blanchard, Grand Isle, addressed the Commission. Mr. Blanchard stated that he was in favor of opening the coast. Mr. Blanchard advised that when they came to the January Commission meeting all they heard Dr. Clark say was that the task force wanted the Gulf closed and now the task force is saying that they want it open and they have never heard Dr. Clark say that the task force wanted the Gulf open. Mr. Blanchard stated that he thinks Dr. Clark is using the task force when it is in his best interest, but when they are against his interest Dr. Clark never says one word about the task force and Mr. Blanchard would like to know why.

Chairman Jenkins asked if anyone would like to speak in opposition to any kind of opening. There being none Chairman Jenkins called

on one more person who was in favor of the opening to address the Commission.

Mr. Frank Campo, Jr., Shell Beach, St. Bernard Parish, addressed the Commission. Mr. Campo stated that they need the three mile limit opened and is in favor of it one hundred percent. The charts that were shown earlier by Mr. Bowman and Dr. Clark were probably all true stated Mr. Campo but pointed out that the information was taken from Barataria Bay, Vermilion Bay and Calcasieu Lake. There is nobody at this meeting that is asking to go dragging in these bays advised Mr. Campo and all the fishermen are asking for is that the Gulf be opened on the west side of the river where the shrimp are marketable. Mr Campo advised that he had just come in from shrimping with a shrimp count of 40/50 and has the ticket in his pocket to prove it. Mr. Campo asked the Commission to take this into consideration when they make their final decision.

Chairman Jenkins asked if there was anybody from any other part of the state who has not had a chance to talk about their area who wanted to address the Commission.

Mr. Daniel Blanchard, Terrebonne Parish, addressed the Commission. Mr. Blanchard stated that they are in favor of opening the Gulf and was not going to repeat everything everybody else said, they made too much sense.

Chairman Jenkins asked Mr. Bowman if they had a recommendation that they wanted to make to the Commission.

Dr. Clark addressed the Commission pointing out that all the data that was presented today was data that is from the department's samples outside. None of the data presented had anything to do with any of the bays or estuaries, it was all data taken from the beach out. The department used the names of major bay systems in presenting the data only because that was the beach off of that area. The Shrimp Task Force voted eleven to two to ask the Commission to open the beach statewide. Mr. Jones asked what made the task force change. Dr. Clark stated public testimony. Chairman Jenkins asked if they had voted on this before. Dr. Clark answered yes. Mr. Schneider asked how did they vote on this before. Dr. Clark stated that it was prior to the season and they were unanimous for the closure. Mr. Schneider asked if there has been any more biological information given to the task force other than political pressure for them to change their mind and did they base their decision on the same number of facts. Dr. Clark answered yes. Mr. Jones stated so what Dr. Clark is saying is that the task force without the public testimony in front of them voted to keep it close, yet when they had the peer pressure in front of them they.....Dr. Clark stated that he was not going to step on that one, and thinks the task force needs to speak for it self. Mr. Jones asked Mr. Foret if the data was not different what would make the task force change. Mr. Foret stated that the way he sees

it is that the task force was in favor and they were the ones that had brought it up the closure for two, three, four years to see if it would increase the amount of size of white shrimp. This was tried and it did not work stated Mr. Foret. Chairman Jenkins asked Mr. Foret about the chart that pointed out that the average catch from 1980-84 was thirty million and the average catch from 1984-89 was forty one million. Mr. Foret advised that every year there are more and more boats, better equipment and the equipment that people have been putting on their boats in the last few years has made a difference. Dr. Clark pointed out that another piece of information (the chart was not shown) would be that the only economic advantage to this closure is that if those shrimp are protected when they come back inside there will be more of them because they were protected. The principle harvest of this group of shrimp takes place in May and June when the brown season opens and in the dates that were shown on the graph, the time before the beach closure and the time after the beach closure, the inshore landings of white shrimp are about a million three higher on average after the closure than before. All the other reasons that have been mentioned about why white shrimp harvest should be higher are all part of this and there is biology involved but for five years during a closure and four years before a closure these have been the results explained Dr. Clark. This is the only information the department has about whether or not it is working. The shrimp in May or June are worth more than a dollar a pound and if that million and half pounds is attributed to the beach closure you would be talking about two or three million dollars in the hands of the shrimpers because the beach is closed commented Dr. Clark. This closure came from the fishermen on a try out basis, it has been tried for five years and looks like it is working stated Dr. Clark. Chairman Jenkins asked Dr. Clark for their recommendation. Dr. Clark stated that their recommendation is based on the same thing it was last year. The fishermen are saying what a good year they had last year and he would like to hope that they would give credit to the department for that good year. The recommendation was made last year to open the season and Dr. Clark stated that they would be doing the very same thing today if the data supported it but it does not and the department does not recommend a change. Mr. Foret asked Dr. Clark if what he is recommending is that the season not open anywhere in the Gulf. Dr. Clark answered we have no recommendation for opening. Mr. McCall asked what would be the earliest they would recommend opening the Gulf. Dr. Clark answered that he would have to go with the recommendation that the staff has made to date, if everything goes as in previous year it would be March 18, 1991. If things change the department will be back in front of the Commission before or after March 18th with their recommendation advised Dr. Clark.

Chairman Jenkins asked what was the pleasure of the Commission. Mr. Foret stated that he would still like to hold his motion like he had it last month but there may be problems. Mr. Foret would hate to wait until next month because there are shrimp out in the

Gulf that need to be harvested now with all the rain that is coming in. Dr. Clark pointed out that the Commission did direct the Secretary to open the season and if the data changes the department will recommend that the season open at its earliest possible date. Mr. Foret stated that he understood that point, but in two weeks it may be too late. There are many boats that outlaw in the fog and the department does not have the equipment to get them all. Will the shrimpers leave a hand full of outlaws to catch the shrimp or will all the shrimpers go out there to try and make a living, this is the point stated Mr. Foret.

Mr. Foret made a motion that the outside waters be opened and left open year around. The motion died for the lack of a second.

Mr. Vujnovich made a motion that the shrimp season be opened Gulf wide but if the shrimp count is above the hundred count it is to immediately close and the Department of Wildlife and Fisheries enforce this by boarding boats and checking count. The motion died for the lack of a second.

Mr. Jones made a motion that the Commission adhere to the department's recommendations. The motion died for the lack of a second.

Mr. Pol made a motion that the shrimp season in that portion of Louisiana's offshore waters from the Louisiana-Mississippi state line to the western point of Last Island, known as Racoon point and the waters from the western shore of Freshwater Bayou in Vermilion Parish to the Texas state line be opened one week from today. The shrimp season in these areas will close immediately if the count on white shrimp exceeds 100 shrimp per pound. Mr. McCall seconded the motion.

Chairman Jenkins stated that before a vote be taken on the motion that he would like for Mr. Puckett, Legal Counsel, to read the statute that concerns this issue so that all the Commission members understand what the laws says about what is being done. Mr. Puckett advised that the season statute requires the Commission to provide written reasons for its decision either to open or close a season and the written reasons are required to contain the biological and technical data upon which the decision is based. Again "the criteria for opening or closing is technical and biological data which indicates that marketable shrimp in sufficient quantities are available". If this motion or any other substitute motion were to pass, the Commission should direct the staff to prepare a written document setting out what the technical and biological data are or either to incorporate the minutes by reference as the Commission's written reasons for their action stated Mr. Puckett.

Chairman Jenkins asked if there were any questions of Mr. Puckett by the Commission. There being none he called for a vote. The

motion passed with four in favor and two against. Those voting for the motion were Mr. Pol., Mr. Vujnovich, Mr. Foret and Mr. McCall. Those voting against the motion were Mr. Jones and Mr. Schneider.

Mr. Pol advised that he based his motion on the recommendation of the Governor's Shrimp Task Force.

At Thursday's meeting Mr. Dave Morrison presented a resolution for the adoption of the Rules and Regulations for Participation in the Deer Management Assistance program. Mr. Morrison explained that what the Commissioners had before them was a resolution to ratify the regulations pertaining to the Deer Management Assistance Program. In October a notice of intent was passed by the Commissioners and published in the October 20, 1990, State Register. This program has been a very successful program since its inception in 1981. This information has gone before the Oversight Committee and has been approved. Mr. Morrison then read the "Therefore Be It Resolved" part of the resolution.

Chairman Jenkins called for a motion on the resolution for adoption of the rule. A motion was made by Mr. Schneider to adopt. The motion was seconded by Mr. Jones and 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

THE FOLLOWING WAS ADOPTED BY THE LOUISIANA WILDLIFE AND FISHERIES COMMISSION AT ITS REGULAR MEETING HELD IN BATON ROUGE, 7 FEBRUARY 1991.

WHEREAS, the Deer Management Assistance Program (DMAP) is a very successful and popular method of managing deer herds on private lands in Louisiana, and

WHEREAS, the DMAP has grown from very limited participation in 1981 to over 800 cooperators with 1.7 million acres of involved, and

WHEREAS, the Louisiana Wildlife and Fisheries Commission has adopted a schedule of enrollment fees, to participate in the program and generate in excess of \$80,000 annually, and

WHEREAS, rules and guidelines have been established to govern participation in the program, now

THEREFORE BE IT RESOLVED, that the Louisiana Wildlife and Fisheries

Commission does hereby ratify the attached rules and regulations as a permanent rule for participation in the Deer Management Assistance Program in accordance with the Administrative Procedure Act.

A. Kell McInnis, Acting
Secretary, LA Dept. of
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 Quadrupeds and Wild Birds

Chapter 1. Wild Quadrupeds

Section 111. Rules and Regulations for Participation in the Deer Management Assistance Program

The following rules and regulations shall govern the Deer Management Assistance Program:

Application Procedure

1. Application for enrollment in Deer Management Assistance Program (DMAP) must be submitted to the Louisiana Department of Wildlife and Fisheries annually by September 1.
2. Each application must be accompanied by a legal description of lands to be enrolled and a map of the property. The applicant must have under lease or otherwise control a minimum of 500 acres of contiguous deer habitat of which up to 250 acres may be agricultural lands, provided the remainder is in forest and/or marsh. This information will remain on file in the appropriate district office.
3. Each cooperator will be assessed a \$25.00 enrollment fee and \$.05/acre for participation in the program.

4. An agreement must be completed and signed by the official representative of the cooperator and submitted to the appropriate district game supervisor for his approval. This agreement must be completed and signed annually.

5. Boundaries of lands enrolled in DMAP shall be clearly marked and identifiable; however, legal posting is not required.

6. By enrolling in the DMAP, cooperators agree to allow Department personnel access to their lands for management surveys, investigation of violations and other inspections deemed appropriate.

Tags

1. A fixed number of special tags will be provided by the Department to each cooperator in DMAP to affix to deer taken as authorized by the program. These tags shall be used only on DMAP lands for which the tags were issued.

2. All antlerless deer taken shall be tagged, including those taken during archery season and on either-sex days of gun season.

3. Immediately upon kill, a tag shall be attached through the ear or hock in such a manner that it cannot be removed before the deer is transported from the site of the kill.

4. All unused tags shall be returned by February 15 to the district office which issued the tags.

Records

1. Cooperators are responsible for keeping accurate records on forms provided by the Department for all deer harvested on lands enrolled in the program. Mandatory information includes tag number, sex of deer and name of person taken the deer. Additional information may be requested depending on management goals of the cooperator.

2. Information on deer harvested shall be submitted by February 15 to the district game supervisor handling the particular cooperator.

Failure of the cooperator to follow these rules and regulations will result in immediate cancellation of the program on those lands involved. Cancellation of the program will be for a minimum of one (1) hunting season immediately following the infraction. Failure to follow harvest recommendations may result in the cooperator being dropped from the program.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115.
HISTORICAL NOTE: Promulgated by the Department of Wildlife

and Fisheries Commission, Wildlife and Fisheries Commission, LR 17:
(February, 1991).

James H. Jenkins
Chairman

At Thursday's meeting Mr. Hugh Bateman Announced the Staff's (Biologists) Recommendations for the 1991-92 Hunting Seasons on Resident Game. Mr. Bateman had Mr. Jerry Farrar, Deer Study Leader, pass out a summary sheet on the hunting season recommendations on resident game that were developed by the department's Game Division. The department and the Commission's Hunting Regulations Committee met last evening with one slight suggestion being made. Mr. Bateman has been urged to use the word "improvement" to these recommendations. Last year at the Monroe Commission meeting Mr. Jenkins had suggested that the process of setting the resident game hunting seasons might be better served if the department would develop a set of recommendations prior to the ratification process and prior to the initiation of the Administrative Procedure Act. This is being done earlier this year for two reasons. One being the request from Mr. Jenkins and the other being that the time requirement for the APA has been lengthened. The purpose of the information today is for informational purposes only and a lot of input is expected from the public and from other organized conservation groups who might want to comment on these recommendations pointed out Mr. Bateman. The Game Division will be meeting with the Deer Advisory Committee tomorrow to discuss the recommendations. There are a number of changes in these recommendations as compared to last year's hunting seasons. Mr. Bateman then provided the following recommendations for hunting seasons for information purposes only.

Quail: Nov. 28-Feb. 29 - Daily Bag Limit 10, Possession 20
Pheasant: Nov. 28-Dec. 8 (Cock Pheasant Only) - Daily Bag Limit 2, Possession 4
Squirrel: Oct. 5-Jan. 26 - Daily Bag Limit 8, Possession 16
Rabbit: Oct. 5-Feb. 29 - Daily Bag Limit 8, Possession 16
*Deer: Dates Vary - See Schedule Below - Bag Limit: One per day, 6 per season
Archery: Oct. 1-Jan. 20
Muzzleloader: Dec. 2-6

<u>Area 1 - 58 days</u>	<u>Days</u>	<u>Either-sex Dates (7 days)</u>
Nov. 23-Dec. 1	9 (still hunt only)	Nov. 23, 29, 30
Dec. 2-6	5 (still hunt, muzzle-loader only)	Dec. 5, 6
Dec. 7-Jan. 12	37 (with/with dogs)	Dec. 7, 8
Jan. 13-19	<u>7</u> (still hunt only)	
	58	

<u>Area 2 - 61 days</u>	<u>Days</u>	<u>Either-sex Dates (7 days)</u>
Nov. 2-Dec. 1	30 (still hunt only)	Nov. 16, 29, 30

Dec. 2-6	5 (still hunt, muzzle loader only)	Dec. 5, 6
Dec. 7-Jan. 1	<u>26</u> (with/without dogs)	Dec. 7, 8
	61	(Additional days in some parishes)

<u>Area 3 - 61 days</u>	<u>Days</u>	<u>Either-sex Dates (7 days)</u>
Nov. 2-Dec. 1	30 (still hunt only)	Nov. 16, 29, 30
Dec. 2-6	5 (still hunt, muzzle loader only)	Dec. 5, 6
Dec. 7-Jan. 1	<u>26</u> (still hunt only)	Dec. 7, 8
	61	

<u>Area 4 - 44 days</u>	<u>Days</u>	<u>Either-sex Dates (7 days)</u>
Nov. 23-Dec. 1	9 (still hunt only)	Nov. 23, 29, 30
Dec. 2-6	5 (still hunt, muzzle loader only)	Dec. 5, 6
Dec. 7-Jan. 5	<u>30</u> (still hunt only)	Dec. 7, 8
	44	

<u>Area 5 - 14 days</u>	<u>Days</u>	
Nov. 23-Dec. 1	9 (still hunt only)	BUCKS ONLY
Dec. 2-6	<u>5</u> (still hunt, muzzle loader only)	BUCKS ONLY
	14	

*Turkey - Season Dates Vary - See Schedule Below - Limit: One per day, 3 per season

Area A - 30 days	March 28-April 26
Area B - 37 days	March 21-April 26
Area C - 9 days	April 18-April 26
Area D - 16 days	April 11-April 26

Mr. Bateman asked if there were any questions at this point. Mr. Foret asked why Louisiana did not get into the tag system. Mr. Bateman explained that this was discussed at the meeting last night with the Regulations Committee. The state has looked into this on several occasions. A proposal was made to the Commission about four years ago to do this. Based on a number of reasons: economics, effectiveness, and ability to enforce it a decision was made by the Commission that they did not want to do this. To make a tagging system effective for big game you would have to require a validation system and this means that when someone takes a deer or turkey they would have to put a tag on the animal, take it to a validation station and have that animal verified. If tags are just issued with no validation there is no way to keep people from getting additional tags or borrowing tags from other people. The tagging system under these circumstances, with no validation, is ineffective advised Mr. Bateman. Other systems in different states have been observed and when the department made the recommendations for a tagging system several years ago a tight validation system was recommended so that it would work. The inconvenience to hunters seem to outweigh the tagging system's effectiveness and

usefulness. Mr. Foret stated that he just felt that a tagging system would be a lot better because there are some people that kill more than six deer a year. Mr. Bateman advised that this was discussed at some length last night at the meeting.

Mr. Bateman then gave a summary of the changes in the hunting season recommendations.

The small game seasons were adjusted for compatibility with calendar changes. No major changes from last year.

Reduction in muzzleloader season from 7 to 5 days to provide for Dec. 7 opening of second segment (W/WO dogs).

In Area 1 three segments in regular firearms season as opposed to two last year. Second Segment (W/WO dogs) remains 37 days. Third segment comprised of 7 day still hunt only. In Area 2 season dates adjusted for compatibility with calendar changes. Additional 9 day of either-sex hunting (increase from 13 to 22 days) proposed for Bienville, Bossier, Caddo, Claiborne, DeSoto, Red River and Webster Parishes (District I. Areas 3, 4, and 5 season dates adjusted for compatibility with calendar changes.

Kisatchie National Forest deer season dates adjusted for compatibility with calendar changes. Either-sex hunting days reduced from 6 to 3 days. This recommendations came from the U.S. Forest Service biologist.

The turkey season dates were adjusted for compatibility with calendar changes. One minor boundary change is proposed which would result in a small increase in the size of turkey hunting in Area C.

In the wildlife management areas there is a reduction from 2 to 1 day of either-sex hunting o Big Lake, Boeuf, Red River, Saline, Grassy Lake and Three Rivers WMAs. Gun deer season in Jackson-Bienville WMA changed to a 4-segment either-sex hunt with no bucks only segment. Proposed season is 24 days in length. Last season consisted of 20 days bucks only and 9 days of either-sex hunting. Gun-deer season on Loggy Bayou WMA changed to a 9 days of either-sex hunt with no buck bucks only. Last season consisted of 19 days bucks only and 3 days of either-sex hunting.

Turkey seasons are proposed for Red River and Three River WMAs, April 11-26, 16 days. This is new.

Concluding Mr. Bateman advised that there is a thick document that includes all the details and explanations of the hunting seasons that the Game Division is still working on. This document will be available as it stands right now for anybody to obtain and review. This detailed information will not be included in the news release that will follow the Commission meeting. Chairman Jenkins

interjected that this is the earliest they have discussed this issue since he has been on the Commission and it is in a effort to try and comply with the new requirements plus try to let the public know what the department and Commission are trying to do. This document is subject to change after public hearings, future Commission meetings, etc. and upon finalization of the committees that are working to make recommendations. As of today the Hunting Regulations Committee has met with the staff and they are in agreement to put it forward like it is advised Chairman Jenkins. Chairman Jenkins asked if anybody on the Commission had any questions or if Mr. Bateman needed any kind of action on this item. Mr. Bateman informed the Commission that no action was needed today. The department is anticipating coming before the Commission at its March meeting with a notice of intent. There will be a ninety days comments period provided after the March meeting for additional public comment on the notice of intent. Mr. McCall asked about Area 2 and the additional days in some parishes and asked what this meant. Mr. Bateman stated that he had mentioned, while going through the summary of changes, that there were nine additional either-sex days in the parishes of Bossier, Caddo, Red River, etc. and this is what it refers to. Mr. Jones commented to clarify this, nine addition means from thirteen to twenty two which is a significant difference from the rest of the state. Mr. Bateman stated that was right and went on to thank his staff for their work on these recommendations and the Hunting Regulations Committee.

Chairman Jenkins called for public comments. Mr. Jesse Fontenot, Morgan City, addressed the Commission. Mr. Fontenot advised that in the last several years they have had very bad flooding problems in the Morgan City area and the rabbits have been completely destroyed this year. Morgan City, Stevensville, and the Lake Verret area which are east and west of the levee on the spillway floods at a foot above mean sea level and five was reached on January 1 with six being reached around January 10 or 12. The rabbits have been completely destroyed by people hunting them when the area is completely flooded. Mr. Fontenot stated that rabbit hunting is a very big game in their area and he hates to see it destroyed completely. The hunters have been going onto the levee, kicking a bundle of grass, letting the rabbits run into the water and then they are shot. This is not a sport. Another problem they have in the same area is that the dog hunters have got thirty seven days of hunting and every year they get two or three weeks cut off and Mr. Fontenot would like very much to see if there is anyway the hunting season for the dog hunter could be moved ahead. Mr. Fontenot advised that he represents the sportsman and does not represent any particular group. Chairman Jenkins advised Mr. Fontenot that he would ask Acting Secretary McInnis to look into the flooding situation.

Mr. Bob McHugh, Parish Councilman, St. Mary Parish addressed the Commission. Mr. McHugh advised that Mr. Fontenot was absolutely

correct in what he is saying about the water conditions not only in St. Mary's Parish but also in portions of Terrebonne, and lower St. Martin. Mr. McHugh commented that he is in touch every day with people who brag about going out and killing seventy, eighty and ninety rabbits. These people are riding around in boats and shooting rabbits wherever they see one. These animals have a very limited place where they can retreat and hide and shooting these rabbits are not a real sport. Mr. McHugh stated that he was told the other day by a man that went on a float in Terrebonne Parish that the rabbits were dying of starvation. They have food in their stomachs but is the brown type of food which has no nourishment. Mr. McHugh recommended that the department immediately put some people in the field to go out to these troubled areas, look at them, assess them and shut the rabbit season down. Chairman Jenkins stated that they would take a look at this.

Mr. McHugh made additional comments in reference to Title 56:124(6) which addresses the possession of deer, turkey, etc. and Title 56:124(b) addressing sex identification of deer and turkey, etc. These regulations are terribly written, are ambiguous to some extent and have caused a lot of turmoil and headaches for many honest, well meaning law abiding citizens in the state stated Mr. McHugh. The 1990-91 regulations brochure is considered by Mr. McHugh to be a joke. When this printed information is distributed among the hunting public this is their field bible to help them stay legal in the field. This brochure is ambiguous, unclear, incomplete and to add insult to injury it has a disclaimer in the back of it stated Mr. McHugh. Mr. McHugh commented that he has a suggestion to help solve misinterpretation and misapplication of the above referenced statute and also disagrees with Mr. Bateman on the proposed tagging situation. If everybody puts their heads together they could make this system work. Mr. McHugh proposed for the 1991-92 season that the Commission give consideration to require deer hunters to purchase a package of tags when his or her big game license is purchased. A package of twelve would be purchased for the price of twenty four dollars or two dollars each and would consist of four buck head tags, two either-sex head tags and six carcass tags. Tags should be constructed of water resistant material and provide space for individual identification. This tag system would eliminate overkill of the resident deer herd and eliminate misapplication, misinterpretation or abuse of Title 56:124(6) and 125(b). When the tags are used up theoretically the hunter's season is over with. The situation where you have the hunter using his son's or daughter's, etc. tags once his are used is where you have got a hole in the suggestion pointed out Mr. McHugh. Everyone will need to sit down and work out as many bugs out of this recommendation as they can stated Mr. McHugh and there would be no worry about the one deer per day regulation when the tag system is in effect. Additionally the use of either-sex tags should be restricted for use between the opening day of the season to the first of December and Mr. McHugh believes this would help to eliminate the rush to the woods for either-sex days. Mr. McHugh

commented that his suggestion is not without fault and it needs additional polishing but he does consider it to be slightly better than the present situation. Mr. McHugh advised that he has drawn up a rough draft of his proposal and would like to give it to the Commission for their consideration. Chairman Jenkins thanked Mr. McHugh and asked that he leave the proposed recommendations with Acting Secretary McInnis.

Mr. Clifton Aucoin, Stevensville, Louisiana, President of the Southern Atchafalaya Sportsmen's Club addressed the Commission. Mr. Aucoin advised that they have water in the swamps that is unbelievable and the deer season should had been closed about three weeks before the end of the season. Mr. Aucoin stated that because of the feud between the bow hunters and the still hunters everything is getting so complicated that it is hard to make sense of it. What happened to the good old days when on opening day everybody went hunting and when it closed everybody picked his gun up and went home asked Mr. Aucoin. What makes the still hunters get the good days, muzzleloader hunters get the good warm days and the dog hunters are pushed to the end of the season. Mr. Aucoin stated that he would like to get an earlier season like Mr. Fontenot suggested because of their area. If the shrimp area can be zoned why can't the hunting areas be zoned asked Mr. Aucoin. Chairman Jenkins thanked Mr. Aucoin for his comments and recessed the meeting for lunch until 1:30 p.m.

Mr. Robert Helm, at Thursday's meeting, gave the Waterfowl Hunting Season Report. Mr. Helms reported that this was the state's third year with a thirty day season and a three duck bag. This was the conventional system for the third time. This year the state had the first year of a three year experimental Canada Goose season in southwest Louisiana. This was a nine day season with one Canada Goose permitted per day. A state issued permit was required to hunt during this special season. This was the first Canada Goose season in Louisiana since 1961. This year there were eight additional parishes converted to steel shot regulations and this was the fourth of a five year implementation of these regulations across the country. Louisiana and the rest of the U.S. will be steel shot regulations exclusively next year. Habitat conditions this past year were very similar to what was seen the previous year. There was a lot of late winter rains and also a very wet spring last year followed by a relatively dry summer. These were good conditions for production of submergent plants and also grasses and sages that provide good quality waterfowl food. The fall and early winter was exceptionally dry and outside of the coastal zone waterfowl habitat was restricted primarily to managed areas until mid-December where it went from a bust to a boom situation overnight. Sixteen inches of rain was received across most of the state from just before Christmas to mid-January. Water levels on the coast rose about a foot toward the end of the season and by early January there was a lot of backwater flooding of most of the major river systems across the state which caused

significant changes in waterfowl distribution with waterfowl widely disbursed over the abundant and improved habitat. Since the season has ended the trend has continued in essence of ducks and land anywhere from the Gulf of Mexico to Little Rock, Arkansas. Three waterfowl surveys were flown this year. Two of the surveys were way above the five year average and the last survey which was done in January was well below the long term and reflected primarily a change in distribution of birds out of the survey area. However, there did appear to be fewer birds in some important duck hunting areas. Particularly in Mermantau Basin, Pecan Island, southwest Louisiana rice fields in December than is traditionally seen. Over west of the Calcasieu River there was a big increase in this area in December. Hunting success along the coast was very much of a mixed bag this year with a wide range of hunting quality reported. The "worst ever" to an "excellent season" were responses that Mr. Helm received from waterfowl hunters that he had talked to. The harvest in the west coastal zone is anticipated to be less than it was last year particularly in rice field and the Mermantau Basin complex. Hunting success was good in the early part of the season but slowed as the season progressed. The second split coincided with the excessive rains and birds were distributed over a much broader area and were less vulnerable to the gun. LSU has been doing some research at Lacassine Refuge. They put radio transmitters on fifty of the birds in November. The birds were stationary until the rains hit with about twenty five birds remaining. Soon after the rains half of these birds headed north and six were found in central/north Louisiana and the other six were found in southeastern Arkansas. This is a multi-year project and upon its completion there should be some interesting information. Hunting in the eastern coastal zone appeared to be better overall than what was seen in the west with an increased harvest and participation. The persistent mild weather and combination with the fog during the last ten days of the season along the whole coast did reduce participation and success rates. Mr. Helm collected some harvest information from several private commercial and federal areas along the coast. The combined total duck harvest for this year was six thousand two hundred which is a five percent decrease from last year. Very little change. Hunters efforts increased nine percent. The success rate from these areas was 2.1 falling from 2.45 the previous year and hunting quality was reduced some. The harvest from these areas continue to show this variation, they increased by as much as thirty seven percent and one area fell by as much as seventy five percent. Water levels in this particular area were extremely low early in the season and hunters numbers were way off. Lack of adequate rain in north and central Louisiana limited waterfowl habitat to managed areas and natural wetlands until late December. A trend noted the past few years continues where many land owners who traditionally have pumped managed areas chose not to do so and just waited for later rains. With the more restrictive regulations they are not willing to put out the efforts to manage these areas as they have in the past. Hunting success was good in the limited wetlands

early, however, the number of people participating was down. Backwater flooding of the Bouef, Ouachita, Red River and Mississippi increased hunting opportunity the last two weeks of the season but also disbursed birds over a large area. A reduced harvest is anticipated for northern sections of the state. For the second consecutive year there has been a month delay in the drawdown of Catahoula Lake which the department tries to do each summer. Waterfowl food plants were somewhat reduced, particularly chufa. The water level of the lake in the fall and winter was favorable for dabbling ducks until late December when the heavy rains came. The December survey recorded over four hundred thousand birds on Catahoula Lake which is the largest number the department has seen in the past ten years. Hunter bag checks by the agency indicated approximately two birds per effort were recorded with pintail, mallard and greenwing teal being most common in the bag. Hunter participation was increased compared to the previous two years but still remains well below the long term average. Waterfowl losses to lead poisoning on the lake were minimal this year. Last year it was estimated eight to ten thousand, primarily ducks, were lost on the lake to lead poisoning. Catahoula Lake has a long history of problems with lead poisoning going back to the early 1900s'. There is a distinct clay pan along the lake which prevents the shot from settling out of reach of the birds. This is a problem which will have to be faced for an indefinite period of time. Steel shot regulations are the first positive step to prevent this, however, there is some research with preliminary results which are real promising. Some areas in the lake were seeded with lead shot and then the plots were tested with various plowing techniques in an attempt to see what techniques would work in redistributing the shot. All the work that has been done for the last twenty years has shown that the shot is hanging in the top four inches of soil. The birds feed there primarily on chufa and in the process of getting this chufa which is just a underground tuba similar to a small potato they encounter the lead shot. A vegetable plow was brought in from California which inverts the soil about eighteen inches. This has proven to be the most effective technique. Preliminary results indicate it has redistributed ninety percent of the lead shot below four inches and seventy percent below eight inches. On a very limited bases these results are encouraging but will require a lot more testing before anything can be done on a big scale .

The preliminary result from the recently completed Canada Goose season indicates that thirteen hundred eight hunters purchased state permits. Four hundred of the harvest return questionnaires have been reviewed to date and fifty of the permit hunters did not even hunt during the season with the remainder only taking two hundred Canada geese. On the average, persons hunted 2.1 days and bagged just over a quarter of a Canada goose per effort. This is far below what the department had anticipated. If this rate continues it is estimated that eight hundred to a thousand Canada geese will have been taken during the nine day season. Chairman

Jenkins asked if there were any questions. Mr. Jones asked if any of the Rockefeller geese were there. Mr. Helm answered not that he saw. Mr. Jones asked about the vegetable plow and asked if this was like a large tiller that has been incorporated to displace lead shot. Mr. Helm advised that it is a modified mow board plow which is pulled with a dozer and cost eighteen thousand dollars. This is a very big plow and is used primarily for lettuce. Chairman Jenkins thanked Mr. Helm for his report.

Mr. Hugh Bateman commented that the fact that this state just had its first Canada goose season in thirty years is in large part due because of Mr. Helm's personal efforts and aggressiveness in getting in the field, gathering information, lining up people to do bird counts, and going through a lot of personal efforts to make sure that this season was put together. Mr. Bateman personally thanked Mr. Helm for his efforts in putting this together and stated that if it had not been for Mr. Helm's personal efforts he could assure that the nine day opportunity to hunt Canada geese for the first time in thirty years would have never occurred. Mr. Jones congratulated Mr. Helm and stated that he was startled at the number of people from north Louisiana that went to south Louisiana to get a Canada. This area would not have had the benefits of the transportation of these hunters if they had not had the goose season. It generated a lot of income for hotels, hunting guides, hunting equipment, etc. in the area. Mr. Bateman stated that this is a trophy bird and the department intends the program to be treated as a trophy bird program.

At Thursday's meeting Mr. Tommy Prickett presented the Rule for Fox/Coyote Hunting Preserves, Purchase and Sale of Live Foxes and Coyotes, Permitting Year Round Coyote Trapping Regulations for ratification. Mr. Prickett informed the Commission that a notice of intent was brought before the Commission this past fall to promulgate rules and regulations to govern fox/coyote hunting preserves and the import and export of coyotes and foxes across the boundaries of the state. These regulations are currently in force through the emergency process under the APA. All that is needed today is the Commission's action to ratify the rules advised Mr. Prickett. Mr. Prickett then read the "Therefore Be It Resolved" part of the resolution. A motion was made by Mr. Jones that they adopt the fox/coyote resolution and regulations. The motion was seconded by Mr. McCall and 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 V. WILD QUADRUPEDS AND WILD BIRDS

CHAPTER I. WILD QUADRUPEDS

SECTION 113. FOX/COYOTE HUNTING PRESERVES, PURCHASE AND SALE OF LIVE FOXES AND COYOTES, PERMITTING YEAR ROUND COYOTE TRAPPING REGULATIONS

A. PURPOSE

These regulations are to govern the purchasing, selling and holding in captivity of live foxes and coyotes for chasing with hounds, These emergency regulations will prohibit the importation and exportation of any species of foxes or coyotes to or from Louisiana in an effort to prevent possible disease and parasite contamination of native wild canids. Humans are subject to a infection with the liver being the most common site of larval growth. The infection is termed alveolar hydatid disease (AHD). The number of deaths per number of infected individuals has been 50-75%. These regulations are also enacted to allow the sport of fox/coyote hunting with dogs within enclosed areas. The regulations provide general rules including licensing, permits, fees, live trapping, sale and purchase of animals, holding cage requirements, enclosure requirements, acclimation requirements and report requirements.

B. DEFINITIONS

1. Acclimation Pen - an area which is built within or adjacent to fox/coyote hunting preserves which will contain game and exclude hounds and which will allow game to become acclimated to an enclosed environment.
2. Bill of Sale - receipt showing the amount of game purchased, the date of purchase, and the person from whom the game was purchased.
3. Bona Fide Resident- any person who has resided in the state of Louisiana continuously during the twelve months immediately prior to the date on which he applies for any license and who has manifested his intent to remain in this state by establishing Louisiana as his legal domicile as demonstrated with all of the following, as applicable:
 - a. If registered to vote, he is registered to vote in Louisiana.
 - b. If licensed to drive a motor vehicle, he is in possession of a Louisiana registration for that

vehicle.

- c. If owning a motor vehicle located within Louisiana, he is in possession of a Louisiana registration for that vehicle.
 - d. If earning an income, he has filed a Louisiana state income tax return and has complied with state income tax laws and regulations.
 - e. As to a corporation or other legal entity, a resident shall be any which is incorporated or otherwise organized under and subject to the laws of Louisiana, and as to which the principal place of business and more than fifty percent of the offices, partners, or employees are domiciled in Louisiana.
4. Box Trap - a drop-door type of trap that upon the games entry into the device encloses and detains the game.
 5. Closed Season - that period of time of the calendar year not specifically included in the open season.
 6. Department - the Louisiana Department of Wildlife and Fisheries.
 7. Enclosure - (See "Fox/Coyote Hunting Preserve").
 8. Fox/Coyote Hunting Preserve - an area which is completely enclosed by adequate fencing to contain game and hounds which is built and maintained for the purpose of training or chasing game with hounds.
 9. Fox/Coyote Hunting Preserve Operator - anyone acting as an agent of the owner in caring for or managing the maintenance and/or business of the preserve.
 10. Fox/Coyote Hunting Preserve Owner - anyone who legally has possession or has legally leased property on which the enclosure is established.
 11. Game - any red fox or grey fox or coyote stocked in a fox/coyote hunting preserve for the purpose of dog training and/or chasing with hounds.
 12. LDWF Approved Applicant - a person who has had no major wildlife or fish violations during the past three years, who has a minimum of 2 years of trapping experience and who is at least 15 years old.

13. Landowner - any person who owns land on which traps are set.
14. Licensee - any resident or nonresident lawful holder of an effective license duly issued under the authority of the Department.
15. Non-game quadruped - alligators, beavers, bobcats, coyotes, grey foxes, minks, muskrats, nutrias, opossums, otters, raccoons, red foxes, skunks and other wild quadrupeds valuable for their furs or skins.
16. Non-game quadruped breeder - any person properly licensed to engage in the business of raising, exhibiting and selling non-game quadrupeds.
17. Non-game quadruped exhibitor - any person properly licensed to engage in the business of raising and/or exhibiting non-game quadrupeds.
18. Non-target animal - any animal other than red fox, grey fox or coyote.
19. Permittee - any person who has obtained a valid permit from the Department for trapping coyotes during the closed season.
20. Person - includes any individual person, association, corporation, partnership, or other legal entity recognized by law.
21. Possess - In its different tenses, the act of having in possession or control, keeping, detaining, restraining, holding as owner, or as agent, bailee, or custodian for another.
22. Raising - the production of red fox, gray fox, or coyotes in controlled environmental conditions or in outside facilities.
23. Rearing - (See "Raising").
24. Relaxing Lock - locking device on a snare that loosens and tightens in response to the game's action.
25. Resident - (See "Bona Fide Resident").
26. Snare - wire device used for taking non-game quadrupeds.

26. Soft Catch™ - Trap (manufactured by Woodstream Corporation), no modifications.
27. Take - In its different tenses, the attempt or act of hooking, pursuing, netting, capturing, snaring, trapping, shooting, hunting, wounding, or killing by any means or device.
28. Transport - In its different tenses, the act of shipping, attempting to ship, receiving or delivering for shipment, transporting, conveying, carrying, or exporting by air, land, or water, or by any means whatsoever.
29. Trap - any device used in the capture of birds, quadrupeds or fish.
30. Trapper - any person properly licensed by the Department engaged in the trapping of nongame quadrupeds.

C. LICENSES, PERMITS, AND FEES

The licenses and fees required for activities authorized by these regulations are as prescribed under provisions of Title 56, or as prescribed in these regulations, and are:

- 1) \$10 for a resident nongame quadruped exhibitors license.
- 2) \$25 for a resident nongame quadruped breeder license.
- 3) \$25 for a resident trappers license.
- 4) \$25 for an annual special permit which may be issued to a Louisiana Department of Wildlife and Fisheries approved applicant (authority granted by La. Laws pertaining to Wildlife and Fisheries R.S. 56:123 (C) for the trapping of coyotes only, outside of the annual trapping season. In order for the permittee to sell live coyotes he must also possess a nongame quadruped breeders license (\$25) (Authority 56:262.1) and a valid trapping license.
- 5) Upon payment of \$10 a nongame quadruped exhibitors license may be issued permitting the applicant to breed and/or exhibit such animals provided he meets the rules and regulations of the Department.
- 6) Upon payment of \$25 a nongame quadruped breeder license may be issued permitting the applicant to breed, propagate, exhibit, and sell such animals alive.

D. GENERAL RULES

- 1) No person shall take, possess, purchase or sell live foxes or coyotes, except as provided in these regulations and Louisiana R.S. Title 56.
- 2) No person shall hold in captivity any live foxes or coyotes, except as provided in these regulations and Louisiana R.S. Title 56.
- 3) Fox/Coyote hunting preserves shall be of a type and construction such that it will insure the normal containment of both foxes, coyotes and hounds.
- 4) Fox/Coyote hunting preserves shall contain an adequate number of escape areas which are houndproof. These may be provided by maintaining thickets, brush piles, windrows, or where natural cover is insufficient, by providing manmade escapes such as culverts or houndproof feeding stations.
- 5) The owners of fox/coyote hunting preserves shall be required to make available to the game:
 - a) Food that is palatable, uncontaminated and nutritionally adequate to ensure normal growth and maintenance.
 - b) Water which is fresh, uncontaminated and available at all times.
- 6) No person shall transport, possess, purchase or sell any live foxes or coyotes taken outside the state of Louisiana. Live foxes and coyotes obtained from outside the State of Louisiana prior to the enacted date of these regulations and in possession of properly licensed persons shall be exempt.
- 7) No person shall transport from the state or offer for sale out of state any live foxes or coyotes.
- 8) Acclimation pens shall be constructed adjacent to or within an enclosure to insure the containment of foxes and coyotes and the exclusion of hounds. This requirement may be waived for "training enclosures" or in enclosures where running is discontinued for a minimum of 2 weeks while foxes/coyotes adjust to the enclosure environment.
- 9) No person may engage in the business of raising or exhibiting or otherwise possessing fox or coyotes for the purpose of operating a fox/coyote hunting preserve unless he or she has acquired and possesses a valid nongame quadruped breeder or exhibitor license.

- 10) A licensed trapper may offer for sale such live animals to any licensed nongame quadruped breeder or exhibitor during the open trapping season. During any such transactions, a bill of sale must be provided by the trapper to the nongame breeder or exhibitor and retained for a period of one year.
- 11) Permittees (trapping coyotes during the closed trapping season) will be required to use only the "soft catch" type trap not to exceed a size #1/2, or a box-type trap, or a snare with a relaxing lock.
- 12) Permittees trapping coyotes during the closed trapping season and licensed as a nongame quadruped breeder may offer for sale such coyotes. During any such transaction, a bill of sale must be provided by the seller to the purchaser and retained for a period of one year by the purchaser.
- 13) It shall be unlawful to trap coyotes during the closed trapping season without a permit issued by the Department.
- 14) Permittees will be required to check traps daily.
- 15) Permittees will be required to have in possession written permission from the landowners or lessee where traps are set.
- 16) Permittees shall release all nontarget species in a manner so as to keep stress or injury minimal.
- 17) It shall be unlawful to sell native wild foxes or coyotes outside the State of Louisiana.
- 18) Trappers and permittees who hold game for more than one day for sale shall confine animals at a rate of no more than one fox per 9 square feet and one coyote per 17 square feet. The cage must high enough for each animal to easily sit or stand. The cage must be escape-proof and offer protection from adverse weather.
- 19) Fox/Coyote hunting preserves shall be exempt from the Commission action which prohibits the running of coyotes during the open turkey season.
- 20) The Louisiana Department of Wildlife and Fisheries has the authority to conduct disease investigations at any time and pending the results of the disease investigations has the authority to quarantine fox/coyote hunting preserves if deemed necessary. The Department also has the authority

to prohibit the release of animals that are diseased or have been exposed to diseased animals.

- 21) The owners of fox/coyote hunting preserves shall be required to immediately report to the Department the occurrence of any disease contracted by captive fox or coyotes. These diseases include but are not limited to rabies, canine distemper, sarcoptic mange or Echinococcus infections.

E. REPORT REQUIREMENTS

- 1) Report forms provided by the Department must be completed and filed with the Department by all persons who have been issued a nongame quadruped breeder or exhibitor license or who have been issued a special permit allowing the trapping of coyotes only in the closed season in accordance with this subsection. Reports shall include but not be limited to the information specified in subsection 262.1(d). Failure to complete these forms properly and completely will result in non-renewal of the nongame quadruped breeder or exhibitor license.
- 2) All licensed nongame quadruped exhibitors will be required to include information regarding numbers of animals by species in captivity, number of known losses (death or escape), number of animals by species purchased and the sources of game purchases.
- 3) All licensed nongame quadruped breeders will be required to include information regarding numbers of animals by species in captivity, numbers of losses, numbers of animals by species purchased and the sources of game purchases, and number of sales by species and the person who bought the game.

F. PENALTY FOR VIOLATION

Violation of these regulations will be a Class II violation with the following exceptions:

- 1) Violation of the license requirements for nongame quadruped breeders and nongame quadruped exhibitors shall be a Class III violation (See C-1, C-2 and D-2).
- 2) Violation of the reporting requirements shall be a Class III violation (See E-1, E-2, and E-3).
- 3) Violation of the regulations pertaining to import of foxes and/or coyotes into the state or export of foxes and/or coyotes from the state shall be a Class IV violation (See D-6 and D-7).

AUTHORITY NOTE: Promulgated in accordance with R.S. 56: 123(C) and R.S. 56262.1.

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

James H. Jenkins
Chairman

At Thursday's meeting Mr. John Roussel presented the rule on **King and Spanish Mackerel and Cobia, Size Limits and Possession Limits** for ratification. Mr. Roussel advised that at the October Commission meeting a notice of intent was passed to establish both size limits and bag limits for three species of saltwater fish. These fish were the Spanish mackerel, king mackerel and cobia better known in Louisiana as a lemon fish. The proposal is a slight modification of some existing size limits and bag limits. The current regulations specify that there is a minimum size limit for Spanish mackerel which is specified in both fork length and total length. The notice of intent simplifies this and only refers to a total length. In addition, it places a minimum size on king mackerel which previously did not exist and simplifies this in the same fashion as the Spanish mackerel by only referring to a total length. The other change from existing bag limits is that the previous bag limits were specified as "per trip bag limits" which was done for the sake of providing consistency with federal regulations off of Louisiana. The feds have since changed to "per day limits" so for the sake of consistency the department is proposing to change to "per day limits" also advised Mr. Roussel. The notice of intent has gone through the APA process and there have been no written or oral comments received on the proposed rule. Mr. Roussel stated that the Oversight Committee has not elected to hear this rule and he presented the rule to the Commission for final ratification. A motion was made by Mr. McCall to adopt the rule and it was seconded by Mr. Jones. The motion passed unanimously. Chairman Jenkins asked if there were any comments. There were none.

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

RULE

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

The Louisiana Wildlife and Fisheries Commission hereby adopts rules and regulations establishing size limits and recreational bag limits for king mackerel, Spanish mackerel and cobia.

The proposed size and bag limits are as follows:

Title 76
Wildlife and Fisheries
Part VII Fish and Other Aquatic Life

Chapter 3. Saltwater Sport and Commercial Fishing

Section 323. Size Limits of King and Spanish Mackerel and Cobia

The Louisiana Wildlife and Fisheries Commission does hereby adopt the following rules and regulations establishing size limits:

The minimum legal size for possession of Spanish mackerel (Scomberomorus maculatus) and king mackerel (Scomberomorus cavalla) whether caught within or without the territorial waters of Louisiana shall be 14 inches total length.

The minimum legal size for possession of cobia (Rachycentron canadum) whether caught within or without the territorial waters of Louisiana shall be 37 inches total length.

AUTHORITY NOTE: Promulgated in accordance with R.S.56:326.1 and R.S.56:326.3.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R.15:868 (October 1989), amended L.R.17: (February, 1991).

Section 327. Daily Take and Possession Limits of King and Spanish Mackerel and Cobia

The Louisiana Wildlife and Fisheries Commission does hereby adopt the following rules and regulations establishing bag limits:

The recreational bag limit for possession of Spanish mackerel (Scomberomorus maculatus) whether caught within or without the territorial waters of Louisiana shall be 10 fish per person, per day.

The recreational bag limit for possession of king mackerel (Scomberomorus cavalla) whether caught within or without the territorial waters of Louisiana shall be 2 fish per person, per day for private vessels. For charter vessels the recreational bag limit for possession of king mackerel whether caught within or without the territorial waters of Louisiana shall be either 3 fish per person per day, excluding captain and crew, or 2 fish per person, per day, including captain and crew, whichever is greater. For the purposes of this rule, charter vessel shall be defined as vessel permitted by the National Marine Fisheries Service to fish as a charter vessel under the Federal Fishery Management Plan for

the Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic.

The recreational and commercial bag limit for possession of cobia (Rachycentron canadum) whether caught within or without the territorial waters of Louisiana shall be 2 fish per person, per day.

AUTHORITY NOTE: Promulgated in accordance with R.S.56:325.1 and R.S.56:326.3.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission. L.R.13:502 (September, 1987) amended L.R.17: (February, 1991).

James H. Jenkins
Chairman

Mr. Bennie Fontenot presented the Resolution for Domestication of Tilapia and Triploid Grass Carp for Agricultural Purposes at Thursday's meeting. Mr. Fontenot advised that they are bringing back before the Commission the resolution which domesticates two exotic fish, The triploid grass carp and the tilapia. The reason for this resolution is that this will permit the department to allow under a strict regulated permit system the aquaculture of these fish under systems that the department will deem safe. The triploid grass carp is a functionally sterile fish. Before the department can issue such a permit the Commission has to domesticate or approve this exotic fish. In Title 56 there is a section that says "the secretary of the department cannot issue any permits for the culture of exotic fish until this exotic fish is domesticated by the Commission". Mr. Fontenot commented that this is the second time this is being brought before the Commission and there was a change made in the resolution. It reads "Said approval is given contingent upon Commission approval of Departmental rules pertaining to the issuance of permits". In other words the Commission will take action today to domesticate the fish, however, it will not be domesticated until the Commission goes over the rules and approves them. Chairman Jenkins called for questions from the Commission. There being none Chairman Jenkins called for a motion on the resolution. A motion was made by Mr. Jones for adoption of the resolution and seconded by Mr. Vujnovich. The motion passed unanimously. Chairman Jenkins asked if there was any public comment.

Mr. John Juneaus addressed the Commission. Mr. Juneaus stated that he was interested in culturing the tilapia in a closed system and wanted to bring up the fact that this fish is starting to enter into the market place from California and he believes it is a wise decision that the state starts to look at growing this fish in a greenhouse type arrangement where it is controlled. What is happening in Louisiana, as a state, is that it is beginning to lose market share. It is legal to grow the fish in Texas, Arkansas and

Mississippi. It is important that the state starts to look at technology and this fish, not to compete with the wild fish but to keep the business in Louisiana. What will happen is that these fish will come in from out-of-state and quite a bit of money will be lost. As technology moves the state needs to keep up. There are a lot of rumor about the fish and a lot of people are afraid of the fish stated Mr. Juneaus. This fish has been in Florida waters for the past twenty to twenty five years and in talking to the wildlife and fisheries people in Florida they talk about the fish and how fast it populates and all the problems you have with it but when you ask what problems do they see, they see none. Bass fishing is just as great as ever in Florida and Mr. Juneaus is not saying that we need to get this fish into the wild waters but is trying to say that he thinks that maybe the wildlife and fisheries might want to look a little closer at this fish and see what it is all about. This is the fish for the future. If the state does not look at growing this fish the other people that are growing it will come into the state and take the market share.

Mr. Raymond Bieo, commercial catfish farmer, Board of Directors of the Louisiana Catfish Association, addressed the Commission. Mr. Bieo stated that they wanted to express their appreciation to the department for seeking to find ways to legalize grass carp in their ponds. Mississippi has grass carp in their ponds and this gives them an economic advantage over the Louisiana catfish farmers because the grass carp cleans the bottom of the ponds. Mr. Bieo asked that as the rules are being promulgated that they have the opportunity to comment on them so that the rules can be productive and not counter productive. Chairman Jenkins stated that they would welcome their comments and asked if anyone else wanted to speak. There being no one Chairman Jenkins went on to the next item on the agenda.

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

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 gown, managed and harvested as a "domesticated fish" under the Domestic Fish Farming Program. Said approval is given contingent upon Commission approval of Departmental rules pertaining to the issuance of permits for these species and 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.

James H. Jenkins
Chairman

A. Kell McInnis III
Acting Secretary

At Thursday's meeting Mr. Don Puckett updated the Commission on the **Shell Dredging Contracts**. Mr. Puckett reported that the present shell dredging contracts expire September of this year and in anticipation of the bid process which was begun three years ago the department would recommend at this time that the full Commission refer this to the Minerals Committee for consideration. Mr. Puckett pointed out that as the Commissioners well know, that as a member or former member of the Minerals Committee, there were extensive hearings three years ago when the leases and the bid packages were first put together. A much more abbreviated process is anticipated this time because only modifications will be made to the lease and bid package that were mandated by the court. There will not be any wholesale changes. Ms. Baker and Mr. Puckett anticipate that within the next two weeks a package will be ready to send out to the members of the Minerals Committee at which time the chairman of that committee could call a public hearing wherein public input would be solicited as before. The department does not anticipate the need for more than one meeting of the committee and if all goes well a report back to the full Commission for the March meeting stated Mr. Puckett. Chairman Jenkins stated that Dr. Hines, Mr. Vinet, Mr. Pol and himself were on that committee. Mr. Vinet and Dr. Hines are now gone and Chairman Jenkins asked Mr. Schneider if he would like to serve on the committee. Chairman Jenkins explained that this has got to do with the contracts for reef shell at the mouth of the river. Mr. Schneider stated that he would. Mr. Puckett clarified that he has been acting on the assumption all along because of the present status in Lake Pontchartrain that the Commission's present action will only affect the central coast. Chairman Jenkins called for a motion that the shell dredging contracts be referred to committee. A motion was made by Mr. Vujnovich in favor of this and seconded by Mr. Foret. The motion passed unanimously.

At Thursday's meeting Mr. Don Puckett presented a resolution and the rule on **Orleans Parish Closure to Hunting or Shooting** for ratification. Mr. Puckett refreshed the Commissioner's memory that this was a closure of a portion of Orleans Parish between the Jefferson line, the lake and the Chef Pass which is near the Bayou Sauvage Nature area and for enforcement and public safety reasons the Commission deemed it advisable to close this area to hunting. What is before the Commission would make this a permanent rule advised Mr. Puckett. Chairman Jenkins called for a motion on the adoption of the resolution on the rule. A motion was made by Mr. Jones and seconded Mr. Vujnovich. Chairman Jenkins asked for

discussion from the audience. There being none a vote was called for. 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, and

THEREFORE BE IT FURTHER RESOLVED that the Louisiana Wildlife and Fisheries Commission adopts this resolution and the rule on this 7th day of February, 1991, and upon publication in the February State Register this will become a permanent rule.

James H. Jenkins, Chairman

A. Kell McInnis III, Acting Secretary

(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 III. STATE GAME AND FISH PRESERVES AND SANCTUARIES

Chapter 3. Particular Game and Fish Preserves and Commissions

Section 320. Orleans Parish Closure.

The Wildlife and Fisheries Commission does hereby adopts the rule closing 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 to all hunting or shooting by any means or device.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6 and 115.
HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 17: (February, 1991).

James H. Jenkins
Chairman

Lt. Colonel Charlie Clark gave the **Monthly Law Enforcement Report for January** at Thursday's meeting. Lt. Colonel Clark advised that he would be reporting on the Monthly Case Report, Waterfowl Season Report and a update on the comparison of the different regions as to the enforcement operations. The following number of cases were made for the month of January.

Region I	-	Minden	-	51 cases (48 enforcement/3 other)
Region II	-	Monroe	-	49 cases (36 enforcement/13 other)
Region III	-	Tioga	-	68 cases, (all enforcement)
Region IV	-	Ferriday	-	101 cases, (71 enforcement/30 other)
Region V	-	Lake Charles	-	267 cases, (260 enforcement/7 other)
Region VI	-	Opelousas	-	135 cases, (114 enforcement/21 other)
Region VII	-	Baton Rouge	-	133 cases, (130 enforcement/3 other)
Region VIII	-	New Orleans	-	184 cases, (168 enforcement/16 other)
Region IX	-	Gray	-	216 cases, (188 enforcement/28 other)

In the SWEP section there was a total of 203 running hours and 78 boats checked with 26 trawling cases in front of Grand Isle.

The Oyster Strike Force had a total of 120 cases all oyster related except for one of driving without a license.

Mr. Jones asked if the pipe that was used on the deer decoy was confiscated, he did not see it on the report. Lt. Colonel Clark stated it might be at the crime lab at this time.

There was a grand total of 1,355 cases for the month of January stated Lt. Colonel Clark,

Lt. Colonel Clark continued and reported on the statewide averages per agent and the regions. This is an updated version of a report that was given last year and the only information that will not be complete on the report was in the last four columns of Region IX and this is simply because Region VIII and IX had not been separated long enough to gather the statistics that are needed. There are some very interesting figures in the report stated Lt. Colonel Clark and one very interesting thing in the boating accident investigation column. Last year in 1990 there was a total of forty deaths which was the lowest amount, since the department

has been keeping records, that this state has had. This is attributed to the I&E Section putting out a lot better information, classroom data and the DWI teams that are now on the water and move around the state. Concerning square miles, they have come a little closer together with the number of agents the department now has. The report is a little bias in that the fourteen new agents spent most of their time in the academy and they are figured into the averages but were not productive. It did bring the averages down somewhat and would have been a lot higher if these individuals would have been productive in the field. One of the biggest increases was in the sport licenses in areas like Region VIII. This went from total license fishermen last year of about eight thousand up to eleven thousand per agent that he is accountable for. This also includes the new agents. Lt. Colonel Clark pointed out that the population per agent is way up there. When you look at something like square miles it is down to almost normal. The number of registered boats are remaining somewhat consistent around two hundred and ninety thousand. A lot of boats are being lost from the urban areas to the more rural areas and are becoming smaller boats. This gives a note that a lot of people are now fishing freshwater and in impoundments. The census of the state showed that about three hundred thousand people were dropped statewide stated Lt. Colonel Clark. Chairman Jenkins stated that this was a very important piece of information and it gives the best way to access what is being done with the enforcement resources. In the future he hopes that this can be studied and ideas of how to get this more in balance can be arrived at. Chairman Jenkins thanked Lt. Colonel Clark for his update. Lt. Colonel Clark pointed out that if they would turn to the back page of the report they would find a map designating the regions and the larger block numbers indicate where the parish Lieutenants live.

Mr. McCall asked about item twelve which showed Cameron with three agents and asked if these agents were based at Rockefeller. Lt. Colonel Clark advised they were based in Cameron and that there were no Rockefeller people included in the report. It was pointed out that the two groups did work together. Lt. Colonel Clark advised Mr. McCall that he would try to put together a map showing everyone on it. Mr. McCall stated that this would be nice if it was not a lot of trouble.

The next report that Lt. Colonel Clark gave was the Waterfowl Season report. This report basically indicates the number of citations that were issued and exactly where they were issued. The biggest violation that was incurred last year was using lead shot in steel shot zones. There was a hundred and eleven cases made in this particular category. The next highest violation was hunting migratory game birds in illegal hours. The top five categories were: 1) using lead shot; 2) illegal hours; 3) possession over the field limit of ducks; 4) hunting without a federal stamp; 5) hunting without a state stamp. Lt. Colonel Clark pointed out that areas of high violations were targeted and this is not a good

scientific sample as to how ethical the hunters were. In Region IX it shows that there was a hundred and forty seven violations with a hundred and seventy one people checked and the department is sure that this is in error stated Lt. Colonel Clark. Acting Secretary McInnis asked if this includes the reports from the specialists efforts as well or is that a separate report. Lt. Colonel Clark answered that citations were included but not your numbers checked. Mr. Schneider asked if this was significantly higher than last year. Lt. Colonel Clark stated no, the number of cases are down and explained the number of citations are up but the differential between the amount of hunters checked to get that amount of citations is pressed. The agents did not check as many hunters to find the violations simply because every hunter that came out holding a hunting license was not checked and the agents went after the individuals who were violating the law. Chairman Jenkins asked if the Commission had any other questions. There being none he asked if anybody from the audience had a question.

A gentleman from the audience asked that when netters go out after mullet are the other species that are caught a problem? Lt. Colonel Clark answered no, not if you maintain yourself within the limits. The gentleman asked if the nets kill the fish that are caught other than the mullets. Lt. Colonel Clark answered no, and generally speaking when you are talking about mullet, when they target that mullet about ninety nine percent of that catch is mullet. There is not much by-catch in mullet because those mullet are sitting dead on top of the water and when you wrap them and start to squeeze them in a haul seine all the other fish escape.

Chairman Jenkins thanked Lt. Colonel Clark for his report and asked Acting Secretary McInnis to give his report.

Acting Secretary A. Kell McInnis III gave the Secretary's Report to the Commission at Thursday's meeting. Acting Secretary McInnis reported that there have been a number of items that have come about that he would like to mention to the Commission. The biggest limelight was on the Oversight Hearings pertaining to the Black Bass Management Plan. Three weeks ago the department went before the House Natural Resources Committee and discussed the plan with the members attending. There was some confusion about the mailing that went out and was later pointed out by the Chairman of that committee that inadvertently the entire committee had been invited rather than the Oversight Committee and that procedurally although he attempted to appoint them as ad hoc members of the Oversight Committee that required prior approval by the Speaker. Since there was no prior approval the vote that was taken was not considered a binding or accurate vote. The Speaker remanded this back to the Chairman for further hearings and a second hearing was heard last Friday at which time the Black Bass Management Plan as submitted by the task force and approved by the Commission was approved. At the same time the reciprocal agreement with Texas

that would have changed the creel limit and the size from twelve to fourteen inches and from ten fish to eight fish was not approved by the Oversight Committee. An explanation of the Oversight Committee report was sent to the Governor on Monday of this week and is now on his desk. Along with this the department submitted an informational package to the Governor so that he could review the reciprocal agreement and make a determination as to what decisions, if any, he will make as far as overriding that particular committee.

At the last Commission meeting the Commissioners set forth a proposed regulation dealing with the filleting of freshwater game fish. This has been interpreted legally and otherwise by parties around the state and has created a great deal of confusion. One of the cooperative agents sent some information out that the department did not feel was entirely accurate. The department met with the agent and the Cooperative Extension Service supervisory people and a new letter with a more appropriate explanation of the proposed regulation is either in the mail now or will be shortly. The department is receiving public comments now and will likely be meeting with the Commission in the near future to discuss some of these comments and determine whether or not any modification, whether for clarification purposes or actual change of the intent of the regulation, will be necessary.

The Operation Game Thief (OGT) people have been busy. They met in Baton Rouge two weeks ago and gave out awards ranging from a minimum of three hundred dollars for a big game violation, and a minimum of a hundred dollars for a small game violation. They gave out seven thousand dollars this past weekend. In last month's Conservation Magazine Captain Keith Lacaze did a report on the OGT program. This program has been around since 1984 and has been a very successful program. The department does not supply this program with any money and the public at large must do it by donations. These donations are very much appreciated and they are what makes the program work. Without these dollars the rewards that are necessary to make it work could not be funded.

There has been a series of different meetings throughout the past month. Dr. Clark represented the department in Houston, Texas at the Gulf Council meeting this last month. The major emphasis of that meeting was the Texas Shrimp closure which did not have any particular hot spot for Louisiana but was something that has been utilized as a management practice in Texas for some time. The next meeting will be in Florida and on the agenda will be the shark fishery which they are waiting for a final plan on at this time. They will also revisit reef fish which means red snapper advised Acting Secretary McInnis. Between now and March when the meeting is held in Florida the department will be very active in reviewing the different proposals that National Marine Fisheries have in mind. Dr. Clark and Acting Secretary McInnis will probably both attend the meeting in March.

The Oil Spill Task Force met this past month which is made up of the Secretaries of the various departments, DNR, DEQ, etc. along with other appointments by the Governor. Mr. Dave Chambers, Coastal Wetlands, is also on the task force. The main thrust of the task force is to review the technical committee report which is trying to develop a oil spill coordination plan for the state. The main problem is how it is going to be funded. The Representatives and Senators on the committee include Mr. Randy Roach from Natural Resources, Oswald Decuir from Senate Natural Resources and Representative Haik who authored last year an unsuccessful bill on oil spills. Hopefully by the time the session starts there will be something acceptable not only to the Legislature but industry as well. This is continuing to be a slow process but forward steps are being made. It has also been recommended that a position be placed in the Governor's Office very similar to that of Mr. Chambers with the Coastal Wetlands to coordinate and guide the different departments as they go along in participating with the task force.

The Coastal Wetlands Task Force also met. They are working on a priority list of projects. Mr. Johnnie Tarver along with Acting Secretary McInnis are helping to develop this list. Mr. Tarver helped devise the system that is being used and it seems to be moving along well. There are some projects that are not very good and have been weeded out. The Avoca Island Levee project is being addressed by this group and there has been a recommendation to change the extension of the levee out towards the Atchafalaya Bay into a levee system that will protect the water from coming back around Morgan City.

The Budget Committee met and Ms. Bettsie Baker represented the department. The department now has a million dollars to use toward site selections, soil testing, and engineering architectural work for the fish hatchery. These people will help the department in making sure that the site that is selected is an appropriate site not only from a geographical perspective but from a building perspective as well. The selection of the engineer architectural group will be on the 26th of this month and Ms. Baker and Mr. Arthur Williams will represent the department at this hearing.

An other area of the department that have been quite active is the Habitat group. Mr. Tarver just returned from a meeting in Arizona. When Louisiana hosted the International meeting in New Orleans there was a pro-active strategy type group that was to look into animal rights and they interacted with the responsibilities of the various state fish and wildlife agencies as well as the rights of hunters and sportsmen have. Louisiana was one of the first states to recognize this potential conflict and address it by organizing within the state. Since that time, South Carolina, Texas, Arizona and Mississippi are now in the process of organizing similar groups. They also met in Dallas at the Shot Show and again

utilized the same group of people to start up the group in Arizona. Mr. George LaPointe will be coming to Louisiana on behalf of the International Association to head up this pro-active strategies effort throughout the United States and will be located in Baton Rouge. Acting Secretary McInnis has asked Mr. LaPointe to attend the next Commission meeting and to make a presentation to bring the Commission up to date on exactly where they are going and how they plan to get there.

The Land Acquisition Committee of the Commission has met several times since the last Commission meeting. Some criteria has been developed and projects are being reviewed. Hopefully in the very near future the department will be able to move forward on several of the projects.

During the last month a representative from a communications group came in from Lynchburg, Virginia that was hired by the Division of Administration as a consultant to meet with the five departments (State Police, Corrections, DOTD, DEQ and Wildlife and Fisheries) in the state to determine what radio system is best for communications for each of these departments. It was felt an overall effort in joint project by this size group would make it more financially feasible to make communication on a statewide basis become a reality. They will be coming back with three recommendations to the Division of Administration prior to the Executive Budget being submitted and will have some hard dollar figures to include in the Executive Budget for this coming session advised Acting Secretary McInnis. This group met with the department for about a week to ten days on every facet of the department's operation and Acting Secretary McInnis believes they got a good grip on what the needs are in the department and where the shortcomings are at this time. Help will be needed from all constituencies and the Commission to get this through the session advised Acting Secretary McInnis.

On February 14, 1991, the Chartres Street building in New Orleans will be going up for public auction. The minimum bid stays the same at five hundred seventy thousand dollars. Ms. Baker went to New Orleans and the cleanup and asbestos crews are hard at work and the building is looking very good. The Commission is invited to come and participate and encourage bidders.

Also in the habitat arena there is a new established or identified bald eagle nest and which is located in the Cypress Black Bayou reservoir in Bossier Parish. The nest is in an area that is private property and the department is working with the Police Jury and private citizens to protect the area and keep it from being disturbed. These birds were in that area last year but did not nest and hopefully they will do so this year. The birds down in Spanish Lake are doing well and hope to have some new additions to the eagle population soon added Acting Secretary McInnis.

The department is in the process of completing the statewide survey on the piping plover which is a federally and state listed endangered shorebird. Basically it winters along the mud flats along the mainland of the beaches and barrier islands. The preliminary data indicates that Louisiana has more wintering birds than any other state with some six hundred currently wintering here. If this is the largest population then there is good reason for it to be listed stated Acting Secretary McInnis.

The Ecological Studies group has been active having reviewed ninety seven public notices and a hundred and sixty two other permit requests. They have also been involved in the Barataria-Terrebonne National Estuaries Inventory meetings which is the planning of the future for the flood control in that area. Also they have been active in the PCB survey in Sibley Lake up in Natchitoches and the Red River Navigation Project which is Black Lake, Clear Lake and Nantachie Lake.

The Scenic Rivers people have reviewed some twenty three projects for potential scenic river permits and there are twelve applications still on file.

The Fur and Refuge Division are working with the LL&E people to expand the department's holdings at Pointe-Au-Chien and are also investigating an industry request to amend the alligator regulations. The regulations now provide that seventeen percent of the wild alligators should be returned to the wild when they reach forty eight inches in length. This regulation was established some years ago and there is a question as to whether or not that figure and/or that size is the proper size to be doing this. There has been a request from the industry to study this and the department will be working along with LSU to try and make a determination to clarify these figures.

The department was pleased to meet with a series of people in New Orleans and along the coast this past month. The North American Waterfowl Plan people visited Louisiana with several senatorial aides and embassy representatives. These people visited the state's coastal waterfowl areas and Acting Secretary McInnis believes that everyone of them was astounded to see where all the birds go in the winter.

The department hosted a public meeting at Rockefeller which was attended by the House Natural Resources Chairman, Mr. Randy Roach. There were some thirty interested people at Rockefeller to look at what the LSU landscape architectural class is putting together as far as an interpretative center at Rockefeller. Funding of this project came out of the Rockefeller Fund and LSU is using their designing class to design this for the department.

Concluding, Acting Secretary McInnis advised that the National Turkey Federation is having a meeting in Little Rock, Arkansas

later on this month and shortly after that in St. Joe, Louisiana the Louisiana Wild Turkey Federation will have their meeting.

Acting Secretary McInnis asked Mr. Bateman if he wanted to add to this report. Mr. Bateman stated that the only thing he wanted to mention was that the department and the Louisiana Chapter of the Wildlife Society will be hosting the Southeast Deer Study Group which will have about fourteen states represented and there will probably be two hundred and fifty wildlife technicians from all over the southeast in Louisiana for three days, February 24-26, 1991. They will be meeting a time or two for socials at this building in the afternoon advised Mr. Bateman but the technical meetings will be at the Hilton. The group that is meeting will consist of the top deer study and academic people from the southeast and they will be giving all kinds of technical reports in their study group meetings. Mr. Bateman asked that Mr. Mike Cook make sure that people know about this meeting through the paper. Mr. Schneider asked if you could obtain copies of the proceedings after the meeting. Mr. Bateman advised yes and believes there will be an abstract of previous whitetailed deer research work done in the southeast for the last twenty, thirty years through this study group that will be available for sale at this meeting. Acting Secretary McInnis commented that at the Southeastern meeting in Virginia in the fall this was a hot topic of discussion and just about everybody there with the wildlife group was planning on attending this meeting.

Chairman Jenkins referring back to the OGT program asked if any advertising was done on PBS, etc. Acting Secretary McInnis advised that Captain Keith Lacaze does a law line feature on the Conservationist Magazine program and from time to time it is mentioned but whether or not there is a regular advertisement he does not think so. Chairman Jenkins suggested that one be slipped in and it would only take a few seconds. The Conservation Magazine is a widely watched program and would be a good place to have one. Ms. Baker advised that on the back of the department's envelopes that are sent out there is the OGT phone number. Acting Secretary McInnis added that Captain Lacaze and the enforcement people have an excellent booth that they set up at various fairs, festivals, etc. and give out informational packets on the program. Chairman Jenkins asked Acting Secretary McInnis if he would check into the advertising. Acting Secretary McInnis stated that he would make a note on this.

Mr. Bob McHugh, 1022 Second Street, Morgan City, addressed the Commission again. Mr. McHugh stated that he just needed some clarification on the Black Bass program. Mr. McHugh advised that he received a publication from the Louisiana Cooperative Extension Service of a notice to camp owners which was obviously an interpretation on the notice of intent from the department pertaining to fish and other aquatic wildlife. This interpretation went on to say that they shall have their carcasses intact and be

in a whole condition except that the gills, scales and internal organs only may be removed. This stirred up a lot of controversy and the people still do not know what is what. Mr. McHugh asked Acting Secretary McInnis if he could clean this situation up. Acting Secretary advised this was the piece of correspondence that he had referred to earlier in his report and it was not accurate in the department's opinion. The department has met with the Ag Extension people and everybody who received the original letter should receive another one that does clarify this. The intent of the regulations is to be essentially what it is in saltwater which is if you have a camp or a vessel that is capable of cooking something there is no prohibition against filleting and consuming a fish on board. The whole point is as you come back in to the landing you are not suppose to have fillets in the boat for the simple reason if you have a size limit or a slot there is no way to know what size that fish was if he is now a fillet. Mr. McHugh stated that he understood this but the problem he has is that if you are going to address a bass problem you should address that problem. If there is a shortage of bream, striped bass, etc. that are addressed in the notice of intent then they certainly should be addressed but Mr. McHugh cannot see the push toward addressing a shortage of bass without some other things being done such as restocking, taking a limited amount during the spawning season, etc. The red flag came up all over the place on the consumption of fish at camps which was an immediate concern. The other thing was the transportation of the fillet fish from the camp back home. Mr. McHugh stated that they have normally always done this but if there is going to be problem toward a shortage of game fish he can see why the department is acting on it but does not understand it all the way. Acting Secretary Mcinnis stated that he would certainly imagine that there is going to be a lot of comments such as the ones that Mr. McHugh is making and the department will be reviewing these in making a final determination of how to write that rule. The areas that do not need it, likely won't be affected by it but the areas of concern that do need some protection will be effected.

Chairman Jenkins asked if any of the Commissioners would like to ask Secretary McInnis anything. Mr. McCall asked about the alligator item and what part of the industry had requested this. Acting Secretary McInnis answered that it is the farmers that have to put those forty eight inch alligators back and they are the ones who requested the initial study. Mr. Prickett added that some of the landowners also requested this and specifically what they are requesting is that the department re-evaluate the need to release forty eight inch alligators. Currently the regulations provide for releasing seventeen percent of the alligators at forty eight inches in size and they would like the department to look into the possibility of releasing some greater percentage of alligators at a lesser size as long as the effect would be same. Mr. Jones asked if the farmers are releasing what they are suppose to be releasing now. Mr. Prickett stated that from what he understands is correct,

they are releasing alligator from forty eight inch size now. As long as the request does not affect the wild population it does not really make any difference. If the department can determine it won't they will come to the Commission with a recommendations to change the regulation. Mr. Jones stated that a year or so ago the Commission went through a long discussion where none of the alligators were being brought back and asked if those problems had been corrected. Mr. Prickett stated that the problem he thinks Mr. Jones is referring to is the fact that most of the alligator farmers cannot grow a forty eight inch alligator in one year and what was happening was that at the end of the first year of business the farmers did not have any forty eight inch alligators so it would be the following year before they could actually make a release causing a backlog of alligators that need to be released.

It was made clear to the farmers when they initially asked for this change that whatever their obligations were to the department in the past that they are still under those obligations. If the rules change in the future this will be addressed in the future.

Chairman Jenkins asked if anybody could give an update on the Speckled Trout Quota. Mr. John Roussel addressed this item. Mr. Roussel advised that he had prepared a table that breaks down monthly landings of speckled trout through January for the last five years and distributed it to the Commissioners. Mr. Roussel commented that the bottomline of the report is the current count on the quota for 1990-91 which is five hundred thirty thousand, four hundred and seven pounds. The January figure is very preliminary and as always in the past the last three months that are reported are all subject to being revised upward as additional reports are accumulated. A more accurate portrayal of a true number at the end of the year would be looking at the cumulative for December rather than January. The January figure will be almost certainly revised upward but how much he cannot say at this time advised Mr Roussel. Chairman Jenkins questioned if the department was in a position to forecast a closure yet. Mr. Roussel answered no sir. Chairman Jenkins asked if we were running way behind the average. Mr. Roussel stated yes, he had calculated it earlier, seven hundred thirty nine thousand pounds through January, and it looks like it is about twenty six, twenty seven percent below the five year average. Mr. Roussel expects the January figure to be revised upward but how much he cannot say. Using the projection model a closure could be projected based on the data but Mr. Roussel would not be comfortable recommending the closing date. The department usually trys not to project until they think they are within one month of closing.

Chairman Jenkins asked Mr. Roussel to give an Update on the Various Fish Plans that the department is working on. Acting Secretary McInnis addressed this and informed the Commission that he had spoken with Dr. Clark in the last day or so and the redfish and speckled trout plans were expected to be out by the end of January

but due to additional data becoming available they are being recalculated and worked on and should be ready on March 1, 1991.

Chairman Jenkins asked Mr. Roussel why do some speckled trout have one tooth and some have two teeth, did it have anything to do with the sex of the fish. Mr. Roussel stated that he won't say yes or no but he is not aware of being able to tell the sex of speckled trout by the number of teeth. Chairman Jenkins asked Mr. Roussel to check this out and give a report at the next meeting - if the number of teeth in the speckled trout has anything to do with the sex of the fish.

Mr. Jessie Fontenot asked what was the total pounds of speckled trout caught according to Mr. Roussel's information. Mr. Roussel stated that it was five hundred and thirty thousand, four hundred seven pounds. Mr. Fontenot asked what was the commercial value of the speckled trout. Mr. Roussel stated that he could not answer off the top of his head. The National Marine Fishery Service calculates a annual dockside value and after the meeting advised Mr. Roussel, he and Mr. Fontenot could go to his office and get this information.

Mr. Jones stated that he had something that has come up in north Louisiana. A local lake commission passed a user fee on the boats in Lake Darbonne and they have singled out not only boats that enter with a charge of fifteen dollars for the year but also isolated bass tournaments which they have one at least every weekend where they are assessing each contestant in the tournament eight dollars per team. The lake commission is going around saying that Wildlife and Fisheries is going to enforce this. Mr. Jones asked if this was true, is it legal and how do we stand on this. Can they as a lake commission assess a user fee for boats entering Lake Darbonne asked Mr. Jones. Mr. Puckett, Legal Counsel, addressed this issue. Mr. Puckett advised that he has taken an initial look at this and his initial conclusion, although he is pretty confident with it, is that they can. Mr. Jones asked if this was affirmative. Mr. Puckett stated that this was his interpretation and this was not one of those commissions that the department has the power to totally approve their rules and regulations. There are certain game and fish commissions in the state that the department does have almost total dominion over as far as approval of all their regulations. The Darbonne Watershed District is actually created under Title 38 which is Public Works and the focus, as it was created, is much less on fish and wildlife than other things. The department or Commission has certain authority with that watershed district but only in so far as enforcement and approval of regulations on fish and game. The district itself it apparently autonomous in all other respects including operation of watercraft and raising funds by taxes or otherwise. It is Mr. Puckett's opinion that the Commission or the department is without authority to prevent this from happening. If there are other issues from a constitutional nature, such as

charging the public to use what is otherwise a public body of water, which Darbonne is, this is something that perhaps could be addressed by the Attorney General's Office. With regard to the second issue it is the opinion of Mr. Puckett that the department is not bound to enforce the decal provision. Mr. Jones summarized then it was Legal Counsel's opinion that they can do this and it was also Legal counsel's opinion that the department was not going to force it as its job and asked if this was right or wrong. Mr. Puckett stated that it was his opinion that the department cannot be made to enforce this, but does have the authority, but not bound to. What directive the agents would take would come from the Secretary as far as enforcement of this. The district anticipated that the department would enforce this because it was part of their resolution commented Mr. Puckett.

Chairman Jenkins asked if there were any other questions from the Commission. There being none Chairman Jenkins went to the next item on the agenda which was Public Comments and asked if anybody had any comments.

Mr. Nolen Lapeyrouse, 2313 East Christy Drive, St. Bernard, Louisiana, addressed the Commission. Mr. Lapeyrouse commented on a recent action of the Commission which involved the **Closure of the Public Oyster Seed Grounds.** Mr. Lapeyrouse read a prepared statement on this issue. Mr. Lapeyrouse comes from a long line of oyster farmers and stated that oyster farmers depend on the state seed grounds. Mr. Lapeyrouse does not see any reason for early closure of the public oyster seed grounds and pointed out that this is not the way to maximize production. Since taking seed or sack oysters in any winter months will not affect the next year's crop there is no reason to close the oyster season before the spring with the date being no earlier than April 15th of each year. Mr. Lapeyrouse stated that recently he was asked by a Commission member the feelings of the people in his area of possibly moving the oyster season opening from September to October and he replied it was a great idea as it would lessen mortality in hotter months but it would also adversely affect these people if the season would not be extended for at least as many days. Mr. Lapeyrouse feels like the adverse effect was never discussed. A letter was sent to Mr. Kell McInnis which implied that the Oyster Task Force voted unanimously for a February 15th closing of the oyster season. Mr. Lapeyrouse stated that he attended that meeting and this was not the case, it was not voted on. At this meeting a resolution was introduced to reopen the season for bedding for one month from January 15th to February 15th. This January 15th opening was to take into effect the closing of the flood gates at Empire so as the west side boats could have access to the seed. At this January opening a law was ignored which was the three inch law which was in effect at the time which runs from January 1st to April 1st. Mr. Lapeyrouse stated that he was told through the grapevine that if any part of the season remains opens this law would be strictly enforced on the boats that would remain fishing in the area.

Concluding Mr. Lepeyrouse advised that Mr. George Barrisger also has something to say about the matter.

Mr. George Barrisger, St. Bernard Parish, commercial fishermen, addressed the Commission. Mr. Barrisger stated that he is from a long line of commercial fishermen and would very much like to continue this heritage and remain a commercial fishermen. However, unless some changes are made in the decision making process concerning the fishing industry Mr. Barrisger and many other like himself will be forced out of the business. Not because they are not good at what they do but because of the restrictions and the laws that are being imposed upon the commercial fishermen that are either limiting their time to work or restricting their ability so much so that they can no longer produce enough to cover the escalating cost of a fishing operation and still turn a profit. Mr. Barrisger's primary reason for being at the Commission meeting is to call attention to the Commissioners of a decision that is going to have that exact effect which is the decision of the premature closing of the 1990-91 oyster season on February 15th. The secondary reason and more important reason for attending the meeting is to inform, educate and enlighten the Commission on what the actual effects of their decisions are advised Mr. Barrisger and does not want to see decisions and actions within the industry separate, divide and destroy a viable industry. Mr. Barrisger offered his services to the Commission so that they can work together toward a common goal. Mr. Barrisger and the commercial fishermen whom he is representing feel that the proposed closing of the 1990-91 oyster season will be very detrimental to them financially. They also feel, with all factors considered, it is not the best course of action to take in reference to proper management of the resource. In support of opposition several unrefutable reasons have been outlined why the season should remain open until its regular closing date of April 1, 1991. These reasons are: 1) with the 1990-91 season starting in October instead of September the season was already shortened by thirty days and consequently if the season is closed on February 15th another forty five days will be lost which would mean a two hundred and ten day season with over one third of the possible time to work being lost and when you factor in the amount of day you cannot work due to weather the season will not be long enough to be profitable; 2) this season the Louisiana crop consisted over few small areas with small oysters mainly for bedding and after about the first thirty or forty days the amount of oysters dropped, however, demand and price were high enough for the fishermen to continue working until the Texas season opened and the bottom fell out of the Louisiana market, the price plummeted and the orders fell off to almost nothing. Therefore, from November 15th to January 15th, the day the wild reef was reopened for bedding, the season has virtually been closed. Now with the Texas closure, Mardi Gras and Lent coming up the market is starting to loosen up to where the fishermen can market their product. Consequently if the season is closed on February 15th the fishermen will be deprived of a prime

opportunity to move oysters and possibly salvage a decent season; 3) although there is not an abundance of oysters out there, there is enough to make a decent days work. What constitutes a days work for Mr. Barrisger might not be enough for some larger operations, however this does not give them the right to try and close the season to stop Mr. Barrisger from working. The fishermen understand that there are many factors to be considered politically as well as financially but a decision must be made to where the greater number of people get the maximum benefit. The industry is in trouble, the fishermen are in trouble and cooperation is needed so that they can survive until times get better; 4) everyone is hoping that the freshwater diversion project in Cernarvan replenishes the dominant reefs on the outside, however, no one can predict what the mortality rate will be once the freshwater does come through, so why not let the fishermen fish the live marketable product that is there now. Another reason for leaving the season open is that with the freshwater everyone is hoping for a good spat catch and everyone in the room who know anything about oyster reproduction knows that the cleaner a reef is the more it is worked and the shells are turned over and the chance for a spat catch are greatly enhanced. Therefore from a biological standpoint a premature closing is not in the best interest; 5) the only other argument in favor of closing the season is that some people believe too high of a percentage of shells are being carried off by the boats that are bedding. What Mr. Barrisger is bedding and catching is mostly live oysters. To solve the issue about to many shell if you inspect the vessel of a responsible oyster fishermen who knows how to set his dredge the percentage of shells will be relatively low but if you check the vessel of some irresponsible dragline operator you will find a high percentage of shell and dealing with this problem should be done in another manner. Closing the season is not the answer. Mr. Barrisger stated in conclusion for the reasons that were just outlined and the overall welfare of all the people who want to remain working they strongly protest a premature closing of the 1990-91 oyster season and respectively request that the original closing date of April 1, 1991 be reinstated. If the Commission cannot see their way clear to reinstating the original closing date of April 1 Mr. Barrisger asked that the closing be delayed until a meeting of the Oyster Task Force can be rescheduled. Mr. Barrisger asked if there were any comments. Mr. Vujnovich stated that Mr. Barrisger had made a statement that when the Texas oyster season opened the Louisiana oysters took a nose dive and this is what the Commission and department are trying to do, to bring back the Louisiana oyster industry. Every since the fishermen have been hitting the state seed grounds heavily for oyster sacking the state of Louisiana has been on the down grade. Seed is needed and it is not only the fishermen's fault it is mother nature also stated Mr. Vujnovich. Mother nature means everything stated Mr. Vujnovich and believes that if the season is closed on February 15th, next year will be one of the best years that the fishermen will have had in the last ten years. Mr. Barrisger stated that something has got to be done to help

everybody and this closure is not in the best interest of most of the fishermen concerned. This closure will stop a lot of people who could salvage a winter and Mr. Barrisger does not think this is right. Chairman Jenkins thanked Mr. Barrisger for his comments and asked Acting Secretary McInnis to investigate into what could be done under the existing rules and regulations. Chairman Jenkins called for any other public comments.

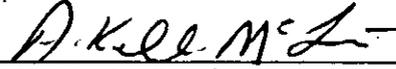
Mr. Randy Lanctot, Executive Director, Louisiana Wildlife Federation, addressed the Commission. Mr. Lanctot took this opportunity to invite the Commissioners to attend the 52nd Annual Meeting which will be held in Covington, Louisiana from March 1-3, 1991. The Wildlife Federation would appreciate their attendance and participation and thinks the Commissioners would find it interesting. The Federation would also benefit by the Commission's participation. This also goes for the staff of the Louisiana Department of Wildlife and Fisheries advised Mr. Lanctot. Mr. Lanctot stated that there is a lot of discussion about what is going to be done with the trout and redfish over the next couple of years and sitting through some Commission meetings last fall there was a lot of interest expressed back then and there was going to be some kind of plan forthcoming in January. The people in the Federation really need this information to be able to come to some kind of conclusion and make some decisions within the next thirty days stated Mr. Lanctot and whatever information the Commission and the department can provide would be appreciated. Chairman Jenkins advised Mr. Lanctot that they had just discussed this and they are working on trying to get it out.

The April Commission Date was set at Thursday's meeting. The date for the meeting was set for April 4, 1991, at the Wildlife and Fisheries Building in Baton Rouge for 10 p.m.

A gentleman from the audience asked about the Crab Dredge situation. Acting Secretary McInnis advised that they have got the department staff working with the people who developed the dredge. They are doing some dragging and testing with it right now and a report is expected shortly.

Mr. Nolen Lapeyrouse asked who actually sets the Oyster Season. Mr. Roussel stated that he was not the oyster man but thought he could answer the question. Mr. Ron Dugas is the Oyster Program Manager and is most familiar with this. Mr. Roussel stated that the way he appreciates it is that the Legislature sets the window within which the Commission has authority to set the annual seasons. This year the Commission did set a annual season but in addition to that granted authority to the Secretary to make a closure when he deemed it was appropriate and also to reopen it within that window if he deemed it appropriate

There being no further business, Chairman Jenkins called for **Adjournment** of the February 7, 1991, Commission meeting. Mr. McCall made a motion that the meeting be adjourned. The motion was seconded by Mr. Vujnovich and passed unanimously.



A. Kell McInnis III
Acting Secretary

AKM:sb

January 31 ,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, February 7 1991, 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 for January 10, 1991
3. Recommendation of the Shrimp Task Force on Opening Shrimp Season in Gulf
4. Ratification of Rules and Regulations for Participation in DMAP
5. Announce Staff (Biologist) Recommendations for 1991-92 Hunting Seasons on Resident Game
6. Waterfowl Hunting Season Report
7. Ratification of Rule for Fox/Coyote Hunting Preserve
8. Ratification of Rule for Cobia/Mackerel Size and Possession Limits
9. Resolution for Domestication of Tilapia and Triploid Grass Carp for Agricultural Purposes
10. Shell Dredging Contracts
11. Ratification of Rule for Orleans Parish Closure to Hunting or Shooting
12. Monthly Law Enforcement Report/January
13. Acting Secretary's Report to the Commission
14. Set April Commission Meeting Date
15. Public Comments

AGENDA
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
BATON ROUGE, LOUISIANA
FEBRUARY 7, 1991

1. Roll Call
2. Approval of Minutes of January 10, 1991.
3. Recommendation of the Shrimp Task Force on Opening Shrimp Season in Gulf - Houston Foret
4. Ratification of Rules and Regulations for Participation in DMAP - Hugh Bateman
5. Announce Staff (Biologist) Recommendations for 1991-92 Hunting Seasons on Resident Game - Hugh Bateman
6. Waterfowl Hunting Season Report - Robert Helm
7. Ratification of Rule for Fox/Coyote Hunting Preserve - Tommy Prickett
8. Ratification of Rule for Cobia/Mackerel Size and Possession Limits - Jerry Clark
9. Resolution for Domestication of Tilapia and Triploid Grass Carp for Agricultural Purposes - Jerry Clark
10. Shell Dredging Contracts - Bettsie Baker
11. Ratification of Rule for Orleans Parish Closure to Hunting or Shooting - Tommy Candies
12. Monthly Law Enforcement Report/January - Winton Vidrine
13. Acting Secretary's Report to the Commission - A. Kell McInnis III
14. Set April Commission Meeting Date
15. Public Comments

AGENDA
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
BATON ROUGE, LOUISIANA
FEBRUARY 7, 1991

IA-60 → Meeting called to order

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13. Acting Secretary's Report to the Commission - A. Kell McInnis III
14. Set April Commission Meeting Date 552 III A
15. Public Comments

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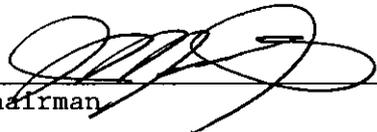
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LOUISIANA WILDLIFE AND FISHERIES COMMISSION

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 Commission approval of Departmental rules pertaining to the issuance of permits for these species and 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

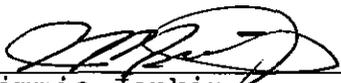
LOUISIANA WILDLIFE AND FISHERIES COMMISSION

FOX/COYOTE HUNTING PRESERVE REGULATIONS

- WHEREAS, The Louisiana Department of Wildlife and Fisheries has the authority under state statute to establish rules and regulations pertaining to captive non-game quadrupeds; and
- WHEREAS, The Department has licensed and regulated fox/coyote hunting preserves under the provisions of RS 56:262.1 issuing non-game quadruped exhibitor or breeder licenses; and
- WHEREAS, The Department has now determined that the import or export of foxes or coyotes should be prohibited to guard against public health threats as well as wildlife disease threats; and
- WHEREAS, The Notice of Intent was published in the October, 1990 issue of the Louisiana Register; and
- WHEREAS, A public hearing was conducted where public comments were received and no written comments were received; and
- WHEREAS, It is the finding of this Commission that the Rule as published will adequately regulate fox/coyote hunting preserves to eliminate the spread of disease;
- THEREFORE, BE IT RESOLVED, that the Louisiana Wildlife and Fisheries Commission hereby adopts Fox/Coyote Hunting/Preserve Regulations.



A. Kell McInnis, III
Acting Secretary



Jimmie Jenkins
Chairman

February 7, 1991

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, 7 FEBRUARY 1991.

WHEREAS, the Deer Management Assistance Program (DMAP) is a very successful and popular method of managing deer herds on private lands in Louisiana and,

WHEREAS, the DMAP has grown from very limited participation in 1981 to over 800 cooperators with 1.7 million acres involved, and

WHEREAS, the Louisiana Wildlife and Fisheries Commission has adopted a schedule of enrollment fees, to participate in the program and generates in excess of \$80,000 annually, and

WHEREAS, rules and guidelines have been established to govern participation in the program, now

THEREFORE BE IT RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby ratify the attached rules and regulations as a permanent rule for participation in the Deer Management Assistance Program in accordance with the Administrative Procedure Act.



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



Jimmy Jenkins, Chairman
La. Wildlife and Fisheries
Commission

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

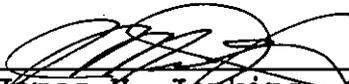
WHEREAS, The U.S. Fish and Wildlife Service and the New Orleans Police Department support correcting this situation before someone is injured; and

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, and

THEREFORE BE IT FURTHER RESOLVED that the Louisiana Wildlife and Fisheries Commission adopts this resolution and the rule on this 7th day of February, 1991, and upon publication in the February State Register this will become a permanent rule.



James H. Jenkins, Chairman



A. Kell McInnis III, Acting Secretary

COMMISSION MEETING
ROLL CALL
Thursday, February 7, 1991
Baton Rouge, LA

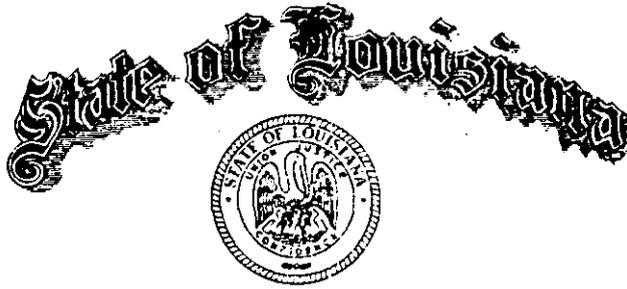
	Attended	Absent
Jimmy Jenkins (Chairman)	✓	—
Houston Foret	✓	—
Bert Jones	✓	—
Norman McCall	✓	—
Warren Pol	✓	—
John Schneider	✓	—
Peter Vujnovich	✓	—

Mr. Chairman:

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

AGENDA
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
BATON ROUGE, LOUISIANA
FEBRUARY 7, 1991

- ✓ 1. Roll Call
- ✓ 2. Approval of Minutes of January 10, 1991.
- ✓ 3. Recommendation of the Shrimp Task Force on Opening Shrimp Season in Gulf - Houston Foret
- ✓ 4. Ratification of Rules and Regulations for Participation in DMAP - Hugh Bateman
- ✓ 5. Announce Staff (Biologist) Recommendations for 1991-92 Hunting Seasons on Resident Game - Hugh Bateman
- ✓ 6. Waterfowl Hunting Season Report - Robert Helm
- ✓ 7. Ratification of Rule for Fox/Coyote Hunting Preserve - Tommy Prickett
- ✓ 8. Ratification of Rule for Cobia/Mackerel Size and Possession Limits - ~~Jerry Clark~~ John Roussel
- ✓ 9. Resolution for Domestication of Tilapia and Triploid Grass Carp for Agricultural Purposes - ~~Jerry Clark~~ Bennie Fontenot
- ✓ 10. Shell Dredging Contracts - ~~Bettsie Baker~~ Don Puckett
- ✓ 11. Ratification of Rule for Orleans Parish Closure to Hunting or Shooting - ~~Tommy Candies~~ Don Pucket
- ✓ 12. Monthly Law Enforcement Report/January - ~~Winton Vidrine~~ *Chas Clark*
- ✓ 13. Acting Secretary's Report to the Commission - A. Kell McInnis III
14. Set April Commission Meeting Date
15. Public Comments



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 18, 1991

MEMORANDUM

TO: A. Kell McInnis III, Acting Secretary

FROM: Philip E. Bowman, Asst. Administrator, Marine Fisheries *PEB*

SUBJECT: Report on Shrimp Task Force January 17, 1991 Meeting

On January 17, 1991, the Shrimp Task Force (STF) met in the Department's Baton Rouge office (agenda attached). A crowd of approximately 250 made up of state and local elected officials, shrimp fishermen and interested citizens attended. In the very beginning of the meeting, 3 additional items were added to the STF agenda; 1) discussion of opening the offshore shrimp season, 2) discussion of communications between the Department and Wildlife and Fisheries Commission and fishermen relative to season closures, and 3) discussion of a special pink shrimp season in Breton and Chandeleur Sound.

The STF first took up the issue of opening the shrimp season offshore; they listened to over 2 hours of public testimony and then discussed the issue among themselves for about 30 minutes. During the public testimony it was apparent many of the fishermen present were under the impression that the STF could, themselves, open the offshore shrimp season or, at a minimum, if the STF recommended the offshore shrimp season be opened the Commission would hold a special meeting and do so immediately. Many of the public comments were very similar to those presented to the Commission relative to this request at the Commission's January 10 meeting. After considerable discussion the STF passed the following matter by a vote of 11 Ayes, 2 Nays. "Testimony by fishermen to the Shrimp Task Force was overwhelming for leaving the beach open statewide and the task force does therefore recommend a statewide beach opening immediately." Additionally, the STF passed a motion that "In conjunction with the recommended beach opening, the Shrimp Task Force recommends to the Department of Wildlife and Fisheries and the Wildlife and Fisheries Commission that strong enforcement of the 100 count law on white shrimp take place."

MEMO TO: A. Kell McInnis
January 18, 1991
Page 2

The STF also took public testimony on prohibiting night shrimping and increasing the mesh size on shrimping gear during the fall (white) shrimp season. There was an overwhelming opinion among the fishermen who spoke that night shrimping should be allowed and the task force passed a motion by a vote of 8 Ayes, 0 Nays and 4 abstained to take no action on any change concerning night shrimping activities. Relative to a change in mesh size, the STF passed a motion by a vote of 6 Ayes, 3 Nays and 3 abstained to recommend changing the minimum mesh size to 1 1/2 inch during the white shrimp (fall) season.

On the special pink shrimp season, the STF passed a motion to support a special pink shrimp season in Breton and Chandeleur Sound if biological data indicated enough pink shrimp were available to support such a season.

If you need additional information, please let me know.

PEB:csg

cc: Jerry Clark
Corky Perret
John Roussel

AGENDA

FOR

SHRIMP TASK FORCE MEETING

January 17, 1991

10:00 a.m.

Louisiana Room, Wildlife & Fisheries Building
Baton Rouge, La.

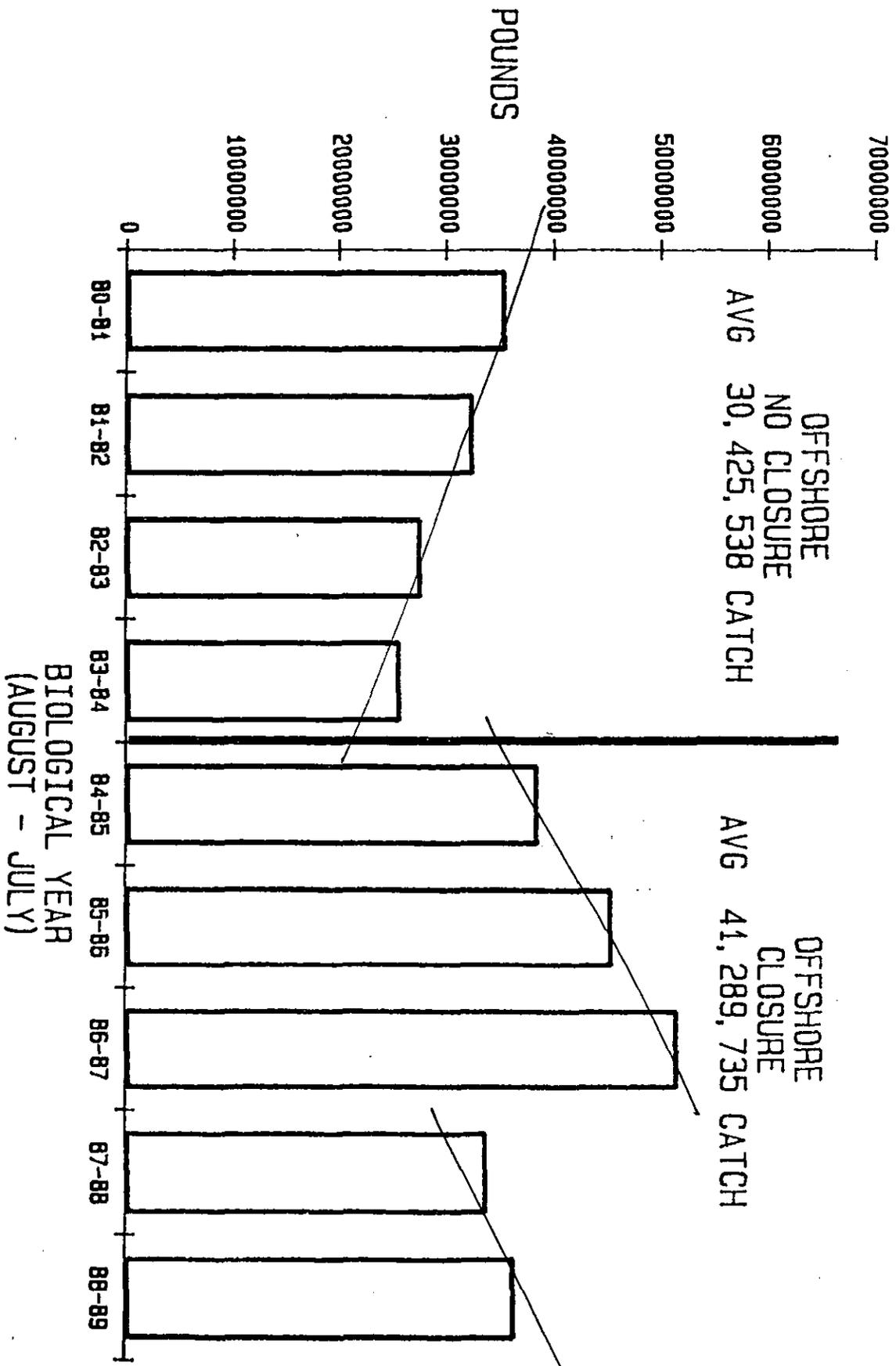
10:00 a.m.	-	10:05 a.m.	Adoption of Agenda
10:05 a.m.	-	12:00 noon	Public Comment On: 1) Prohibiting Night Shrimping During The Fall White Shrimp Season 2) Increasing The Current Minimum Mesh Size of 1 1/4 " During The Fall White Shrimp Season
12:00 noon	-	1:15 p.m.	Lunch on your own
1:15 p.m.	-	2:00 p.m.	Public Comment Continued
2:00 p.m.	-	3:00 p.m.	Task Force Recommendations on Public Comment on Prohibiting Night Shrimping During The Fall White Shrimp Season
3:00 p.m.	-	3:45 p.m.	Task Force Recommendations on Public Comment on Increasing The Current Minimum Mesh Size of 1 1/4" During The Fall White Shrimp Season
3:45 p.m.	-	4:00 p.m.	Department of Environmental Quality Water Quality Requirements and Their Effects on Shrimp Processors in Louisiana
4:00 p.m.			Adjourn

OFFSHORE WINTER SHRIMP CLOSED SEASONS

DEC JAN FEB MAR APR MAY

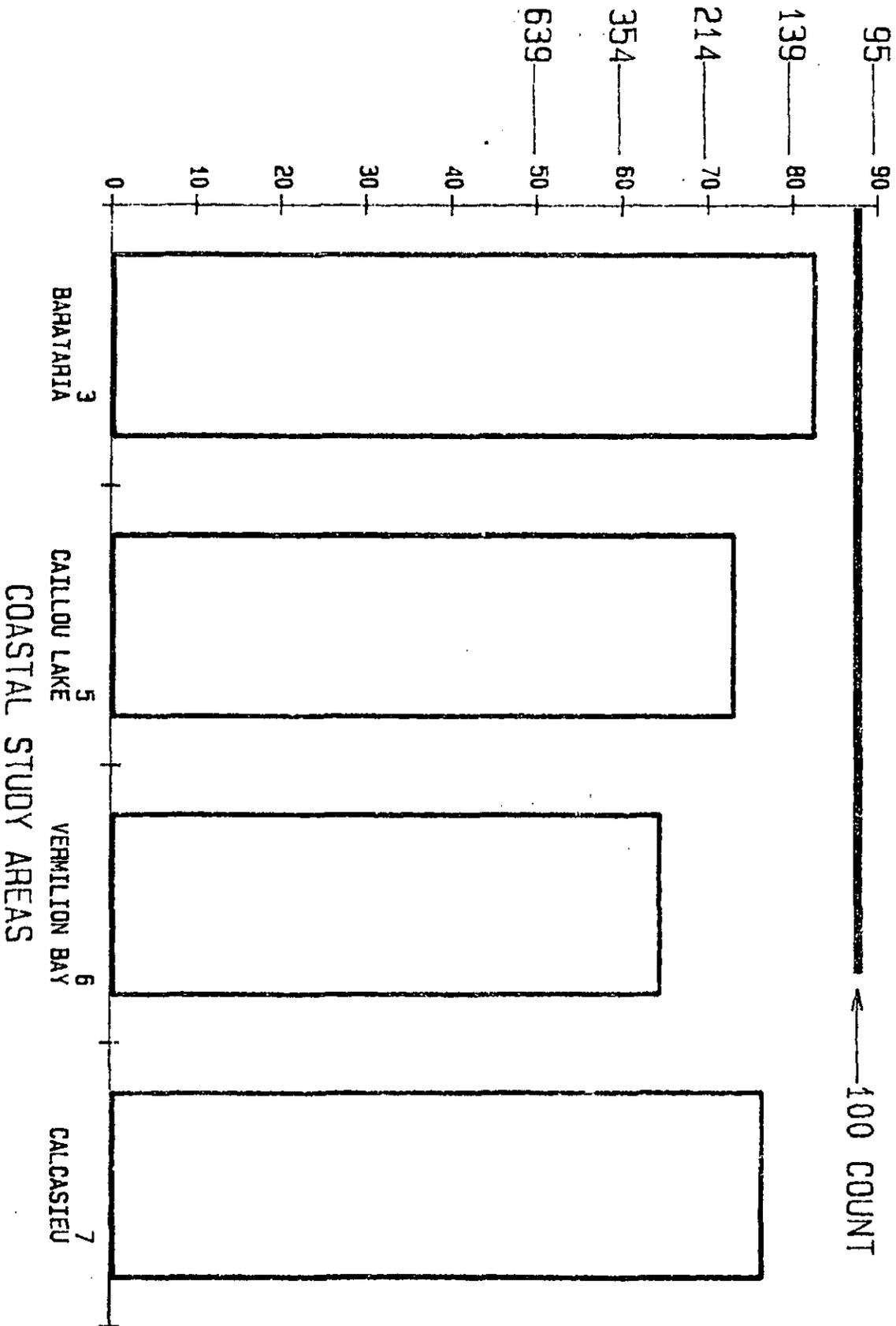


LOUISIANA WHITE SHRIMP
YEARS 1980 - 1989



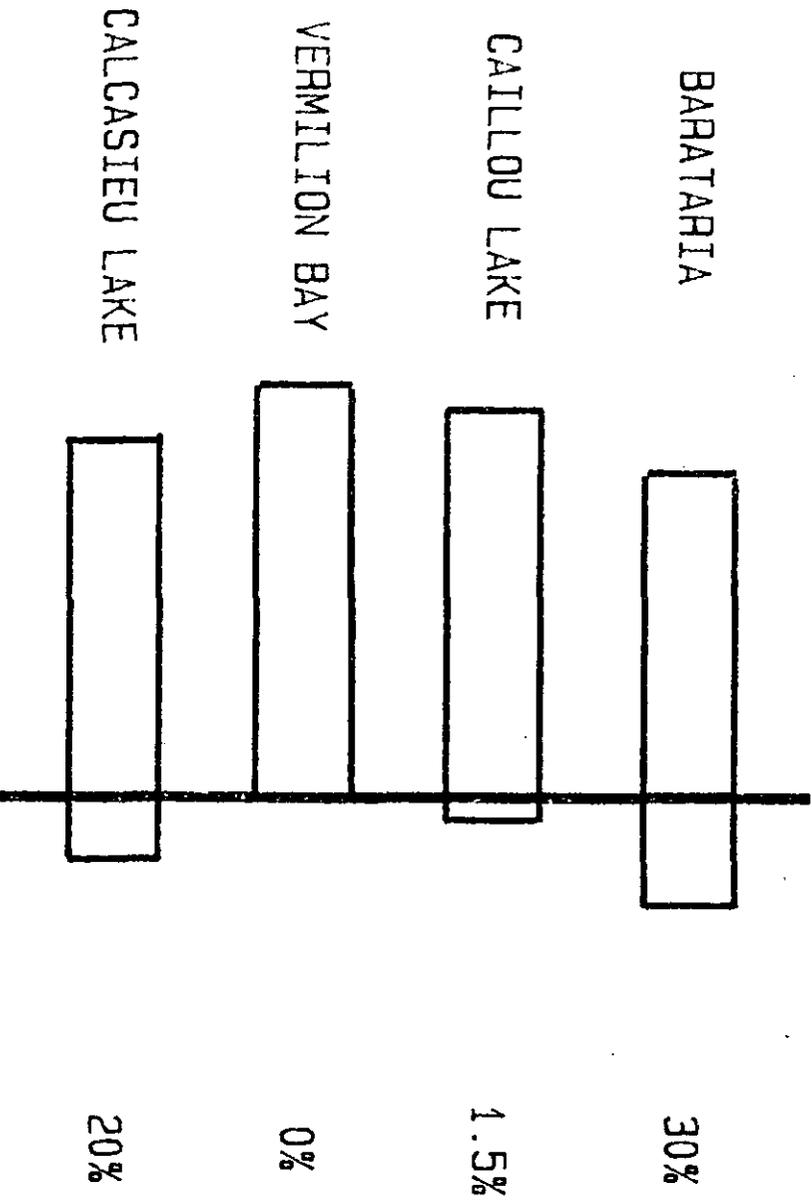
COUNT

AVERAGE SIZE WHITE SHRIMP OFFSHORE
FEBRUARY 7, 1991

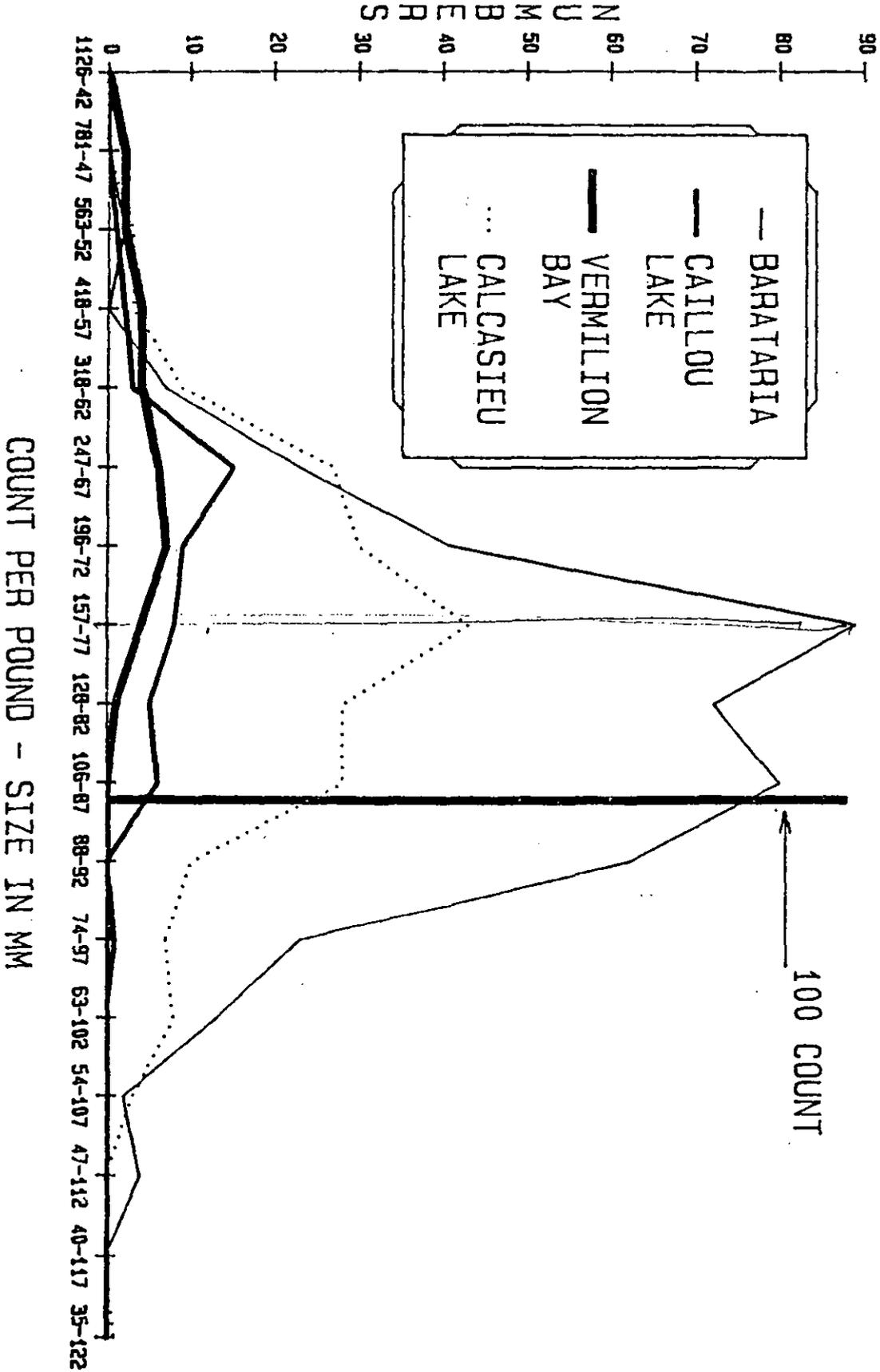


WHITE SHRIMP
OFFSHORE
FEBRUARY 7, 1991

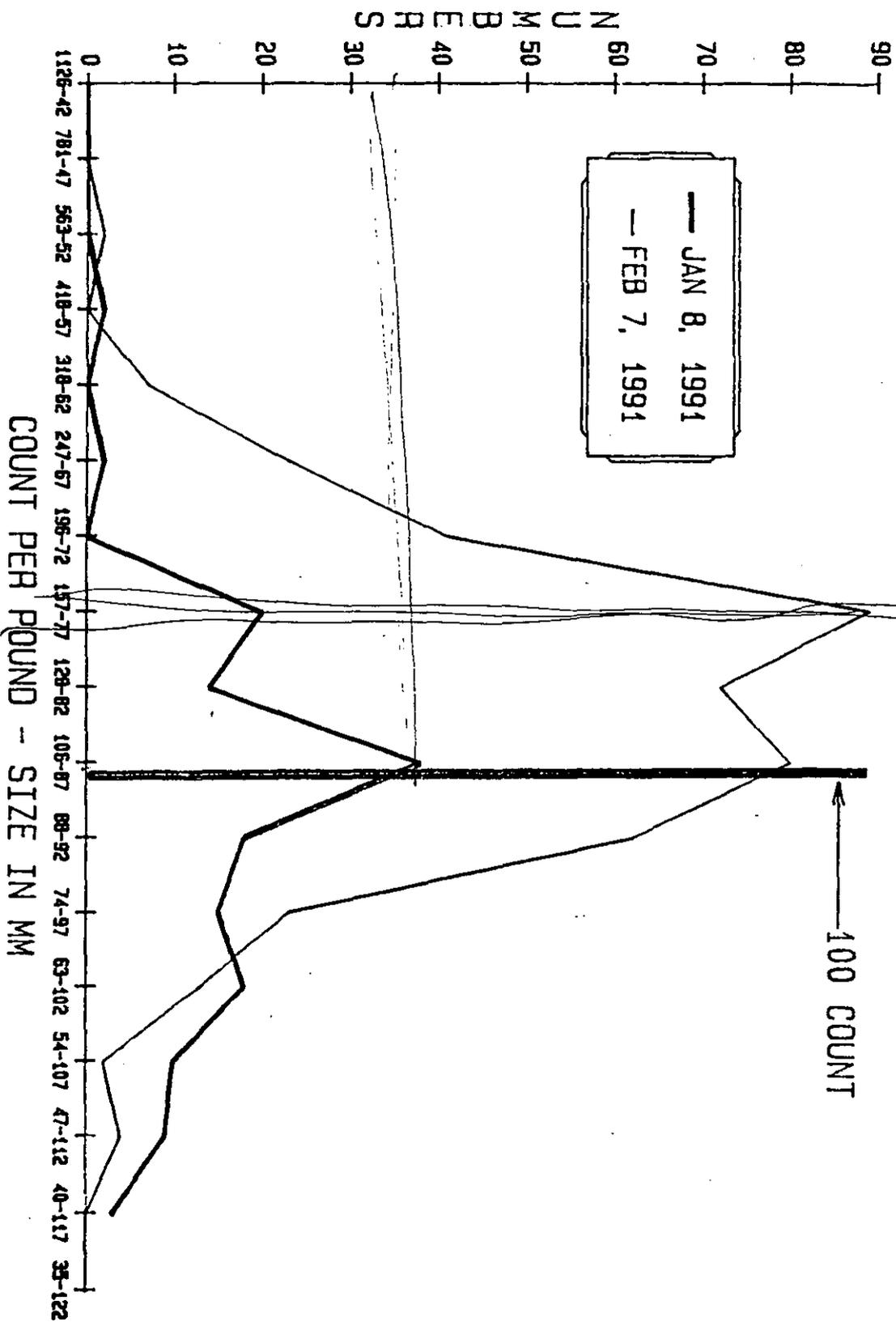
100 COUNT



FREQUENCY DISTRIBUTION WHITE SHRIMP
 OFFSHORE WEST OF THE MISSISSIPPI RIVER
 FEBRUARY 7, 1991



FREQUENCY DISTRIBUTION WHITE SHRIMP
 OFFSHORE WEST OF THE MISSISSIPPI RIVER
 FEBRUARY 7, 1991



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, 7 FEBRUARY 1991.

WHEREAS, the Deer Management Assistance Program (DMAP) is a very successful and popular method of managing deer herds on private lands in Louisiana and,

WHEREAS, the DMAP has grown from very limited participation in 1981 to over 800 cooperators with 1.7 million acres involved, and

WHEREAS, the Louisiana Wildlife and Fisheries Commission has adopted a schedule of enrollment fees, to participate in the program and generates in excess of \$80,000 annually, and

WHEREAS, rules and guidelines have been established to govern participation in the program, now

THEREFORE BE IT RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby ratify the attached rules and regulations as a permanent rule for participation in the Deer Management Assistance Program in accordance with the Administrative Procedure Act.

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

Jimmy Jenkins, Chairman
La. Wildlife and Fisheries
Commission

Rule

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

Title 76

Wildlife and Fisheries

Part V: Wild Quadrupeds and Wild Birds

Chapter 1: Wild Quadrupeds

Section: 111 Rules and Regulations for Participation in the
Deer Management Assistance Program

The following rules and regulations shall govern the Deer Management Assistance Program:

Application Procedure

1. Application for enrollment in Deer Management Assistance Program (DMAP) must be submitted to the Louisiana Department of Wildlife and Fisheries annually by September 1.
2. Each application must be accompanied by a legal description of lands to be enrolled and a map of the property. The applicant must have under lease or otherwise control a minimum of 500 acres of contiguous deer habitat of which up to 250 acres may be agricultural lands, provided the remainder is in forest and/or marsh. This information will remain on file in the appropriate district office.
3. Each cooperator will be assessed a \$25.00 enrollment fee and \$.05/acre for participation in the program.
4. An agreement must be completed and signed by the official representative of the cooperator and submitted to the appropriate district game supervisor for his approval. This agreement must be completed and signed annually.
5. Boundaries of lands enrolled in DMAP shall be clearly marked and identifiable; however, legal posting is not required.
6. By enrolling in the DMAP, cooperators agree to allow Department personnel access to their lands for management surveys, investigation of violations and other inspections deemed appropriate.

Tags

1. A fixed number of special tags will be provided by the Department to each cooperator in DMAP to affix to deer taken as authorized by the program. These tags shall be used only on DMAP lands for which the tags were issued.
2. All antlerless deer taken shall be tagged, including those taken during archery season and on either-sex days of gun season.
3. Immediately upon kill, a tag shall be attached through the ear or hock in such a manner that it cannot be removed before the deer is transported from the site of the kill.
4. All unused tags shall be returned by February 15 to the district office which issued the tags.

Records

1. Cooperators are responsible for keeping accurate records on forms provided by the Department for all deer harvested on lands enrolled in the program. Mandatory information includes tag number, sex of deer and name of person taking the deer. Additional information may be requested depending on management goals of the cooperator.
2. Information on deer harvested shall be submitted by February 15 to the district game supervisor handling the particular cooperator.

Failure of the cooperator to follow these rules and regulations will result in immediate cancellation of the program on those lands involved. Cancellation of the program will be for a minimum of one (1) hunting season immediately following the infraction. Failure to follow harvest recommendations may result in the cooperator being dropped from the program.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115

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

James H. Jenkins
Chairman

SUMMARY OF 1991-92 RESIDENT GAME HUNTING SEASON
RECOMMENDATION, DATES AND BAG LIMITS
GAME DIVISION

Quail: Nov. 28-Feb. 29 - Daily Bag Limit 10, Possession 20
Pheasant: Nov. 28-Dec. 8 (Cock Pheasant Only) - Daily Bag Limit 2, Possession 4
Squirrel: Oct. 5-Jan. 26 - Daily Bag Limit 8, Possession 16
Rabbit: Oct. 5-Feb. 29 - Daily Bag Limit 8, Possession 16
*Deer: Dates Vary - See Schedule Below - Bag Limit: One per day, 6 per season
Archery: Oct. 1-Jan. 20
Muzzleloader: Dec. 2-6

<u>Area 1</u> - 58 days	<u>Days</u>	<u>Either-Sex Dates (7 days)</u>
Nov. 23-Dec. 1	9 (still hunt only)	Nov. 23, 29, 30
Dec. 2-6	5 (still hunt, muzzleloader only)	Dec. 5, 6
Dec. 7-Jan. 12	37 (with or without dogs)	Dec. 7, 8
Jan. 13-19	<u>7</u> (still hunt only)	
	58	

<u>Area 2</u> - 61 days	<u>Days</u>	<u>Either-Sex Dates (7 days)</u>
Nov. 2-Dec. 1	30 (still hunt only)	Nov. 16, 29, 30
Dec. 2-6	5 (still hunt, muzzleloader only)	Dec. 5, 6
Dec. 7-Jan. 1	<u>26</u> (with or without dogs)	Dec. 7, 8
	61	(Additional days in some parishes)

<u>Area 3</u> - 61 days	<u>Days</u>	<u>Either-Sex Dates (7 days)</u>
Nov. 2-Dec. 1	30 (still hunt only)	Nov. 16, 29, 30
Dec. 2-6	5 (still hunt, muzzleloader only)	Dec. 5, 6
Dec. 7-Jan. 1	<u>26</u> (still hunt only)	Dec. 7, 8
	61	

<u>Area 4</u> - 44 days	<u>Days</u>	<u>Either-Sex Dates (7 days)</u>
Nov. 23-Dec. 1	9 (still hunt only)	Nov. 23, 29, 30
Dec. 2-6	5 (still hunt, muzzleloader only)	Dec. 5, 6
Dec. 7-Jan. 5	<u>30</u> (still hunt only)	Dec. 7, 8
	44	

<u>Area 5</u> - 14 days	<u>Days</u>	
Nov. 23-Dec. 1	9 (still hunt only)	BUCKS ONLY
Dec. 2-6	<u>5</u> (still hunt, muzzleloader only)	BUCKS ONLY
	14	

*Turkey - Season Dates Vary - See Schedule Below - Limit: One per day, 3 per season

Area A - 30 days	March 28-April 26
Area B - 37 days	March 21-April 26
Area C - 9 days	April 18-April 26
Area D - 16 days	April 11-April 26

*Maps Attached

1991-92 HUNTING SEASON RECOMMENDATIONS
SUMMARY OF MAJOR CHANGES

Small Game

1. Small game seasons were adjusted for compatibility with calendar changes. No major changes from last season.

Deer

1. Reduction in muzzleloader season from 7 to 5 days to provide for Dec. 7 opening of second segment (W/WO dogs).

Area 1

1. Three segments in regular firearms season as opposed to two last year.
2. Second segment (W/WO dogs) remains 37 days.
3. Third segment comprised of 7 day still hunt only.

Area 2

1. Season dates adjusted for compatibility with calendar changes.
2. Additional 9 days of either-sex hunting (increase from 13 to 22 days) proposed for Bienville, Bossier, Caddo, Claiborne, DeSoto, Red River and Webster Parishes (District I).

Areas 3, 4, and 5

1. Season dates adjusted for compatibility with calendar changes.

Kisatchie National Forest Deer Seasons

1. Season dates adjusted for compatibility with calendar changes. Either-sex hunting days reduced from 6 to 3 days.

Turkey

1. Season dates adjusted for compatibility with calendar changes.
2. One minor boundary change is proposed which would result in a small increase in the size of turkey hunting Area C.

Wildlife Management Areas

1. Reduction from 2 to 1 day of either-sex hunting on Big Lake, Boeuf, Red River, Saline, Grassy Lake and Three Rivers WMAs.

2. Gun deer season on Jackson-Bienville WMA changed to a 4-segment either-sex hunt with no bucks only segment. Proposed season is 24 days in length. Last season consisted of 20 days bucks only and 9 days of either-sex hunting.
3. Gun deer season on Loggy Bayou WMA changed to a 9 day either-sex hunt with no bucks only. Last Season consisted of 19 days bucks only and 3 days of either-sex hunting.
4. Turkey seasons are proposed for Red River and Three Rivers WMAs, April 11-26, 16 days (NEW).

RESOLUTION

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

FOX/COYOTE HUNTING PRESERVE REGULATIONS

WHEREAS, The Louisiana Department of Wildlife and Fisheries has the authority under state statute to establish rules and regulations pertaining to captive non-game quadrupeds; and

WHEREAS, The Department has licensed and regulated fox/coyote hunting preserves under the provisions of RS 56:262.1 issuing non-game quadruped exhibitor or breeder licenses; and

WHEREAS, The Department has now determined that the import or export of foxes or coyotes should be prohibited to guard against public health threats as well as wildlife disease threats; and

WHEREAS, The Notice of Intent was published in the October, 1990 issue of the Louisiana Register; and

WHEREAS, A public hearing was conducted where public comments were received and no written comments were received; and

WHEREAS, It is the finding of this Commission that the Rule as published will adequately regulate fox/coyote hunting preserves to eliminate the spread of disease;

THEREFORE, BE IT RESOLVED, that the Louisiana Wildlife and Fisheries Commission hereby adopts Fox/Coyote Hunting/Preserve Regulations.

A. Kell McInnis, III
Acting Secretary

Jimmie Jenkins
Chairman

February 7, 1991

RULE
DEPARTMENT OF WILDLIFE AND FISHERIES
WILDLIFE AND FISHERIES COMMISSION

TITLE 76
WILDLIFE AND FISHERIES

PART V. WILD QUADRUPEDS AND WILD BIRDS

CHAPTER I. WILD QUADRUPEDS

SECTION 113. FOX/COYOTE HUNTING PRESERVES, PURCHASE AND SALE OF LIVE FOXES AND COYOTES, PERMITTING YEAR ROUND COYOTE TRAPPING REGULATIONS

A. PURPOSE

These regulations are to govern the purchasing, selling and holding in captivity of live foxes and coyotes for chasing with hounds. These emergency regulations will prohibit the importation and exportation of any species of foxes or coyotes to or from Louisiana in an effort to prevent possible disease and parasite contamination of native wild canids. Humans are subject to infection with the liver being the most common site of larval growth. The infection is termed alveolar hydatid disease (AHD). The number of deaths per number of infected individuals has been 50-75%. These regulations are also enacted to allow the sport of fox/coyote hunting with dogs within enclosed areas. The regulations provide general rules including licensing, permits, fees, live trapping, sale and purchase of animals, holding cage requirements, enclosure requirements, acclimation requirements and report requirements.

B. DEFINITIONS

1. Acclimation Pen - an area which is built within or adjacent to fox/coyote hunting preserves which will contain game and exclude hounds and which will allow game to become acclimated to an enclosed environment.
2. Bill of Sale - receipt showing the amount of game purchased, the date of purchase, and the person from whom the game was purchased.
3. Bona Fide Resident- any person who has resided in the state of Louisiana continuously during the twelve months immediately prior to the date on which he applies for any license and who has manifested his intent to remain in this state by establishing Louisiana as his legal domicile as demonstrated with all of the following, as applicable:

- a. If registered to vote, he is registered to vote in Louisiana.
 - b. If licensed to drive a motor vehicle, he is in possession of a Louisiana registration for that vehicle.
 - c. If owning a motor vehicle located within Louisiana, he is in possession of a Louisiana registration for that vehicle.
 - d. If earning an income, he has filed a Louisiana state income tax return and has complied with state income tax laws and regulations.
 - e. As to a corporation or other legal entity, a resident shall be any which is incorporated or otherwise organized under and subject to the laws of Louisiana, and as to which the principal place of business and more than fifty percent of the offices, partners, or employees are domiciled in Louisiana.
4. Box Trap - a drop-door type of trap that upon the games entry into the device encloses and detains the game.
 5. Closed Season - that period of time of the calendar year not specifically included in the open season.
 6. Department - the Louisiana Department of Wildlife and Fisheries.
 7. Enclosure - (See "Fox/Coyote Hunting Preserve").
 8. Fox/Coyote Hunting Preserve - an area which is completely enclosed by adequate fencing to contain game and hounds which is built and maintained for the purpose of training or chasing game with hounds.
 9. Fox/Coyote Hunting Preserve Operator - anyone acting as an agent of the owner in caring for or managing the maintenance and/or business of the preserve.
 10. Fox/Coyote Hunting Preserve Owner - anyone who legally has possession or has legally leased property on which the enclosure is established.
 11. Game - any red fox or grey fox or coyote stocked in a fox/coyote hunting preserve for the purpose of dog training and/or chasing with hounds.

12. LDWF Approved Applicant - a person who has had no major wildlife or fish violations during the past three years, who has a minimum of 2 years of trapping experience and who is at least 15 years old.
13. Landowner - any person who owns land on which traps are set.
14. Licensee - any resident or nonresident lawful holder of an effective license duly issued under the authority of the Department.
15. Non-game quadruped - alligators, beavers, bobcats, coyotes, grey foxes, minks, muskrats, nutrias, opossums, otters, raccoons, red foxes, skunks and other wild quadrupeds valuable for their furs or skins.
16. Non-game quadruped breeder - any person properly licensed to engage in the business of raising, exhibiting and selling non-game quadrupeds.
17. Non-game quadruped exhibitor - any person properly licensed to engage in the business of raising and/or exhibiting non-game quadrupeds.
18. Non-target animal - any animal other than red fox, grey fox or coyote.
19. Permittee - any person who has obtained a valid permit from the Department for trapping coyotes during the closed season.
20. Person - includes any individual person, association, corporation, partnership, or other legal entity recognized by law.
21. Possess - In its different tenses, the act of having in possession or control, keeping, detaining, restraining, holding as owner, or as agent, bailee, or custodian for another.
22. Raising - the production of red fox, gray fox, or coyotes in controlled environmental conditions or in outside facilities.
23. Rearing - (See "Raising").
24. Relaxing Lock - locking device on a snare that loosens and tightens in response to the game's action.

25. Resident - (See "Bona Fide Resident").
26. Snare - wire device used for taking non-game quadrupeds.
26. Soft Catch™ - Trap (manufactured by Woodstream Corporation), no modifications.
27. Take - In its different tenses, the attempt or act of hooking, pursuing, netting, capturing, snaring, trapping, shooting, hunting, wounding, or killing by any means or device.
28. Transport - In its different tenses, the act of shipping, attempting to ship, receiving or delivering for shipment, transporting, conveying, carrying, or exporting by air, land, or water, or by any means whatsoever.
29. Trap - any device used in the capture of birds, quadrupeds or fish.
30. Trapper - any person properly licensed by the Department engaged in the trapping of nongame quadrupeds.

C. LICENSES, PERMITS, AND FEES

The licenses and fees required for activities authorized by these regulations are as prescribed under provisions of Title 56, or as prescribed in these regulations, and are:

- 1) \$10 for a resident nongame quadruped exhibitors license.
- 2) \$25 for a resident nongame quadruped breeder license.
- 3) \$25 for a resident trappers license.
- 4) \$25 for an annual special permit which may be issued to a Louisiana Department of Wildlife and Fisheries approved applicant (authority granted by La. Laws pertaining to Wildlife and Fisheries R.S. 56:123 (C) for the trapping of coyotes only, outside of the annual trapping season. In order for the permittee to sell live coyotes he must also possess a nongame quadruped breeders license (\$25) (Authority 56:262.1) and a valid trapping license.
- 5) Upon payment of \$10 a nongame quadruped exhibitors license may be issued permitting the applicant to breed and/or exhibit such animals provided he meets the rules and regulations of the Department.

- 6) Upon payment of \$25 a nongame quadruped breeder license may be issued permitting the applicant to breed, propagate, exhibit, and sell such animals alive.

D. GENERAL RULES

- 1) No person shall take, possess, purchase or sell live foxes or coyotes, except as provided in these regulations and Louisiana R.S. Title 56.
- 2) No person shall hold in captivity any live foxes or coyotes, except as provided in these regulations and Louisiana R.S. Title 56.
- 3) Fox/Coyote hunting preserves shall be of a type and construction such that it will insure the normal containment of both foxes, coyotes and hounds.
- 4) Fox/Coyote hunting preserves shall contain an adequate number of escape areas which are houndproof. These may be provided by maintaining thickets, brush piles, windrows, or where natural cover is insufficient, by providing manmade escapes such as culverts or houndproof feeding stations.
- 5) The owners of fox/coyote hunting preserves shall be required to make available to the game:
 - a) Food that is palatable, uncontaminated and nutritionally adequate to ensure normal growth and maintenance.
 - b) Water which is fresh, uncontaminated and available at all times.
- 6) No person shall transport, possess, purchase or sell any live foxes or coyotes taken outside the state of Louisiana. Live foxes and coyotes obtained from outside the State of Louisiana prior to the enacted date of these regulations and in possession of properly licensed persons shall be exempt.
- 7) No person shall transport from the state or offer for sale out of state any live foxes or coyotes.
- 8) Acclimation pens shall be constructed adjacent to or within an enclosure to insure the containment of foxes and coyotes and the exclusion of hounds. This requirement may be waived for "training enclosures" or in enclosures where running is discontinued for a minimum of 2 weeks while foxes/coyotes adjust to the enclosure environment.

- 9) No person may engage in the business of raising or exhibiting or otherwise possessing fox or coyotes for the purpose of operating a fox/coyote hunting preserve unless he or she has acquired and possesses a valid nongame quadruped breeder or exhibitor license.
- 10) A licensed trapper may offer for sale such live animals to any licensed nongame quadruped breeder or exhibitor during the open trapping season. During any such transactions, a bill of sale must be provided by the trapper to the nongame breeder or exhibitor and retained for a period of one year.
- 11) Permittees (trapping coyotes during the closed trapping season) will be required to use only the "soft catch" type trap not to exceed a size #1 1/2, or a box-type trap, or a snare with a relaxing lock.
- 12) Permittees trapping coyotes during the closed trapping season and licensed as a nongame quadruped breeder may offer for sale such coyotes. During any such transaction, a bill of sale must be provided by the seller to the purchaser and retained for a period of one year by the purchaser.
- 13) It shall be unlawful to trap coyotes during the closed trapping season without a permit issued by the Department.
- 14) Permittees will be required to check traps daily.
- 15) Permittees will be required to have in possession written permission from the landowners or lessee where traps are set.
- 16) Permittees shall release all nontarget species in a manner so as to keep stress or injury minimal.
- 17) It shall be unlawful to sell native wild foxes or coyotes outside the State of Louisiana.
- 18) Trappers and permittees who hold game for more than one day for sale shall confine animals at a rate of no more than one fox per 9 square feet and one coyote per 17 square feet. The cage must high enough for each animal to easily sit or stand. The cage must be escape-proof and offer protection from adverse weather.
- 19) Fox/Coyote hunting preserves shall be exempt from the Commission action which prohibits the running of coyotes during the open turkey season.
- 20) The Louisiana Department of Wildlife and Fisheries has the

authority to conduct disease investigations at any time and pending the results of the disease investigations has the authority to quarantine fox/coyote hunting preserves if deemed necessary. The Department also has the authority to prohibit the release of animals that are diseased or have been exposed to diseased animals.

- 21) The owners of fox/coyote hunting preserves shall be required to immediately report to the Department the occurrence of any disease contracted by captive fox or coyotes. These diseases include but are not limited to rabies, canine distemper, sarcoptic mange or Echinococcus infections.

E. REPORT REQUIREMENTS

- 1) Report forms provided by the Department must be completed and filed with the Department by all persons who have been issued a nongame quadruped breeder or exhibitor license or who have been issued a special permit allowing the trapping of coyotes only in the closed season in accordance with this subsection. Reports shall include but not be limited to the information specified in subsection 262.1(d). Failure to complete these forms properly and completely will result in non-renewal of the nongame quadruped breeder or exhibitor license.
- 2) All licensed nongame quadruped exhibitors will be required to include information regarding numbers of animals by species in captivity, number of known losses (death or escape), number of animals by species purchased and the sources of game purchases.
- 3) All licensed nongame quadruped breeders will be required to include information regarding numbers of animals by species in captivity, numbers of losses, numbers of animals by species purchased and the sources of game purchases, and number of sales by species and the person who bought the game.

F. PENALTY FOR VIOLATION

Violation of these regulations will be a Class II violation with the following exceptions:

- 1) Violation of the license requirements for nongame quadruped breeders and nongame quadruped exhibitors shall be a Class III violation (See C-1, C-2 and D-2).
- 2) Violation of the reporting requirements shall be a Class III violation (See E-1, E-2, and E-3).

- 3) Violation of the regulations pertaining to import of foxes and/or coyotes into the state or export of foxes and/or coyotes from the state shall be a Class IV violation (See D-6 and D-7).

AUTHORITY NOTE: Promulgated in accordance with R.S. 56: 123(C) and R.S. 56262.1.

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

James H. Jenkins
Chairman

RULE

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

The Louisiana Wildlife and Fisheries Commission hereby adopts rules and regulations establishing size limits and recreational bag limits for king mackerel, Spanish mackerel and cobia.

The proposed size and bag limits are as follows:

Title 76
Wildlife and Fisheries
Part VII Fish and Other Aquatic Life

Chapter 3. Saltwater Sport and Commercial Fishing

Section 323. Size Limits of King and Spanish Mackerel and Cobia

The Louisiana Wildlife and Fisheries Commission does hereby adopt the following rules and regulations establishing size limits:

The minimum legal size for possession of Spanish mackerel (Scomberomorus maculatus) and king mackerel (Scomberomorus cavalla) whether caught within or without the territorial waters of Louisiana shall be 14 inches total length.

The minimum legal size for possession of cobia (Rachycentron canadum) whether caught within or without the territorial waters of Louisiana shall be 37 inches total length.

AUTHORITY NOTE: Promulgated in accordance with R.S.56:326.1 and R.S.56:326.3.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R.15:868 (October 1989), amended L.R.17: (February, 1991).

Section 327. Daily Take and Possession Limits of King and Spanish Mackerel and Cobia

The Louisiana Wildlife and Fisheries Commission does hereby adopt the following rules and regulations establishing bag limits:

The recreational bag limit for possession of Spanish mackerel (Scomberomorus maculatus) whether caught within or without the territorial waters of Louisiana shall be 10 fish per person, per day.

The recreational bag limit for possession of king mackerel (Scomberomorus cavalla) whether caught within or without the territorial waters of Louisiana shall be 2 fish per person, per day for private vessels. For charter vessels the recreational bag limit for possession of king mackerel whether caught within or without the territorial waters of Louisiana shall be either 3 fish per person per day, excluding captain and crew, or 2 fish per person, per day, including captain and crew, whichever is greater. For the purposes of this rule, charter vessel shall be defined as vessel permitted by the National Marine Fisheries Service to fish as a charter vessel under the Federal Fishery Management Plan for the Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic.

The recreational and commercial bag limit for possession of cobia (Rachycentron canadum) whether caught within or without the territorial waters of Louisiana shall be 2 fish per person, per day.

AUTHORITY NOTE: Promulgated in accordance with R.S.56:325.1 and R.S.56:326.3.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission. L.R.13:502 (September, 1987) amended L.R.17: (February, 1991).

James H. Jenkins
Chairman

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 Commission approval of Departmental rules pertaining to the issuance of permits for these species and 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 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, and

THEREFORE BE IT FURTHER RESOLVED that the Louisiana Wildlife and Fisheries Commission adopts this resolution and the rule on this 7th day of February, 1991, and upon publication in the February State Register this will become a permanent rule.

James H. Jenkins, Chairman

A. Kell McInnis III, Acting Secretary

RULE
DEPARTMENT OF WILDLIFE AND FISHERIES
WILDLIFE AND FISHERIES COMMISSION

TITLE 76
Wildlife and Fisheries

PART III. STATE GAME AND FISH PRESERVES AND SANCTUARIES

Chapter 3. Particular Game and Fish Preserves and Commissions

Section 320. Orleans Parish Closure.

The Wildlife and Fisheries Commission does hereby adopts the rule closing 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 to all hunting or shooting by any means or device.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6 and 115.
HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 17: (February, 1991).

James H. Jenkins
Chairman

APRIL 1991

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Daylight Saving Time begins.	April Fool's Day.	Redear sunfish move to shallow waters.	Rare and beautiful swallow-tailed kites return to the Pearl River basin to nest.			Tart dewberries begin to ripen on low, crawling brambles in sunny waysides across the state.
7	8	9	10	11	12	13
Third quarter moon.	Peak ingress of brown shrimp post larvae into Calcasieu Lake.	Young rabbits begin to appear in thickets.				Turkey season opens in area D.
14	15	16	17	18	19	20
New moon.	Rare osprey begin nesting near edges of swamps of south Louisiana.	Collect mayhaw fruit for delicious jams and jellies.			Purple gallinules arrive from South and Central America to begin nesting.	Turkey season opens in area C.
21	22	23	24	25	26	27
First quarter moon.	Earth Day.		Bluegill bedding.	White shrimp move into Calcasieu Lake.		
Full moon.	Giant lemon-scented blossoms adorn bigleaf magnolia on sandy slopes of southeast and central Louisiana.	Commercial hunting preserve season closes.				
28	29	30				
Turkey season closes in areas A, B, C and D.						

MARCH 1991
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MAY 1991
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 19 20 21 22 23 24 25
 26 27 28 29 30 31

ENFORCEMENT CASE REPORT

JANUARY, 1991

ENFORCEMENT CASE REPORT-JANUARY 1991

REGION I

TOTAL CASES-51

ENFORCEMENT-48

OTHER - 3

9-Boating

11-Angling W/O A License

7-Fish Without Resident Pole License

3-Hunting W/O Resident License

2-Hunting From Moving Vehicle And/Or Aircraft

2-Hunting W/Unplugged Gun Or Silencer

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

2-Hunt Or Take A Deer Or Bear C/S

2-Hunt Or Take Deer From Public Road

3-Hunting MGB Illegal Hours

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

1-Possess Over Limit Of Geese

1-Criminal Damage Of State Property

2-Operate ATV Vehicle On Public Road

CONFISCATIONS:

2 shotguns, 1, 1984 Toyota Pickup, 3 wood ducks.

REGION 2

TOTAL CASES-49

ENFORCEMENT-36

OTHER -13

13-Boating

3-Angling W/O A License

3-Fish Without Resident Pole License

1-Taking/Poss. Over Limit Or Undersized Game Fish

REGION 2 CONT'D.

- 3-Hunting W/O Resident License
- 1-Hunting W/O Non-Resident License
- 1-Hunting W/Unplugged Gun Or Silencer
- 1-Use Live Ammo While Training Dogs C/S
- 4-Hunt W/O Resident Big Game License
- 4-Hunt Or Take Deer Or Bear C/S
- 2-Hunt Or Take Deer From Public Road
- 1-Hunt Or Take Illegal Deer O/S
- 3-Take Or Hunt Deer Or Bear W/Illegal Weapon
- 2-Poss. Of Illegally Taken Deer Or Bear
- 1-Using Lead Shot In Area Designated As Steel Shot Only
- 2-Not Abiding By Rules And Regulations On WMA
- 2-Illegal Possession Of Drugs Or Marijuana
- 1-DWI
- 1-Other Than Wildlife And Fisheries

CONFISCATIONS:

1 deer, 4 guns, 108 crappie, 1 marijuana cigarette and paraphernalia.

REGION 3

TOTAL CASES-68

ENFORCEMENT-68

OTHER - 0

- 6-Boating
- 15-Angling W/O A License
- 2-Fish Without Resident Pole License
- 5-Use Gear W/O Recreational Gear License
- 3-Take Game Fish Illegally

REGION 3 CONT'D.

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

1-Take Commercial Fish W/O Commercial Gear License

1-Use Illegal Mesh Nets

1-Hunting W/O Resident License

4-Hunting From Moving Vehicle And/Or Aircraft

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

3-Hunt MGB Without State Stamp

1-Take Rabbits Illegal Methods

2-Possession Of Gun While Bow Hunting

3-Hunt Or Take Deer From Public Road

3-Hunting Ducks Or Geese Without Federal Stamp

4-Possess Untagged MGB

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

1-Taking Robins-No Season

1-Littering

3-Other Than Wildlife And Fisheries

CONFISCATIONS:

2 live traps, 3 guns, 2 headlights, 7 white perch, 80 lbs. of buffalo and catfish, 4 rabbits, 13 wood ducks, 1 gill net, 2 robins, 5 hoop nets.

REGION 4

TOTAL CASES-101

ENFORCEMENT-71

OTHER -30

6-Boating

1-Angling W/O A License

1-Taking/Poss. Over Limit Or Undersized Game Fish

3-Sell And/Or Purchase Game Fish

7-Hunting W/O Resident License

1-Hunting W/O Non-Resident License

1-Bow Hunt W/O Bow License

5-Hunting From Moving Vehicle And/Or Aircraft

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

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

2-Hunt Or Discharge Firearm From Levee Road

3-Hunt MGB Without State Stamp

3-Hunt W/O Resident Big Game License

1-Hunt W/O Non-Res. Big Game License

1-Possession Of Gun While Bow Hunting

4-Running Deer Dogs During Still Hunt Season

4-Hunt Or Take Deer Or Bear Illegal Hours

4-Hunt Or Take Deer From Public Road

5-Hunt Or Take Illegal Deer O/S

2-Poss. Of Illegally Taken Deer Or Bear

5-Poss. Of Untagged Deer Or Bear

1-Fail To Wear Hunters Orange

2-Hunt Raccoons Or Opossums Illegally

REGION 4 CONT'D.

- 3-Hunting Ducks Or geese Without Federal Stamp
- 2-Hunting MGB With Unplugged Gun
- 2-Hunting MGB From Moving Motorboat
- 6-Using Lead Shot In Area Designated As Steel Shot Only
- 10-Not Abiding By Rules And Regulations On WMA
- 5-Operate ATV Vehicle On Public Road
- 2-Flight From An Officer

CONFISCATIONS:

6 rifles, 1 pistol, 1-1982 Ford Van, 1 set of leads, 1 hoop net with leads, 8 1/4 deer, 6 ducks, 2 rabbits, 3,590 pounds of game fish.

REGION 5

TOTAL CASES-267

ENFORCEMENT-260

OTHER - 7

- 26-Boating
 - 9-Angling W/O A License
 - 2-Take Game Fish Illegally
 - 3-Take Or Sell Commercial Fish Or Bait Species W/O Commercial License
 - 3-Take Commercial Fish W/O Commercial License
 - 5-Take Or Possess Commercial Fish Without A Vessel License
 - 2-Use Illegal Mesh Nets
 - 7-Taking More Than Two Sacks Daily
 - 7-Take Undersize Oysters From Natural Reef
 - 2-Using Other Than Self-Propelled Vessel
 - 2-Possession Of Untagged Oysters
 - 7-Harvest Oysters Without Oyster Harvester License

REGION 5 CONT'D.

- 5-Take Or Possess Overlimit of Oysters
- 20-Hunting W/O Resident License
- 3-Hunting W/O Non-Resident License
- 37-Hunting From Moving Vehicle And/Or Aircraft
- 3-Hunting W/Unplugged Gun Or Silencer
- 2-Illegal Poss. Of Wild Quadrupeds, Wild Birds, Or Parts Thereof
- 44-Hunt Wild Quadrupeds And/Or Wild Birds Illegal Hours
- 36-Hunt Or Discharge Firearm From Public Road Or Road Right-Of-Way
- 4-Hunt MGB Without State Stamp
- 2-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
- 3-Take Or Hunt Deer Or Bear W/Illegal Weapon
- 2-Poss. Of Illegally Taken Deer Or Bear
- 5-Hunting Ducks Or Geese Without Federal Stamp
- 2-Hunting MGB Illegal Hours
- 1-Possess Untagged MGB
- 5-Using Lead Shot In Area Designated As Steel Shot Only
- 5-Taking Robins-No Season
- 1-Hunt MGB Without State Stamp
- 2-Possession Of Illegal Firearms
- 1-Illegal Possession Of Drugs Or Marijuana
- 4-Illegal Spotighting From Public Road
- 1-Operate ATV Vehicle On Public Road

CONFISCATIONS:

1 wire fish trap, 44 lbs. of catfish, 35 rabbits, 10 rifles, 8 shotguns, 135 sacks of oysters, 12 robins, 2 geese, 6 ducks, 268 lbs. of shrimp, 1 woodcock, 4 deer, 6 crappie.

REGION 6

TOTAL CASES-135

ENFORCEMENT-114

OTHER - 21

27-Boating

9-Angling W/O A License

2-Fish Without Resident Pole License

2-Take Game Fish Illegally

24-Hunting W/O Resident License

13-Hunting From Moving Vehicle And/Or Aircraft

1-Hunting W/Unplugged Gun Or Silencer

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

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

1-Hunt Or Discharge Firearm From Levee Road

1-Hunt MGB Without State Stamp

1-Hunt W/O Resident Big Game License

2-Hunt Or Take Deer Or Bear C/S

5-Hunt Or Take Deer Or Bear Illegal Hours

3-Hunt Or Take Illegal Deer O/S

1-Poss. O/L Of Deer Or Bear

1-Poss. Of Illegally Taken Deer Or Bear

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

REGION 6 CONT'D.

- 1-Non-Resident Taking Illegal Deer
- 1-Hunting Ducks Or Geese Without Federal Stamp
- 1-Hunting MGB With Unplugged Gun
- 2-Hunting MGB Over Baited Area
- 1-Using Lead Shot In Area Designated As Steel Shot Only
- 2-Possess Over Limit Of Ducks
- 1-Taking Robins-No Season
- 1-Taking Or Possession Of Other Non-Game Birds-No Season
- 1-Trapping Non-Game MGB
- 8-Not Abiding By Rules And Regulations On WMA
- 1-Littering

CONFISCATIONS:

3 woodcock, 1 squirrel, 2 button buck deer and 2 doe deer, 2 guns, 2 rabbits, 15 sac-a-lait, 1 squirrel, 7 robins, 2 small animal traps, 1 raccoon and various buckshot.

REGION 7

TOTAL CASES-133

ENFORCEMENT-130

OTHER - 3

- 9-Boating
- 42-Angling W/O A License
- 4-Fish Without Resident Pole License
- 1-Use Gear W/O Recreational License
- 5-Hunting W/O Resident License
- 5-Hunting From Moving Vehicle And/Or Aircraft
- 7-Hunting W/Unplugged Gun Or Silencer

REGION 7 CONT'D.

- 8-Hunt Wild Quadrupeds And/Or Wild Birds Illegal Hours
- 3-Hunt Or Discharge Firearm From Public Road Or Road Right-Of-Way
- 2-Hunt MGB Without State Stamp
- 2-Hunt Squirrel C/S
- 8-Hunt Or Take Deer From Public Road
- 4-Hunt Or Take Illegal Deer O/S
- 6-Poss. Of Illegally Taken Deer Or Bear
- 2-Hunting Ducks Or Geese Without Federal Stamp
- 2-Hunting MGB Illegal Hours
- 2-Hunting Doves Closed Season
- 3-Taking Robins-No Season
- 4-Not Abiding By Rules And Regulations On WMA
- 1-Criminal Trespass On Private Property
- 1-Littering
- 8-Other Than Wildlife And Fisheries
- 1-License Fraud
- 3-Refuse/Misrepresent Booking Info

CONFISCATIONS:

8 guns, 1 Q-Beam Light, 2 deer, 2 rabbits, 2 robins and 2 doves.

REGION 8

TOTAL CASES-184

ENFORCEMENT-168

OTHER -16

- 19-Boating
- 11-Angling W/O A License
- 3-Angling W/O A Saltwater License

REGION 8 CONT'D.

24-Trawling In Closed Season

9-Hunting W/O A License

1-Poss. Of Wild Birds Or Wild Quadrupeds W/O A License

2-Failure To Abide By Commission Rules And Regulations

5-Hunting From Moving Vehicle And/Or Aircraft

1-Hunting W/Unplugged Gun Or Silencer

5-Illegal Poss. Of Wild Quadrupeds, Wild Birds Or Parts Thereof

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

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

1-Hunt Or Discharge Firearm From Levee Road

2-Fail To Have Commercial License In Possession

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

9-Take Commercial Fish W/O Commercial Gear License

8-Take Or Possess Commercial Fish Without A Vessel License

1-Transport W/O Required License

4-Take/Possess Oysters Without Oyster Harvester License

1-Use Illegal Length Nets

1-Commercial Truck Without Display Of Owner Name And Address

6-Failure To Have Written Permission

3-Unlawfully Take Oysters From State Water Bottoms

6-Taking Oysters From Unapproved Area

4-Unlawfully Take Oysters Off A Private Lease

1-Take Undersize Oysters From Natural Reef

1-Failure To Display Proper Number On Vessel

4-Harvest Oysters Without Oyster Harvester License

REGION 8 CONT'D.

- 3-Hunting Ducks Or Geese Without Federal Stamp
- 2-Hunting MGB With Unplugged Gun
- 4-Hunting MGB Over Baited Area
- 2-Possession Of Completely Dressed MGB
- 8-Using Lead Shot In Area Designated As Steel Shot Only
- 2-Possess Over Limit Of Ducks
- 1-Littering
- 2-Other Than Wildlife And Fisheries
- 2-Flight From An Officer

CONFISCATIONS:

6 guns, 3 headlight rigs, 2 motors, 1 vessel licenses, 1 gill net 1200 feet long, 1 dredge, 22 trawl

REGION 9

TOTAL CASES-216

ENFORCEMENT-188

OTHER - 28

30-Boating

9-Angling W/O A License

1-Take Game Fish Illegally

1-Taking/Poss. Over Limit Or Undersized Game Fish

1-Poss. O/L Of Red Drum

1-Take Or Possess Undersized Red Drum 16" minimum

2-Not Abiding By Commission Rules And Regulations

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

11-Take Commercial Fish W/O Commercial Gear License

11-Take Or Possess Commercial Fish Without A Vessel License

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

1-Fail To Maintain Records

8-Use Illegal Crawfish Or Crab Traps

4-Taking Fish Illegally

2-Use Illegal Mesh Nets

2-Leave Nets Unattended

1-Take Or Possess Undersize Commercial Fish

2-Blocking Passage Of Fish

4-Use Illegal Nets During Trout Closure

2-Trawling Inside Waters W/Oversized Double Rigs (Over 25')

7-Failure To Have Written Permission

4-Unlawfully Take Oysters From State Water Bottoms

7-Taking Oysters from Unapproved Area

REGION 9 CONT.D.

- 2-Unlawfully Take Oysters Off A Private Lease
- 1-Failure To Fill Out Oyster Tags Correctly
- 15-Harvest Oysters Without Oyster Harvester License
- 6-Fail To Cull Oysters In Proper Location
- 5-Hunting W/O Resident License
- 1-Hunting W/O Non-Resident License
- 4-Hunting From Moving Vehicle And/Or Aircraft
- 5-Hunting W/Unplugged Gun Or Silencer
- 4-Hunt Wild Quadrupeds And/Or Wild Birds Illegal Hours
- 4-Hunt Or Discharge Firearm From Public Road Or Road Right-Of-Way
- 2-Hunt MGB Without State Stamp
- 2-Take And/Or Poss. Over Limit Of Rabbits
- 3-Hunt Or Take Deer Or Bear C/S
- 5-Hunt Or Take Deer Or Bear Illegal Hours
- 2-Hunt Or Take Illegal Deer O/S
- 1-Poss. O/L Of Deer Or Bear
- 1-Poss. Of Illegally Taken Deer Or Bear
- 2-Poss. Of Untagged Deer Or Bear
- 3-Field Poss. Of Deer Meat W/O Tag
- 1-Fail To Maintain Sex Identification
- 2-Hunting Ducks Or Geese Without Federal Stamp
- 5-Hunting MGB Illegal Hours
- 7-Possession Of Completely Dressed MGB
- 1-Wanton Waste Of MGB
- 2-Using Lead Shot In Area Designated As Steel Shot Only

REGION 9 CONF'D.

2-Hunting Ducks Closed Season

2-Hunting Rails Closed Season

6-Not Abiding By Rules And Regulations On WMA

1-Public Intimidation

CONFISCATIONS:

1 deer hind quarter, 6 deer, 78 rabbits, 8 ducks, 61 filet duck breast, 10 whole duck breast, 60 1/4 sacks of oysters, 466 lbs. of shrimp, 1 coot breast, 500 lbs. of crabs, 5 1/2 box of crabs, 40 duck gizzards, 2 deer tags, 2 deer horns, 3 crab dredge, 7 gill nets, 2 boats, 10 weapons, 45 lbs. of catfish, 28 shad, 6 bass, 11 sac au lait, 6 red drum, 1 rail, 1 headlight, 2 knives.

Page (15)

S.W.E.P.

78 BOATS CHECKED

203 HOURS RUNNING TIME

TOTAL CASES-48

26-Trawling In Closed Season

6-No Commercial License In Possession

6-Take Commercial Fish W/O Commercial Gear License

6-Take Or Possess Commercial Fish Without A Vessel License

4-Taking Crabs Illegal Methods

CONFISCATIONS:

31 trawls seized, 6769 lbs. shrimp seized, 5,800 feet of gill net seized.

OYSTER STRIKE FORCE

TOTAL CASES-120

- 18-Take Oysters From Unapproved Area
- 6-Take Oysters From Unleased State Water Bottom
- 2-Take Oysters From Private Lease
- 7-Take Oysters W/O Written Permission
- 1-Take Under Size Oysters From Natural Reef
- 1-Fail To Fill Out Oyster Tags Correctly
- 1-Fail To Display Proper Number On Vessel
- 1-Permit Unlicensed Person To Operate Commercial Vessel
- 10-Fail To Cull Oysters In Proper Location
- 2-Have No Wholesale Retail Dealer License
- 15-Have No Oyster Harvester License
- 6-Have No Commercial License
- 7-Have No Vessel License
- 5-Have No Gear License
- 22-Take More Than Two Sacks Daily
- 4-Hunt Wild Quadrapeds Illegal Hours
- 4-Hunt From A Public Road
- 5-Hunt From Moving Vehicle
- 2-Flight From An Officer
- 1-Driving Without Driver License

CONFISCATIONS:

221 sacks of oysters, 7 dredges, 4 boats, 268 lbs. shrimp.

Page (17)

TOTAL CASES ENFORCEMENT-1083

TOTAL CASES OTHER - 121

TOTAL CASES S.W.E.P. - 48

TOTAL CASES O.S.F. - 120

GRAND TOTAL -1,355

WATERFOWL SEASON REPORT 1990 - 91

	R-1	R-2	R-3	R-4	R-5	R-6	R-7	R-8	R-9	TOTAL
Hunt MGB Illegal Hours	12	1	1	2	44	3	13	1	11	88
Hunt MGB w/o Federal Stamp	4	2	12	6	16	4	7	7	9	67
Hunt w/o State Stamp	5		9	7	15	4	8	6	6	60
Hunt MGB w/Unplugged Gun	2	3	3	3	10	2	1	5	3	32
Possess Completely Dressed Ducks	2	2	5	2	1			3	6	21
Hunt Ducks Closed Season	4		1	5		2	7	2		21
Possess Untagged Ducks	3	2	5		3				24	37
Possess Over Field Limit (Ducks)	4	4	11	6	2	3		13	30	73
Using Lead Shot in Steel Shot Zone	12	1	21	4	30	4	1	17	21	111
Field Poss. of Freshly Killed MGB - Closed Season	1				1					2
Poss. over the Two-Day Limit of MGB	2									2
Transport Illegally Taken MGB	2								4	6
Failure to Tag MGB	2									2
Conspiracy to Violate Federal Regulations	5									5
Take Over Limit of Ducks	2									2
Failure to Retain Custody of Migratory Birds	2									2
Aiding and Abetting	3									3
Receiving Untagged MGB	1									1
Hunt Ducks from Moving Boat	2					3		5	1	11
Hunt Ducks w/Unsigned Duck Stamp		1	1					2	2	6

Jimmy Jenkins

Louisiana Aquaculture Association

P.O. Box 80125
Baton Rouge, LA 70898

February 6, 1991

A. Kell McInnis, III
Acting Secretary
Louisiana Department of Wildlife & Fisheries
P.O. Box 98000
Baton Rouge, LA 70898-9000

Dear Mr. McInnis:

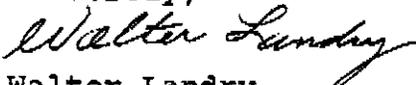
The Louisiana Aquaculture Association and the Louisiana Catfish Farmers Association are seeking your support for the resolution seeking approval for triploid grass carp and tilapia to be given "domesticated fish" status under the Domestic Fish Farming Program. It is our understanding that the resolution is going to be considered at the Board Meeting on February 7th.

Several members of our two organizations served on the Carp Task Force. We have been keenly interested in resolving this issue since the release of the Carp Task Force Report to The Louisiana Legislature in March 1989.

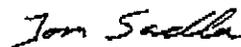
Ramon Billeaud, Vice-President of the Louisiana Aquaculture Association and Legislative Chairman of the Louisiana Catfish Farmers Association will be attending the Board Meeting on Thursday to express our support of the resolution. Dr. Ron Harrell, Aquaculture Commodity Leader for the Louisiana Farm Bureau Federation and Board Member of the Louisiana Aquaculture Association, will also be attending.

Thank you for your support in this matter. We look forward to working with your department on matters of importance to Louisiana aquaculture producers.

Sincerely,



Walter Landry
President,
Louisiana Aquaculture Assoc.



Tom Sadler
President,
Louisiana Catfish Farmers Assoc.

Eating Out

Gene Bourg

Chefs hooked on new fish

Time was, ordering a piece of fish in a restaurant was ridiculously simple.

If you weren't in the mood for trout, there was flounder. If those had no appeal, there might be redfish, red snapper, pompano or catfish.

Today, in choosing a fish in a restaurant, it helps to have had a few semesters of marine biology. How else to distinguish between mahi-mahi, tripletail, black drum, wahoo, sheepshead, sea trout and the myriad of other species that pop up on menus?

Tuna has been wildly popular in the past couple of years, but it seems to have peaked.

So what, if anything, will replace tuna in the hearts and palates of New Orleans fish lovers?

So far, the hottest candidate seems to be a giant goldfish with connections to the ancient civilization of the pharaohs.

It's the golden tilapia, a hybrid strain recently developed from a member of the bass family that since biblical times has flourished in the Nile River. The promotional handouts from the California farm raising the tilapia (pronounced till-OPP-ee-uh), even are giving it a religious connotation. It is "sometimes referred to as the fish Jesus fed the multitudes," a brochure says.

But the golden tilapia is arriving at a few local restaurants in a less exalted form — as thin, pan-ready fillets, pale except for a slight pinkishness at the center.

Praise from the kitchen

Although it has yet to make serious inroads on the local restaurant scene, several chefs already are singing its praises.

One reason is its cost. The wholesale price is just above \$5 a pound, or about half that of pompano or red snapper, which tilapia resembles in both taste and texture.

So the fish also could be made-to-order for hard economic times.

"It's dynamite," said executive chef Willy Coln of the Hotel Inter-Continental, who has just begun using tilapia as a special in the hotel's prestige restaurant, The Veranda. "The texture is pretty much the same as pompano, maybe a little firmer, and the taste is kind of sweet," he said.

Coln often broils the fillets inside leaves of swiss chard or romaine. But he finds it a good general substitute for redfish, the darling of restaurant customers until state officials slapped a ban on catching the endangered species.

Wholesaler Preston Batistella likes the golden tilapia because it's available year-round and the price is consistent. "And if a customer needs a special supply," he said, "I can get it here in three days or less."

The Times-Picayune

Mixed reception

With minimal oil, fat and calories, it also qualifies as a health food.

On the other hand, the restaurant-bound tilapia is not produced in nature but in fresh-water tanks. And the Louisiana seafood industry, already stung by tons of catfish arriving from Mississippi farms, isn't likely to look kindly on more out-of-state competition.

"I have mixed feelings about farm-raised fish," said Frank Brigtsen, proprietor-chef at Brigtsen's in Carrollton. "I like to work as close to nature as possible. But looking at the global situation, with environmental problems and increased demand, I think we'll have to look closer at farm-raised fish."

Brigtsen recently began intro-

See EATING OUT, C-5

CONTINUED...

Eating Out

From C-1

ducing customers to tilapia as a hearty appetizer. He sautes the 3-ounce fillets and serves them with either his lemon-basil bordelaise or roasted-pecan meuniere sauce.

He said the fish's firmness makes it versatile enough to broil or grill, as well as to saute. "It's firm enough for blackening," Brigtsen said, "but it's rather too thin for that."

He said he finds the taste closer to such salt-water fish as perch, bream or sacalait than to other fresh-water species.

At The Pelican Club in the French Quarter, owner-chef Richard Hughes finds the tilapia's name off-putting ("It sounds like an organ or something"), but praises its kitchen convenience, cost efficiency and taste. He plans to begin using it sometime this week.

"We've been having trouble getting a good supply of this kind of white fish," Hughes said, "and the size (about 5 thin fillets to the pound) makes it easy to work with."

Hughes expects to saute his golden tilapias and serve them in various sauces. "I'll definitely use it with some kind of crawfish sauce," he said, "maybe a brandy beurre-blanc, and maybe on a bed of crispy leeks."

Recently, some of the area's other top restaurant chefs sampled the golden tilapia without knowing what they were eating.

It happened at La Provence in Lacombe, where chef Chris Kerageorgiou was hosting a special dinner for his co-participants in a charity cook-off.

Kerageorgiou had chosen pompano for his fish course. But seafood wholesaler Batistella convinced him to try tilapia.

Kerageorgiou marinated the fish overnight in olive oil, fresh thyme, garlic, French shallots, bay leaves and lemon.

Close to serving time, he simply dried the fillets, seared them on one side only and baked them lightly for seven or eight minutes.

Then he served the tilapia in a classic bordelaise composed of wine, butter, burgundy, port and shallots.

A guessing game followed. What had the chefs just eaten?

One declared it was pompano. Another said it was red snapper. A third chose sheepshead.

To Kerageorgiou, the taste was that of the dorado.

The golden tilapia, it seems, is a restaurateur's dream: It can be anything an eater wants it to be.

For BACK ISSUES of
The Times-Picayune,
call 826-3222.

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, 24, 1991

M E M O R A N D U M

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

The next regular public board meeting as set by the Commission will be at 10:00 A.M. on Thursday, February 7th, 1991, at the Wildlife and Fisheries Building, Louisiana Room, 2000 Quail Drive, Baton Rouge, Louisiana.

The following will be on the agenda:

1. Approval of Minutes of January 10, 1991

HOUSTON FORET

2. Recommendation of the Shrimp Task Force on Opening Shrimp Season in Gulf

HUGH BATEMAN

2. Ratification of Rules and Regulations for Participation in DMAP
4. Announce Staff (Biologist) Recommendations for 1991-92 Hunting Seasons on Resident Game
5. Waterfowl Hunting Season Report

TOMMY PRICKETT

6. Ratification of Rule for Fox/Coyote Hunting Preserves

JERRY CLARK

7. Ratification of Rule for Cobia/Mackerel Size and Possession Limits
8. Resolution for Domestication of Tilapia and Triploid Grass Carp for Agricultural Purposes

BETTSIE BAKER

9. Shell Dredging Contracts

WINTON VIDRINE

10. Ratification of Rule for Orleans Parish Closure to Hunting or Shooting
11. Monthly Law Enforcement Report - January

A. KELL MCINNIS

12. Acting Secretary's Report to the Commission
13. Set April Commission Meeting Date

PUBLIC COMMENTS:

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

January, 24, 1991

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January 24, 1991
Page 2

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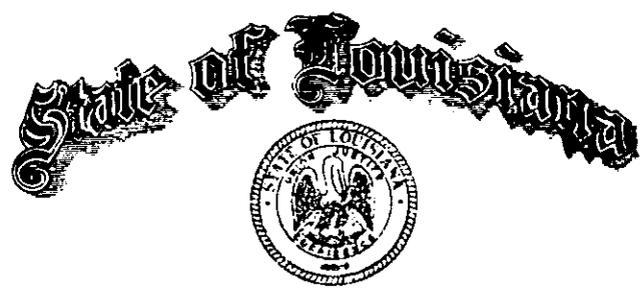
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PUBLIC COMMENTS:

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

Better



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 7, 1991

M E M O R A N D U M

TO: Assistant Secretary Office of Fisheries, Undersecretary,
and Office of Wildlife Chiefs

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

RE: Commission Meeting Agenda - February 7, 1991

Please write on the bottom of this memo and return to Sharyn Bateman by Friday, January 15th, any agenda items your Office may have for the February 7, 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 so on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

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

Thank you for your cooperation!

VVS/sb

C: Don Puckett
Bob Dennie
Winton Vidrine

Shell dredging contracts -



A. Kell McInnis III
Acting Secretary

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BUDDY ROEMER
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January 7, 1991

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Thank you for your cooperation!

VVS/sb

C: Don Puckett
Bob Dennie
Winton Vidrine

Enforcement Report!
W. Vidrine



RECEIVED

JAN 9 1991

INFORMATION &
EDUCATION DIV.

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 7, 1991

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 - February 7, 1991

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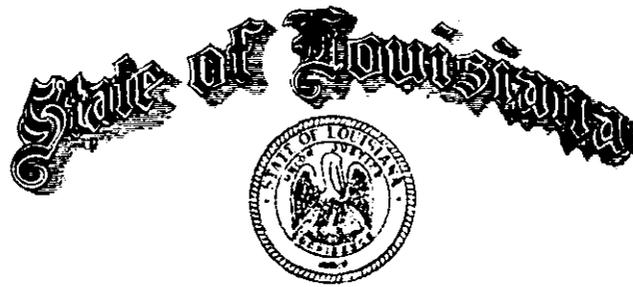
Thank you for your cooperation!

*I have nothing from T&E
BR 1-14-91*

VVS/sb

C: Don Puckett
Bob Dennie
Winton Vidrine

Butch



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

BUDDY ROEMER
GOVERNOR

A. Kell McInnis III
Acting Secretary

January 7, 1991

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 - February 7, 1991

Please write on the bottom of this memo and return to Sharyn Bateman by Friday, January 18th, any agenda items your Office may have for the February 7, 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 so on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

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

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VVS/sb

C: Don Puckett
Bob Dennie
Winton Vidrine

- 1) Ratify DMAP Rules (*H. Bateman*)
- 2) Announce STAFF (Biologist) recommendations for 1991-92 Hunting Seasons on Resident GAME (*H. Bateman*)
- 3) Waterfowl ^{Hunting} Season Report (*R. Helm*)

Draft

January, 24, 1991

MEMORANDUM

TO: Chairman and Members of Commission

FROM: A. Kell McInnis III, Acting Secretary

RE: February Board Meeting Agenda

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HUGH BATEMAN

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3. Announce Staff (Biologist) Recommendations for 1991-92 Hunting Seasons on Resident Game
4. Waterfowl Hunting Season Report

TOMMY PRICKETT

- ✓ Ratification of Rule for Fox/Coyote Hunting Preserves

JERRY CLARK

- ✓ Ratification of Rule for Cobia/Mackerel Bag and Size Limits

BETTSIE BAKER

Shell Dredging Contracts

WINTON VIDRINE

✓ Ratification of Rule for Orleans Parish Closure to
Hunting or Shooting

Monthly Law Enforcement Report - January

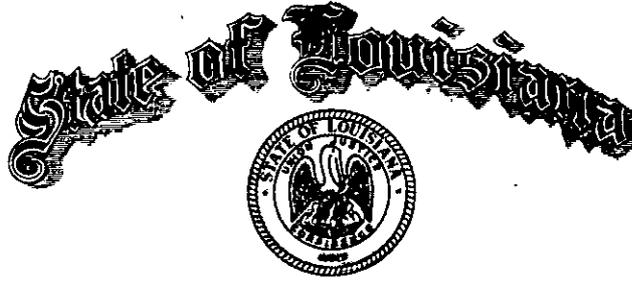
A. KELL MCINNIS

Acting Secretary's Report to the Commission

Set April Commission Meeting Date

PUBLIC COMMENTS:

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



A. Kell McInnis III
Acting Secretary

DEPARTMENT OF WILDLIFE AND FISHERIES
POST OFFICE BOX 98000
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BUDDY ROEMER
GOVERNOR

January 7, 1991

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TO: Assistant Secretary Office of Fisheries, Undersecretary,
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FROM: A. Kell McInnis III, Acting Secretary *AKM*

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VVS/sb

C: Don Puckett
Bob Dennie
Winton Vidrine

Louisiana Department of Wildlife and Fisheries

NEWS RELEASE

A. Kell McInnis, III
Acting Secretary



CONTACT
(504) 765-2919

01/30/91

91-12

AGENDA FOR COMMISSION MEETING

The next regular public board meeting as set by the Commission will be at 10:00 A.M. on Thursday, February 7 1991 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 for January 10, 1991
3. Recommendation of the Shrimp Task Force on Opening Shrimp Season in Gulf
4. Ratification of Rules and Regulations for Participation in DMAP
5. Announce Staff (Biologist) Recommendations for 1991-92 Hunting Seasons on Resident Game
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7. Ratification of Rule for Fox/Coyote Hunting Preserve
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9. Resolution for Domestication of Tilapia and Triploid Grass Carp for Agricultural Purposes
10. Shell Dredging Contracts
11. Ratification of Rule for Orleans Parish Closure to Hunting or Shooting
12. Monthly Law Enforcement Report/January
13. Acting Secretary's Report to the Commission
14. Set April Commission Meeting Date
15. Public Comments

-30-

(Editors: For additional information contact Paula Callais

]504[765-2803.)

B. The licensee shall deposit fees on a daily basis in a designated state depository during each race meeting. Every application for a license to conduct a race meeting shall be accompanied by a certified check for five thousand dollars, payable to the secretary of the Department of Economic Development. The secretary may apportion the expenses of the commission to the horse race meetings licensed by it on the basis of the collections received from each such meeting. When the race meeting for which the license is granted is terminated and the licensee has fully paid the percentage designated in this Part, the five thousand dollars deposited with the application shall be returned. In the event, however, the licensee fails or refuses to pay the percentage daily as outlined and required, the amount thereof shall be deducted from the sum deposited with the application for a license, and the balance, if any, shall be returned to the licensee. If for any reason beyond the control and through no fault of the licensee it becomes impossible for the licensee to conduct racing upon any date licensed by the commission, the commission, in its discretion and at the request of the licensee, may return the fees paid by the licensee for racing upon such days or specify any other days which may replace the days omitted.

§ 214. Offtrack wagering facilities; licensing; criteria; management; appeal of license suspension or revocation

A. License approval shall be subject to the criteria established by R.S. 4:159. Licensure shall be subject to the following conditions:

(6) Each offtrack wagering facility shall be specifically designed as an entertainment complex. Maximum allowable attendance at each facility shall be one hundred twenty-five percent of the seating capacity at that facility.

§ 222. Audit by commission

(A) The licensee shall deposit fees on a weekly basis in a designated state depository.

B. The commission shall verify licenses, verify that all fees and monies provided for in this Part are deposited on a weekly basis, and supervise, check, and audit the operation of the offtrack pari-mutuel wagering pools, its conduct, and distribution.

Section 2. This Act shall become effective June 30, 1990.

Approved July 19, 1990.

LOUISIANA MARINE RECREATIONAL FISHING DEVELOPMENT BOARD—CREATION

~~ACT NO. 502~~

S.B. No. 911

AN ACT to amend and reenact R.S. 36:610(E) and 802.5, and to enact Subpart G-3 of Part VII of Chapter 1 of Title 56 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 56:580.1 through 580.6, relative to marine recreational fisheries development; to provide legislative intent; to create the Louisiana Marine Recreational Fishing Development Board within the Department of Wildlife and Fisheries; to provide for membership, organization,

and compensation; to and regulations; to matters.

Be it enacted by the

Section 1. R.S. 36:6 follows:

§ 610. Transfer of ag'

E. The Louisiana S 578.10, and the Louisiar through 580.6, are pla perform and exercise th agencies transferred in

§ 802.5. Transfer; cer

The agencies placed i exercise and carry out R.S. 36:802, except tha subject to the approva.

Section 2. Subpart (Statutes of 1950, comp follows:

LOUISIANA MAR.

§ 580.1. Purposes

A. The marine recr the economy of the sta improvements were ma there has never been a and develop marine rec

B. The legislature c promote the consumpt industry in market deve the legislature seeks

C. The purpose of t marine recreational fis existing marketing cha development of marine improving the quality (

§ 580.2. Louisiana M organization

A.(1) There is here! Wildlife and Fisheries The agency shall have

designated state depository
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designated state depository.
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**RECREATIONAL FISHING
DEVELOPMENT BOARD**

enact Subpart G-3 of Part VII of
of 1950, to be comprised of R.S.
eries development; to provide
nal Fishing Development Board
e for membership, organization,

and compensation; to provide with respect to the functions of the board; to provide for rules
and regulations; to provide for reporting to the legislature; and to provide for related
matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 36:610(E) and 802.5 are hereby amended and reenacted to read as follows:

§ 610. Transfer of agencies to Department of Wildlife and Fisheries

E. The Louisiana Seafood Promotion and Marketing Board, R.S. 56:578.1 through 578.10, and the Louisiana Marine Recreational Fishing Development Board, R.S. 56:580.1 through 580.6, are placed within the Department of Wildlife and Fisheries and shall perform and exercise their duties, powers, functions, and responsibilities as provided for agencies transferred in accordance with the provisions of R.S. 36:802.5.

§ 802.5. Transfer; certain appointive authority retained

The agencies placed in the Department of Wildlife and Fisheries by R.S. 36:610(E) shall exercise and carry out all powers, duties, functions, and responsibilities as provided by R.S. 36:802, except that each agency shall hire its own director and assistant director, subject to the approval of the secretary of the Department of Wildlife and Fisheries.

Section 2. Subpart G-3 of Part VII of Chapter 1 of Title 56 of the Louisiana Revised Statutes of 1950, comprised of R.S. 56:580.1 through 580.6 is hereby enacted to read as follows:

SUBPART G-3.

LOUISIANA MARINE RECREATIONAL FISHING DEVELOPMENT BOARD

§ 580.1. Purposes

A. The marine recreational fishing industry in Louisiana contributes significantly to the economy of the state and could have an even greater impact in terms of tourism if improvements were made in recreational fishing facilities and capabilities. However, there has never been a cohesive, comprehensive strategy or effort to promote, market, and develop marine recreational fisheries.

B. The legislature created the Louisiana Seafood Promotion and Marketing Board to promote the consumption of commercial fishery products and to assist the seafood industry in market development. That board has been effective in achieving its goals and the legislature seeks to aid the recreational fishing industry in a similar manner.

C. The purpose of this Subpart is to provide the means to expand public awareness of marine recreational fishing opportunities in Louisiana, to establish new and improve existing marketing channels and concepts, to identify and remove impediments to the development of marine recreational fishing in Louisiana, and to assist the industry in improving the quality of its services and products.

§ 580.2. Louisiana Marine Recreational Fishing Development Board; creation and organization

A.(1) There is hereby created in the office of the secretary of the Department of Wildlife and Fisheries the Louisiana Marine Recreational Fishing Development Board. The agency shall have its domicile in Baton Rouge and shall be governed by a board of

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trustees composed of fifteen members, fourteen members to be appointed by the governor from persons engaged in the marine recreational fishing industry to serve terms concurrent with the governor, and the fifteenth member to be the lieutenant governor or his designated representative, who shall serve as an ex-officio member. The names of each of the fourteen members appointed by the governor shall be submitted to the Senate for confirmation.

(2) The appointed members shall be chosen as follows:

(a) One member shall be appointed from a list of three names submitted by the Louisiana Association of Charterboat Captains.

(b) One member shall be appointed from a list of three names submitted by the Louisiana Travel Promotion Association.

(c) One member shall be appointed from a list of three names submitted by the Louisiana Restaurant Association.

(d) One member shall be appointed from a list of three names submitted by the Louisiana Hotel-Motel Association.

(e) One member shall be appointed from a list of three names submitted by the Louisiana Wildlife and Fisheries Commission.

(f) One member shall be appointed from a list of three names submitted by the Louisiana Gulf Coast Conservation Association.

(g) One member shall be appointed from a list of three names submitted by the Louisiana Marine Trades Association.

(h) One member shall be engaged in the retail business of selling fishing tackle.

(i) One member shall be a marina or launch operator.

(j) One member shall be a marketing specialist.

(k) One member shall represent the banking industry.

(l) One member shall be engaged in the transportation business.

(m) One member shall represent the Louisiana State University Sea Grant Program.

(n) One member shall represent the Louisiana Department of Wildlife and Fisheries.

B. The members of the board shall meet and elect a chairman, vice chairman, and a secretary-treasurer from the membership of the board, whose duties shall be those customarily exercised by such officers or specifically designated by the board. The board may disqualify any appointed member for cause, including excessive absences from board meetings. If any member is so disqualified, the vacancy created thereby shall be filled in the same manner as the original appointment by the governor for the remainder of the unexpired term.

C. The presence of nine members of the board shall constitute a quorum for the transaction of all business and the carrying out of the duties of the board. Each member shall take and subscribe to the oath of office prescribed for state officers.

D. The board shall maintain a record of its proceedings, and all matters requiring a vote of the board shall be recorded in the minutes in sufficient detail to determine whether subsequent action thereon is in compliance with the board's directives.

E. The board shall identify potential sources of funding and may employ a director and assistant director who shall be appointed by the board subject to the approval of the secretary of the Department of Wildlife and Fisheries. The director and assistant director shall be in the unclassified service. The board may employ such other personnel for the board as it deems necessary and appropriate.

§ 580.3. Powers, duties, and functions

The board shall have the following powers, duties, and functions:

(1) To adopt a seal and alter the same at its pleasure.

(2) To sue and be sued in its own name.

(3) To conduct an analysis which will:

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(a) Identify marketing and

(b) Identify infrastructural development of Louisiana mar

(c) Examine successful mark countries.

(d) Identify potential new m. expanded markets for Louisia

(e) Identify potential investr of Louisiana marine recreatio

(4) To develop and impleme

(a) Resolve marketing and c

(b) Establish and develop str and development.

(c) Seek improvement in bo marine recreational fishing ac

(d) Create new markets an recreational fishing.

(e) Educate current and po fishing industry of investmen quality and quantity of servic

(f) Educate Louisiana publ Louisiana marine recreational help promote and execute the

(g) Educate the tourist indu the economic potential of Lou

(5) To perform any acts de responsibilities imposed upon

§ 580.4. Advertising, contra

The board, working with the ate Louisiana agencies, shall and promoting marine recreati may contract for any advertisi take any other action which it of marine recreational fishing contracts entered into by the

§ 580.5. Appropriations; wa

Funds made available by the programs and purposes provic Fisheries shall maintain recor therefor, as well as the pers therefor. Vouchers or receipt or otherwise made available drawn from the treasury on v

§ 580.6. Annual reports

The board shall make a wr fiscal year, setting forth the a year. This report shall be s resources not later than thirty

Section 3. The Department any personnel or funds to the

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of Wildlife and Fisheries by the legislature specifically for the purposes of the board specified in this Act.

Approved July 19, 1990.

MEDICAL PAROLE PROGRAM

ACT NO. 563

S.B. No. 916

AN ACT to enact Subpart (4) of Part II of Chapter 5 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:574.20, relative to reprieve, pardon and parole; to provide for a parole program for permanently incapacitated and terminally ill inmates; to provide eligibility requirements; to authorize the Parole Board to promulgate necessary rules; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Subpart (4) of Part II of Chapter 5 of Title 15 of the Louisiana Revised Statutes of 1950, comprised of R.S. 15:574.20, is hereby enacted to read as follows:

(4) MEDICAL PAROLE

§ 574.20. Medical parole program; eligibility; revocation

A. Notwithstanding the provisions of this Part or any other law to the contrary, any person sentenced to the custody of the Department of Public Safety and Corrections may, upon referral by the department, be considered for medical parole by the Parole Board. Medical parole consideration shall be in addition to any other parole for which an inmate may be eligible, but shall not be available to any inmate who is awaiting execution or who has a contagious disease.

B. The Parole Board shall establish the medical parole program to be administered by the Department of Public Safety and Corrections. An inmate eligible for consideration for release under the program shall be any person who, because of an existing medical or physical condition, is determined by the department to be within one of the following designations:

(1) "Permanently incapacitated inmate" which shall mean any person who, by reason of an existing physical or medical condition, is so permanently and irreversibly physically incapacitated that he does not constitute a danger to himself or to society; or

(2) "Terminally ill inmate" which shall mean any person who, because of an existing medical condition, is irreversibly terminally ill, and who by reason of the condition does not constitute a danger to himself or to society.

C. The authority to grant medical parole shall rest solely with the Parole Board, and the board shall establish additional conditions of the parole in accordance with the provisions of this Subpart. The Department of Public Safety and Corrections shall identify those inmates who may be eligible for medical parole based upon available medical information. In considering an inmate for medical parole, the board may require that additional medical evidence be produced or that additional medical examinations be conducted.

D. The parole term of an inmate released on medical parole shall be for the remainder of the inmate's sentence, without diminution of sentence for good behavior. Supervision of the parolee shall consist of periodic medical evaluations at intervals to be determined by the board at the time of release.

E. If it is discovered through the supervision of the medical parolee that his condition has improved such that he would not then be eligible for medical parole under the

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provisions of this Subpart, custody of the Department determine whether his parole revoked due to an improvement sentence with credit given for parole is revoked due to an eligible for parole, he may 15:574.4. Medical parole may as established by the Parole

F. The Parole Board shall Subpart, including rules and conditions of medical parole

Approved July 19, 1990.

**WILDLIFE AND FISH
CLUE FISH PRODU**

AN ACT to amend and reenact transport and wholesale delivery of fish products;

Be it enacted by the Legi

Section 1. R.S. 56:8(77) 56:307(C) is hereby enacted

§ 8. Definitions

(77) "Processing" means quadrupeds for market including, breeding, freezing, cook sack, bag, or in ice for tran

§ 307. Transporter; licens

A. Operators and driver carriers, who are in the act possession at least one of th

- (1) A commercial fisherm:
- (2) A wholesale/retail dea
- (3) A transport license.

C. Transport license req: the result of processing as

Approved July 19, 1990.

Mr. Pol - I would like to move that we open within one week the Gulf and that we limit it to a matter of, from, let's say what would be the areas that we are catching the better shrimp.

Mr. Foret - The Grand Isle area to the Coon Point and from the Freshwater Bayou west.

Mr. Pol - from Freshwater Bayou west and that we give, we already have, and that we give the Secretary the necessary means to close it if we find out that the count^{na} increased to a certain amount of money.

Chairman Jenkins - Alright, say that again.

Mr. Pol - I make a motion that we open the Gulf area, that is from the three mile inshore, immediately or if you would rather at the first of, we have to give seventy two hours, is that right Mr. Secretary.

Mr. McInnis - I believe that is correct.

Mr. Pol - within seventy two hours that we open the Gulf ^{from} ~~from~~ the shore out for shrimping and ^{that} if the count increases to over one hundred that we immediately close.

Chairman Jenkins - That is the same motion we just had, wasn't it.

Mr. McInnis - Limited area.

Mr. Pol - No, no, it is a limited area.

Chairman Jenkins - Give me the limited area again. From Freshwater Bayou to where

Mr. Foret - From Freshwater Bayou west to all the way to the Texas line. That is the west side of Freshwater Bayou now.

Chairman Jenkins - O.K.

Mr. Foret - And then Coon Point, Raccoon Point to the east, all the way to the Mississippi line, I guess, or whatever yall want, you know. And I will second that.

Chairman Jenkins - Is there a second to Mr. Pol's motion?

Mr. McCall - I second.

Mr. Vujnovich - I second.

Chairman Jenkins - Mr. McCall seconded it. Could I have a minute for a slight recess to talk to the Legal Council just a second. Have some discussion on the motion.

Pause during meeting

Mr. Foret - That area that will be remaining close that in another week or two or whatever time that the shrimp does make the hundred count law that our Secretary have the right to open it at any time.

Chairman Jenkins - I think he has got that anyway.

Mr. Pol - He has got that authority.

Chairman Jenkins - So we don't need to go through that. O.K., let's vote on the motion

Jones - Wait, wait, wait.

Jenkins - Alright

Jones - One question to the department. What is you recommendation on this motion.

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Jones - I'm sorry, because I am not in the shrimp area.

Pol - Ain't no way.

Jones - O.K.

Pol - The Commission has got that authority. We are not accepting a recommendation from a no, no, Bert that ain't right.

Jenkins - I think Mr. Jones has....

Pol - Let's call for a vote.

Jenkins - If Mr. Jones wants to ask a question let him ask it. Go ahead.

Pol - You don't question my integrity, Jimmy, I will tell you that.

Jones - Well, my question was, is does this change your recommendation of opening and closing, I mean, and, that it's. I am from North Louisiana and I am relying on my biologists to tell me what I think is their best judgment of what should be done.

Dr. Clark - No.

Jones - So in other words in your opinion this is not.....o.k. Thank you.

Jenkins - O.k. before we take a vote I would like for Mr. Puckett to get up and read the statute that we are concerned with so all the Commission^{Members} understands what the laws says about what we are

doing.

Puckett - The season statute requires the Commission to provide written reasons for its decision either to open or close a season and the written reasons are required to contain the biological and technical data upon which the decision is based. Again the criteria for opening or closing is technical and biological data which indicates that marketable shrimp in sufficient quantities are available. So if this motion or any other substitute motion were to pass the Commission should direct the staff to prepare a written document setting out what the technical and biological data are or either to incorporate the minutes by reference as the Commission's written reason for their action.

Jenkins - Any question of Mr. Puckett by the Commission on the statute. O.K. all in favor of the motion would you please raise your hand. One, two, three, four. ^{Against} ~~For the motion.~~ One, two. Motion carries. Mr. Puckett if you would get with the staff and make sure that we comply with the law as best we can since it is not their recommendation I would appreciate you doing that.

Pol - I base my motion on the recommendations of the Governor's Shrimp Task Force.

Feb. 7, 1991

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MINUTES OF MEETING

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

FEBRUARY 7, 1991

Chairman James H. Jenkins presiding:

Thursday, February 7, 1991

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

Jenkins

Acting Secretary A. Kell McInnis III was also present.

Chairman Jenkins called the Thursday, February 7, 1991, Commission meeting to order. A motion was made by Mr. Vujnovich for adoption of the January 10, 1991 Commission Minutes. The motion was seconded by Mr. Foret and passed unanimously.

At Thursday's meeting Chairman Jones asked Mr. Phil Bowman to address the department's opinion on the Recommendation of the Shrimp Task Force on Opening the Shrimp Season in the Gulf. Mr. Bowman first presented the department staff who were involved in collecting this recent data in Louisiana's offshore territorial waters. Slides were then shown.

Slide one showed the offshore winter shrimp closed seasons from 1985 through 1990. All the coast was closed at some point in time, however, in 1990 the areas south of Barataria was left open because primarily at that time small white shrimp were not observed.

Slide two showed the white shrimp catch during the years 1980 through 1990. The catch has fluctuated up and down. There has been good years and bad years. The slide was partitioned off so that the years when there have been no offshore closures could be observed as compared to years when there have been offshore closures. Mr. Bowman stated that it does appear that something has been going on in the last five years because an increase catch of white shrimp has been noticed during the last five years as opposed to the four years previous to that particular time period.

ear

Slide three showed the average size of the white shrimp that are being caught in the department's trawl samples west of the Mississippi River. East of the Mississippi River there is not a white shrimp fishery on the outside of Chandelier Islands, therefore the data has been limited to west of the Mississippi River explained Mr. Bowman and pointed out that coastal study area four, Terrebonne-Timbalier, was missing because with the last set

of data that was taken there were no white shrimp caught in the department's trawls. In the other four areas white shrimp were caught and from an average size standpoint all of the shrimp were below the one hundred count level. Mr. Bowman pointed out that in any normal distribution of organisms there will be large and small mixed together and the next slide will show that there are shrimp in some of these areas that are larger than one hundred count.

Mr. Bowman informed those attending the meeting that this information is information that the department had prior to this morning and pointed out in slide four that in the territorial waters offshore south of Barataria Bay that thirty percent of the samples caught in the trawl samples were larger than one hundred count, i.e eighty count, seventy count. In the Caillou Lake or Sister Lake area it was only 1.5 percent. In Vermilion Bay it was zero percent although a fair number of shrimp were caught. Caillou Lake and Vermilion Bay are two areas that are adjacent to the Atchafalaya River and receive influence from this river. The water depth offshore is slightly shallower and the slope deepens more gradual than it does in the other two areas of the state pointed out Mr. Bowman. In Calcasieu Lake twenty percent were larger than one hundred count. Information was delivered to the department this morning showing an increase slightly from what was seen yesterday advised Mr. Bowman, however, it is still below fifty percent.

Mr. McCall asked Mr. Bowman how old this information was. Mr. Bowman advised that this information was less than two weeks old. Specifically, some of it is this week's information. The department obtained some the information the beginning of the week and the latter part of last week clarified Mr. Bowman. Mr. McCall asked how did the net that the department used for their tests compare in mesh size to what a shrimper would be using in a trinet or regular net? Mr. Bowman advised that the law provides that the minimum mesh size for a commercial net is an inch and a quarter stretch mesh and the department's net has an inch and a half stretch mesh in the wings with a quarter inch mesh tail. The reason for the two sizes is because the department wants to see everything that is there commented Mr. Bowman. Mr. McCall asked if the department would be recovering a lot of smaller shrimp in its test then the shrimpers would if they were out there trawling for a living. Mr. Bowman answered that is possible, however, there are some other factors that may be considered because the length of the tow does determine how tight the mesh will be stretched and what shrimp it allows to go through the net and what shrimp are retained in the bag.

Mr. Jones asked if the department has not been towing the same net for years for continuity and information sake. Mr. Bowman answered yes sir. Mr. Jones stated so that in other words this information could not speak valid to years prior to now if the decision to change the test nets size was made. Mr. Bowman answered yes sir.

Mr. Jones continued, saying that this is being done for continuity sake to understand and evaluate what the shrimp are doing in comparison to past records. Mr. Bowman answered that was correct. Mr. Jones stated to answer what Mr. McCall was possibly eluding to was that the department is not trying to catch the right size shrimp but are trying to catch ~~the~~ what is in the water. Mr. Bowman commented we are trying to test the water and see everything that is there.

Mr. Bowman went on to show slide five which showed the frequency distribution of white shrimp offshore west of the Mississippi River. There are some shrimp south of Barataria Bay and south of Calcasieu Lake that are larger than one hundred count and the department has caught some that would be in the forty/fifty count range. Although their numbers are small when it is compared to the numbers of shrimp that the department is catching that are smaller than one hundred count. Mr. Bowman pointed out that if you look at the highest peak on the curve for Barataria Bay you would note that it corresponds to about one hundred and sixty count. You have a large number of shrimp that are between one hundred fifty and two hundred count, where you have a relatively small number of shrimp that are in the larger size classes, explained Mr. Bowman.

Slide six showed the size frequency distribution for shrimp taken in the department's samples south of Barataria Bay and comparing it to what was seen last month, which was presented to the Commission, as to what is being found this month. Mr. Bowman explained that the peak of the curve is closer to the one hundred count line, or actually there is slightly a larger shrimp although they were still below one hundred count, but yet they were slightly larger in January than now in February because of the large group of shrimp around the one hundred fifty or so count range. Concluding, Mr. Bowman stated that this was the information that they had for the Commission and asked if they had any questions.

Chairman Jenkins asked the Commissioners if they had any questions before the public was heard from. Mr. Foret asked Mr. Bowman if he did not state that in the last four years they did see an increase in the white shrimp. Mr. Bowman answered yes sir. Mr. Foret asked if this was mostly on the big white shrimp. Mr. Bowman explained that what they did was look at the catch of white shrimp for Louisiana on a yearly biological basis and compared it from year to year. Just looking at the catch, the number of pounds that are caught in Louisiana waters and the EEZ beyond Louisiana waters, without looking at anything else there is a difference commented Mr. Bowman. Mr. Foret commented that the difference that he can see is that there are more boats and in the last four or five years with the three wings (bib) being used the shrimp have less chance of swimming on top and this is one reason why they have more white shrimp. Also the two twenty-five foot nets that are in the lakes catch more shrimp stated Mr. Foret. Mr. Foret believes this is where the difference comes from and not by the three mile limit.

Mr. Bowman stated that like he said this is just looking at that one particular aspect, there is no question that the fishery has changed and advances have been made in gear. Mr. Bowman commented that he was not there to dispute this at all. Mr. Foret advised that he had made a few samples and found the shrimp were small from Caillou up to the west side of Freshwater Bayou. A tri-net with a inch and a half throat with a inch and a quarter bag was used and the average shrimp in this area ran anywhere from a hundred to a hundred forty count. From the west side of Freshwater Bayou going to the Cameron area a inch and a half throat with a inch and three eighth bag was used and the shrimp averaged seventy five count in that area stated Mr. Foret. A sample was also made at Belle Pass, on one of the worst days of the week, and around ninety count shrimp were caught continued Mr. Foret. Mr. Foret stated that he did not have time to go further east because of weather conditions and his schedule would not allow it.

Mr. Pol stated that he sees where the task force has recommended a/ inch and a half mesh stretch and asked Mr. Bowman if his recommendations would be any different if everybody went to this. Mr. Bowman answered no sir, not right now at this point and when the department gets to this point in the presentation you will see that the recommendations are going to be based on the information that is being shown right now. Mr. Bowman advised that he could not speculate as to what will happen if they go to a inch and a half or anything else at this time.

Mr. Foret stated that right now they have a hundred count law and the hundred count law ought to tell you where you can trawl and where you cannot trawl. Chairman Jenkins stated that actually that is not a law and asked Mr. Bowman to address this. Mr. Bowman explained that there is a one hundred count minimum size on white shrimp. Mr. Jenkins stated "law". Mr. Bowman answered yes sir and the law simply states that it is illegal to possess smaller than one hundred count. Mr. Jenkins stated that he thought they were talking about opening of seasons with the one hundred count.

Dr. Jerry Clark addressed the Commission. Dr. Clark stated that when the department pulls its nets their goal is to catch everything. If we went out there with a inch and a quarter, inch and a half, inch and three quarter nets, we would get the same results in most areas that Mr. Foret did pointed out Dr. Clark because in most areas there are shrimp that are larger than a hundred count. These are good marketable shrimp and the department knows they are there. In some of the areas there is as much as thirty percent and the department is not disputing this. If the department went out with that kind of net the department would get the same kind of results as everybody else is getting. Dr. Clark stated that the critical question that was just asked, if we had a inch and a half requirement, inch and three quarter, or inch and five eights offshore would the department's advice change. Mr. Bowman gave the right answer, probably not at this time because

there is an important questions that the department does not know the answer. Actually there are two questions stated Dr. Clark and pointed out on the chart that if you pull through a certain group of shrimp, what you bring aboard would only come from that group because this is what the mesh does, pulls through that group. This does not mean that these shrimp did not also go through the net, they will and the question is how many of them stay in the net and have to be hauled out and the other question is of those that go through the net, how many of them survive. Dr. Clark stated that they do not know the answer to this question and to his knowledge no one has researched this question successfully to date. Work has been done with very short trawls actually trawling on these kinds of shrimp for a very short period of time and mortalities of something like twenty five percent of this kind of shrimp in a net were seen. This is not the same of having them go through the net but is the kind of indication about what happens when a shrimp encounters a net even when you try to keep them alive commented Dr. Clark. The answer to Mr. Pol's question would be that to date the department's recommendations would probably not change because the answer to that question is not known advised Dr. Clark. The bottom line is if you go out in those areas across the state right now where these shrimp exist and you pull a inch and a half, inch and five eights, inch and three quarters mesh you are not going to see these shrimp and you are going to catch a nice group of marketable shrimp but the other shrimp are still there pointed out Dr. Clark.

Mr. Schneider asked how long would it take the department to get the information that is needed and would it take years. Dr. Clark stated that the question has been around for a long time and he did not even know if it could be answered in a year.

Mr. Foret asked Dr. Clark how long it would take the little juvenile shrimp to make the hundred count. Dr. Clark advised that the question has been asked of the staff and he believes their recommendation was that the season not be opened until a signification portion of these shrimp have move inshore. Rather than Dr. Clark trying to do this from memory he asked Mr. Bowman to address this since he was at the meeting. Dr. Clark thinks March 18th was the earliest date that they expected this to be true. Mr Bowman answered yes sir, this was the earliest date that the staff could come up with recognizing that the weather patterns this time of year are unstable. The earliest date that the staff suggested that this might occur would be March 18th. Mr. Foret stated that in a normal year, not like this year with all that rain that we have had, they might not even come inside. Dr. Clark commented that this is their prediction today.

Mr. Pol asked what the date was last year. Mr. Bowman answered it was March 12th. Mr. Pol stated March 12th and you recommending March 18th. Mr. Bowman stated that this is the date that the staff projects that the shrimp will be inside and the shrimp offshore will be larger than a hundred count or the numbers of small shrimp

will be significantly reduced offshore. Dr. Clark interjected that the last point was very important, it is highly weather dependent.

Chairman Jenkins stated that they wanted to get on with the public comments and asked that whoever speaks that he be speaking for several people. Chairman Jenkins asked that five people who would like to speak in favor of some kind of offshore opening to address the Commission.

Mayor Andy Valence, Grand Isle, addressed the Commission. Mayor Valence stated that with all due respect to Mr. Bowman and Dr. Clark he could answer the question about the unknown numbers of shrimp that will survive with a smaller or larger mesh and that is that an unknown will remain an unknown because you will never know for sure. For the shrimping industry to wait for that unknown to be known in Mayor Valence's opinion, is unreasonable. Mayor Valence requested that the Gulf waters south of Grand Isle and east and west be opened within the three mile area. The experts that Mayor Valence depends on are the commercial fishermen on the water. Their findings as up to four days ago is that the shrimping population along Grand Isle's shoreline is from seventy to eighty. A little to the west they are a little larger. A little to the east, from Houma Pass to the Mississippi River, there is a legal population of shrimp that is available and would not be of appreciable damage to the overall population and welfare of the white shrimp along Grand Isle shore stated Mayor Valence. Concluding, Mayor Valence stated that he was not speaking for the entire shore line of Louisiana but is referring from the Houma area to the mouth of the Mississippi River and they respectfully request that the Commission open this area to the shrimping industry.

Mr. Wade Price, Lake Arthur, addressed the Commission. Mr. Price advised that everytime you have an opening, no matter what time of the year it is, the price drops before it even opens. Mr. Price stated that he was in favor of opening the Gulf in his area but a stiffer find is definitely needed on illegally caught shrimp. If the find is high enough on the shrimp the people cannot afford to take the chance to catch them and the season will not need to be closed stated Mr. Price. When the season is closed and reopens it looks like it is opened to satisfy the people in the eastern part of the state commented Mr. Price. It is understandable that they want to protect their "brownies" but there are no brownies in their area advised Mr. Price and they have got to make their spring on the white shrimp. If the shrimpers miss their white shrimp spring it will be a bad summer. Mr. Price believes by leaving the season open you would have less small shrimp killed because you have a lot of people that cannot afford to sit through the winter months without doing anything and if people can make a couple of hundred dollars extra they are going to kill whatever they can kill to try and make the months that they have to sit out. If it is left alone a lot of the boats would work on a few bigger shrimp and

leave the little ones alone. It all amounts to one thing and that is there is going to have to be a stiffer fine and no closure believes Mr. Price. Every time the season is closed, it is closed to late and then it is not opened earlier enough. In December they have small shrimp right against the beach, sometimes even late November. Then when it is time to open it, usually early March, there is a good white shrimp on the beach, and it is not opened because the people in east Louisiana do not want it opened for the "brownie". If you are going to close the season you ought to close it soon enough to protect what we have stated Mr. Price. Every year there is an extension to fish seabobs and if you have got two or three seabobs in a box of a hundred and fifty count white shrimp you can sell them. There is no enforcement and this is where we need a stiffer fine. A count on the white shrimp is needed year round and from what Mr. Price knows the count does not make any difference until the white shrimp season opens in the fall. In Mr. Price's area a lot of times in June and July if you get a rain you can just about destroy the whole crop along the beaches because they get flushed out into the edge of the Gulf. Mr. Price's brother called the Wildlife Department one time in Lake Charles to report that they were catching hundred and fifty count white shrimp that were for the fall crop. He was told that they were not catching white shrimp and there were no white shrimp till the white shrimp season opened, there was no count on them right now. Concluding Mr. Price stated that he thinks the closed seasons makes a lot more outlaws out of honest people.

Mr. Kenneth Adams, owner of the shrimp boat "The Shiner Baby" addressed the Commission. Mr. Adams works basically from Grand Isle to the end of the river. Right now the boats are dragging the coast and are being booked with the shrimp being seized and sold. The shrimp that are being seized are 70/80, 40/50 count so the boats are not getting tickets for shrimp over a hundred count. Mr. Adams stated that Dr. Clark made it perfectly clear that the shrimp that are out there are marketable. The shrimpers are not pulling with old equipment like the department is doing in gathering data but are pulling new improved equipment which catches what is marketable only. The little shrimp are let go. Dr. Clark is now trying to bring up a point as to whether the shrimpers are killing the small shrimp, etc. and as far as Mr. Adams is concerned the shrimpers are letting them go and live. Dr. Clark is also saying that the data has to be gathered and while they are getting this data the shrimpers are going to go hungry stated Mr. Adams. A shrimper determines how he is going to make the whole winter with his catch in January. What is determined today will determine how the shrimpers will pass the winter. They have taken the honest man and have made him into an outlaw. Mr. Price stated that he had just made a trip, staying three miles out, and watched the boats being caught. These shrimpers were not really outlaws but guys trying to make enough money to make it through the winter. January was taken away from the shrimpers. The shrimpers want to work and can prove that the shrimp are there. Last year Grand Isle was left

open and the white shrimp season was the best there ever was and this year at Grand Isle the shrimpers caught 16/20 and 10/15 all the way into November. The three mile limit did not do the shrimpers one bit of good and the first year it was left opened was the best white shrimp season the shrimpers have ever seen in Grand Isle. Mr. McCall asked Mr. Price if he was fishing real close to the three mile limit. Mr. Price answered right on the line and it is hard especially when you are dragging and catching a 50/60 working three miles out and another man is outlawing a mile and a half on the inside and getting six baskets while Mr. Price is getting only one basket. Mr. Price pointed out that there is a communication problem between the Commission and the fishermen. Mr. Price asked the Commission to let the shrimpers go to work and next year if the biological data shows that the fishery is being hurt the shrimpers will not work.

Mr. Allen Gaudet, commercial fisherman, Grand Isle, addressed the Commission. Mr. Gaudet stated that fishing needs to be taken as more of an interest such as a farmer takes an interest. Mr. Gaudet feels the crop that they are trying to save is a residue of a crop that the shrimpers have had with this being the end of the crop. In the Grand Isle area this is not the seeds of a beginning of a new crop but is in a sense in some areas like the west because they depend on it. The department needs more of an input from fishermen with the biological staff to get a true evaluation of the fishery. This would be better for the fishermen. Mr. Gaudet pointed out that no one has brought up the economical impact and in the twenty one days the season has been delayed the state of Louisiana has lost over ten and a half million dollars in revenues directly from shrimp sales if the average holds out. Everyone needs to come together and make the shrimp industry strong on what the majority wants for the industry. No one knows better about a fishery than the fishermen themselves stated Mr. Gaudet. The fishermen feel that what has happened is a major communication problem. Mr. Gaudet questioned Dr. Clark and Mr. Bowman if they thought that these seeds they want to save will mature or not and what was the biological data supporting this. Mr. Gaudet further stated that he recommends that the Gulf be opened and what is really needed is that everyone get together and make the fishery good for everybody. Make it simple and not complicated like it is getting concluded Mr. Gaudet.

Mr. Dean Blanchard, Grand Isle, addressed the Commission. Mr. Blanchard stated that he was in favor of opening the coast. Mr. Blanchard advised that when they came to the January Commission meeting all they heard Dr. Clark say was that the task force wanted the Gulf closed and now the task force is saying that they want it open and they have never heard Dr. Clark say that the task force wanted the Gulf open. Mr. Blanchard stated that he thinks Dr. Clark is using the task force when it is in his best interest, but when they are against his interest Dr. Clark never says one word about the task force and Mr. Blanchard would like to know why.

Chairman Jenkins asked if anyone would like to speak in opposition to any kind of opening. There being none Chairman Jenkins called on one more person who was in favor of the opening to address the Commission.

Mr. Frank Campo, Jr., Shell Beach, St. Bernard Parish, addressed the Commission. Mr. Campo stated that they need the three mile limit open and is in favor of it one hundred percent. The charts that were shown earlier by Mr. Bowman and Dr. Clark were probably all true stated Mr. Campo but pointed out that the information was taken from Barataria Bay, Vermilion Bay and Calcasieu Lake. There is nobody at this meeting that is asking to go dragging in these bays advised Mr. Campo and all the fishermen are asking for is that the Gulf be opened on the west side of the river where the shrimp are marketable. Mr Campo advised that he had just come in from shrimping with a shrimp count of 40/50 and has the ticket in his pocket to prove it. Mr. Campo asked the Commission to take this into consideration when they make their final decision.

Chairman Jenkins asked if there was anybody from any other part of the state who has not had a chance to talk about their area who wanted to address the Commission.

0 Mr. Daniel Blanchard, Terrebonne Parish, addressed the Commission. Mr. Blanchard stated that they are in favor of opening the Gulf and was not going to repeat everything everybody else said, they made to much sense.

Chairman Jenkins asked Mr. Bowman if they had a recommendation that they wanted to make to the Commission.

Dr. Clark addressed the Commission pointing out that all the data that was presented today was data that is from the department's samples outside. None of the data presented had anything to do with any of the bays or estuaries, it was all data taken from the beach out. The department used the names and major bay systems in presenting the data only because that was the beach off that area. The Shrimp Task Force voted eleven to two to ask the Commission to open the beach statewide. Mr. Jones asked what made the task force change. Dr. Clark stated public testimony. Chairman Jenkins asked if they had voted on this before. Dr. Clark answered yes. Mr. Schneider asked how did they vote on this before. Dr. Clark stated that it was prior to the season and they were unanimous for the closure. Mr. Schneider asked if there has been any more biological information given to the task force other than political pressure for them to change their mind and did they base their decision on the same number of facts. Dr. Clark answered yes. Mr. Jones stated so what Dr. Clark is saying is that the task force without the public testimony in front of them voted to keep it close, yet when they had the peer pressure in front of them they.....Dr. Clark stated that he was not going to step on that one, and thinks the

task force needs to speak for it self. Mr. Jones asked Mr. Foret if the data was not different what would make the task force change. Mr. Foret stated that the way he sees it is that the task force were in favor and they were the ones that had brought it up to try the closure for two, three, four years to see if it would increase the amount of size of white shrimp. This was tried and it did not work stated Mr. Foret. Chairman Jenkins asked Mr. Foret about the chart that pointed out that the average catch from 1980-84 was thirty million and the average catch from 1984-89 was forty one million. Mr. Foret advised that every year there are more and more boats, better equipment and the equipment that people have been putting on their boats in the last few years has made a difference. Dr. Clark pointed out that another piece of information (the chart was not shown) would be that the only economic advantage to this closure is that if those shrimp are protected when they come back inside there will be more of them because they were protected. The principle harvest of this group of shrimp takes place in May and June when the brown season opens and in the dates that were shown on the graph, the time before the beach closure and the time after the beach closure, the inshore landings of white shrimp are about a million three higher on average after the closure than before. All the other reasons that have been mentioned about why white shrimp harvest should be higher are all part of this and there is biology involved but for five years during a closure and four years before a closure these results have been the results explained Dr. Clark. This is the only information the department has about whether or not it is working. The shrimp in May or June are worth more than a dollar a pound and if that million and half pounds is attributed to the beach closure you would be talking about two or three million dollars in the hands of the shrimpers because the beach is closed commented Dr. Clark. This closure came from the fishermen on a try out bases, has been tried for five years and looks like it is working stated Dr. Clark. Chairman Jenkins asked Dr. Clark for their recommendation. Dr. Clark stated that their recommendation is based on the same thing it was last year. The fishermen are saying what a good year they had last year and he would like to hope that they would give credit to the department for that good year. The recommendation was made last year to open the season and Dr. Clark stated that they would be doing the very same thing today if the data supported it but it does not and the department does not recommend a change. Mr. Foret asked Dr. Clark if what he is recommending is that the season not open anywhere in the Gulf. Dr. Clark answered we have no recommendation for opening. Mr. McCall asked what would be the earliest they would recommend opening the Gulf. Dr. Clark answered that he would have to go with the recommendation that the staff has made to date, if everything goes as in previous year, which is March 18, 1991. If things change the department will be back in front of the Commission before or after March 18th with their recommendation advised Dr. Clark.

Chairman Jenkins asked what was the pleasure of the commission. Mr. Foret stated that he would still like to hold his motion like he had it last month but there may be problems. Mr. Foret would hate to wait until next month because he does know there are shrimp out in the Gulf that need to be harvest now with all the rain that is coming in. Dr. Clark pointed out that the Commission did direct the Secretary to open the season and if the data changes the department will recommend that the season opens at its earliest possible date. Mr. Foret stated that he understood that point, but in two weeks it may be to late. There are many boats that outlaw in the fog and the department does not have the equipment to get them all. Will the shrimpers leave a hand full of outlaws to catch the shrimp or will all the shrimpers go out there to try and make a living, this is the point stated Mr. Foret.

Mr. Foret made a motion that the outside waters be opened and left open year around. The motion died for the lack of a second.

Mr. Vujnovich made a motion that the shrimp season be opened Gulf wide but if the shrimp count is above the hundred count it is to immediately close and that the Department of Wildlife and Fisheries enforce this by boarding boats and checking count. The motion died for the lack of a second.

Mr. Jones made a motion that the Commission adhere to the department's recommendations. The motion died for the lack of a second.

Mr. Pol made a motion that the shrimp season in that portion of Louisiana's offshore waters from the Louisiana-Mississippi state line to the western point of Last Island, known as Racoon point and the waters from the western shore of Freshwater Bayou in Vermilion Parish to the Texas state line be opened one week from today. The shrimp season in these areas will close immediately if the count on white shrimp exceeds 100 shrimp per pound. Mr. McCall seconded the motion.

Chairman Jenkins stated that before a vote be taken on the motion that he would like for Mr. Puckett, Legal Counsel, to read the statute that is of concern so that all the Commission members understand what the laws says about what is being done. Mr. Puckett advised that the season statute requires the Commission to provide written reasons for its decision either to open or close a season and the written reasons are required to contain the biological and technical data upon which the decision is based. Again "the criteria for opening or closing is technical and biological data which indicates that marketable shrimp in sufficient quantities are available". If this motion or any other substitute motion were to pass the Commission should direct the staff to prepare a written document setting out what the technical and biological data are or either to incorporate the minutes by

reference as the Commission's written reasons for their action stated Mr. Puckett.

Chairman Jenkins asked if there were any questions of Mr. Puckett by the Commission. There being none he called for a vote. The motion passed with four in favor and two against. Those voting for the motion were Mr. Pol., Mr. Vujnovich, Mr. Foret and Mr. McCall. Those voting against the motion were Mr. Jones and Mr. Schneider.

Mr. Pol advised that he based his motion on the recommendation of the Governor's Shrimp Task Force.

At Thursday's meeting Mr. Dave Morrison presented a resolution for the adoption of the **Rules and Regulations for Participation in the Deer Management Assistance program**. Mr. Morrison explained that what the Commissioners has before them was a resolution to ratify the regulations pertaining to the Deer Management Assistance Program. In October a notice of intent was passed by the Commissioners and published in the October 20, 1990, State Register. This program has been a very successful program since its inception in 1981. This information has gone before the Oversight Committee and has been approved. Mr. Morrison then read the "Therefore Be It Resolved" part of the resolution.

Chairman Jenkins called for a motion on the resolution for adoption of the rule. A motion was made by Mr. Schneider to adopt. The motion was seconded by Mr. Jones and 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

THE FOLLOWING WAS ADOPTED BY THE LOUISIANA WILDLIFE AND FISHERIES COMMISSION AT ITS REGULAR MEETING HELD IN BATON ROUGE, 7 FEBRUARY 1991.

WHEREAS, the Deer Management Assistance Program (DMAP) is a very successful and popular method of managing deer herds on private lands in Louisiana, and

WHEREAS, the DMAP has grown from very limited participation in 1981 to over 800 cooperators with 1.7 million acres of involved, and

WHEREAS, the Louisiana Wildlife and Fisheries Commission has adopted a schedule of enrollment fees, to participate in the program and generate in excess of \$80,000 annually, and

WHEREAS, rules and guidelines have been established to govern participation in the program, now

THEREFORE BE IT RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby ratify the attached rules and regulations as a permanent rule for participation in the Deer Management Assistance Program in accordance with the Administrative Procedure Act.

A. Kell McInnis, Acting
Secretary, LA Dept. of
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 Quadrupeds and Wild Birds

Chapter 1. Wild Quadrupeds

Section 111. Rules and Regulations for Participation in the Deer Management Assistance Program

The following rules and regulations shall govern the Deer Management Assistance Program:

Application Procedure

1. Application for enrollment in Deer Management Assistance Program (DMAP) must be submitted to the Louisiana Department of Wildlife and Fisheries annually by September 1.

2. Each application must be accompanied by a legal description of lands to be enrolled and a map of the property. The applicant must have under lease or otherwise control a minimum of 500 acres of contiguous deer habitat of which up to 250 acres may be agricultural lands, provided the remainder is in forest and/or marsh. This information will remain on file in the appropriate district office.

3. Each cooperator will be assessed a \$25.00 enrollment fee and \$.05/acre for participation in the program.

4. An agreement must be completed and signed by the official representative of the cooperator and submitted to the appropriate district game supervisor for his approval. This agreement must be completed and signed annually.

5. Boundaries of lands enrolled in DMAP shall be clearly marked and identifiable; however, legal posting is not required.

6. By enrolling in the DMAP, cooperators agree to allow Department personnel access to their lands for management surveys, investigation of violations and other inspections deemed appropriate.

Tags

1. A fixed number of special tags will be provided by the Department to each cooperator in DMAP to affix to deer taken as authorized by the program. These tags shall be used only on DMAP lands for which the tags were issued.

2. All antlerless deer taken shall be tagged, including those taken during archery season and on either-sex days of gun season.

3. Immediately upon kill, a tag shall be attached through the ear or hock in such a manner that it cannot be removed before the deer is transported from the site of the kill.

4. All unused tags shall be returned by February 15 to the district office which issued the tags.

Records

1. Cooperators are responsible for keeping accurate records on forms provided by the Department for all deer harvested on lands enrolled in the program. Mandatory information includes tag number, sex of deer and name of person taken the deer. Additional information may be requested depending on management goals of the cooperator.

2. Information on deer harvested shall be submitted by February 15 to the district game supervisor handling the particular cooperator.

Failure of the cooperator to follow these rules and regulations will result in immediate cancellation of the program on those lands involved. Cancellation of the program will be for a minimum of one (1) hunting season immediately following the

infraction. Failure to follow harvest recommendations may result in the cooperator being dropped from the program.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115.
HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries Commission, Wildlife and Fisheries Commission, LR 17: (February, 1991).

James H. Jenkins
Chairman

At Thursday's meeting Mr. Hugh Bateman **Announced the Staff (Biologist) Recommendations for the 1991-92 Hunting Seasons on Resident Game.** Mr. Bateman had Mr. Jerry Farrar, Deer Study Leader, pass out a summary sheet on the hunting season recommendations on resident game that were developed by the department's Game Division. The department and the Commission's Hunting Regulations Committee met last evening with one slight suggestion being made. Mr. Bateman has been urged to use the word "improvement" to these recommendations. Last year at the Monroe Commission meeting Mr. Jenkins had suggested that the process of setting the resident game hunting seasons might be better served if the department would develop a set of recommendations prior to the ratification process and prior to the initiation of the Administrative Procedure. This is being done earlier this year for two reasons. One being the request from Mr. Jenkins and the other being that the time requirement for the APA has been lengthened. The purpose of the information today is for informational purposes only and a lot of input is expected from the public and from other organized conservation groups who might want to comment on these recommendations pointed out Mr. Bateman. The Game Division will be meeting with the Deer Advisory Committee tomorrow to discuss the recommendations. There are a number of changes in these recommendations as compared to last year's hunting seasons. Mr. Bateman then provided the following recommendations for hunting seasons for information purposes only.

Quail: Nov. 28-Feb. 29 - Daily Bag Limit 10, Possession 20
Pheasant: Nov. 28-Dec. 8 (Cock Pheasant Only) - Daily Bag Limit 2, Possession 4
Squirrel: Oct. 5-Jan. 26 - Daily Bag Limit 8, Possession 16
Rabbit: Oct. 5-Feb. 29 - Daily Bag Limit 8, Possession 16
*Deer: Dates Vary - See Schedule Below - Bag Limit: One per day, 6 per season
Archery: Oct. 1-Jan. 20
Muzzleloader: Dec. 2-6

<u>Area 1 - 58 days</u>	<u>Days</u>	<u>Either-sex Dates (7 days)</u>
Nov. 23-Dec. 1	9 (still hunt only)	Nov. 23, 29, 30
Dec. 2-6	5 (still hunt, muzzle-loader only)	Dec. 5, 6
Dec. 7-Jan. 12	37 (with/with dogs)	Dec. 7, 8

Jan. 13-19 7 (still hunt only)
58

<u>Area 2 - 61 days</u>	<u>Days</u>	<u>Either-sex Dates (7 days)</u>
Nov. 2-Dec. 1	30 (still hunt only)	Nov. 16, 29, 30
Dec. 2-6	5 (still hunt, muzzle loader only)	Dec. 5, 6
Dec. 7-Jan. 1	<u>26</u> (with/without dogs) 61	Dec. 7, 8 (Additional days in some parishes)

<u>Area 3 - 61 days</u>	<u>Days</u>	<u>Either-sex Dates (7 days)</u>
Nov. 2-Dec. 1	30 (still hunt only)	Nov. 16, 29, 30
Dec. 2-6	5 (still hunt, muzzle loader only)	Dec. 5, 6
Dec. 7-Jan. 1	<u>26</u> (still hunt only) 61	Dec. 7, 8

<u>Area 4 - 44 days</u>	<u>Days</u>	<u>Either-sex Dates (7 days)</u>
Nov. 23-Dec. 1	9 (still hunt only)	Nov. 23, 29, 30
Dec. 2-6	5 (still hunt, muzzle loader only)	Dec. 5, 6
Dec. 7-Jan. 5	<u>30</u> (still hunt only) 44	Dec. 7, 8

<u>Area 5 - 14 days</u>	<u>Days</u>	
Nov. 23-Dec. 1	9 (still hunt only)	BUCKS ONLY
Dec. 2-6	<u>5</u> (still hunt, muzzle loader only) 14	BUCKS ONLY

*Turkey - Season Dates Vary - See Schedule Below - Limit: One per day, 3 per season

Area A - 30 days	March 28-April 26
Area B - 37 days	March 21-April 26
Area C - 9 days	April 18-April 26
Area D - 16 days	April 11-April 26

Mr. Bateman asked if there were any questions at this point. Mr. Foret asked why Louisiana did not get into the tag system. Mr. Bateman explained that this was discussed at the meeting last night with the Regulations Committee. The state has looked into this on several occasions and made a proposal to the Commission about four years ago to do this. Based on a number of reasons: economics, effectiveness, and ability to enforce it which came down to a decision by the Commission that they did not want to do this. To make a tagging system effective for big game you have to require a validation system and this means that when someone takes a deer or turkey they would have to put a tag on the animal, take it to a validation station and have that animal verified. If tags are just issued with no validation there is no way to keep people from getting additional tags or borrowing tags from other people. The tagging system under these circumstances, with no validation, is

ineffective advised Mr. Bateman. Other systems in different states have been looked at and when the department made the recommendations for a tagging system several years ago a tight validation systems was recommended so that it would work. The inconvenience to hunters seem to outweigh the tagging system's effectiveness and usefulness. Mr. Foret stated that he just felt that a tagging system would be a lot better because there are some people that kill more than six deer a year. Mr. Bateman advised that this was discussed at some length last night at the meeting.

Mr. Bateman then gave a summary of the major changes in the hunting season recommendations. The small game seasons were adjusted for compatibility with calendar changes. No major changes from last year.

Reduction in muzzleloader season from 7 to 5 days to provide for Dec. 7 opening of second segment (W/WO dogs).

In Area 1 three segments in regular firearms season as opposed to two last year. Second Segment (W/WO dogs) remains 37 days. Third segment comprised of 7 day still hunt only. In Area 2 season dates adjusted for compatibility with calendar changes. Additional 9 day of either-sex hunting (increase from 13 to 22 days) proposed for Bienville, Bossier, Caddo, Claiborne, DeSoto, Red River and Webster Parishes (District I. Areas 3, 4, and 5 season dates adjusted for compatibility with calendar changes.

Kisatchie National Forest deer season dates adjusted for compatibility with calendar changes. Either-sex hunting days reduced from 6 to 3 days. This recommendations came from the U.S. Service biologist.

The turkey season dates were adjusted for compatibility with calendar changes. One minor boundary change is proposed which would result in a small increase in the size of turkey hunting in Area C.

In the wildlife management areas there is a reduction from 2 to 1 day of either-sex hunting o Big Lake, Boeuf, Red River, Saline, Grassy Lake and Three Rivers WMAs. Gun deer season in Jackson-Bienville WMA changed to a 4-segment either-sex hunt with no bucks only segment. Proposed season is 24 days in length. Last season consisted of 20 days bucks only and 9 days of either-sex hunting. Gun-deer season on Loggy Bayou WMA changed to a 9 days of either-sex hunt with no buck bucks only. Last season consisted of 19 days bucks only and 3 days of either-sex hunting.

Turkey seasons are proposed for Red River and Three River WMAs, April 11-26, 16 days. This is new.

Concluding Mr. Bateman advised that there is a thick document that includes all the details and explanations of the hunting seasons

Forest

that the Game Division is still working on. This document will be available as it stands right now for anybody to obtain and review. This detailed information will not be included in the news release that will follow the Commission meeting. Chairman Jenkins interjected that this is the earliest they have discussed this issue since he has been on the Commission and it is in a effort to try and comply with the new requirements plus try to let the public know what the department and Commission is trying to do. This document is subject to change after the public hearings, future Commission meetings, and upon finalization of the committees that are working to make recommendations. As of today the Hunting Regulations Committee has met with the staff and they are in agreement to put it forward like it is advised Chairman Jenkins. Chairman Jenkins asked if anybody on the Commission had any questions or if Mr. Bateman needed any kind of action on this item. Mr. Bateman informed the Commission that there was no action needed today. The department is anticipating coming before the Commission at its March meeting with a notice of intent. There will be a ninety days comments period provided after the March meeting for additional public comment on the notice of intent. Mr. McCall asked about Area 2 and the additional days in some parishes and asked what this meant. Mr. Bateman stated that he had mentioned while going through the summary of major changes that there were nine additional either-sex days in the parishes of Bossier, Caddo, Red River, etc. and this is what it refers to. Mr. Jones commented to clarify this, nine addition means from thirteen to twenty two which is a significant difference from the rest of the state. Mr. Bateman stated that was right and went on to thank his staff for their work on these recommendations.

Chairman Jenkins called for public comments. Mr. Jesse Fontenot, Morgan City, addressed the Commission. Mr. Fontenot advised that in the last several years they have had very bad flooding problems in the Morgan City area and the rabbits have been completely destroyed this year. Morgan City, Stevensville, Lake Verret area which is east and west of the levee on the spillway floods at a foot above mean sea level and five was reached on January 1 with six being reached around January 10 or 12. The rabbits have been completely destroyed by people hunting them where the area is completely flooded. Mr. Fontenot stated that rabbit hunting is a very big game in their area and he hates to see it destroyed completely. The hunters have been going onto the levee, kicking a bundle of grass, letting the rabbits run into the water and then they are shot. This is not a sport. Another problem they have in the same area is that the dog hunters have got thirty seven days of hunting and every year they get two or three weeks cut off and Mr. Fontenot would like very much to see if there is anyway the hunting season for the dog hunter could be moved ahead. Mr. Fontenot advised that he represents the sportsman and does not represent any particular group. Chairman Jenkins advised Mr. Fontenot that he would ask Acting Secretary McInnis to look into the flooding situation.

Mr. Bob McHugh, Parish Councilman, St. Mary Parish addressed the Commission. Mr. McHugh advised that Mr. Fontenot was absolutely correct in what he is saying about the water conditions not only in St. Mary's Parish but also in portions of Terrebonne, and lower St. Martin. Mr. McHugh commented that he is in touch every day with people who brag about going out and killing seventy, eighty and ninety rabbits. These people are riding around in boats and shooting rabbits wherever they see one. These animals have a very limited place where they can retreat and hide and shooting these rabbits are not a real sport. Mr. McHugh stated that he was told the other day by a man that went on a float in Terrebonne Parish that the rabbits were dying in starvation. They have food in their stomachs but it is the brown type of food which has no nourishment. Mr. McHugh recommended that the department immediately put some people in the field to go out to these troubled areas, look at them, assess them and shut the rabbit season down. Chairman Jenkins stated that they would take a look at this.

Mr. McHugh made additional comments in reference to Title 56.124(6) which addresses the possession of deer, turkey, etc. and Title 56.124(b) addressing sex identification of deer and turkey, etc. These regulations are terribly written and are ambiguous to some extent and have caused a lot of turmoil and headaches for many honest, well meaning law abiding citizens in the state stated Mr. McHugh. The 1990-91 regulation brochure is considered by Mr. McHugh to be a joke. When this printed information is distributed among the hunting public this is their field bible to help them stay legal in the field. This brochure is ambiguous, unclear, incomplete and to add insult to injury it has a disclaimer in the back of it stated Mr. McHugh. Mr. McHugh commented that he has a suggestion to help solve misinterpretation and misapplication of the above referenced statute and also disagrees with Mr. Bateman on the proposed tagging situation. If everybody puts their heads together they could make this system work. Mr. McHugh proposed for the 1991-92 season that the Commission give consideration to require deer hunters to purchase a package of tags when his or her big game license is purchased. A package of twelve would be purchased for the price of twenty four dollars or two dollars each and would consist of four buck head tags, two either-sex head tags and six carcass tags. (Tags should be constructed of water resistant material and provide space for individual identification. This tag system would eliminate overkill of the resident deer herd and eliminate misapplication, misinterpretation or abuse of Title 56:124(6) and 125(b). When the tags are used up theoretically the hunter's season is over with. The situation where you have the hunter using his son's or daughter's, etc. tags once his is used up is where you have got a hole in the suggestion pointed out Mr. McHugh. Everyone will need to sit down and work out as many bugs out of this recommendation as they can stated Mr. McHugh and there would be no worry about the one deer per day regulation when the tag system is in effect. Additionally the use of either-sex tags

should be restricted for use between the opening day of the season to the first of December and Mr. McHugh believes this would help to eliminate the rush to the woods for either-sex days. Mr. McHugh commented that his suggestion is not without fault and it needs additional polishing but he does consider it to be a sight better than the present situation. Mr. McHugh advised that he has drawn up a rough draft of his proposal and would like to give it to the Commission for their consideration. Chairman Jenkins thanked Mr. McHugh and asked that he leave the proposed recommendations with Acting Secretary McInnis.

Mr. Clifton Aucoin, Stevensville, Louisiana, President of the Southern Atchafalaya Sportsmen's Club addressed the Commission. Mr. Aucoin advised that they have water in the swamps that is unbelievable and the deer season should had been closed about three weeks before the end of the season. Mr. Aucoin stated that because of the feud between the bow hunters and the still hunters everything is getting so complicated that it is hard to make sense of it. What happened to the good old days when on opening day everybody went hunting and when it closed everybody picked his gun up and went home asked Mr. Aucoin. What makes the still hunters get the good days, muzzleloader hunters get the good warm days and the dog hunters are pushed to the end of the season. Mr. Aucoin stated that he would like to get an earlier season like Mr. Fontenot suggested because of their area. If the shrimp area can be zoned why can't the hunting areas be zoned asked Mr. Aucoin. Chairman Jenkins thanked Mr. Aucoin for his comments and recessed the meeting for lunch until 1:30 p.m.

Mr. Robert Helm, at Thursday's meeting, gave the **Waterfowl Hunting Season Report**. Mr. Helms reported that this was the third year with a thirty day season with a three duck bag. This was the conventional system for the third time. This year the state had the first year of a three year experimental Canada Goose season in southwest Louisiana. This was a nine day season with a one Canada Goose per day permitted. A state issued permit was required to hunt during this special season. This was the first Canada Goose season in Louisiana since 1961. This year there were eight additional parishes converted to steel shot regulations and this was the fourth of a five year implementation of steel shot regulations across the country. Louisiana and the rest of the entire U.S. will be steel shot regulations exclusively next year. Habitat conditions this past year were very similar to what was seen the previous year. There was a lot of late winter rains and also a very wet spring last year followed by a relatively dry summer. These were good conditions for production of submergent plants and also grasses and sages that provide good quality waterfowl food. The fall and early winter was exceptionally dry and outside of the coastal zone waterfowl habitat was restricted primarily to managed areas until mid-December where it went from a bust to a boom situation overnight. Sixteen inches of rain was received across most of the state from just before Christmas to

mid-January. Water levels on the coast rose about a foot towards the end of the season and by early January there was a lot of back water flooding of most of the major river systems across the state which caused significant changes in waterfowl distribution with waterfowl widely disbursed over the abundant and improved habitat. Since the season has ended the trend has continued in essence of ducks and land anywhere from the Gulf of Mexico to the Little Rock, Arkansas. Three waterfowl surveys were flown this year. Two of the surveys were way above the five year average and the last survey which was done in January was well below the long term and reflected primarily a change in distribution of birds out of the survey area. /However, there did appear to be fewer birds in some important duck hunting areas. Particularly in Mermantau Basin, Pecan Island, southwest Louisiana rice fields in December than is traditionally seen. Over west of the Calcasieu River there was a big increase in this area also in December. Hunting success along the coast was very much of a mixed bag this year with a wide range of hunting quality reported. The "worst ever" to an "excellent season" were responses that Mr. Helm received from waterfowl hunter that he had talked to. The harvest in the west coastal zone is anticipated to be less than it was last year particularly in rice field and the Mermantau Basin complex. Hunting success was good in the early part of the season but slowed as the season progressed. The second split coincided with the excessive rains and birds were distributed over a much broader area and less vulnerable to the gun. LSU has been doing some research at Lacassine Refuge. They put radio transmitters on fifty of the birds in November. The birds were stationary until the rains hit with about twenty five birds remaining. Soon after the rains half of these birds headed north and six were found in central north Louisiana and the other six were found in southeastern Arkansas. This is a multi-year project and upon its completion there should be some interesting information. Hunting in the eastern coastal zone appeared to be better overall than what was seen in the west with an increased harvest participated. The persistent mild weather and combination with the fog during the last ten days of the season along the whole coast did reduce participation and success rates. Mr. Helm collected some harvest information from several private commercial and federal areas along the coast. The combined total duck harvest for this year was six thousand two hundred which is a five percent decrease from last year. Very little change. Hunters efforts increased nine percent. The success rate from these areas was 2.1 falling from 2.45 the previous year and hunting quality was reduced some. The harvest from these areas continue to show this variation, they increased by as much as thirty seven percent and one area fell by as much as seventy five percent. Water levels in this particular area were extremely low early and hunters numbers were way off. Lack of adequate rain in north and central Louisiana limited waterfowl habitat to managed areas and natural wetlands until late December. A trend noted the past few years continues where by many land owners who traditionally have pumped managed areas chose not to do

drawdown
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so and just wait for later rains. With the more restrictive regulations they are not willing to put out the efforts to manage these areas as they have in the past. Hunting success was good in the limited wetlands early, however, the number of people participating was down. Backwater flooding of the Bouef, Ouachita, Red River and Mississippi increased hunting opportunity the last two weeks of the season but also disbursed birds over a large area. A reduced harvest is anticipated for northern sections of the state. For the second consecutive year there has been a month delay in the drawn down of Catahoula Lake which the department tries to draw down each summer. Waterfowl food plants were somewhat reduced, particularly chufa. The water level of the lake in the fall and winter was favorable for dabbling ducks until late December because of the heavy rains. The December survey recorded over four hundred thousand birds on Catahoula Lake which is the largest number the department has seen in the past ten years. Hunter bag checks by the agency indicated approximately two birds per effort were recorded with pintail mallard and greenwing teal being most common in the bag. Hunter participation was increased compared to the previous two years but still remains well below the long term average. Waterfowl losses to lead poisoning on the lake were minimal this year. Last year it was estimated eight to ten thousand, primarily ducks, were lost on the lake to lead poisoning. Catahoula Lake has a long history of problems with lead poisoning going back to the early 1900s'. There is a distinct clay pan along the lake which prevents the shot from settling out of the reach of the birds. This is a problem which will have to be faced for an indefinite period of time. Steel shot regulations are the first positive step to prevent this, however, there is some research with preliminary results which are real promising. Some areas in the lake were seeded with lead shot and then tested the plots with various plowing techniques in an attempt to see what techniques would work in redistributing the shot. All the work that has been done for the last twenty years has shown that the shot is hanging in the top four inches of soil. The birds feed there primarily on chufa and in the process of getting this chufa which is just a underground tuba similar to a small potato they encounter the lead shot. A vegetable plow was brought in from California which inverts the soil about eighteen inches. This has proven to be the most effective technique. Preliminary results indicate it has redistributed ninety percent of the lead shot below four inches and seventy percent below eight inches. On a very limited bases these results are encouraging but will require a lot more testing before anything big scale can be done.

The preliminary result from the recently completed Canada Goose season indicates that thirteen hundred eight hunters purchased state permits. Four hundred of the harvest return questionnaires have been reviewed as to date and fifty of those permit hunters did not even hunt during the season with the remainder only taking two hundred Canada geese. On the average, persons hunted 2.1 days and bagged just over a quarter of a Canada goose per effort. This is

far below what the department had anticipated. If this rate continues it was estimated that eight hundred to a thousand Canada geese would have been taken during the nine day season. Chairman Jenkins asked if there were any questions. Mr. Jones asked if any of the Rockefeller geese were there. Mr. Helm answered not that he saw. Mr. Jones asked about the vegetable plow and asked if this was like a large tiller that has been incorporated to displace lead shot. Mr. Helm advised that it is a modified mow board plow which is pulled with a dozer and cost eighteen thousand dollars. This is a very big plow and is used primarily for lettuce. Chairman Jenkins thanked Mr. Helm for his report.

Canada
Mr. Hugh Bateman commented that the fact that this state just had its first Canada goose season in thirty years is in large part due because of Mr. Helm's personal efforts and aggressiveness in getting in the field, gathering information, lining up people to do bird counts, and going through a lot of personal efforts to make sure that this season was put together. Mr. Bateman personally thanked Mr. Helm for his efforts in putting this together and stated that if it had not been for Mr. Helm's personal efforts he could assure that the nine day opportunity to hunt Canada geese for the first time in thirty years would have never occurred. Mr. Jones congratulated Mr. Helm and stated that he was startled at the number of people from north Louisiana that went to south Louisiana to get a Canadian. This area would not have had the benefits of the transportation of these hunters if they had not had the goose season. It generated a lot of income for hotels, hunting guides, hunting equipment, etc. in the area. Mr. Bateman stated that this is a trophy bird and the department intends the program to be treated as a trophy bird program.

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At Thursday's meeting Mr. Tommy Prickett presented the Rule for Fox/Coyote Hunting Preserves, Purchase and Sale of Live Foxes and Coyotes, Permitting Year Round Coyote Trapping Regulations for ratification. Mr. Prickett informed the Commission that a notice of intent was brought before the Commission this past fall to promulgate rules and regulations to govern fox/coyote hunting preserves and the import and export of coyotes and foxes across the boundaries of the state. These regulations are currently in force through the emergency process under APA. All that is needed to day if for the Commission's action to ratify the rules advised Mr. Puckett. Mr. Puckett then read the "Therefore Be It Resolved" part of the resolution. A motion was made by Mr. Jones that they adopt the fox/coyote regulations. The motion was seconded by Mr. McCall and passed unanimously. today

(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 QUADRUPEDS AND WILD BIRDS

CHAPTER I. WILD QUADRUPEDS

SECTION 113. FOX/COYOTE HUNTING PRESERVES, PURCHASE AND SALE OF LIVE FOXES AND COYOTES, PERMITTING YEAR ROUND COYOTE TRAPPING REGULATIONS

A. PURPOSE

These regulations are to govern the purchasing, selling and holding in captivity of live foxes and coyotes for chasing with hounds. These emergency regulations will prohibit the importation and exportation of any species of foxes or coyotes to or from Louisiana in an effort to prevent possible disease and parasite contamination of native wild canids. Humans are subject to a infection with the liver being the most common site of larval growth. The infection is termed alveolar hydatid disease (AHD). The number of deaths per number of infected individuals has been 50-75%. These regulations are also enacted to allow the sport of fox/coyote hunting with dogs within enclosed areas. The regulations provide general rules including licensing, permits, fees, live trapping, sale and purchase of animals, holding cage requirements, enclosure requirements, acclimation requirements and report requirements.

B. DEFINITIONS

1. Acclimation Pen - an area which is built within or adjacent to fox/coyote hunting preserves which will contain game and exclude hounds and which will allow game to become acclimated to an enclosed environment.
2. Bill of Sale - receipt showing the amount of game purchased, the date of purchase, and the person from whom the game was purchased.
3. Bona Fide Resident- any person who has resided in the state of Louisiana continuously during the twelve months immediately prior to the date on which he applies for any license and who has manifested his

intent to remain in this state by establishing Louisiana as his legal domicile as demonstrated with all of the following, as applicable:

- a. If registered to vote, he is registered to vote in Louisiana.
 - b. If licensed to drive a motor vehicle, he is in possession of a Louisiana registration for that vehicle.
 - c. If owning a motor vehicle located within Louisiana, he is in possession of a Louisiana registration for that vehicle.
 - d. If earning an income, he has filed a Louisiana state income tax return and has complied with state income tax laws and regulations.
 - e. As to a corporation or other legal entity, a resident shall be any which is incorporated or otherwise organized under and subject to the laws of Louisiana, and as to which the principal place of business and more than fifty percent of the offices, partners, or employees are domiciled in Louisiana.
4. Box Trap - a drop-door type of trap that upon the games entry into the device encloses and detains the game.
 5. Closed Season - that period of time of the calendar year not specifically included in the open season.
 6. Department - the Louisiana Department of Wildlife and Fisheries.
 7. Enclosure - (See "Fox/Coyote Hunting Preserve").
 8. Fox/Coyote Hunting Preserve - an area which is completely enclosed by adequate fencing to contain game and hounds which is built and maintained for the purpose of training or chasing game with hounds.
 9. Fox/Coyote Hunting Preserve Operator - anyone acting as an agent of the owner in caring for or managing the maintenance and/or business of the preserve.
 10. Fox/Coyote Hunting Preserve Owner - anyone who legally has possession or has legally leased property on which the enclosure is established.

11. Game - any red fox or grey fox or coyote stocked in a fox/coyote hunting preserve for the purpose of dog training and/or chasing with hounds.
12. LDWF Approved Applicant - a person who has had no major wildlife or fish violations during the past three years, who has a minimum of 2 years of trapping experience and who is at least 15 years old.
13. Landowner - any person who owns land on which traps are set.
14. Licensee - any resident or nonresident lawful holder of an effective license duly issued under the authority of the Department.
15. Non-game quadruped - alligators, beavers, bobcats, coyotes, grey foxes, minks, muskrats, nutrias, opossums, otters, raccoons, red foxes, skunks and other wild quadrupeds valuable for their furs or skins.
16. Non-game quadruped breeder - any person properly licensed to engage in the business of raising, exhibiting and selling non-game quadrupeds.
17. Non-game quadruped exhibitor - any person properly licensed to engage in the business of raising and/or exhibiting non-game quadrupeds.
18. Non-target animal - any animal other than red fox, grey fox or coyote.
19. Permittee - any person who has obtained a valid permit from the Department for trapping coyotes during the closed season.
20. Person - includes any individual person, association, corporation, partnership, or other legal entity recognized by law.
21. Possess - In its different tenses, the act of having in possession or control, keeping, detaining, restraining, holding as owner, or as agent, bailee, or custodian for another.
22. Raising - the production of red fox, gray fox, or coyotes in controlled environmental conditions or in outside facilities.
23. Rearing - (See "Raising").

24. Relaxing Lock - locking device on a snare that loosens and tightens in response to the game's action.
25. Resident - (See "Bona Fide Resident").
26. Snare - wire device used for taking non-game quadrupeds.
26. Soft Catch™ - Trap (manufactured by Woodstream Corporation), no modifications.
27. Take - In its different tenses, the attempt or act of hooking, pursuing, netting, capturing, snaring, trapping, shooting, hunting, wounding, or killing by any means or device.
28. Transport - In its different tenses, the act of shipping, attempting to ship, receiving or delivering for shipment, transporting, conveying, carrying, or exporting by air, land, or water, or by any means whatsoever.
29. Trap.- any device used in the capture of birds, quadrupeds or fish.
30. Trapper - any person properly licensed by the Department engaged in the trapping of nongame quadrupeds.

C. LICENSES, PERMITS, AND FEES

The licenses and fees required for activities authorized by these regulations are as prescribed under provisions of Title 56, or as prescribed in these regulations, and are:

- 1) \$10 for a resident nongame quadruped exhibitors license.
- 2) \$25 for a resident nongame quadruped breeder license.
- 3) \$25 for a resident trappers license.
- 4) \$25 for an annual special permit which may be issued to a Louisiana Department of Wildlife and Fisheries approved applicant (authority granted by La. Laws pertaining to Wildlife and Fisheries R.S. 56:123 (C) for the trapping of coyotes only, outside of the annual trapping season. In order for the permittee to sell live coyotes he must also possess a nongame quadruped breeders license (\$25) (Authority 56:262.1) and a valid trapping license.
- 5) Upon payment of \$10 a nongame quadruped exhibitors

license may be issued permitting the applicant to breed and/or exhibit such animals provided he meets the rules and regulations of the Department.

- 6) Upon payment of \$25 a nongame quadruped breeder license may be issued permitting the applicant to breed, propagate, exhibit, and sell such animals alive.

D. GENERAL RULES

- 1) No person shall take, possess, purchase or sell live foxes or coyotes, except as provided in these regulations and Louisiana R.S. Title 56.
- 2) No person shall hold in captivity any live foxes or coyotes, except as provided in these regulations and Louisiana R.S. Title 56.
- 3) Fox/Coyote hunting preserves shall be of a type and construction such that it will insure the normal containment of both foxes, coyotes and hounds.
- 4) Fox/Coyote hunting preserves shall contain an adequate number of escape areas which are houndproof. These may be provided by maintaining thickets, brush piles, windrows, or where natural cover is insufficient, by providing manmade escapes such as culverts or houndproof feeding stations.
- 5) The owners of fox/coyote hunting preserves shall be required to make available to the game:
 - a) Food that is palatable, uncontaminated and nutritionally adequate to ensure normal growth and maintenance.
 - b) Water which is fresh, uncontaminated and available at all times.
- 6) No person shall transport, possess, purchase or sell any live foxes or coyotes taken outside the state of Louisiana. Live foxes and coyotes obtained from outside the State of Louisiana prior to the enacted date of these regulations and in possession of properly licensed persons shall be exempt.
- 7) No person shall transport from the state or offer for sale out of state any live foxes or coyotes.
- 8) Acclimation pens shall be constructed adjacent to or within an enclosure to insure the containment of foxes and coyotes and the exclusion of hounds. This requirement may

be waived for "training enclosures" or in enclosures where running is discontinued for a minimum of 2 weeks while foxes/coyotes adjust to the enclosure environment.

- 9) No person may engage in the business of raising or exhibiting or otherwise possessing fox or coyotes for the purpose of operating a fox/coyote hunting preserve unless he or she has acquired and possesses a valid nongame quadruped breeder or exhibitor license.
- 10) A licensed trapper may offer for sale such live animals to any licensed nongame quadruped breeder or exhibitor during the open trapping season. During any such transactions, a bill of sale must be provided by the trapper to the nongame breeder or exhibitor and retained for a period of one year.
- 11) Permittees (trapping coyotes during the closed trapping season) will be required to use only the "soft catch" type trap not to exceed a size #1/2, or a box-type trap, or a snare with a relaxing lock.
- 12) Permittees trapping coyotes during the closed trapping season and licensed as a nongame quadruped breeder may offer for sale such coyotes. During any such transaction, a bill of sale must be provided by the seller to the purchaser and retained for a period of one year by the purchaser.
- 13) It shall be unlawful to trap coyotes during the closed trapping season without a permit issued by the Department.
- 14) Permittees will be required to check traps daily.
- 15) Permittees will be required to have in possession written permission from the landowners or lessee where traps are set.
- 16) Permittees shall release all nontarget species in a manner so as to keep stress or injury minimal.
- 17) It shall be unlawful to sell native wild foxes or coyotes outside the State of Louisiana.
- 18) Trappers and permittees who hold game for more than one day for sale shall confine animals at a rate of no more than one fox per 9 square feet and one coyote per 17 square feet. The cage must high enough for each animal to easily sit or stand. The cage must be escape-proof and offer protection from adverse weather.
- 19) Fox/Coyote hunting preserves shall be exempt from the

Commission action which prohibits the running of coyotes during the open turkey season.

- 20) The Louisiana Department of Wildlife and Fisheries has the authority to conduct disease investigations at any time and pending the results of the disease investigations has the authority to quarantine fox/coyote hunting preserves if deemed necessary. The Department also has the authority to prohibit the release of animals that are diseased or have been exposed to diseased animals.
- 21) The owners of fox/coyote hunting preserves shall be required to immediately report to the Department the occurrence of any disease contracted by captive fox or coyotes. These diseases include but are not limited to rabies, canine distemper, sarcoptic mange or Echinococcus infections.

E. REPORT REQUIREMENTS

- 1) Report forms provided by the Department must be completed and filed with the Department by all persons who have been issued a nongame quadruped breeder or exhibitor license or who have been issued a special permit allowing the trapping of coyotes only in the closed season in accordance with this subsection. Reports shall include but not be limited to the information specified in subsection 262.1(d). Failure to complete these forms properly and completely will result in non-renewal of the nongame quadruped breeder or exhibitor license.
- 2) All licensed nongame quadruped exhibitors will be required to include information regarding numbers of animals by species in captivity, number of known losses (death or escape), number of animals by species purchased and the sources of game purchases.
- 3) All licensed nongame quadruped breeders will be required to include information regarding numbers of animals by species in captivity, numbers of losses, numbers of animals by species purchased and the sources of game purchases, and number of sales by species and the person who bought the game.

F. PENALTY FOR VIOLATION

Violation of these regulations will be a Class II violation with the following exceptions:

- 1) Violation of the license requirements for nongame quadruped breeders and nongame quadruped exhibitors shall be a Class III violation (See C-1, C-2 and D-2).

- 2) Violation of the reporting requirements shall be a Class III violation (See E-1, E-2, and E-3).
- 3) Violation of the regulations pertaining to import of foxes and/or coyotes into the state or export of foxes and/or coyotes from the state shall be a Class IV violation (See D-6 and D-7).

AUTHORITY NOTE: Promulgated in accordance with R.S. 56: 123(C) and R.S. 56262.1.

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

James H. Jenkins
Chairman

At Thursday's meeting Mr. John Roussel presented the rule on **Spanish Mackerel and Cobia, Size Limits and Possession Limits** for ratification. Mr. Roussel advised that at the October Commission meeting a notice of intent was passed to establish both size limits and bag limits for three species of saltwater fish. These fish were the ~~spanish~~ spanish mackerel, king mackerel and cobia better known in Louisiana as a lemon fish. The proposal is a slight modification of some existing size limits and bag limits. The ~~current~~ regulations specify that there is a minimum size limit for spanish mackerel which is specified in both fork length and total length. The notice of intent simplifies this and only refers to a total length. In addition it places a minimum size on king mackerel which previously did not exist and simplifies this in the same fashion as the ~~spanish~~ spanish mackerel by only referring to a total length. The other change from existing bag limits is that the previous bag limits were specified as "per trip bag limits" which was done for the sake of providing consistency with federal regulations off of Louisiana. The feds have since changed to "per day limits" so for the sake of consistency the department is proposing to change to "per day limits" also advised Mr. Roussel. The notice of intent has gone through the APA and there have been no written or oral comments received on the proposed rule. Mr. Roussel stated that the Oversight Committee has not elected to hear this rule and he presented the rule to the Commission for final ratification. A motion was made by Mr. McCall to adopt the rule and it was seconded by Mr. Jones. The motion passed unanimously. Chairman Jenkins asked if there were any comments. There were none.

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

RULE

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

The Louisiana Wildlife and Fisheries Commission hereby adopts rules and regulations establishing size limits and recreational bag limits for king mackerel, Spanish mackerel and cobia.

The proposed size and bag limits are as follows:

Title 76
Wildlife and Fisheries
Part VII Fish and Other Aquatic Life

Chapter 3. Saltwater Sport and Commercial Fishing

Section 323. Size Limits of King and Spanish Mackerel and Cobia

The Louisiana Wildlife and Fisheries Commission does hereby adopt the following rules and regulations establishing size limits:

The minimum legal size for possession of Spanish mackerel (*Scomberomorus maculatus*) and king mackerel (*Scomberomorus cavalla*) whether caught within or without the territorial waters of Louisiana shall be 14 inches total length.

The minimum legal size for possession of cobia (*Rachycentron canadum*) whether caught within or without the territorial waters of Louisiana shall be 37 inches total length.

AUTHORITY NOTE: Promulgated in accordance with R.S.56:326.1 and R.S.56:326.3.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R.15:868 (October 1989), amended L.R.17: (February, 1991).

Section 327. Daily Take and Possession Limits of King and Spanish Mackerel and Cobia

The Louisiana Wildlife and Fisheries Commission does hereby adopt the following rules and regulations establishing bag limits:

The recreational bag limit for possession of Spanish mackerel (*Scomberomorus maculatus*) whether caught within or without the territorial waters of Louisiana shall be 10 fish per person, per day.

The recreational bag limit for possession of king mackerel (Scomberomorus cavalla) whether caught within or without the territorial waters of Louisiana shall be 2 fish per person, per day for private vessels. For charter vessels the recreational bag limit for possession of king mackerel whether caught within or without the territorial waters of Louisiana shall be either 3 fish per person per day, excluding captain and crew, or 2 fish per person, per day, including captain and crew, whichever is greater. For the purposes of this rule, charter vessel shall be defined as vessel permitted by the National Marine Fisheries Service to fish as a charter vessel under the Federal Fishery Management Plan for the Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic.

The recreational and commercial bag limit for possession of cobia (Rachycentron canadum) whether caught within or without the territorial waters of Louisiana shall be 2 fish per person, per day.

AUTHORITY NOTE: Promulgated in accordance with R.S.56:325.1 and R.S.56:326.3.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission. L.R.13:502 (September, 1987) amended L.R.17: (February, 1991).

James H. Jenkins
Chairman

Mr. Bennie Fontenot presented the Resolution for Domestication of Tilapia and Triploid Grass Carp for Agricultural Purposes at Thursday's meeting. Mr. Fontenot advised that they are bringing back before the Commission the resolution which domesticates two exotic fish. The triploid grass carp and the tilapia. The reason for this resolution is that this will permit the department to allow under a strict regulated permit system the aquaculture of these fish under systems that the department will deem safe. The triploid grass carp is a functionally sterile fish. Before the department can issue such a permit it has to be domesticated or approve this exotic fish. In Title 56 there is a section that says "the secretary of the department cannot issue any permits for the culture of exotic fish until this exotic fish is domesticated by the Commission". Mr. Fontenot commented that this is the second time this is being brought before the Commission and there was a change made in the resolution. It reads "Said approval is given contingent upon Commission approval of Departmental rules pertaining to the issuance of permits". In other words the Commission will take action today to domesticate the fish, however it will not be domesticated until the Commission goes over the rules and approves them. Chairman Jenkins called for questions from the Commission. There being none Chairman Jenkins called for a motion on the resolution. A motion was made by Mr. Jones for adoption and seconded by Mr. Vujnovich. The motion passed

unanimously. Chairman Jenkins asked if there was any public comment.

Mr. John Juneaus addressed the Commission. Mr. Juneaus stated that he was interested in culturing the tilapia in a closed system and wanted to bring up the fact that this fish is starting to enter into the market place from California and he believes it is a wise decision that the state starts to look at growing this fish in a greenhouse type arrangement where it is controlled. What is happening in Louisiana, as a state, is that it is beginning to lose market share. It is legal to grow the fish in Texas, Arkansas and Mississippi. It is important that the state starts to look at technology and this fish, not to compete with the wild fish but to keep the business in Louisiana. What will happen is that these fish will come in from out-of-state and quite a bit of money will be lost. As technology moves the state needs to keep up. There are a lot of rumor about the fish and a lot of people are afraid of the fish stated Mr. Juneaus. This fish has been in Florida waters for the past twenty to twenty five years and in talking to the wildlife and fisheries people in Florida they talk about the fish and how fast it populates and all the problems you have with it but when you ask what problems do they see, they see none. Bass fishing is just as great as ever in Florida and Mr. Juneaus is not saying that we need to get this fish into the wild waters but is trying to say that he thinks that maybe the wildlife and fisheries might want to look a little closer at this fish and see what it is all about. This is the fish for the future. If the state does not look at growing this fish the other people that are growing it will come into the state and take the market share.

Mr. Raymond Bieo, commercial catfish farmer, Board of Directors of the Louisiana Catfish Association, addressed the Commission. Mr. Bieo stated that they wanted to express their appreciation to the department for seeking to find ways to legalize grass carp in their ponds. Mississippi has grass carp in their ponds and this gives them an economic advantage over the Louisiana catfish farmers because the grass carp cleans the bottom of the ponds. Mr. Bieo asked that as the rules are being promulgated that they have the opportunity to comment on them so that the rules can be productive and not counter productive. Chairman Jenkins stated that they would welcome their comments and asked if anyone else wanted to speak. There being no one Chairman Jenkins went on to the next item on the agenda.

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

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 Commission approval of Departmental rules pertaining to the issuance of permits for these species and 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.

James H. Jenkins
Chairman

A. Kell McInnis III
Acting Secretary

At Thursday's meeting Mr. Don Puckett updated the Commission on the **Shell Dredging Contracts**. Mr. Puckett reported that the present shell dredging contracts expire September of this year and in anticipation of the bid process which was begun three years ago the department would recommend at this time that the full Commission refer this to the Minerals Committee for consideration. Mr. Puckett pointed out that as the Commissioners well know that as a member or former member of the Minerals Committee there were extensive hearings three years ago when the leases and the bid packages were first put together. A much more abbreviated process is anticipated this time because only modifications will be made to the lease and bid package that were mandated by court. There will not be any wholesale changes. Ms. Baker and Mr. Puckett anticipate that within the next two weeks a package will be ready to send out to the members of the Minerals Committee at which time the chairman of that committee could call a public hearing wherein public input would be solicited as before. The department does not anticipate the need for more than one meeting of the committee barring something unforeseen and if all goes well a report back to the full Commission for the March meeting stated Mr. Puckett. Chairman Jenkins stated that Dr. Hines, Mr. Vinet, Warren Pol and himself are on that committee. Mr. Vinet and Dr. Hines are now gone and Chairman Jenkins asked Mr. Schneider if he would like to serve on the committee. Chairman Jenkins explained that this has got to do with the contracts for reef shell at the mouth of the river. Mr. Schneider stated that he would. Mr. Puckett clarified that he has been acting on the assumption all along because of the present status in Lake Pontchartrain that the Commission's present action will only affect the central coast. Chairman Jenkins called for a motion that the shell dredging contracts be referred to committee. A motion was made by Mr. Vujnovich in favor of this and seconded by Mr. Foret. The motion passed unanimously.

At Thursday's meeting Mr. Don Puckett presented a resolution and the rule on **Orleans Parish Closure to Hunting or Shooting** for ratification. Mr. Puckett refreshed the Commissioner's memory that this was a closure of a portion of Orleans Parish between the Jefferson line, the lake and the Chef Pass which is near the Bayou Sauvage Nature area and for enforcement and public safety reasons the Commission deemed it advisable to close this area to hunting. What is before the Commission would make this a permanent rule advised Mr. Puckett. Chairman Jenkins called for a motion on the adoption of the resolution on the rule. A motion was made by Mr. Jones and seconded Mr. Vujnovich. Chairman Jenkins asked for discussion from the audience. There being none a vote was called for. 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, and

THEREFORE BE IT FURTHER RESOLVED that the Louisiana Wildlife and Fisheries Commission adopts this resolution and the rule on this 7th day of February, 1991, and upon publication in the February State Register this will become a permanent rule.

James H. Jenkins, Chairman

A. Kell McInnis III, Acting Secretary

(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 III. STATE GAME AND FISH PRESERVES AND SANCTUARIES
Chapter 3. Particular Game and Fish Preserves and Commissions

Section 320. Orleans Parish Closure.

The Wildlife and Fisheries Commission does hereby adopts the rule closing 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 to all hunting or shooting by any means or device.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6 and 115.
HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 17: (February, 1991).

James H. Jenkins
Chairman

Lt. Colonel Charlie Clark gave the **Monthly Law Enforcement Report for January** at Thursday's meeting. Lt. Colonel Clark advised that he would be reporting on the Monthly Case Report, Waterfowl Season Report and a update on the comparison of the different regions as to the enforcement operations. The following number of cases were made for the month of January.

Region I - Minden - 51 cases (48 enforcement/3 other)
Region II - Monroe - 49 cases (36 enforcement/13 other)
Region III - Tioga - 68 cases, (all enforcement)
Region IV - Ferriday - 101 cases, (71 enforcement/30 other)
Region V - Lake Charles - 267 cases, (260 enforcement/7 other)
Region VI - Opelousas - 135 cases, (114 enforcement/21 other)
Region VII - Baton Rouge - 133 cases, (130 enforcement/3 other)
Region VIII - New Orleans - 184 cases, (168 enforcement/16 other)
Region IX - Gray - 216 cases, (188 enforcement/28 other)

In the SWEP section there was a total of 203 running hours and 78 boats checked with 26 trawling cases in front of Grand Isle.

The Oyster Strike Force had a total of 120 cases all oyster related except for one of driving without a license.

Mr. Jones asked if the pipe that was used on the deer decoy was confiscated, he did not see it on the report. Lt. Colonel Clark stated it might be at the crime lab at this time.

There was a grand total of 1,355 cases for the month of January stated Lt. Colonel Clark,

Lt. Colonel Clark continued and reported on the statewide averages per agent and the regions. This is an updated version of a report that was given last year and the only information that will not be complete on the report ~~will~~ ^{was} in the last four columns of Region IX and this is simply because Region VIII and IX ~~have~~ ^{had} not ~~be~~ ^{been} separated long enough to gather the statistics that are needed. There are some very interesting figures in the report stated Lt. Colonel Clark and one very interesting thing in the boating accident investigation column. Last year in 1990 there was a total of forty deaths which was the lowest amount, since the department has been keeping records, that this state has had. This is attributed to the I&E Section putting out a lot better information, classroom data and the DWI teams that are now on the water and move around the state. Concerning square miles, they have come a little closer together with the number of agents the department now has. The report is a little bias in that the fourteen new agents spent most of their time in the academy and they are figured into the averages but were not productive. It did bring the averages down somewhat and would have been a lot higher if these individuals would have been productive in the field. One of the biggest increases was in the sport licenses in areas like Region VIII. This went from total license fishermen last year of about eight thousand up to eleven thousand per agent that he is accountable for. This also includes the new agents. Lt. Colonel Clark pointed out that the population per agent is way up there. When you look at something like square miles it is down to almost normal. The number of registered boats are remaining somewhat consistent around two hundred and ninety thousand. A lot of boats are being lost from the urban areas to the more rural areas and are becoming smaller boats. This gives a note that a lot of people are now fishing freshwater and in impoundment. The census of the state showed that about three hundred thousand people were dropped statewide stated Lt. Colonel Clark. Chairman Jenkins stated that this was a very important piece of information and it gives the best way to access what is being done with the enforcement resources. In the future he hopes that this can be studied and ideas of how to get this more in balance can be arrived at. Chairman Jenkins thanked Lt. Colonel Clark for his update. Lt. Colonel Clark pointed out that if they would turn to the back page of the report they would find a map designating the regions and the larger block numbers indicate where the parish Lieutenants live.

Mr. McCall asked about item twelve which showed Cameron with three agents and asked if these agents were based at Rockefeller. Lt. Colonel Clark advised they were based in Cameron and that there were no Rockefeller people included in the report. It was pointed out that the two groups did work together. Lt. Colonel Clark advised Mr. McCall that he would try to put together a map showing

everyone on it. Mr. McCall stated that that would be nice if it was not a lot of trouble. ^{gave}

The next report that Lt. Colonel Clark was the Waterfowl Season report. This report basically indicates the number of citations that were issued and exactly where they were issued. The biggest violation that was incurred last year was using lead shot in steel shot zones. There was a hundred and eleven cases made in this particular category. The next highest violation was hunting migratory game birds in illegal hours. The top five categories were: 1) using lead shot; 2) illegal hours; 3) possession over the field limit of ducks; 4) hunting without a federal stamp; 5) hunting without a state stamp. Lt. Colonel Clark pointed out that areas of high violations were targeted and this is not a good scientific sample as to how ethical the hunters were. In Region IX it shows that there was a hundred and forty seven violations with a hundred and seventy one people check and the department is sure that this is in error stated Lt. Colonel Clark. Acting Secretary McInnis asked if this includes the reports from the specialists efforts as well or is that a separate report. Lt. Colonel Clark answered that citations were included but not your numbers checked. Mr. Schneider asked if this was significantly higher than last year. Lt. Colonel Clark stated no, the number of cases are down and explained the number of citations are up but the differential between the amount of hunters checked to get that amount of citations is pressed. The agents did not check as many hunters to find the violations simply because every hunter that came out holding a hunting license was not checked and the agents went after the individual who were violating the law. Chairman Jenkins asked if the Commission had any other questions. There being none he asked if anybody from the audience had a question. ^{ed}

^s A gentleman from the audience asked that when netters go out after mullet or the other species that are caught a problem, Lt. Colonel Clark answered no, not if you maintain yourself within the limits. The gentleman asked if the nets kill the fish that are caught other than the mullets. Lt. Colonel Clark answered no, and generally speaking when you are talking about mullet, when they target that mullet about ninety nine percent of that catch is mullet. There is not much by-catch in mullet because those mullet are sitting dead on top of the water and when you wrap them and start to squeeze them in a haul seine all the other fish escape. ^{are}

Chairman Jenkins thanked Lt. Colonel Clark for his report and asked Acting Secretary McInnis to give his report.

Acting Secretary A. Kell McInnis III gave the **Secretary's Report to the Commission** at Thursday's meeting. Acting Secretary McInnis reported that there have been a number of items that have come about that he would like to mention to the Commission. The biggest limelight was on the Oversight Hearings pertaining to the Black Bass Management Plan. Three weeks ago the department went before

the House Natural Resources Committee and discussed the plan with the members attending. There was some confusion about the mailing that went out and was later pointed out by the Chairman of that committee that inadvertently the entire committee had been invited rather than the Oversight Committee and that procedurally although he attempted to appoint them as ad hoc members of the Oversight Committee that required prior approval by the Speaker. Since there was no prior approval the vote that was taken was not considered a binding or accurate vote. The Speaker remanded this back to the Chairman for further hearings and a second hearing was heard last Friday at which time the Black Bass Management Plan as submitted by the task force and approved by the Commission was approved. At the same time the reciprocal agreement with Texas that would have changed the creel limit and the size from twelve to fourteen inches and from ten fish to eight fish was not approved by the Oversight Committee. An explanation of the Oversight Committee report was sent to the Governor on Monday of this week and is now on his desk. Along with this the department submitted an informational package to the Governor so that he could review the reciprocal agreement and make a determination as to what decisions, if any, he will make as far as overriding that particular committee.

At the last Commission meeting the Commissioners set forth a proposed regulation dealing with the filleting of freshwater game fish. This has been interpreted legally and otherwise by parties around the state and has created a great deal of confusion. One of the cooperative agents sent some information out that the department did not feel was entirely accurate. The department met with the agent and the Cooperative Extension Service supervisory people and a new letter with a more appropriate explanation of the proposed regulation is either in the mail now or will be shortly. The department is receiving public comments now and will likely be meeting with the Commission in the near future to discuss some of these comments and determine whether or not any modification, whether for clarification purposes or actual change of the intent of the regulation, will be necessary.

The Operation Game Thief (OGT) people have been busy. They met in Baton Rouge two weeks ago and gave out awards ranging from a minimum of three hundred dollars for a big game violation, and a minimum of a hundred dollars for a small game violation. They gave out seven thousand dollars this past weekend. In last month's Conservation Magazine Captain Keith Lacaze did a report on the OGT program. This program has been around since 1984 and has been a very successful program. The department does not supply this program with any money and the public at large must do it by donation. These donations are very much appreciated and they are what makes the program work. Without these dollars the rewards that are necessary to make it work could not be funded.

There has been a series of different meetings throughout the past month. Dr. Clark represented the department in Houston, Texas at the Gulf Council meeting this last month. The major emphasis of that meeting was the Texas Shrimp closure which did not have any particular hot spot for Louisiana but was something that has been utilized as a management practice in Texas for some time. The next meeting will be in Florida and on the agenda will be the shark fishery which they are waiting for a final plan on at this time. They will also revisit reef fish which means red snapper advised Acting Secretary McInnis. Between now and March when the meeting is held in Florida the department will be very active in reviewing the different proposals that National Marine Fisheries have in mind. Dr. Clark and Acting Secretary McInnis will probably both attend the meeting in March.

The Oil Spill Task Force met this past month which is made up of the Secretaries of the various departments, DNR, DEQ, etc. along with other appointments by the Governor. Mr. Dave Chambers, Coastal Wetlands, is also on the task force. The main thrust of the task force is to review the technical committee report which is trying to flesh out a oil spill coordination plan for the state. The main problem is how it is going to be funded but hopefully the Representatives and Senators on the committee which include Mr. Randy Roach from Natural Resources, Oswald Decuir from Senate Natural Resources and Representative Haik who authored last year an unsuccessful bill on oil spill and hopefully by the time the session starts there will be something acceptable not only to the Legislature but industry as well. This is continuing to be a slow process but forward steps are being made. It has also been recommended that a position be placed in the Governor's Office very similar to that of Mr. Chambers with the Coastal Wetlands to coordinate and guide the different departments as they go along in participating with the task force. S
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The Coastal Wetlands Task Force also met. They are working on a priority list of projects. Mr. Johnnie Tarver along with Acting Secretary McInnis are helping to develop this list. Mr. Tarver helped to devise the system used and it seem to moving along well. There are some projects that are not very good and have been weeded out. The Avoca Island Levee project is being addressed by this group and there has been a recommendation to change the extension of the levee out towards the Atchafalaya Bay into a levee system that will protect the water from coming back around Morgan City.

S The Budget Committee met and Mr. Bettsie Baker represented the department. The department now has a million dollars to use towards site selections, soil testing, and engineering architectural work for the fish hatchery. These people will help the department in making sure that the site that is selected is an appropriate site not only from a geographical perspective but from a building perspective as well. The selection of the engineer architectural group will be on the 26th of this month and Ms. Baker

and Mr. Arthur Williams will represent the department at this hearing.

Other areas of the department that have been quite active is the Habitat group. Mr. Tarver just returned from a meeting in Arizona. When Louisiana hosted the International meeting in New Orleans there was a pro-active strategy type group that was to look into animal rights and they interacted with the responsibilities of the various state fish and wildlife agencies as well as the rights of hunters and sportsmen have. Louisiana was one of the first states to recognize this potential conflict and address it by organizing within the state. Since that time, South Carolina, Texas, Arizona and Mississippi are now in the process of organizing similar groups. They also met in Dallas at the Shot Show and again utilized the same group of people to start up the group in Arizona. Mr. George LaPointe will be coming to Louisiana on behalf of the International Association to head up this pro-active strategies effort throughout the United States and will be in Baton Rouge. Acting Secretary McInnis has asked Mr. LaPointe to attend the next Commission meeting and to make a presentation to bring the Commission up to date on exactly where they are going and how they plan to get there.

The Land Acquisition Committee of the Commission has met several times since the last Commission meeting. Some criteria has been developed and projects are being reviewed. Hopefully in the very near future the department will be able to move forward on several of the projects.

During the last month a representative from a communications group came in from Lynchburg, Virginia, and ~~was~~ hired by the Division of Administration as a consultant to meet with the five departments (State Police, Corrections, DOTD, DEQ and Wildlife and Fisheries) in the state to determine what radio system is best for communications for each of these departments. It was felt an overall effort in joint project by this sized group would make it more financially feasible to make communication on a statewide basis become a reality. They will be coming back with three recommendations to the Division of Administration prior to the Executive Budget being submitted and will have some hard dollars figures to include in the Executive Budget for this coming session advised Acting Secretary McInnis. This group met with the department for about a week to ten days on every facet of the department's operation and Acting Secretary McInnis believes they got a good grip on what the needs are in the department and where the short comings are at this time. Help will be needed from all constituencies and the Commission to get this through the session advised Acting Secretary McInnis.

On February 14, 1991, the Chartres Street building in New Orleans will be going up for public auction. The minimum bid stays the same at five hundred seventy thousand dollars. Ms. Baker went to

Sharon Check spelling

New Orleans and the cleanup and asbestos crews are hard at work and the building is looking very good. The Commission is invited to come and participate and encourage bidders.

Also in the habitat arena there is a new established or identified bald eagle nest and which is located in the Cypress Black Bayou reservoir in Bossier Parish. The nest is in an area that is private property and the department is working with the Police Jury and private citizens to protect the area and keep it from being disturbed. These birds were in that area last year but did not nest and hopefully they will do so this year. The birds down in Spanish Lake are doing well and hope to have some new additions to the eagle population soon added Acting Secretary McInnis.

The department is in the process of completing the statewide survey on the pippin plover which is a federally and state listed endangered shorebird. Basically it winters along the mud flats along the mainland of the beaches and barrier islands. The preliminary data indicates that Louisiana has more wintering birds than any other state with some six hundred currently wintering here. If this is the largest population then there is good reason for it to be listed stated Acting Secretary McInnis.

The Ecological Studies group has been active having reviewed ninety seven public notices and a hundred and sixty two other permit requests. They have been involved also in the Barataria-Terrebonne National Estuaries Inventory meetings which is the planning of the future for the flood control in that area. Also they have been active in the PCB survey in Sibley Lake up in Natchitoches and the Red River Navigation Project which is Black Lake, Clear Lake and Nantachie Lake.

The Scenic Rivers people have reviewed some twenty three projects for potential scenic river permits and there are twelve applications still on file.

The Fur and Refuge Division are working with the LL&E people to expand the department's holdings at Pointe-Au-Chien and are also investigating an industry request to amend the alligator regulations. The regulations now provide that seventeen percent of the wild alligators should be returned to the wild when they reach forty eight inches. This regulations was established some years ago and there is a question as to whether or not that figure and/or that size is the proper size to be doing this. There has been a request from the industry to study this and the department will be working along with LSU to try and make a determination to clarify these figures.

The department was pleased to meet with a series of people in New Orleans and along the coast. The North American Waterfowl Plan people visited Louisiana with several Senatorial aids and embassy representatives. These people visited the state's coastal

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waterfowl areas and Acting Secretary McInnis believes that everyone of them was astounded to see where all the birds go in the winter.

The department hosted a public meeting at Rockefeller which was attended by the House Natural Resources Chairman, Mr. Randy Roach. There were some thirty interested people at Rockefeller to look at what the LSU landscape architectural class is putting together as far as an interpretative center at Rockefeller. Funding of this project came out of the Rockefeller Fund and LSU is using their designing class to design this for the department.

Concluding, Acting Secretary McInnis advised that the National Turkey Federation is having a meeting in Little Rock, Arkansas later on this month and shortly after that in St. Joe, Louisiana the Louisiana Wild Turkey Federation will have their meeting.

Acting Secretary McInnis asked Mr. Bateman if he wanted to add to this report. Mr. Bateman stated that the only thing he wanted to mention was that the department and the Louisiana Chapter of the Wildlife Society will be hosting the Southeast Deer Study Group which will have about fourteen states represented and will probably be two hundred and fifty wildlife technicians from all over the southeast in Louisiana for three days, February 24-26, 1991. They will be meeting a time or two for socials at this building in the afternoon advised Mr. Bateman but the technical meetings will be at the Hilton. The group that is meeting will consist of the top deer study and academic people from the southeast and they will be giving all kind of technical reports in their study group meeting. Mr. Bateman asked that Mr. Mike Cook make sure that people know about this meeting through the paper. Mr. Schneider asked if you could obtain copies of the proceedings after the meeting. Mr. Bateman advised yes and believes there will be an abstract of previous ~~white tail~~ deer research work done in the southeast for the last twenty, thirty years through this study group that will be available for sale at this meeting. Acting Secretary McInnis commented that at the Southeastern meeting in Virginia in the fall this was a hot topic of discussion and just about everybody there with the wildlife group was planning on attending this meeting.

Chairman Jenkins stated that they had talked a little bit about the OGT program and asked if any advertising was done on PBS, etc. Acting Secretary McInnis advised that Captain Keith Lacaze does a law line feature on the Conservationist Magazine program and from time to time it is mentioned but whether or not there is a regular advertisement he does not think so. Chairman Jenkins suggested that one be slipped in and it would only take a few seconds. This is a widely watched program and would be a good place to have one. Ms. Baker advised that on the back of the department's envelopes that are sent out there is the OGT phone number. Acting Secretary McInnis added that Captain Lacaze and the enforcement people have an excellent booth that they set up at various fairs, festivals, etc. and give out informational packets on the program. Chairman

Jenkins asked Acting Secretary McInnis if he would check into the advertising. Acting Secretary McInnis stated that he would make a note on this.

Mr. Bob McHugh, 1022 Second Street, Morgan City, addressed the Commission again. Mr. McHugh stated that he just needed something clarified on the Black Bass program. Mr. McHugh advised that he got a publication ~~from~~ ^{from} the Louisiana Cooperative Extension Service notice to camp owners which was obviously an interpretation on the notice of intent from the department pertaining to fish and other aquatic wildlife. This interpretation went on to say that they shall have their carcasses intact and be in a whole condition except that the gills, scales and internal organs only may be removed. This stirred up a lot of controversy and the people still do not know what is what. Mr. McHugh asked Acting Secretary McInnis if he could clean this situation up. Acting Secretary advised this was the piece of correspondence that he had referred to earlier in his report and it was not accurate in the department's opinion. The department has met with the Ag Extension people and everybody who received the original letter should receive another one that does clarify this. The intent of the regulations is to be essentially what it is in saltwater which is if you have a camp or a vessel that is capable of cooking something there is no prohibition against filleting and consuming a fish on board. The whole point is as you come back in to the landing you are not suppose to have fillets in the boat for the simple reason if you have a size limit or a slot there is no way to know what size that fish was if he is now a fillet. Mr. McHugh stated that he understood this but the problem he has is that if you are going to address a bass problem you should address that problem. If there is a shortage of bream, striped bass, etc. that are addressed in the notice of intent then they certainly should be addressed but Mr. McHugh cannot see the push towards addressing a shortage of bass without some other things being done such as restocking, taking a limited amount during the spawning season, etc. The red flag came up all over the place on the consumption of fish at camps which was an immediate concern. The other thing was the transportation of the fillet fish from the camp back home. Mr. McHugh stated that have normally always done this but if there is going to be problem towards a shortage of game fish he can see why the department is acting on it but does not understand it all the way. Acting Secretary Mcinnis stated that he would certainly imagine that there is going to be a lot of comments such as the ones that Mr. McHugh is making and the department will be reviewing these in making a final determination of how to write that rule. The areas that do not need it, likely won't be affected by it but the areas of concern that do need some protection will be effected. Chairman Jenkins asked if any of the Commissioners would like to ask Secretary McInnis anything. Mr. McCall asked about the alligator item and what part of the industry had requested this. Acting Secretary McInnis answered that it is the farmers that have to put those forty eight inch alligators back and they are the ones

who requested the initial study. Mr. Prickett added that some of the landowners also requested this and specifically what they are requesting is that the department re-evaluate the need to release forty eight inch alligators. Currently the regulations provide for releasing seventeen percent of the alligators at forty eight inches in size and they would like the department to look into the possibility of releasing some greater percentage of alligators at a lesser size as long as the effect would be same. Mr. Jones asked if the farmers are releasing what they are suppose to be releasing now. Mr. Prickett from what he understand ~~that~~ is correct, they are releasing alligator from forty eight inch size now. As long as the request does not affect the wild population it does not really make any difference. If the department can determine it won't they will come to the Commission with a recommendations to change the regulation. Mr. Jones stated that a year or so ago the Commission went through a long discussion where none were being brought back and asked if those problems had been corrected. Mr. Prickett stated that the problem he thinks Mr. Jones is referring to is the fact that most of the alligator farmers cannot grow a forty eight inch alligator in one year and what was happening was that at the end of the first year of business the farmers did not have any forty eight inch alligators so it would be the following year before they could actually make a release and there is kind of a backlog of alligators that need to be released. It was made clear to the farmers when they initially asked for this change that whatever their obligations were to the department in the past that they are still under those obligations. If the rules change in the future this will be addressed in the future.

Chairman Jenkins asked if anybody could give an update on the **Speckled Trout Quota**. Mr. John Roussel addressed this item. Mr. Roussel advised that he had prepared a table that breaks down monthly landings of speckled trout through January for the last five years and distributed it to the Commissioners. Mr. Roussel commented that the bottomline really is the current count on the quota for 1990-91 is five hundred thirty thousand, four hundred and seven pounds. The January figure is very preliminary and as always in the past the last three months that are reported are all subjected to being revised upward as additional reports are accumulated. A more accurate portrayal of a true number at the end of the year would be looking at the cumulative for December rather than January. The January figure will be almost certainly revised upward but how much he cannot say at this ~~advised~~ ^{time} Mr. Roussel. Chairman Jenkins questioned if the department was in a position to forecast a closure yet. Mr. Roussel answered no sir. Chairman Jenkins asked if we were running way behind the average. Mr. Roussel stated yes, he had calculated it earlier and it looks like it is about twenty six, twenty seven percent below the five year average which is seven hundred thirty nine thousand pounds through January. Mr. Roussel expects the January figure to be revised upward but how much he cannot say. Using the projection model a closure could be projected based on the data but Mr. Roussel would

not be comfortable recommending the closing date. The department usually tries not to project until they think they are ~~in~~ within one month of closing.

Chairman Jenkins asked Mr. Roussel to give an **Update on the Various Fish Plans** that the department is working on. Acting Secretary McInnis addressed this and informed the Commission that he had spoken with Dr. Clark in the last day or so and the ~~red fish~~ and speckled trout plan was expected to be out by the end of January but due to additional data becoming available they ~~will~~ are being recalculated and worked on and should be ready on March 1, 1991.

Chairman Jenkins asked Mr. Roussel why do some speckled trout have one tooth and some have two teeth, did it have anything to do with the sex of the fish. Mr. Roussel stated that he won't say yes or no but he is not aware of being able to tell the sex of speckled by the number of teeth. Chairman Jenkins asked Mr. Roussel to check this out and give a report at the next meeting - if the number of teeth in the speckled trout has anything to do with the sex of the fish.

Mr. Jessie Fontenot asked what was the total pounds of speckled trout caught according to Mr. Roussel's information. Mr. Roussel stated that it was five hundred and thirty thousand, four hundred seven pounds. Mr. Fontenot asked what was the commercial value of the speckled trout. Mr. Roussel stated that he could not answer off the top of his head. The National Marine Fishery Service calculates a annual dockside value and after the meeting advised Mr. Roussel, he and Mr. Fontenot can go to his office and get this information.

Mr. Jones stated that he had something that has come up in north Louisiana. A local lake commission passed a user fee on the boats in Lake Darbonne and they have singled out not only boats that enters with a charge of fifteen dollars for the year but are also isolated bass tournaments which they have one at least every weekend where they are assessing each contestant in the tournament eight dollars per team. The lake commission is going around saying that the Wildlife and Fisheries are going to enforce this. Mr. Jones asked if this was true, is it legal and how do we stand on this. Can they as a lake commission assess a user fee for boats entering Lake Darbonne asked Mr. Jones. Mr. Puckett, Legal Counsel, addressed this issue. Mr. Puckett advised that he had taken an initial look at this and his initial conclusion, although he is pretty confident with it, is that they can. Mr. Jones asked if this was affirmative. Mr. Puckett stated that was his interpretation and this was not one of those commissions that the department has the power to totally approve their rules and regulations. There are certain game and fish commissions in the state that the department does have almost total dominion over as far as approval of all their regulations. The Darbonne Watershed District is actually created under Title 38 which is Public Works

and the focus, as it was created, is much less on fish and wildlife than other things. The department or Commission has certain authority with that watershed district but only in so far as enforcement and approval of regulations on fish and game. The district itself it apparently autonomous in all other respects including operation of watercraft and raising funds by taxes or otherwise. It is Mr. Puckett's opinion that the Commission or the department is without authority to prevent this from happening. If there are other issues from a constitutional nature, such as charging the public to use what is otherwise a public body of water, which Darbonne is, this is something that perhaps could be addressed by the Attorney General's Office. With regard to the second issue it is the opinion of Mr. Puckett that the department is not bound to enforce the decal provision. Mr. Jones summarized then it was Legal Counsel's opinion that they can do this and it was also Legal counsel's opinion that the department was not going to force it as its job and asked if this was right or wrong. Mr. Puckett stated that it was opinion that the department cannot be made to enforce this, but does have the authority, but not bound to. What directive the agents would take would come from the Secretary as far as enforcement of this. The district anticipated that the department would enforce this because it was part of their resolution commented Mr. Puckett.

Chairman Jenkins asked if there were any other questions from the Commission. There being none Chairman Jenkins went to the next item on the agenda which was **Public Comments** and asked if anybody had any comments.

Mr. Nolen Lapeyrouse, 2313 East Christy Drive, St. Bernard, Louisiana, address the Commission. Mr. Lapeyrouse commented on a recent action of the Commission which involved the closure of the oyster seed grounds. Mr. Lapeyrouse read a prepared statement on this issue. Mr. Lapeyrouse comes from a long line of oyster farmers and oyster farmers depend on the state grounds. Mr. Lapeyrouse does not see any reason for early closure of the public oyster seed ground and pointed out that this is not the way to maximize production. Since taking seed or sack oysters in any winter months will not affect the next year's crop there is no reason to close the oyster season before the spring with the date being no earlier than April 15th of each year. Mr. Lapeyrouse stated that recently he was asked by a Commission member the feelings of the people in his area of possibly moving the oyster season opening from September to October and he replied it was a great idea as it would lessen mortality in hotter months but it would also adversely affect these people if the season would not be extended for at least as many days. Mr. Lapeyrouse feels like the adverse effect was never discussed. A letter was sent to Mr. Kell McInnis which implied that the Oyster Task Force voted unanimously for a February 15th closing of the oyster season. Mr. Lapeyrouse stated that he attended that meeting and this was not the case, it was not voted on. At this meeting a resolution was

introduced to reopen the season for bedding for one month from January 15th to February 15th. This January 15th opening was to take into effect the closing of the flood gates at Empire so as the west side boats could have access to the seed. At this January opening a law was ignored which was the three inch law which was in effect at the time which runs from January 1st to April 1st. Mr. Lapeyrouse stated that he was told through the grapevine that if any part of the season remains opens this law would be strictly enforced on the boats that would remain fishing in the area. Concluding Mr. Lapeyrouse advised that Mr. George Barrisger also has something to say about the matter.

Mr. George Barrisger, St. Bernard Parish, commercial fishermen, addressed the Commission. Mr. Barrisger stated that he is from a long line of commercial fishermen and would very much like to continue this heritage and remain a commercial fishermen. However, unless some changes are made in the decision making process concerning the fishing industry Mr. Barrisger and many other like himself will be forced out of the business. Not because they are not good at what they do but because of the restrictions and the laws that are being imposed upon the commercial fishermen that are either limiting their time to work or restricting their ability so much so that they can no longer produce enough to cover the escalating cost of a fishing operation and still turn a profit. Mr. Barrisger's primary reason for being at the Commission meeting is to call attention to the Commissioners of a decision that is going to have that exact effect which is the decision of the premature closing of the 1990-91 oyster season on February 15th. The secondary reason and more important reason for attending the meeting is to inform, educate and enlighten the Commission on what the actual effects of their decisions are advised Mr. Barrisger and does not want to see decisions and actions within the industry separate, divide and destroy a viable industry. Mr. Barrisger offered his services to the Commission so that they can work together toward a common goal. Mr. Barrisger and the commercial fishermen whom he is representing feel that the proposed closing of the 1990-91 oyster season will be very detrimental to them financially. They also feel, with all factors considered, it is not the best course of action to take in reference to proper management of the resource. In support of opposition several unrefutable reasons have been outlined why the season should remain open until its regular closing date of April 1, 1991. These reasons are: 1) with the 1990-91 season starting in October instead of September the season was already shortened by thirty days and consequently if the season is closed on February 15th another forty five days will be lost which would mean a two hundred and ten day season with over one third of the possible time to work being lost and when you factor in the amount of day you cannot work due to weather the season will not be long enough to be profitable; 2) this season the Louisiana crop consisted over few small areas with small oysters mainly for bedding and after about the first thirty or forty days the amount of oysters dropped, however, demand and

price were high enough for the fishermen to continue working until the Texas season open and the bottom fell out of the Louisiana market, the price plummeted and the orders fell off to almost nothing. Therefore from November 15th to January 15th the day the wild reef was reopened for bedding the season has virtually been closed. Now with the Texas closure, Mardi Gras and Lent coming up the market is starting to loosen up to where the fishermen can market their product. Consequently if the season is closed on February 15th the fishermen will be deprived of a prime opportunity to move oysters and possibly salvage a descent season; 3) although there is not an abundance of oysters out there, there is enough to make a descent days work. What constitutes a days work for Mr. Barrisger might not be enough for some larger operations, however this does not give them the right to try and close the season to stop Mr. Barrisger from working. The fishermen understand that there are many factors to be considered politically as well as financially but a decision must be made to where the greater number of people get the maximum benefit. The industry is in trouble, the fishermen are in trouble and cooperation is needed so that they can survive until times get better; 4) everyone is hoping that the freshwater diversion project in Cernarvan replenishes the dominant reefs on the outside, however no one can predict what the mortality rate will be once the freshwater does come through, so why not let the fishermen fish the live marketable product that is there now. Another reason for leaving the season open is that with the freshwater everyone is hoping for a good spat catch and everyone in the room who know anything about oyster reproduction knows that the cleaner a reef is the more it is worked and the shells are turned over and the chance for a spat catch are greatly enhanced. Therefore from a biological standpoint a premature closing is not in the best interest; 5) the only other argument in favor of closing the season is that some people believe too high of a percentage of shells are being carried off by the boats that are bedding. What Mr. Barrisger is bedding and catching is mostly live oysters. To solve the issue about to many shell if you inspect the vessel of a responsible oyster fishermen who knows how to set his ~~drudge~~ e drudge the percentage of shells will be relatively low but if you check the vessel of some irresponsible dragline operator you will find a high percentage of shell and dealing with this problem should be done in another manner. Closing the season is not the answer. Mr. Barrisger stated in conclusion for the reasons that were just outlined and the overall welfare of all the people who want to remain working they strongly protest a premature closing of the 1990-91 oyster season and respectively request that the original closing date of April 1, 1991 be reinstated. If the Commission cannot see their way clear to reinstating the original closing date of April 1 Mr. Barrisger asked that the closing be delayed until a meeting of the Oyster Task Force can be rescheduled. Mr. Barrisger asked if there were any comments. Mr. Vujnovich stated that Mr. Barrisger had made a statement that when the Texas oyster season opened the Louisiana oysters took a nose dive and this is what the Commission and department are trying

to do, to bring back the Louisiana oyster industry. Every since the fishermen have been hitting the state seed grounds real heavy for oyster sacking the state of Louisiana has been on the down grade. Seed is needed and it is not only the fishermen's fault it is mother also nature stated Mr. Vujnovich. Mother nature means everything stated Mr. Vujnovich and believes that if the season is closed on February 15th, next year will be one of the best years that the fishermen will have had in the last ten years. Mr. Barrisger stated that something has got to be done to help everybody and this closure is not in the best interest of most of the fishermen concerned. This closure will stop a lot of people who could salvage a winter and Mr. Barrisger does not think this is right. Chairman Jenkins thanked Mr. Barrisger for his comments and asked the Acting Secretary to investigate what could be done under the existing rules and regulations. Chairman Jenkins called for any other public comments.

Mr. Randy Lanctot, Executive Director, Louisiana Wildlife Federation, addressed the Commission. Mr. Lanctot took this opportunity to invite the Commissioners to attend the 52nd Annual Meeting which will be held in Covington from March 1-3, 1991. The Wildlife Federation would appreciate their attendance and participation and thinks the Commissioners would find it interesting. The federation would also benefit by the Commission's participation. This also goes for the staff of the Louisiana Department of Wildlife and Fisheries advised Mr. Lanctot. Mr. Lanctot stated that there is a lot of discussion about what is going to be done with the trout and redbfish over the next couple of year and sitting through some Commission meetings last fall there was a lot of interest expressed back then and there was going to be some kind of plane forthcoming in January. The people in the Federation really need this information to be able to come to some kind of conclusion and make some decisions within the next thirty days stated Mr. Lanctot and whatever information the Commission and the department can provide would be appreciated. Chairman Jenkins advised Mr. Lanctot that they had just discussed this and they are working on trying to get it out.

The April Commission Date was set at Thursday's meeting. The date for the meeting was set for April 4, 1991, at the Wildlife and Fisheries Building in Baton Rouge for 10 p.m.

A gentleman from the audience asked about the crab dredge situation. Acting Secretary McInnis advised that they have got the department staff working with the people who developed the dredge and are doing some dragging and testing with it right now and a report is expected shortly.

Mr. Nolen Lapeyrouse asked who actually sets the oyster season. Mr. Roussel stated that he was not the oyster man but thought he could answer the question. Mr. Ron Dugas is the Oyster Program Manager and is most familiar with this. Mr. Roussel stated that

the way he appreciates it is that the Legislature sets the window within which the Commission has authority to set the annual seasons. This year the Commission did set a annual season but in addition to that granted authority to the Secretary to make a closure when he deemed it was appropriate and also to reopen it within that window if he deemed it appropriate

There being no further business, Chairman Jenkins called for adjournment of the February 7, 1991, Commission meeting. Mr. McCall made a motion that the meeting be adjourned. The motion was seconded by Mr. Vujnovich and passed unanimously.

A. Kell McInnis III
Acting Secretary

AKM:sb