

LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES

BOARD MEETING

APRIL, 2 1992

**JAMES H. JENKINS, JR.
CHAIRMAN**

BATON ROUGE, LOUISIANA

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

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

Baton Rouge, Louisiana 70808

For more information call (504) 765-2806

AGENDA
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
BATON ROUGE, LOUISIANA
APRIL 2, 1992

	Page
1. Roll Call	1
2. Approval of March 5, 1992 Commission Minutes	1
3. Resolution, National Fishing Week and Free Fishing Days	1
4. Resolution/NOI on Amendments to Game Breeders License Regulations	3
5. Update on Civil Restitutions	10
6. Resolution/Amending Alligator Regulations	10
7. Monthly Law Enforcement Report - March	12
8. Secretary's Report	13
9. July Meeting Date	14
10. Public Comments	
a) Fisheries	14
b) Dog Hunting	15
11. Adjournment	17

MINUTES OF THE MEETING

OF

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

April 2, 1992

Chairman James H. Jenkins, Jr. presiding.

Thursday April 2, 1992

Bert Jones
Tee John Mialjevich
Warren Pol
Jeff Schneider
Pete Vujnovich

Norman McCall, Vice Chairman, was absent from the meeting.

Secretary Joe L. Herring was also present.

Chairman Jenkins called for a motion for approval of the March 5, 1992, Commission Minutes. A motion for approval was made by Mr. Mialjevich and seconded by Mr. Vujnovich. The motion passed unanimously.

A Resolution Proclaiming Free Fishing Days and National Fishing Week was presented to the Commission by Mr. Paul Jackson for their approval. National Fishing Week will be held June 1-7, 1992 with the two free recreational fishing days being June 6-7, 1992 during which residents and non-residents do not have to purchase a recreational fishing license to fish.

A motion was made by Mr. Pol for adoption of the resolution. The motion was seconded by Mr. Vujnovich and passed unanimously.

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

RESOLUTION

WILDLIFE AND FISHERIES COMMISSION
DEPARTMENT OF WILDLIFE AND FISHERIES

- WHEREAS, Sportfishing provides recreation for more than sixty million Americans of all ages, giving families a healthy, shared outdoor activity, and
- WHEREAS, Sportfishing, through the payment of millions of dollars annually for licenses, taxes and fees, has provided the funding for federal and state programs that contributes significantly to the preservation and protection of our natural environment, and

WHEREAS, The estimated 800,000 plus sportfishermen in Louisiana spend in excess of one billion dollars annually to our economy, and

WHEREAS, Act 301 of the 1987 Louisiana Legislature, Title 76:VII.151 and 76:VII.339 of the Louisiana Administrative Code authorizes the Louisiana Wildlife and Fisheries Commission to declare no more than two free recreational fishing days each year, and

WHEREAS, Free Fishing Days during National Fishing Week would provide an excellent opportunity to introduce additional individuals to the wholesome outdoor activity of fishing.

NOW, THEREFORE, BE IT RESOLVED, That we the undersigned members of the Louisiana Wildlife and Fisheries Commission do hereby officially declare the week of June 1-7, 1992 as

FISHING WEEK

in the State of Louisiana, and

BE IT FURTHER RESOLVED, That June 6 & 7, 1992 are hereby declared free recreational fishing days, during which residents and non-residents may exercise the privileges of a licensed recreational fisherman without purchase of any otherwise necessary recreational fishing license.

April 2, 1992

James H. Jenkins Jr., Chairman

Bert Jones

Norman F. McCall, Vice Chairman

Peter G. Vujnovich

John F. Schneider

Warren I. Pol

Tee John Mialjevich

Joe L. Herring, Secretary

Mr. Hugh Bateman presented a Resolution/Notice of Intent on Amendments to Game Breeder's License Rule. Mr. Bateman advised that this license is sold through the department to allow people to keep animals under certain conditions regulated by the department. The existing rules and regulations have been in place for several years and the notice of intent will bring things that need to be change into compliance.

Mr. Fred Kimmel gave a brief outline of the changes. Changes were made to the following:

Page 2. Waterfowl; added commercial operations.

Page 3, #8. Whitetail Deer or Other North American Deer; removed exotic deer and added other north american deer.

Page 5. Grandfather Clause; date added, October 1, 1988 for grandfathering previously permitted dangerous animals and added the work municipal for clarification.

Page 5, #13. Added section of Other Game Quadrupeds and Birds.

Page 8. Added Sections F, G and H.

Mr. Schneider asked what would happened if the facilities were inspected and they did not meet the regulations. Mr. Kimmel advised that the license would not be issued. Mr. Jones asked about the fee and what would happened if a facility was inspected after the license had been issued and did not meet regulations. Mr. Kimmel advised that there would be a one time fee when the initial inspection was done and a fee would not be charged, when any other inspections were done. Mr. Schneider asked what would happen if the animals were not being properly taken care of. Mr. Kimmel advised that the license would be revoked and animals disposed of. Mr. Mialjevich inquired as to how many game breeders were in Louisiana and was informed as of last count yesterday there were 389.

Chairman Jenkins asked if there were any more comments from the Commission or the audience. There being none he asked Mr. Kimmel to read the "Therefore Be It Resolved" portion of the resolution. Mr. Kimmel concurred. Chairman Jenkins called for a motion on the resolution to adopt the amended rule on game breeders. A motion was made by Mr. Jones for adoption and seconded by Mr. Vujnovich. The motion passed unanimously.

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

RESOLUTION
LOUISIANA WILDLIFE AND FISHERIES COMMISSION

LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES

April 2, 1992

The following was adopted by the Louisiana Wildlife and Fisheries Commission at its regular Commission Meeting held in Baton Rouge LA, March 2, 1992.

WHEREAS, authority to establish requirements for the Game Breeders program is vested with the Louisiana Wildlife and Fisheries commission in accordance with R.S. 56:171, and

WHEREAS, the Louisiana Wildlife and Fisheries Commission adopted rules and regulations for the Game Breeders program in accordance with the Administrative Procedure Act in October of 1988, and

WHEREAS, these rules and regulations for pen specifications, licensing procedures and general requirements have been in effect since 1988, and

WHEREAS, the Louisiana Department of Wildlife and Fisheries has reviewed these rules and modified them to such an extent that they must again be adopted in accordance with the Administrative Procedure Act, now

THEREFORE, BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission does hereby adopt the new rules and regulations governing the Game Breeders program recommended by the Department and set forth in the attached Notice of Intent, and

BE IT FURTHER RESOLVED, that these new rules will replace the previous rules and regulations once the requirements of the Administrative Procedure Act are met, and

BE IT FURTHER RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby authorize and delegate to the Secretary of the Department of Wildlife and Fisheries, the authority to take any and all necessary steps on behalf of the Commission to promulgate and effectuate this Notice of Intent and the final rule, including but not limited to the filing of the Fiscal and Economic Impact Statements, the filing of the Notice of Intent and preparation of reports and correspondence to other agencies of government.

James H. Jenkins
Chairman

Joe L. Herring
Secretary

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

Notice of Intent

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

In accordance with the provisions of the Administrative Procedures Act, R.S. 49:950, et seq., the Wildlife and Fisheries Commission does hereby give notice of its intent to amend rules and regulations governing game breeders.

Title 76
Wildlife and Fisheries

Part V. Wild Quadrupeds and Wild Birds

Chapter 1. Wild Quadrupeds

Section 107. Game Breeder's License

This commission regulation established general requirements, minimum pen specifications and animals that will be permitted under the Game Breeder's License to read as follows:

MINIMUM PEN SPECIFICATIONS AND REQUIREMENTS FOR
GAME QUADRUPEDS AND BIRDS

The dimensions and specifications described herein are minimum standards for permanent exhibit facilities for the well-being of the animals specified. It must be emphasized that these are minimum standards and the optimum conditions for most animals would include dimensions at least several times greater than those cited.

1. WATERFOWL

A. Single Bird: 100 square feet with 25% in water area; increase pen size by 25% for each additional bird with one-fourth of this increase being in water area.

B. Commercial Operation:

Extension Service Recommendation: Up to six weeks old; 1 square foot per duck. Over six weeks old; 3 square feet per duck.

2. DOVES

Single Bird: 3 feet x 2 feet x 5 feet high.

Community Group: large enough to fly or at least 8 feet in diameter.

3. PHEASANT, QUAIL, CHUKAR

A. Exhibit Purposes: 20 square feet; add 20 square feet for each additional bird.

B. Commercial Operation:

Extension Service Recommendations:

Quail

1-10 days old: 9 chicks per square foot;
10 days - 6 weeks old: 6 chicks per square foot;
6 weeks and older: 3 birds per square foot;
1 breeding pair per square foot.

Note: If only Pharaoh Quail are to be kept then the Game Breeder's License is not required.

Pheasants and Chukar

1-10 days old: 4 chicks per square foot;
10 days - 6 weeks old: 6 chicks per square foot;
6-14 weeks old: 1 bird per 4 square feet;
1 breeding pair per 8 square feet.

4. *WILD TURKEYS (LICENSE WILL NOT BE ISSUED)

It is unlawful to take from the wild or possess in captivity any live wild turkeys or their eggs. No pen raised turkeys from within or without the state shall be liberated (released) within the state.

5. HAWKS, FALCONS

Refer to federal raptor facilities specifications

6. SQUIRRELS

A. Single Animal: 3 feet long x 3 feet wide x 4 feet high;

Additional Animals: add 6 inches more in length per additional animal; several limbs, nest box.

B. Due to the inherent tendency of these animals to bite people, it is further required that applicants provide a certificate of good health from a license veterinarian stating that the squirrels do not show symptoms of rabies.

7. RABBITS

Single Animal: 6 feet long x 3 feet wide x 3 feet high; gnawing logs; den or retreat.

Additional Animals: add 1 foot in length per animal.

8. WHITETAIL DEER OR OTHER NORTH AMERICAN DEER

A. No license will be issued in metropolitan or urban areas. A rural environment is required to keep these animals.

B. Single Animal: 5000 square feet paddock or corral (50 feet wide x 100 feet long); increase corral size by 50% of that size for each additional animal; shelter required. Pen site must be well drained so as to prevent extended periods of standing water.

Materials: 12 gauge chain link or other satisfactory woven wire, 8 feet high minimum. Welded wire is not acceptable.

9. *ELK (LICENSE WILL NOT BE ISSUED)

Single Animal: 5000 square feet paddock or corral; increase corral size by 50% for each additional animal; barn, shaded or protected area attached to or adjoining corral fence, 9 gauge chain link or woven wire; 8 feet high. Welded wire is not acceptable.

10. *BEAR (LICENSE WILL NOT BE ISSUED)

Single Animal: Sturdy pen (chain link wire) not less than 9 gauge with top cover 25 feet long x 12 feet wide x 10 feet high;

Pair: 30 feet x 15 feet x 10 feet high;

Pool: 6 feet x 4 feet x 18 inches deep, with facilities for spraying or wetting bears;

Den: 6 feet long x 4 feet wide x 4 feet high, per animal.

11. *WOLVES AND WOLF CROSSES (LICENSE WILL NOT BE ISSUED)

Single Animal: 15 feet long x 8 feet wide x 6 feet high; double cage area for each additional animal; secluded den area required, 4 feet x 4 feet for each animal, sturdy wire required.

12. *COUGAR, MOUNTAIN LION (LICENSE WILL NOT BE ISSUED)

Single Animal: 10 feet long x 8 feet wide x 8 feet high, covered roof;

Pair: 15 feet long x 8 feet wide x 8 feet high;

Materials: not less than 9 gauge chain link or equivalent and safety perimeter rail, danger sign, claw log; 24-inch wide shelf, 8 feet long, 40 inches off floor.

*NOTE: Valid Game Breeder's License holders for these species legally possessed prior to October 1, 1988, will be "grandfathered" and renewed annually until existing captive animals expire, or are legally transferred out of state or to a suitable public facility. This position by the Department is necessary due to the ability of these animals to cause serious physical injury to the owner or other innocent bystanders and/or their potential to transmit disease to wildlife or livestock. Qualified educational institutions, municipal zoos or scientific organizations will be exempted to this provision on a case-by-case basis.

13. OTHER GAME QUADRUPEDS AND BIRDS: Other game quadruped and birds indigenous to North America may not be kept without specific approval of the Game Division. Pen specifications for other species will be developed by the Game Division as needed.

14. GENERAL REQUIREMENTS

General Rules

A. Game quadrupeds and birds cannot be taken from the wild, nor can animals held under a game breeders license be released into the wild except as provided on licensed shooting preserves. (The only exception to this policy is that hawks and falcons may be taken from the wild by licensed falconers, as provided in the federal falconry regulations).

B. Game Breeders can only keep those species for which they have been approved. If an applicant desires to keep additional species, the facilities for those species must be inspected and approved prior to obtaining the new species.

Application Requirements

C. A game breeders license must be issued before any animals are obtained. It is the responsibility of the applicant to comply with pen specifications. In addition to the described pen dimensions, all bird and animal pens must include adequate feeding and watering facilities necessary for the well being of the animal. Applicants for waterfowl, doves, pheasants, quail, chukars, squirrels and rabbits must submit a form verifying their facilities meet or exceed the described pen specifications. Their facilities may require inspection at the biologists discretion. All pens built for raising deer, birds of prey and potentially dangerous animals are required to be inspected for security.

D. All applicants for a Game Breeder's License for deer and potentially dangerous animals must submit (1) a signed waiver statement holding the Department of Wildlife and Fisheries and its employees harmless for liability as a result of issuing a Game Breeder's License. Licenses will only be issued to those applicants who are willing to accept full responsibility and liability for any damages or injuries resulting from their animals or activities as a licensed game breeder of domesticated wildlife in Louisiana; (2) a written plan of action for the recapture of an escaped animal must be submitted and approved by the Department before the application is processed. The plan of action should include (a) equipment; (b) personnel; (c) recovery techniques; and (d) method of mitigation payments for damages caused by the escaped animal. This information is necessary because the Department of Wildlife and Fisheries will not provide these services.

Records and Inspections

E. Applicants are required to have a bill of sale for each animal acquired, as well as keep records of all animals sold or transferred including names and addresses to whom they were sold or transferred. An annual report detailing animals in possession and all transactions must be submitted annually with license renewal application.

F. License holders must allow inspections of premises by Department of Wildlife and Fisheries employees for purposes of enforcing these regulations. Inspections may include but are not limited to, pens, stalls, holding facilities, records, and examination of animals as necessary to determine health and/or identification of species.

Hunting

G. Hunting of deer and other big game animals held under a game breeders license by individuals other than the licensee must conform to all hunting regulations including season and license requirements for the area in which the animals are confined.

Administrative Fees

H. An inspection fee of \$50.00 will be assessed when a pen is inspected as part of the application process as required for birds of prey, deer and potentially dangerous animals. A license renewal processing fee of \$5.00 will be assessed annually. These fees are in addition to the \$25.00 required for the game breeder license.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56.171.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 14:631 (September 1988), amended L.R. 18: (1992).

Interested persons may comment on the proposed changes and/or additions in writing to Hugh Bateman, Administrator, Game Division, LA Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000 until 4:30 p.m. June 12, 1992.

James H. Jenkins, Jr.
Chairman

Ms. Wynnette Kees gave an Update on Civil Restitutions to the Commission. Ms. Kees reported that a committee had been established within the department. Members are Fred Prejean, Winton Vidrine, Clyde Kimball, Charlie Clark, Don Puckett, Janice Landry, Nancy Hunter and Wynnette Kees. The committee has met three times and has come up with some ideas that are already beginning to work. Two hundred assessment letters were sent out in the past month, \$7,000 has been collected, and 110 people paid in March. Eighteen thousand dollars was deposited from the sale of confiscated goods. One of the factors contributing to the success, so far, is that letters are being sent out current. The agents in the field have been explaining to the people when they get a citation that there will also be a civil penalty. A form is going to be developed to put in the ticket books and will be handed out at the time a person receives a citation. This form will tell them in writing what to expect. The Legal Section has received several proposals from attorneys regarding people who are interested in helping with collection. Next week a selection will be made on this and the Fiscal Section will immediately turn over to the attorney the outstanding assessments that are within the one year statute of limitations. The new computer application should be ready in six to eight weeks. When this goes into effect the department is going to start using a method that will reduce the amount owed by forty percent if the people pay within thirty days. This method has been successful in several other states. The forty percent is approximately the percentage that the department would have to pay an attorney to collect the fine if a person does not pay.

Mr. Jones pointed out the redfish case that was earmarked for following through the system and asked Colonel Vidrine what the outcome of the trial was. Colonel Vidrine advised that the case has been continued due to the fact that an interpreter was needed but it will be coming up at the later part of the month. Chairman Jenkins recommended that Ms. Kees get with Colonel Vidrine to make sure that a letter/invoice has been sent to the violators.

Mr. Tommy Prickett presented a Resolution pertaining to the Amending of the Alligator Regulations using the emergency provisions of the Administrative Procedure Act. Mr. Prickett

informed the Commission that the department has been in contact with and has received correspondence from the Department of Interior, U.S. Fish and Wildlife Service recommending that amendments be made to the alligator regulations. At this point it is still being discussed and debated as to what amendments are going to be made. A resolution has been prepared for Commission approval asking for authorization for the Chairman of the Commission to appoint an alligator committee to meet with the department and make a determination. Action will then be taken through the Administrative Procedure Act to amend the alligator regulations. There is some urgency (criminal and civil litigation) and actions need to be taken prior to the next Commission meeting advised Mr. Prickett. Chairman Jenkins suggested that the Commission appoint a committee of representatives as a liaison with the department. Mr. Prickett explained that the resolution was amended to ask the Commission to act to authorize the Chairman to appoint a committee to meet with the department.

Mr. Mialjevich questioned the federal government's involvement in this alligator issue. Mr. Prickett pointed out that the federal government is involved in Louisiana's alligator program for two reasons; conventional trade and endangered species which require that alligators be tagged. Under the look alike provisions of the endangered species act alligators must be tagged prior to being shipped out of the State of Louisiana. Mr. Mialjevich commented that he thought this item could wait until the next Commission meeting. Mr. Prickett pointed out this action was based on the best interest of the state's alligator program and the alligator species of the state. Chairman Jenkins urged the Commission to adopt the resolution and called for a motion. A motion for adoption of the resolution was made by Mr. Jones and seconded by Mr. Pol. The motion passed unanimously.

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

RESOLUTION

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

- WHEREAS, the Louisiana Department of Wildlife and Fisheries has the authority under State and Federal Statute to set alligator seasons and to promulgate rules and regulations to insure the proper management of this renewable natural resource; and
- WHEREAS, Louisiana's thirty million dollar alligator industry is important to the citizens of this state; and
- WHEREAS, certain aspects of the management of the american alligator are under Federal jurisdiction due to the provisions of the Convention on International Trade in

Endangered Species and the look alike provisions of the
Endangered Species Act; now

THEREFORE BE IT RESOLVED, That the Louisiana Wildlife and Fisheries Commission authorizes the Chairman to appoint an alligator committee to take any and all steps necessary, including but not limited to filing Fiscal and Economical Impact Statement, the filing of NOTICES of Intent, submitting Declarations of Emergency, and correspondence to other agencies of government to amend the Louisiana Alligator Rules and Regulations to comply with federal guidelines and recommendations for the management of the american alligator.

Joe L. Herring
Secretary

Jimmy Jenkins
Chairman

The Monthly Law Enforcement Report for March was presented by Colonel Winton Vidrine. Colonel Vidrine reported on the cases for the month of March giving a brief breakdown of cases made. The following number of cases were made.

Region I - Minden - 93 cases.

Region II - Monroe - 188 cases.

Region III - Alexandria - 120 cases.

Region IV - Ferriday - 79 cases.

Region V - Lake Charles - 147 cases.

Region VI - Opelousas - 250 cases.

Region VII - Baton Rouge - 375 cases.

Region VIII - New Orleans 276 cases.

Region IX - Thibodaux - 106 cases.

The Oyster Strike Force made 43 cases; SWEP made 1 case. The total number of cases for the month of March 1992 was 1,878.

Mr. Mialjevich advised that there was a problem with the way the law is written pertaining to shrimp boats catching crab traps in their trawls intentionally or unintentionally. The Commission needs to address this with the Enforcement Division soon. Mr. Mialjevich asked if this could be put on the agenda for the May Commission meeting. Chairman Jenkins advised that could. Mr. Vujnovich advised that the oyster fishermen have the same problem.

Mr. Pol asked about the unattended gill nets in Calcasieu and the court case. Colonel Vidrine advised that they spoke to the judge and there was also a meeting this week. It is felt like Enforcement can enforce in spite of the judge's ruling and the department is enforcing the unattended nets as they have done in the past. The meeting was good and the judge and D.A. of this area have been good friends of law enforcement for a long time.

Secretary Herring gave the Secretary's Report to the Commission.

Secretary Herring complimented Fred Prejean on the job he was done with civil restitution.

Mr. Lee Caubarreaux was assigned to be in charge of the Aviation Section with Corky Perret as assistant and Cathy Greeson keeping the flight schedule book. Leo Rodriguez, Chief Pilot, has retired. Upon approval by Civil Service, Gene Rackle has been temporarily appointed Chief Pilot over the Aviation Section.

Deputy Secretary Clyde Kimball will be handling department legislation during the session this year. Also helping out will be the Secretary, the two Assistant Secretaries, Division Chiefs and others of the department.

During the month of March the department received good publicity on the Sei Whale beaching. The whale was beached on the Louisiana coast and department personnel from Habitat Conservation spent many hours on the coast working with others trying to get the whale back out into the Gulf. The whale did die.

The new hummingbird publication has turned out to be very popular with the public. A notice was put in each publication asking for contribution for the publication and so far the department has received \$964.50 which will help defray some of the cost.

At this point during Secretary Herring's report, he asked Karen Foote to give an update on the commercial landings credit card system. Ms. Foote advised that the commercial landings credit card receipt system will go into effect July 1, 1992. The credit card system has been in effect since January 1, 1992. It has been discovered that the department does not have the funds available to properly implement the system. In December the department went to the Budget Office and requested two positions and the rest of the funding available for this year. The funding was approved at about half of the level of what the department needs with the positions being disapproved. Due to cutbacks, funds are not available for this system. A few alternatives are: 1) find funding for the system; 2) introduce a concurrent resolution to delay implementation until funding is available, the latest being 60 days after the end of the next Legislative Session; modification of the existing rule by the Commission. To properly implement the program the department would need about \$500,000. The projected

funds from the increase in the saltwater gill net license have not been generated. Following Ms. Foote's update a discussion on the monies, the program, and the Finfish Section was held. Mr. John Roussel explained the changes that have taken place in the structure of the department as they pertained to the Finfish Section and its budget. Chairman Jenkins commented that the Secretary or somebody in the department is going to have to come up with an audible type way that will show how the money is being spent.

Secretary Herring advised that he was finished with his report to the Commission.

Mr. Jones inquired about the fines levied on the aerial applicator for the fish kills last year and if the department assessed civil penalties on this. A short discussion ensued between the Commission members and department personnel on when the civil penalties can be assessed; whether or not civil penalties can be collected if the suspected violator is not found guilty; difference between civil and criminal; and pursuing collection of such penalties.

Mr. Hugh Bateman, Game Division, gave a short report on the turkey season this year. Hunters are reporting that the season success has been good in some areas but not so good in others. The number of young birds available as a result of poor production in key areas has lowered the number of available birds. Most of the birds found in the bag were adult birds. The WMAs' reports are reflecting the same information that the department is hearing from hunters but with a couple of exceptions. A new hunting area was opened this year in lower Concordia Parish, Red River and Three Rivers. This particular area has had success with about fifty birds being taken over the weekend.

The July Meeting Date for the Commission was set for Thursday, July 2, 1992 and will be held at the Baton Rouge office in the Louisiana Room starting at 10:00 a.m.

Chairman Jenkins called for Public Comments.

Mr. Henry Mouton, 101 Myrtle Place, Lafayette, LA, addressed the Commission. Mr. Mouton is in the process of working with Mercury Cellular in Lake Charles to hook up a system where if somebody is out on their boat or in the field and sees a wildlife violation they can report it to Operation Game Thief in Baton Rouge. Radio Phone in Houma and Petro Cham Offshore have also agreed to do this system. Bell South Mobility and Centrel are both looking at this program. Mr. Mouton also asked if it was possible that they help with the problem of boats having no anchor lights and if they could get the names of the boat could they report them to the department. He was advised they could.

Mr. Charles Womack addressed the Commission. Mr. Womack spoke on dog hunting in Area 2 and questioned the dates. Mr. Womack asked that the Commission treat the dog hunters fairly.

Mr. Dick Smith, Haughton, LA, addressed the Commission and asked that the dates for dog hunting in Area 2 be changed back to December 5th and run through January 1st. All the hunters want to do is to hunt and be left alone.

Mr. Bob Tippit, Rt. 4, Box 92, Homer, LA, addressed the Commission on the individual rights of landowners. Mr. Tippit recommended that dog hunting be either eliminated in Area 2 completely or if this is not feasible, that the lines be redrawn in Area 2 to set aside those parishes where you have all small landowners where it is almost impossible to dog hunt without running the roads and trespassing. Take the parishes of Union, Lincoln, Bienville, Claiborne, Webster, Red River, Bossier, Caddo, Desoto, Sabine and Natchitoches and separate them to stop the dog hunting. In the rest of Area 2 let the dog hunting continue. Mr. Tippit also recommended that a fee of \$25 be charged for dog hunting.

Mr. Carl McKane, President, Central Louisiana Dog Hungers Association, addressed the Commission. Mr. McKane questioned how did the Commission and department arrive at making decisions on the amount of dog days. He believes there is discrimination in such decisions. Mr. McKane asked that the Commission and department give the dog hunters consideration and help keep the tradition of dog hunting by not taking away days but adding a few days.

Ms. Betty Burgess, 1105 Matthew Street, Sulphur, LA, addressed the Commission. They have land in Lincoln Parish which is legally posted and for years have worked with the dog hunters. The last two to three years they have had tremendous problems with the dog hunters. They have had gates torn down, blinds being shot and a bullet shot into there home this past season. Ms. Burgess does not believe in taking rights away from dog hunters but believes that they need to work together and solve these problems. She advised that she would be glad to be a member of a task force.

Mr. Bill Busbess, Lafayette, LA, addressed the Commission. Mr. Busbess directed his statements to Mr. Jones and pointed out that he has a problem with dragging this issue up by reducing the days for dog hunting. Mr. Busbess thought this had been settled last year and questioned the reduction of days in Area 2. The economic impact on the communities and towns should be considered commented Mr. Busbess.

Mr. Jones commented that he appreciated Mr. Busbess' civil approach and the one thing that he wanted everybody to understand is that he is personally one of seven. Mr. Jones pointed out that he never wants to take away from the enjoyment of anyone's outdoor experience. This is a social issue and unfortunately the act of

dog hunting can infringe upon the enjoyment of another hunter that does not want it. Until there is a vehicle that will stop the infringement upon another persons enjoyment of the outdoors in the way that he would like to enjoy it. The person that is infringing on that persons enjoyment is always going to be the short coming. Mr. Jones does not want anybody to stop hunting and pointed out that he is not anti dog but is the person that says that we should not, no one should, take away the enjoyment from another persons endeavor in the outdoors. Right now in Area 2 other peoples dog hunting is taking away the enjoyment of other peoples hunting when they don't want the dogs and there is no recourse for them. A vehicle was worked on to solve this problem, but it did make it through. This is a no win deal for Mr. Jones and until laws are implemented that would deal with people's rights to enjoy their outdoor adventure being infringed upon you have got to go with the greatest number of people. Mr. Jones pointed out that his position is that he has to side with the person and the greatest number of people that are out there that are being infringed upon.

Ms. Johnnie Tippet, 239 East Fourth Street, Homer, LA, addressed the Commission. Ms. Tippet advised that they have property in North Lincoln Louisiana and use the property on weekends as a get away retreat. Ms. Tippet believes that doing away with dog hunting completely will eliminate the problem.

Mr. Jerry Broadway, President, Northwest Louisiana Fox Hunter's Association, Robeline, LA, addressed the Commission. Mr. Broadway commented that they try to maintain peace and harmony in the community and avoid problems. Most of the people that want dog hunting done away with are anti-hunters and this type of movement is all over the country. Their ultimate goal is to eliminate hunting nationwide and in other countries. Mr. Broadway recommended that the days be given back to the dog hunters. The first week in December is important to the dog hunters because many of them cannot get their vacations any other time. Would like for the season to remain from the first Saturday in December through January 1.

Mr. David Piret, Rapides Parish, addressed the Commission. Mr. Piret asked the Commissioners to consider for the upcoming season a resolution to eliminate the dog hunting in a portion of Area 6 in Rapides Parish. He does not feel that it is necessary to eliminate the whole area, but there is a small portion of the area that agriculture has created small portions of woodland. The area in question is basically around 4,000 acres and out of the 4,000 acres there are five major hunting clubs. There is not a lot of woodland and the agriculture that is in the area has caused small blocks and portions of land which is giving the dog hunter an advantage and the deer a disadvantage, commented Mr. Piret.

Mr. Randy Bobeauf, Rapides Parish, addressed the Commission. Mr. Bobeauf talked about Ward 2 of Area 6, the same area as Mr. Piret

discussed and asked that the Commission consider eliminating dog hunting in a small portion of that area. Most of the hunting clubs, the major landowners, the local biologists and their state representative are in favor of this advised Mr. Bobeauf. The only two clubs not for this has 125 acres and one has 340 acres.

Mr. Pol asked about the a law that was introduced in the legislature last year pertaining to tagging dogs. Mr. Puckett, Legal Counsel, advised that the bill was defeated to his recollection. This was part of the compromise agreement that Senator Joe McPherson introduced and at the last minute some support was lost. If a dog was improperly trespassing on somebody's land without permission of the landowner than the dog owner wpi;d be held accountable and responsible with the first time as a warning, and the second time being a fee basis where they would fine the dog owner. This is what came out of seven months of the conflict resolution group from both sides (still and dog hunters). The bill passed the Senate and failed in the House.

A short discussion ensued between Mr. Jones, Mr. Mialjevich and Mr. Dick Smith on the number of days taken away from dog hunters this year as compared to last year.

At this point in the meeting Mr. Vujnovich advised that he was going to change the subject. Mr. Vujnovich commented that yesterday the Louisiana oyster seed grounds closed. It has been opened since October 1, 1991. This year produced the most seed that has been fished out of the grounds than the last five or six years. There are more oysters left on the state seed grounds at the end of the season this year than there has been in the last six, seven years. If no storms or hurricanes hit Louisiana this year or next year the price of oysters should be much cheaper.

Mr. Mialjevich asked who would be the person to request that the actual meeting notice of the shrimp meeting in May at the University of New Orleans is sent out as early as possible. Chairman Jenkins advised that Mr. Perret will take care of this.

There being no other business of the Wildlife and Fisheries Commission, Chairman Jenkins called for a motion to Adjourn. A motion for adjournment of the April 2, 1992 Commission meeting was made by Mr. Vujnovich and seconded by Mr. Mialjevich. Chairman Jenkins called for a vote on the motion. The motion passed unanimously.


Joe I. Herring
Secretary

JLH:sb

Draft

MINUTES OF THE MEETING

OF

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

April 2, 1992

Chairman James H. Jenkins, Jr. presiding.

Thursday April 2, 1992

Bert Jones
Tee John Mialjevich
Warren Pol
Jeff Schneider
Pete Vujnovich

Norman McCall, Vice Chairman, was absent from the meeting.

Secretary Joe L. Herring was also present.

Chairman Jenkins called for a motion for approval of the March 5, 1992, **Commission Minutes**. A motion for approval was made by Mr. Mialjevich and seconded by Mr. Vujnovich. The motion passed unanimously.

A Resolution Proclaiming Free Fishing Days and National Fishing Week was presented to the Commission by Mr. Paul Jackson for their approval. National Fishing Week will be held June 1-7, 1992 with the two free recreational fishing days being June 6-7, 1992 during which residents and non-residents do not have to purchase a recreational fishing license to fish.

A motion was made by Mr. Pol for adoption of the resolution. The motion was seconded by Mr. Vujnovich and passed unanimously.

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

RESOLUTION

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

WHEREAS, Sportfishing provides recreation for more than sixty million Americans of all ages, giving families a healthy, shared outdoor activity, and

WHEREAS, Sportfishing, through the payment of millions of dollars annually for licenses, taxes and fees, has provided the funding for federal and state programs that contributes significantly to the preservation and protection of our natural environment, and

WHEREAS, The estimated 800,000 plus sportfishermen in Louisiana spend in excess of one billion dollars annually to our economy, and

WHEREAS, Act 301 of the 1987 Louisiana Legislature, Title 76:VII.151 and 76:VII.339 of the Louisiana Administrative Code authorizes the Louisiana Wildlife and Fisheries Commission to declare no more than two free recreational fishing days each year, and

WHEREAS, Free Fishing Days during National Fishing Week would provide an excellent opportunity to introduce additional individuals to the wholesome outdoor activity of fishing.

NOW, THEREFORE, BE IT RESOLVED, That we the undersigned members of the Louisiana Wildlife and Fisheries Commission do hereby officially declare the week of June 1-7, 1992 as

FISHING WEEK

in the State of Louisiana, and

BE IT FURTHER RESOLVED, That June 6 & 7, 1992 are hereby declared free recreational fishing days, during which residents and non-residents may exercise the privileges of a licensed recreational fisherman without purchase of any otherwise necessary recreational fishing license.

April 2, 1992

James H. Jenkins Jr., Chairman

Bert Jones

Norman F. McCall, Vice Chairman

Peter G. Vujnovich

John F. Schneider

Warren I. Pol

Tee John Mialjevich

Joe L. Herring, Secretary

Mr. Hugh Bateman presented a Resolution/Notice of Intent on Amendments to Game Breeder's License Rule. Mr. Bateman advised that this license is sold through the department to allow people to keep animals under certain conditions regulated by the department. The existing rules and regulations have been in place for several years and the notice of intent will bring things that need to be change into compliance.

Mr. Fred Kimmel gave a brief outline of the changes. Changes were made to the following:

Page 2. Waterfowl; added commercial operations.

Page 3, #8. Whitetail Deer or Other North American Deer; removed exotic deer and added other north american deer.

Page 5. Grandfather Clause; date added, October 1, 1988 for grandfathering previously permitted dangerous animals and added the work municipal for clarification.

Page 5, #13. Added section of Other Game Quadrupeds and Birds.

Page 8. Added Sections F, G and H.

Mr. Schneider asked what would happened if the facilities were inspected and they did not meet the regulations. Mr. Kimmel advised that the license would not be issued. Mr. Jones asked about the fee and what would happened if a facility was inspected after the license had been issued and did not meet regulations. Mr. Kimmel advised that there would be a one^{time} fee when the ~~initial inspection was done~~ and a fee would not be charged when any ~~other inspections was~~ done. ^{were} Mr. Schneider asked what would happen if the animals were not being properly taken care of. Mr. Kimmel advised that the license would be revoked and animals disposed of. Mr. Mialjevich inquired as to how many game breeders were in Louisiana and was informed as of last count yesterday there were 389.

Chairman Jenkins asked if there were any more comments from the Commission or the audience. There being none he asked Mr. Kimmel to read the "Therefore Be It Resolved" portion of the resolution. Mr. Kimmel concurred. Chairman Jenkins called for a motion on the resolution to adopt the amended rule on game breeders. A motion was made by Mr. Jones for adoption and seconded by Mr. Vujnovich. The motion passed unanimously.

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

RESOLUTION
LOUISIANA WILDLIFE AND FISHERIES COMMISSION

LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES
April 2, 1992

The following was adopted by the Louisiana Wildlife and Fisheries Commission at its regular Commission Meeting held in Baton Rouge LA, March 2, 1992.

WHEREAS, authority to establish requirements for the Game Breeders program is vested with the Louisiana Wildlife and Fisheries commission in accordance with R.S. 56:171, and

WHEREAS, the Louisiana Wildlife and Fisheries Commission adopted rules and regulations for the Game Breeders program in accordance with the Administrative Procedure Act in October of 1988, and

WHEREAS, these rules and regulations for pen specifications, licensing procedures and general requirements have been in effect since 1988, and

WHEREAS, the Louisiana Department of Wildlife and Fisheries has reviewed these rules and modified them to such an extent that they must again be adopted in accordance with the Administrative Procedure Act, now

THEREFORE, BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission does hereby adopt the new rules and regulations governing the Game Breeders program recommended by the Department and set forth in the attached Notice of Intent, and

BE IT FURTHER RESOLVED, that these new rules will replace the previous rules and regulations once the requirements of the Administrative Procedure Act are met, and

BE IT FURTHER RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby authorize and delegate to the Secretary of the Department of Wildlife and Fisheries, the authority to take any and all necessary steps on behalf of the Commission to promulgate and effectuate this Notice of Intent and the final rule, including but not limited to the filing of the Fiscal and Economic Impact Statements, the filing of the Notice of Intent and preparation of reports and correspondence to other agencies of government.

James H. Jenkins
Chairman

Joe L. Herring
Secretary

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

Notice of Intent

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

In accordance with the provisions of the Administrative Procedures Act, R.S. 49:950, et seq., the Wildlife and Fisheries Commission does hereby give notice of its intent to amend rules and regulations governing game breeders.

Title 76
Wildlife and Fisheries

Part V. Wild Quadrupeds and Wild Birds

Chapter 1. Wild Quadrupeds

Section 107. Game Breeder's License

This commission regulation established general requirements, minimum pen specifications and animals that will be permitted under the Game Breeder's License to read as follows:

MINIMUM PEN SPECIFICATIONS AND REQUIREMENTS FOR

GAME QUADRUPEDS AND BIRDS

The dimensions and specifications described herein are minimum standards for permanent exhibit facilities for the well-being of the animals specified. It must be emphasized that these are minimum standards and the optimum conditions for most animals would include dimensions at least several times greater than those cited.

1. WATERFOWL

A. Single Bird: 100 square feet with 25% in water area; increase pen size by 25% for each additional bird with one-fourth of this increase being in water area.

B. Commercial Operation:

Extension Service Recommendation: Up to six weeks old; 1 square foot per duck. Over six weeks old; 3 square feet per duck.

2. DOVES

Single Bird: 3 feet x 2 feet x 5 feet high.

Community Group: large enough to fly or at least 8 feet in diameter.

3. PHEASANT, QUAIL, CHUKAR

A. Exhibit Purposes: 20 square feet; add 20 square feet for each additional bird.

B. Commercial Operation:

Extension Service Recommendations:

Quail

1-10 days old: 9 chicks per square foot;
10 days - 6 weeks old: 6 chicks per square foot;
6 weeks and older: 3 birds per square foot;
1 breeding pair per square foot.

Note: If only Pharaoh Quail are to be kept then the Game Breeder's License is not required.

Pheasants and Chukar

1-10 days old: 4 chicks per square foot;
10 days - 6 weeks old: 6 chicks per square foot;
6-14 weeks old: 1 bird per 4 square feet;
1 breeding pair per 8 square feet.

4. *WILD TURKEYS (LICENSE WILL NOT BE ISSUED)

It is unlawful to take from the wild or possess in captivity any live wild turkeys or their eggs. No pen raised turkeys from within or without the state shall be liberated (released) within the state.

5. HAWKS, FALCONS

Refer to federal raptor facilities specifications

6. SQUIRRELS

A. Single Animal: 3 feet long x 3 feet wide x 4 feet high;

Additional Animals: add 6 inches more in length per additional animal; several limbs, nest box.

B. Due to the inherent tendency of these animals to bite people, it is further required that applicants provide a certificate of good health from a license veterinarian stating that the squirrels do not show symptoms of rabies.

7. RABBITS

Single Animal: 6 feet long x 3 feet wide x 3 feet high; gnawing logs; den or retreat.

Additional Animals: add 1 foot in length per animal.

8. WHITETAIL DEER OR OTHER NORTH AMERICAN DEER

A. No license will be issued in metropolitan or urban areas. A rural environment is required to keep these animals.

B. Single Animal: 5000 square feet paddock or corral (50 feet wide x 100 feet long); increase corral size by 50% of that size for each additional animal; shelter required. Pen site must be well drained so as to prevent extended periods of standing water.

Materials: 12 gauge chain link or other satisfactory woven wire, 8 feet high minimum. Welded wire is not acceptable.

9. *ELK (LICENSE WILL NOT BE ISSUED)

Single Animal: 5000 square feet paddock or corral; increase corral size by 50% for each additional animal; barn, shaded or protected area attached to or adjoining corral fence, 9 gauge chain link or woven wire; 8 feet high. Welded wire is not acceptable.

10. *BEAR (LICENSE WILL NOT BE ISSUED)

Single Animal: Sturdy pen (chain link wire) not less than 9 gauge with top cover 25 feet long x 12 feet wide x 10 feet high;

Pair: 30 feet x 15 feet x 10 feet high;

Pool: 6 feet x 4 feet x 18 inches deep, with facilities for spraying or wetting bears;

Den: 6 feet long x 4 feet wide x 4 feet high, per animal.

11. *WOLVES AND WOLF CROSSES (LICENSE WILL NOT BE ISSUED)

Single Animal: 15 feet long x 8 feet wide x 6 feet high; double cage area for each additional animal; secluded den area required, 4 feet x 4 feet for each animal, sturdy wire required.

12. *COUGAR, MOUNTAIN LION (LICENSE WILL NOT BE ISSUED)

Single Animal: 10 feet long x 8 feet wide x 8 feet high, covered roof;

Pair: 15 feet long x 8 feet wide x 8 feet high;

Materials: not less than 9 gauge chain link or equivalent and safety perimeter rail, danger sign, claw log; 24[△] inch wide shelf, 8 feet long, 40 inches off floor.

*NOTE: Valid Game Breeder's License holders for these species legally possessed prior to October 1, 1988, will be "grandfathered" and renewed annually until existing captive animals expire, or are legally transferred out of state or to a suitable public facility. This position by the Department is necessary due to the ability of these animals to cause serious physical injury to the owner or other innocent bystanders and/or their potential to transmit disease to wildlife or livestock. Qualified educational institutions, municipal zoos or scientific organizations will be excepted to this provision on a case by case basis. ^{△ △}

13. OTHER GAME QUADRUPEDS AND BIRDS: Other game quadruped and birds indigenous to North America may not be kept without specific approval of the Game Division. Pen specifications for other species will be developed by the Game Division as needed.

14. GENERAL REQUIREMENTS

General Rules

A. Game quadrupeds and birds cannot be taken from the wild, nor can animals held under a game breeders license be released into the wild except as provided on licensed shooting preserves. (The only exception to this policy is that hawks and falcons may be taken from the wild by licensed falconers, as provided in the federal falconry regulations).

B. Game Breeders can only keep those species for which they have been approved. If an applicant desires to keep additional species, the facilities for those species must be inspected and approved prior to obtaining the new species.

Application Requirements

C. A game breeders license must be issued before any animals are obtained. It is the responsibility of the applicant to comply with pen specifications. In addition to the described pen dimensions, all bird and animal pens must include adequate feeding and watering facilities necessary for the well being of the animal. Applicants for waterfowl, doves, pheasants, quail, chukars, squirrels and rabbits must submit a form verifying their facilities meet or exceed the described pen specifications. Their facilities may require inspection at the biologists discretion. All pens built for raising deer, birds of prey and potentially dangerous animals are required to be inspected for security.

D. All applicants for a Game Breeder's License for deer and potentially dangerous animals must submit (1) a signed waiver statement holding the Department of Wildlife and Fisheries and its employees harmless for liability as a result of issuing a Game Breeder's License. Licenses will only be issued to those applicants who are willing to accept full responsibility and liability for any damages or injuries resulting from their animals or activities as a licensed game breeder of domesticated wildlife in Louisiana; (2) a written plan of action for the recapture of an escaped animal must be submitted and approved by the Department before the application is processed. The plan of action should include (a) equipment; (b) personnel; (c) recovery techniques; and (d) method of mitigation payments for damages caused by the escaped animal. This information is necessary because the Department of Wildlife and Fisheries will not provide these services.

Records and Inspections

E. Applicants are required to have a bill of sale for each animal acquired, as well as keep records of all animals sold or transferred including names and addresses to whom they were sold or transferred. An annual report detailing animals in possession and all transactions must be submitted annually with license renewal application.

F. License holders must allow inspections of premises by Department of Wildlife and Fisheries employees for purposes of enforcing these regulations. Inspections may include but are not limited to, pens, stalls, holding facilities, records, and examination of animals as necessary to determine health and/or identification of species.

Hunting

G. Hunting of deer and other big game animals held under a game breeders license by individuals other than the licensee must conform to all hunting regulations including season and license requirements for the area in which the animals are confined.

Administrative Fees

H. An inspection fee of \$50.00 will be assessed when a pen is inspected as part of the application process as required for birds of prey, deer and potentially dangerous animals. A license renewal processing fee of \$5.00 will be assessed annually. These fees are in addition to the \$25.00 required for the game breeder license.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56.171.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 14:631 (September 1988), amended L.R. 18: (1992).

Interested persons may comment on the proposed changes and/or additions in writing to Hugh Bateman, Administrator, Game Division, LA Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000 until 4:30 p.m. June 12, 1992.

James H. Jenkins, Jr.
Chairman

Ms. Wynnette Kees gave an **Update on Civil Restitutions** to the Commission. Ms. Kees reported that a committee had been established within the department. Members are Fred Prejean, Winton Vidrine, Clyde Kimball, Charlie Clark, Don Puckett, Janice Landry, Nancy Hunter and Wynnette Kees. The committee has met three times and has come up with some ideas that are already beginning to work. Two hundred assessment letters were sent out in the past month, \$7,000 has been collected, and 110 people paid in March. Eighteen thousand dollars was deposited from the sale of confiscated goods. One of the factors contributing to the success, so far, is that letters are being sent out current. The agents in the field have been explaining to the people when they get a citation that there will also be a civil penalty. A form is going to be developed to put in the ticket books and will be handed out at the time a person receives a citation. This form will tell them in writing what to expect. The Legal Section has received several proposals from attorneys regarding people who are interested in helping with collection. Next week a selection will be made on this and the Fiscal Section will immediately turn over to the attorney the outstanding assessments that are within the one year statute of limitations. The new computer application should be ready in six to eight weeks. When this goes into effect, the department is going to start using a method that will reduce the amount owed by forty percent if the people pay within thirty days. This method has been successful in several other states. The forty percent is approximately the percentage that the department would have to pay an attorney to collect the fine if a person does not pay.

Mr. Jones pointed out the redbfish case that was earmarked for following through the system and asked Colonel Vidrine what the outcome of the trial was. Colonel Vidrine advised that the case has been continued due to the fact that an interpreter was needed but it will be coming up at the later part of the month. Chairman Jenkins recommended that Ms. Kees get with Colonel Vidrine to make sure that a letter/invoice has been sent to the violators.

Mr. Tommy Prickett presented a **Resolution pertaining to the Amending of the Alligator Regulations** using the emergency provisions of the Administrative Procedure Act. Mr. Prickett

informed the Commission that the department has been in contact with and has received correspondence from the Department of Interior, U.S. Fish and Wildlife Service recommending that amendments be made to the alligator regulations. At this point it is still being discussed and debated as to what amendments are going to be made. A resolution has been prepared for Commission approval asking for authorization for the Chairman of the Commission to appoint a alligator committee to meet with the department and make a determination. Action will then be taken through the Administrative Procedure Act to amend the alligator regulations. There is some urgency (criminal and civil litigation) and actions needs to be taken prior to the next Commission meeting advised Mr. Prickett. Chairman Jenkins suggested that the Commission appoint a committee of representatives as a liaison with the department. Mr. Prickett explained that the resolution was amended to ask the Commission to act to authorize the Chairman to appoint a committee to meet with the department.

Mr. Mialjevich questioned the federal government's involvement in this alligator issue. Mr. Prickett pointed out that the federal government is involved in Louisiana's alligator program for two reasons; conventional trade and endangered species which requires that alligators be tagged. Under the look alike provisions of the endangered species act alligators must be tagged prior to being shipped out of the State of Louisiana. Mr. Mialjevich commented that he thought this item could wait until the next Commission meeting. Mr. Prickett pointed out this action was based on the best interest of the state's alligator program and the alligator species of the state. Chairman Jenkins urged the Commission to adopt the resolution and called for a motion. A motion for adoption of the resolution was made by Mr. Jones and seconded by Mr. Pol. The motion passed unanimously.

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

RESOLUTION

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

WHEREAS, the Louisiana Department of Wildlife and Fisheries has the authority under State and Federal Statute to set alligator seasons and to promulgate rules and regulations to insure the proper management of this renewable natural resource; and

WHEREAS, Louisiana's thirty million dollar alligator industry is important to the citizens of this state; and

WHEREAS, certain aspects of the management of the american alligator are under Federal jurisdiction due to the provisions of the Convention on International Trade in

Endangered Species and the look alike provisions of the Endangered Species Act; now

THEREFORE BE IT RESOLVED, That the Louisiana Wildlife and Fisheries Commission authorizes the Chairman to appoint an alligator committee to take any and all steps necessary, including but not limited to filing Fiscal and Economical Impact Statement, the filing of NOTICES of Intent, submitting Declarations of Emergency, and correspondence to other agencies of government to amend the Louisiana Alligator Rules and Regulations to comply with federal guidelines and recommendations for the management of the american alligator.

Joe L. Herring
Secretary

Jimmy Jenkins
Chairman

The **Monthly Law Enforcement Report for March** was presented by Colonel Winton Vidrine. Colonel Vidrine reported on the cases for the month of March giving a brief breakdown of cases made. The following number of cases were made.

Region I - Minden - 93 cases.

Region II - Monroe - 188 cases.

Region III - Alexandria - 120 cases.

Region IV - Ferriday - 79 cases.

Region V - Lake Charles - 147 cases.

Region VI - Opelousas - 250 cases.

Region VII - Baton Rouge - 375 cases.

Region VIII - New Orleans 276 cases.

Region IX - Thibodaux - 106 cases.

The Oyster Strike Force made 43 cases; SWEP made 1 case. The total number of cases for the month of March 1992 was 1,878.

Mr. Mialjevich advised that there was a problem with the way the law is written pertaining to shrimp boats catching crab traps in their trawls intentionally or unintentionally. The Commission needs to address this with the Enforcement Division soon. Mr. Mialjevich asked if this could be put on the agenda for the May Commission meeting. Chairman Jenkins advised that ~~they~~ could. Mr. Vujnovich advised that the oyster fishermen have the same problem. ix

Mr. Pol asked about the unattended gill nets in Calcasieu and the court case. Colonel Vidrine advised that they spoke to the judge and there was also a meeting this week. It is felt like Enforcement can enforce in spite of the judge's ruling and the department is enforcing the unattended nets as they have done in the past. The meeting was good and the judge and D.A. of this area have been good friends of law enforcement for a long time.

Secretary Herring gave the **Secretary's Report** to the Commission.

Secretary Herring complimented Fred Prejean on the job he was done with civil restitution.

Mr. Lee Caubarreaux was assigned to be in charge of the Aviation Section with Corky Perret as assistant and Cathy Greeson keeping the flight schedule book. Leo Rodriguez, Chief Pilot, has retired. Upon approval by Civil Service, Gene Rackle has been temporarily appointed Chief Pilot over the Aviation Section.

Deputy Secretary Clyde Kimball will be handling department legislation during the session this year. Also helping out will be the Secretary, the two Assistant Secretaries, Division Chiefs and others of the department.

During the month of March the department received good publicity on the Sei Whale beaching. The whale was beached on the Louisiana coast and department personnel from Habitat Conservation spent many hours on the coast working with others trying to get the whale back out into the Gulf. The whale did die.

The new Hummingbird publication has turned out to be very popular with the public. A notice was put in each publication asking for contribution for the publication and so far the department has received \$964.50 which will help defray some of the cost.

At this point during Secretary Herring's report, he asked Karen Foote to give an update on the commercial landings credit card system. Ms. Foote advised that the commercial landings credit card receipt system will go into effect July 1, 1992. The credit card system has been in effect since January 1, 1992. It has been discovered that the department does not have the funds available to properly implement the system. In December the department went to the Budget Office and requested two positions and the rest of the funding available for this year. The funding was approved at about half of the level of what the department needs with the positions being disapproved. Due to cut backs, funds are not available for this system. A few alternatives are: 1) find funding for the system; 2) introduce a concurrent resolution to delay implementation until funding is available, the latest being 60 days after the end of the next Legislative Session; modification of the existing rule by the Commission. To properly implement the program the department would need about \$500,000. The projected

funds from the increase in the saltwater gill net license have not been generated. Following Ms. Foote's update a discussion on the monies, the program, and the Finfish Section was held. Mr. John Roussel explained the changes that have taken place in the structure of the department as they pertained to the Finfish Section and its budget. Chairman Jenkins commented that the Secretary or somebody in the department is going to have to come up with an audible type way that will show how the money is being spent.

Secretary Herring advised that he was finished with his report to the Commission.

Mr. Jones inquired about the fines levied on the aerial applicator for the fish kills last year and if the department assessed civil penalties on this. A short discussion ensued between the Commission members and department personnel on when the civil penalties can be assessed; whether or not civil penalties can be collected if the suspected violator is not found guilty; difference between civil and criminal; and pursuing collection of such penalties.

493 Mr. Hugh Bateman, Game Division gave a short report on the turkey season this year. Hunters are reporting that the season success has been good in some areas but not so good in others. The number of young birds available as a result of poor production in key areas have lowered the number of available birds. Most of the birds found in the bag were adult birds. The WMA's reports are reflecting the same information that the department is hearing from hunters but with a couple of exceptions. A new hunting area was opened this year in lower Concordia Parish, Red River and Three Rivers. This particular area has had success with about fifty birds being taken over the weekend.

The July Meeting Date for the Commission was set for Thursday, July 2, 1992 and will be held at the Baton Rouge office in the Louisiana Room starting at 10:00 a.m.

Chairman Jenkins called for **Public Comments**.

Mr. Henry Mouton, 101 Myrtle Place, Lafayette, LA addressed the Commission. Mr. Mouton is in the process of working with Mercury Cellular in Lake Charles to hook up a system where if somebody is out on their boat or in the field and sees a wildlife violation they can report it to Operation Game Thief in Baton Rouge. Radio Phone in Houma and Petro Cham Offshore have also agreed to do this system. Bell South Mobility and Centrel are both looking at this program. Mr. Mouton also asked if it was possible that they help with the problem of boats having no anchor lights and if they could get the names of the boat could they report them to the department. He was advised they could.

Mr. Charles Womack addressed the Commission. Mr. Womack spoke on dog hunting in Area 2 and questioned the dates. Mr. Womack asked that the Commission treat the dog hunters fairly.

Mr. Dick Smith, Haughton, LA, addressed the Commission and asked that the dates for dog hunting in Area 2 be changed back to December 5th and run through January 1st. All the hunters want to do is to hunt and be left alone.

Mr. Bob Tippit, Rt. 4, Box 92, Homer, LA, addressed the Commission on the individual rights of the landowners. Mr. Tippit recommended that dog hunting be either eliminated in Area 2 completely or if this is not feasible, that the lines be redrawn in Area 2 to set aside those parishes where you have all small landowners where it is almost impossible to dog hunt without running the roads and trespassing. Take the parishes of Union, Lincoln, Bienville, Claiborne, Webster, Red River, Bossier, Caddo, Desoto, Sabine and Natchitoches and separate them to stop the dog hunting. In the rest of Area 2 let the dog hunting continue. Mr. Tippit also recommended that a fee of \$25 be charged for dog hunting.

Mr. Carl McKane, President, Central Louisiana Dog Hungers Association, addressed the Commission. Mr. McKane questioned how did the Commission and department arrive at making decisions on the amount of dog days. He believes there is discrimination in such decisions. Mr. McKane asked that the Commission and department give the dog hunters consideration and help keep the tradition of dog hunting by not taking away days but adding a few days.

Ms. Betty Burgess, 1105 Matthew Street, Sulphur, LA, addressed the Commission. They have land in Lincoln Parish which is legally posted and for years have worked with the dog hunters. The last two to three years they have had tremendous problems with the dog hunters. They have had gates torn down, blinds being shot and a bullet shot into there home this past season. Ms. Burgess does not believe in taking rights away from dog hunters but believes that they need to work together and solve these problems. She advised that she would be glad to be a member of a task force.

Mr. Bill Busbess, Lafayette, LA, addressed the Commission. Mr. Busbess directed his statements to Mr. Jones and pointed out that he has a problem with dragging this issue up by reducing the days for dog hunting. Mr. Busbess thought this had been settled last year and questioned the reduction of days in Area 2. The economic impact on the communities and towns should be considered commented Mr. Busbess.

Mr. Jones commented that he appreciated Mr. Busbess's civil approach and the one thing that he wanted everybody to understand is that he is personally one of seven. Mr. Jones pointed out that he never wants to take away from the enjoyment of anyone's outdoor experience. This is a social issue and unfortunately the act of

dog hunting can infringe upon the enjoyment of another hunter that does not want it. Until there is a vehicle that will stop the infringement upon another persons enjoyment of the outdoors in the way that he would like to enjoy it. The person that is infringing on that persons enjoyment is always going to be the short coming. Mr. Jones does not want anybody to stop hunting and pointed out that he is not anti dog but is the person that says that we should not, no one should, take away the enjoyment from another persons endeavor in the outdoors. Right now in Area 2 other peoples dog hunting is taking away the enjoyment of other peoples hunting when they don't want the dogs and there is no recourse for them. A vehicle was worked on to solve this problem, but it did make it through. This is a no win deal for Mr. Jones and until laws are implemented that would deal with people's rights to enjoy their outdoor adventure being infringed upon you have got to go with the greatest number of people. Mr. Jones pointed out that his position is that he has to side with the person and the greatest number of people that are out there that are being infringed upon.

Ms. Johnnie Tippet, 239 East Fourth Street, Homer, LA, addressed the Commission. Ms. Tippet advised that they have property in North Lincoln Louisiana and use the property on weekends as a get away retreat. Ms. Tippet believes that doing away with dog hunting completely will eliminate the problem.

Mr. Jerry Broadway, President, Northwest Louisiana Fox Hunter's Association, Robeline, LA, addressed the Commission. Mr. Broadway commented that they try to maintain peace and harmony in the community and avoid problems. Most of the people that want dog hunting done away with are anti hunters and this type of movement is all over the country. ~~There~~ ^{their} ultimate goal is to eliminate hunting nationwide and in other countries. Mr. Broadway recommended that the days be given back to the dog hunters. The first week in December is important to the dog hunters because many of them cannot get their vacations any other time. Would like for the season to remain from the first Saturday in December through January 1.

Mr. David Piret, Rapides Parish, addressed the Commission. Mr. Piret asked the Commissioners to consider for the upcoming season a resolution to eliminate the dog hunting in a portion of Area 6 in Rapides Parish. He does not feel that it is necessary to eliminate the whole area, but there is a small portion of the area that agriculture has created small portions of woodland. The area in question is basically around 4,000 acres and out of the 4,000 acres there are five major hunting clubs. There is not a lot of woodland and the agriculture that is in the area ~~is~~ has caused small blocks and portions of land which is giving the dog hunter an advantage and the deer a disadvantage, commented Mr. Piret.

Mr. Randy Bobeauf, Rapides Parish, addressed the Commission. Mr. Bobeauf talked about Ward 2 of Area 6, the same area as Mr. Piret

discussed and asked that the Commission consider eliminating dog hunting in a small portion of that area. Most of the hunting clubs, the major landowners, the local biologists and their state representative are in favor of this advised Mr. Bobeauf. The only two clubs not for this has 125 acres and one has 340 acres.

Mr. Pol asked about the a law that was introduced in the legislature last year pertaining to tagging dogs. Mr. Puckett, Legal Counsel, advised that the bill was defeated to his recollection. This was part of the compromise agreement that Senator Joe McPherson introduced and at the last minute some support was lost. If a dog was improperly trespassing on somebody's land without permission of the landowner than the dog owner wpi;d be held accountable and responsible with the first time as a warning, and the second time being a fee basis where they would fine the dog owner. This is what came out of seven months of the conflict resolution group from both sides (still and dog hunters). The bill passed the Senate and failed in the House.

A short discussion ensued between Mr. Jones, Mr. Mialjevich and Mr. Dick Smith on the number of days taken away from dog hunters this year as compared to last year.

At this point in the meeting Mr. Vujnovich advised that he was going to change the subject. Mr. Vujnovich commented that yesterday the Louisiana oyster seed grounds closed. It has been opened since October 1, 1991. This year produced the most seed that has been fished out of the grounds than the last five or six years. There are more oysters left on the state seed grounds at the end of the season this year than there has been in the last six, seven years. If no storms or hurricanes hit Louisiana this year, next year the price of oysters should be much cheaper.

Mr. Mialjevich asked who would be the person to request that the actual meeting notice of the shrimp meeting in May at the University of New Orleans is sent out as early as possible. Chairman Jenkins advised that Mr. Perret will take care of this.

There being no other business of the Wildlife and Fisheries Commission, Chairman Jenkins called for a motion to **Adjourn**. A motion for adjournment of the April 2, 1992 Commission meeting was made by Mr. Vujnovich and seconded by Mr. Mialjevich. Chairman Jenkins called for a vote on the motion. The motion passed unanimously.

Joe L. Herring
Secretary

JLH:sb

RESOLUTION
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES
April 2, 1992

The following was adopted by the Louisiana Wildlife and Fisheries Commission at its regular Commission Meeting held in Baton Rouge LA, April 2, 1992.

WHEREAS, authority to establish requirements for the Game Breeders program is vested with the Louisiana Wildlife and Fisheries Commission in accordance with R.S. 56:171, and

WHEREAS, the Louisiana Wildlife and Fisheries Commission adopted rules and regulations for the Game Breeders program in accordance with the Administrative Procedures Act in October of 1988, and

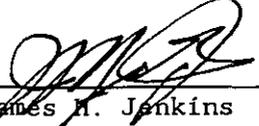
WHEREAS, these rules and regulations for pen specifications, licensing procedures and general requirements have been in effect since 1988, and

WHEREAS, the Louisiana Department of Wildlife and Fisheries has reviewed these rules and modified them to such an extent that they must again be adopted in accordance with the Administrative Procedures Act, now

THEREFORE, BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission does hereby adopt the new rules and regulations governing the Game Breeders program recommended by the Department and set forth in the attached Notice of Intent, and

BE IT FURTHER RESOLVED, that these new rules will replace the previous rules and regulations once the requirements of the Administrative Procedures Act are met and,

BE IT FURTHER RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby authorize and delegate to the Secretary of the Department of Wildlife and Fisheries, the authority to take any and all necessary steps on behalf of the Commission to promulgate and effectuate this Notice of Intent and the final rule, including but not limited to the filing of the Fiscal and Economic Impact Statements, the filing of the Notice of Intent and preparation of reports and correspondence to other agencies of government.


James H. Jenkins
Chairman


Joe L. Herring
Secretary

RESOLUTION

WILDLIFE AND FISHERIES COMMISSION
DEPARTMENT OF WILDLIFE AND FISHERIES

WHEREAS, Sportfishing provides recreation for more than sixty million Americans of all ages, giving families a healthy, shared outdoor activity, and

WHEREAS, Sportfishing, through the payment of millions of dollars annually for licenses, taxes and fees, has provided the funding for federal and state programs that contributes significantly to the preservation and protection of our natural environment, and

WHEREAS, The estimated 800,000 plus sportfishermen in Louisiana spend in excess of one billion dollars annually to our economy, and

WHEREAS, Act 301 of the 1987 Louisiana Legislature, Title 76:VII.151 and 76:VII.339 of the Louisiana Administrative Code authorizes the Louisiana Wildlife and Fisheries Commission to declare no more than two free recreational fishing days each year, and

WHEREAS, Free Fishing Days during National Fishing Week would provide an excellent opportunity to introduce additional individuals to the wholesome outdoor activity of fishing.

NOW, THEREFORE, BE IT RESOLVED, That we the undersigned members of the Louisiana Wildlife and Fisheries Commission do hereby officially declare the week of June 1-7, 1992 as

FISHING WEEK

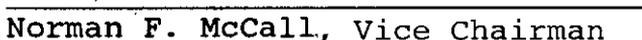
in the State of Louisiana, and

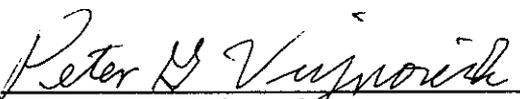
BE IT FURTHER RESOLVED, That June 6 & 7, 1992 are hereby declared free recreational fishing days, during which residents and non-residents may exercise the privileges of a licensed recreational fisherman without purchase of any otherwise necessary recreational fishing license.

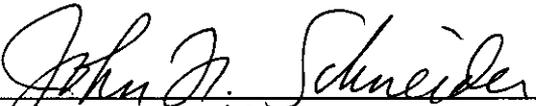
April 2, 1992


James H. Jenkins Jr., Chairman

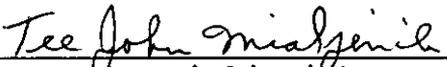

Bert Jones

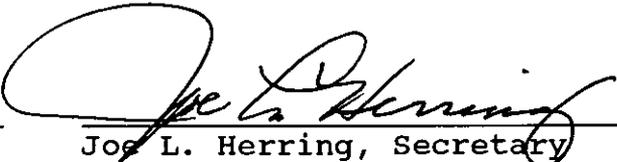

Norman F. McCall, Vice Chairman


Peter G. Vujnovich


John F. Schneider


Warren I. Pol


Tee John Mialjevich


Joe L. Herring, Secretary

RESOLUTION

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

WHEREAS, the Louisiana Department of Wildlife and Fisheries has the authority under State and Federal Statute to set alligator seasons and to promulgate rules and regulations to insure the proper management of this renewable natural resource; and

WHEREAS, Louisiana's thirty million dollar alligator industry is important to the citizens of this state; and

WHEREAS, certain aspects of the management of the american alligator are under Federal jurisdiction due to the provisions of the Convention on International Trade in Endangered Species and the look alike provisions of the Endangered Species Act; now

THEREFORE, BE IT RESOLVED, That the Louisiana Wildlife and Fisheries Commission authorizes the Chairman to appoint an alligator committee to take any and all steps necessary, including but not limited to filing Fiscal and Economical Impact Statements, the filing of Notices of Intent, submitting Declarations of Emergency, and correspondence to other agencies of government to amend the Louisiana Alligator Rules and Regulations to comply with federal guidelines and recommendations for the management of the american alligator.



Joe L. Herring
Secretary



Jimmy Jenkins
Chairman

April 2, 1992

ENFORCEMENT CASE REPORT

MARCH 1992

ENFORCEMENT CASE REPORT-MARCH 1992

TOTAL CASES-93

ENFORCEMENT-91

OTHER - 2

- 24-Boating
- 24-Angling W/O A License
- 30-Fish W/O Resident Pole Lic.
- 2-Use Gear W/O Recreational Gear Lic.
- 2-Take Illegal Size Black Bass
- 1-Sell And/Or Buy Fish W/O Wholesale/Retail Dealer's Lic.
- 1-Fail To Maintain Records
- 1-Possession Of Illegally Taken Deer Or Bear
- 2-Not Abiding By Rules And Regs. On WMA
- 1-Operating Vehicle While Intoxicated
- 3-Littering
- 1-Other Than Wildlife And Fisheries
- 1-Operate ATV On A Public Road

CONFISCATIONS:

2 black bass, 1 doe deer, 188 lbs. of buffalo fish sold for \$56.00.

GRAND TOTAL OF EACH CATEGORY FOR REGION I

- 24-Boating
- 60-Fishing
- 1-Hunting
- 2-WMA Violations
- 6-Other

Page (2)

REGION 2

TOTAL CASES-188

ENFORCEMENT-188

OTHER - 0

64-Boating

48-Angling W/O A License

68-Fish W/O Resident Pole Lic.

1-Use Gear W/O Recreational Gear Lic.

1-Possess Illegal Turkey

1-Littering

3-Other Than Wildlife And Fisheries

2-Resisting Arrest

CONFISCATIONS:

1 hen turkey

GRAND TOTAL OF EACH CATEGORY FOR REGION 2

117-Fishing

64-Boating

1-Hunting

6-Other

REGION 3

TOTAL CASES-120

ENFORCEMENT-110

OTHER - 10

37-Boating

51-Angling W/O A License

6-Fish W/O Resident Pole Lic.

2-Use Gear W/O Recreational Gear Lic.

1-Take Game Fish Illegally

5-Taking/Poss. Over Limit Or Undersized Freshwater Gamefish

2-Theft Of Pond Raised Fish

1-Use Illegal Length/Mesh Nets-Freshwater

1-Hunting W/O Resident Lic.

1-Hunting W/Unplugged Gun Or Silencer

1-Hunt W/O Resident Big Game Lic.

1-Hunt Turkey W/O Non-Res. Big Game Lic.

1-Possession Of Turkey Closed Season

1-Hunt Turkey Closed Area

1-Hunt Turkey Over Baited Area

1-Take Over Limit Of Turkey

1-Possession Of Live Non-Game Quadrupeds W/O Permit

1-Not Abiding By Rules And Regs. On WMA

3-Criminal Trespass On State Property

2-Criminal Trespass On Crawfish Ponds

CONFISCATIONS:

11 bass, 6 catfish, 4 crappie, 2 turkeys, 1 gray fox, 100 feet of 2 inch gill nets.

Page (4)

REGION 3 CONT'D.

GRAND TOTAL OF EACH CATEGORY FOR REGION 3

35-Boating

68-Fishing

17-Hunting

REGION 4

TOTAL CASES-79

ENFORCEMENT-78

OTHER - 1

23-Boating

27-Angling W/O A License

17-Fish W/O Resident Pole Lic.

1-Not Abiding By Rules And Regs. Of Commission

1-Take Game Fish Illegally

2-Take Or Sell Commercial Fish Or Bait Species W/O Comm. Lic.

2-Take Commercial Fish W/O Comm. Gear Lic.

2-Hunt Turkey W/O Resident Big Game Lic.

2-Not Abiding By Rules And Regs. On WMA

1-Illegal Possession Of Drugs Or Marijuana

1-Other Than Wildlife And Fisheries

CONFISCATIONS:

300 yards of 2 inch gill net, 21 hoop nets with leads, 1 pistol, 8 rocks of cocaine.

REGION 4 CONT'D.

GRAND TOTAL OF EACH CATEGORY FOR REGION 4

23-Boating

2-Hunting

50-Fishing

2-WMA Violations

2-Other

REGION 5

TOTAL CASES-147

ENFORCEMENT-147

OTHER - 0

92-Boating

1-Fish W/O Resident Pole Lic.

1-Taking/Poss. Over Limit Of Undersized Freshwater Gamefish

1-Poss. O/L Of Red Drum

2-Take Or Poss. Undersized Red Drum

2-Take Or Poss. Undersized Black Drum

1-Take Or Sell Commercial Fish Or Bait Species W/O Comm. Lic.

2-Take Commercial Fish W/O Comm. Gear Lic.

3-Take Or Poss. Commercial Fish W/O Vessel Lic.

2-Transport W/O Required Lic.

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

3-Leave Nets Unattended

2-Take Undersize Frogs

2-Possess Crabs In Berry Stage

1-Take Eel W/O Proper Lic.

REGION 5 CONT'D.

1-Allow Another To Use Commercial License

1-Fail To Comply With Quota Closure Spotted Sea Trout

2-Possess Or Sell Undersized Crabs

3-Take Undersize Oysters From Natural Reef

2-Hunting From Moving Vehicle And/Or Aircraft

1-Possess Firearms While Frogging

1-Poss. Of Buckshot During Closed Deer Season

4-Hunt Or Take Deer Or Bear Closed Season

4-Hunt Or Take Deer Or Bear Illegal Hours

4-Hunt Or Take Deer From Public Road

1-Hunt Or Take Deer Or Bear W/Illegal Weapon

4-Possession Of Illegally Taken Deer Or Bear

2-Littering

1-Violate Calcasieu Lake Net Regulations

CONFISCATIONS:

19 black bass, 2 doe deer, 1156 lbs. of crabs released to water, 20 sacks of oysters released to water, 19 red fish released to water, 14 speckled trout released to water, 4000 feet of unattended gill net.

GRAND TOTAL OF EACH CATEGORY FOR REGION 5

92-Boating

20-Hunting

31-Fishing

4-Other

REGION 6

TOTAL CASES-250

ENFORCEMENT-247

OTHER - 3

100-Boating

81-Angling W/O A License

37-Fish W/O Resident Pole Lic.

1-Take Game Fish Illegally

1-Taking/Poss. Over Limit Of Undersized Freshwater Gamefish

1-Take Or Sell Commercial Fish Or Bait Species W/O Comm. Lic.

2-Take Commercial Fish W/O Comm. Gear Lic.

1-Take Or Poss. Commercial Fish W/O Vessel Lic.

2-Take Or Poss. Undersize Commercial Fish

1-Failure To Mark/Tag Nets

3-Take Or Possess Undersize White Shrimp

1-Hunting W/O Resident Lic.

2-Taking Robins-No Season

2-Taking Killdeer-No Season

1-Not Abiding By Rules And Regs. On WMA

17-Other

CONFISCATIONS:

3 robins, 1 gill net of 50 yards, 3310 lbs. of undersized white shrimp donated to charity, 2-36 foot trawls, 2 crates of crabs returned to water, 2-42 foot trawls, 2-30 foot trawls, 36 channel catfish, 10 white bass, 1 black bass, 5 sac-a-lait, 410 lbs. of shrimp sold for \$164.00, 54 crappie.

GRAND TOTAL OF EACH CATEGORY FOR REGION 6

100-Boating

5-Hunting

144-Fishing

1-WMA

REGION 7

TOTAL CASES-375

ENFORCEMENT-373

OTHER - 2

119-Boating

197-Angling W/O A License

3-Use Gear W/O Recreational Gear Lic.

3-Angling W/O Saltwater Lic.

1-Take Game Fish Illegally

2-Take Or Poss. Undersized Red Drum

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

1-Fail To Maintain Records

1-Hunting W/O Resident Lic.

1-Hunt Or Take Deer Or Bear Closed Season

1-Hunt Or Take Deer From Public Road

1-Hunt Or Take Deer Or Bear W/Illegal Weapon

1-Hunt Turkey W/O Resident Big Game Lic.

2-Possess Illegal Turkey

9-Hunt Turkey Over Baited Area

1-Take Over Limit Of Turkey

1-Fail To Comply W/Alligator Parts Tagging Requirement

2-Other Than Wildlife And Fisheries

CONFISCATIONS:

1 turkey, 13 sacks of oysters, 5 shotguns, 1 turkey feeder.

REGION 7 CONT'D.

GRAND TOTAL OF EACH CATEGORY FOR REGION 7

119-Boating

236-Fishing

18-Hunting

2-Other

REGION 8

TOTAL CASES-276

ENFORCEMENT-255

OTHER - 21

69-Boating

45-Angling W/O A License

5-Fish W/O Resident Pole Lic.

2-Use Gear W/O Recreational Gear Lic.

4-Angling W/O Saltwater Lic.

1-Not Abiding By Rules And Regs. On WMA

2-Poss. Of Oversize Red Drum

3-Take Or Poss. Undersized Red Drum

1-Take Or Poss. Undersized Spotted Sea Trout

1-Not Abiding By Commission Rules Finfish

5-Fail To Have Commercial Lic. In Poss.

8-Take Or Sell Commercial Fish Or Bait Species W/O Comm. Lic.

5-Take Commercial Fish W/O Comm. Gear Lic.

12-Take Or Poss. Commercial Fish W/O Vessel Lic.

7-Sell And/Or Buy Fish W/O Wholesale/Retail Dealer's Lic.

3-Fail To Maintain Records

REGION 8 CONT'D.

2-Transport W/O Required Lic.

9-Leave Nets Unattended

3-Take Or Poss. Undersize Commercial Fish

3-Sell And/Or Purchase Game Fish

1-Buy Commercial Fish From Un-Lic. Fisherman

4-Destroy Legal Crab Traps Or Removing Contents

1-Failure To Comply/Department Rules And Regs.

1-Permit Unlicensed Person To Operate Commercial Vessel

1-Permit Unlicensed Person To Use Commercial Gear

13-Take/Possess Oysters W/O Oyster Harvester License

1-Failure To Mark/Tag Nets

2-Take/Possess Undersized Black Drum Commercial

1-Possess Or Sell Undersized Crabs

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

2-Take Or Possess Undersize White Shrimp

5-Failure To Have Written Permission

1-Unlawfully Take Oysters From State Water Bottoms

9-Taking Oysters From Unapproved Area

3-Unlawfully Take Oysters Off A Private Lease

2-Take Oysters Illegal Hours

1-Failure To Fill Out Oyster Tags Correctly

4-Failure To Tag Sacked Or Containerized Oysters

2-Possession Of Untagged Oysters

2-Harvest Oysters W/O Oyster Harvester License

1-Use Live Ammo While Training Dogs C/S

REGION 8 CONT'D.

- 2-Hunt Or Discharge Firearm From Levee Road
- 2-Taking Or Possession Of Other Non-Game Birds-No Season
- 1-Resisting An Officer
- 3-Littering
- 1-Other Than Wildlife And Fisheries
- 2-Lacy Act
- 5-Illegal Use Of Firearm
- 8-Violation Of Sanitary Code-Chapter 9
- 4-Not Abiding By Rules And Regs. On WMA

CONFISCATIONS:

47 nets @ 17,090 feet, 1 dredge, 2 guns, 1 crab traps, 179 pounds of fish, 166 whole fish, 356 sacks of oysters, 4 1/4 boxes of crabs, 304 pounds of crabs, 133 frogs, 4 egrets, 57 lbs. of black drum sold for \$158.00, 179 pounds of speckled trout sold for \$287.95.

GRAND TOTAL OF EACH CATEGORY FOR REGION 8

- 69-Boating
- 64-Sport Fishing
- 83-Commercial Fishing
- 2-Trawling
- 29-Oyster
- 3-Hunting
- 2-Non-Migratory
- 20-Miscellaneous
- 4-WMA Violations

REGION 9

TOTAL CASES-306

ENFORCEMENT-301

OTHER - 5

80-Boating

92-Angling W/O A License

20-Fish W/O Resident Pole Lic.

2-Use Gear W/O Recreational Gear Lic.

10-Angling W/O Saltwater Lic.

1-Take Game Fish Illegally

2-Poss. O/L Of Red Drum

9-Take Or Poss. Undersized Red Drum

4-Take Or Poss. Undersized Black Drum Commission Action

1-Take Or Poss. Undersized Spotted Sea Trout

1-Fail To Have Commercial Lic. In Poss.

1-Take Or Sell Commercial Fish Or Bait Species W/O Comm. Lic.

2-Take Commercial Fish W/O Comm. Gear Lic.

4-Take Or Poss. Commercial Fish W/O Vessel Lic.

4-Sell And/Or Buy Fish W/O Wholesale/Retail Dealer's Lic.

1-Transport W/O Required Lic.

1-Taking Fish Illegally

43-Take Or Poss. Undersize Commercial Fish

1-Possess Crabs In Berry Stage

1-Failure To Mark/Tag Nets

2-Possess Or Sell Undersized Crabs

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

2-Take/Possess Black Drum W/O Permit

REGION 9 CONT'D.

1-Butterflying In Closed Season

3-Unlawfully Take Oysters From State Water Bottoms

7-Taking Oysters From Unapproved Area

4-Fail To Cull Oysters In Proper Location

1-Harvest Oysters W/O Oyster Harvester License

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

1-Possess Firearms While Frogging

1-Illegal Spotlight From Public Road

CONFISCATIONS:

36 sacks of oysters released, 85 boxes of crabs released, 83 bream donated, 10 sea trout, 154 lbs. of catfish sold for \$57.30, 394 catfish donated, 17 lbs. of flathead catfish sold for \$7.65, 13 red drum released, 412 black drum-391 sold for \$55.00, 12 green head turtles, 2 snapping turtles, 1 rod & reel, 3000 lbs. of king mackerel sold for \$4,900.00.

GRAND TOTAL OF EACH CATEGORY FOR REGION 9

80-Boating

205-Fishing

1-Trawling

15-Oysters

4-Hunting

1-Miscellaneous

OYSTER STRIKE FORCE

TOTAL CASES-43

- 9-No Oyster Harvester License
- 7-Taking Oysters From State Water Bottoms
- 4-No Vessel License
- 3-Take Undersize Oysters/Natural Reef
- 3-Violation of Sanitation Code/No Tarp During Harvest
- 2-No Commercial Fisherman's License
- 2-Take Oysters From Unapproved Area
- 2-Fail To Comply With P.F.D. Requirements
- 1-Fail To Mark Oyster Lease During Harvest
- 1-No Wholesale/Retail Dealers License
- 1-No Gear License
- 1-Fail To Have Written Permission
- 1-Fail To Maintain Proper Records
- 1-Possession Of Untagged Oysters
- 1-Violation Of Sanitation Code/Using Another's Container
- 1-Take Undersize Commercial Fish/Catfish
- 1-Take Gamefish Illegally/Bream
- 1-Take Raccoons Illegally
- 1-No Boat Registration Cert. In Possession

CONFISCATIONS:

69 sacks of oysters, 31 gallons of oysters, 77 bream, 379 undersize catfish.

Page (15)

S. W. E. P.

134 RUNNING HOURS

55 BOATS CHECKED

TOTAL CASES -1

1-Operate Unregistered Motorboat

CONFISCATIONS:

10 unattended gill nets -14,500 feet.

TOTAL CASES ENFORCEMENT - 1790

TOTAL CASES OTHER DIV. - 44

TOTAL CASES OYSTER STRIKE FORCE - 43

TOTAL CASES S.W.E.P. - 1

GRAND TOTAL - 1878

COMMISSION MEETING
ROLL CALL

Thursday, April 2, 1992
Baton Rouge, LA
Wildlife and Fisheries Building

	Attended	Absent
Jimmy Jenkins (Chairman)	<u>✓</u>	—
Bert Jones	<u>✓</u>	—
Norman McCall (Vice Chairman)	—	<u>✓</u> (Sick)
Tee John Mialjevich	<u>✓</u>	—
Warren Pol	<u>✓</u>	—
Jeff Schneider	<u>✓</u>	—
Peter Vujnovich	<u>✓</u>	—

Mr. Chairman:

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

AGENDA

LOUISIANA WILDLIFE AND FISHERIES COMMISSION
BATON ROUGE, LA
April 2, 1992

- ✓ 1. Roll Call
- ✓ 2. Approval of Minutes of March 5, 1992
- ✓ 3. Resolution/Free Fishing Days and National Fishing Week - Paul Jackson
- ✓ 4. Notice of Intent/Amendment to Game Breeder's Licenses Rule - Hugh Bateman
- ✓ 5. Update on Civil Restitutions - Wynnette Kees
- ✓ 6. Authorize the Secretary to Amend Alligator Regulations Using the Emergency Provisions of the Administrative Procedure Act - Tommy Prickett
- ✓ 7. Monthly Law Enforcement Report/March - Winton Vidrine
- ✓ 8. Secretary's Report to the Commission - Joe L. Herring
- ✓ 9. Set July Meeting Date
- ✓ 10. Public Comments

RESOLUTION

WILDLIFE AND FISHERIES COMMISSION
DEPARTMENT OF WILDLIFE AND FISHERIES

WHEREAS, Sportfishing provides recreation for more than sixty million Americans of all ages, giving families a healthy, shared outdoor activity, and

WHEREAS, Sportfishing, through the payment of millions of dollars annually for licenses, taxes and fees, has provided the funding for federal and state programs that contributes significantly to the preservation and protection of our natural environment, and

WHEREAS, ^{Sport} ~~Contribute~~ The estimated 800,000 plus sportfishermen in Louisiana contribute in excess of one billion dollars annually to our economy, and

WHEREAS, Act 301 of the 1987 Louisiana Legislature, Title 76:VII.151 and 76:VII.339 of the Louisiana Administrative Code authorizes the Louisiana Wildlife and Fisheries Commission to declare no more than two free recreational fishing days each year, and

WHEREAS, Free Fishing Days during National Fishing Week would provide an excellent opportunity to introduce additional individuals to the wholesome outdoor activity of fishing.

NOW, THEREFORE, BE IT RESOLVED, That we the undersigned members of the Louisiana Wildlife and Fisheries Commission do hereby officially declare the week of June 1-7, 1992 as

FISHING WEEK

in the State of Louisiana, and

BE IT FURTHER RESOLVED, That June 6 & 7, 1992 are hereby declared free recreational fishing days, during which residents and non-residents may exercise the privileges of a licensed recreational fisherman without purchase of any otherwise necessary recreational fishing license.

April 2, 1992

James H. Jenkins Jr., Chairman

Bert Jones

Norman F. McCall, Vice Chairman

Peter G. Vujnovich

John F. Schneider

Warren I. Pol

Tee John Mialjevich

Joe L. Herring, Secretary

RESOLUTION

WILDLIFE AND FISHERIES COMMISSION
DEPARTMENT OF WILDLIFE AND FISHERIES

WHEREAS, Sportfishing provides recreation for more than sixty million Americans of all ages, giving families a healthy, shared outdoor activity, and

WHEREAS, Sportfishing, through the payment of millions of dollars annually for licenses, taxes and fees, has provided the funding for federal and state programs that contributes significantly to the preservation and protection of our natural environment, and

WHEREAS, The estimated 800,000 plus sportfishermen in Louisiana contribute in excess of one billion dollars annually to our economy, and

WHEREAS, Act 301 of the 1987 Louisiana Legislature, Title 76:VII.151 and 76:VII.339 of the Louisiana Administrative Code authorizes the Louisiana Wildlife and Fisheries Commission to declare no more than two free recreational fishing days each year, and

WHEREAS, Free Fishing Days during National Fishing Week would provide an excellent opportunity to introduce additional individuals to the wholesome outdoor activity of fishing.

NOW, THEREFORE, BE IT RESOLVED, That we the undersigned members of the Louisiana Wildlife and Fisheries Commission do hereby officially declare the week of June 1-7, 1992 as

FISHING WEEK

in the State of Louisiana, and

BE IT FURTHER RESOLVED, That June 6 & 7, 1992 are hereby declared free recreational fishing days, during which residents and non-residents may exercise the privileges of a licensed recreational fisherman without purchase of any otherwise necessary recreational fishing license.

April 2, 1992

James H. Jenkins Jr., Chairman

Bert Jones

Norman F. McCall, Vice Chairman

Peter G. Vujnovich

John F. Schneider

Warren I. Pol

Tee John Mialjevich

Joe L. Herring, Secretary

RESOLUTION
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES
April 2, 1992

The following was adopted by the Louisiana Wildlife and Fisheries Commission at its regular Commission Meeting held in Baton Rouge LA, ~~March~~ ^{April} 2, 1992.

WHEREAS, authority to establish requirements for the Game Breeders program is vested with the Louisiana Wildlife and Fisheries Commission in accordance with R.S. 56:171, and

WHEREAS, the Louisiana Wildlife and Fisheries Commission adopted rules and regulations for the Game Breeders program in accordance with the Administrative Procedures Act in October of 1988, and

WHEREAS, these rules and regulations for pen specifications, licensing procedures and general requirements have been in effect since 1988, and

WHEREAS, the Louisiana Department of Wildlife and Fisheries has reviewed these rules and modified them to such an extent that they must again be adopted in accordance with the Administrative Procedures Act, now

THEREFORE, BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission does hereby adopt the new rules and regulations governing the Game Breeders program recommended by the Department and set forth in the attached Notice of Intent, and

BE IT FURTHER RESOLVED, that these new rules will replace the previous rules and regulations once the requirements of the Administrative Procedures Act are met and,

BE IT FURTHER RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby authorize and delegate to the Secretary of the Department of Wildlife and Fisheries, the authority to take any and all necessary steps on behalf of the Commission to promulgate and effectuate this Notice of Intent and the final rule, including but not limited to the filing of the Fiscal and Economic Impact Statements, the filing of the Notice of Intent and preparation of reports and correspondence to other agencies of government.

James H. Jenkins
Chairman

Joe L. Herring
Secretary

Notice of Intent

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

In accordance with the provisions of the Administrative Procedures Act, R.S. 49:950, et seq., the Wildlife and Fisheries Commission does hereby give notice of its intent to amend rules and regulations governing game breeders.

Title 76
Wildlife and Fisheries

Part V. Wild Quadrupeds and Wild Birds

Chapter 1. Wild Quadrupeds

Section 107. Game Breeder's License

This commission regulation established general requirements, minimum pen specifications and animals that will be permitted under the Game Breeder's License to read as follows:

MINIMUM PEN SPECIFICATIONS AND REQUIREMENTS FOR
GAME QUADRUPEDS AND BIRDS

The dimensions and specifications described herein are minimum standards for permanent exhibit facilities for the well-being of the animals specified. It must be emphasized that these are minimum standards and the optimum conditions for most animals would include dimensions at least several times greater than those cited.

1. WATERFOWL

- A. Single Bird: 100 square feet with 25% in water area; increase pen size by 25% for each additional bird with one-

fourth of this increase being in water area.

B. Commercial Operation:

Extension Service Recommendation: Up to six weeks old; 1 square foot per duck. Over six weeks old; 3 square feet per duck.

2. DOVES

Single Bird: 3 feet x 2 feet x 5 feet high.

Community Group: large enough to fly or at least 8 feet in diameter.

3. PHEASANT, QUAIL, CHUKAR

A. Exhibit Purposes: 20 square feet; add 20 square feet for each additional bird.

B. Commercial Operation:

Extension Service Recommendations:

Quail

1-10 days old: 9 chicks per square foot;

10 days - 6 weeks old: 6 chicks per square foot;

6 weeks and older: 3 birds per square foot;

1 breeding pair per square foot.

Note: If only Pharaoh Quail are to be kept then the Game Breeder's License is not required.

Pheasants and Chukar

1-10 days old: 4 chicks per square foot;

10 days - 6 weeks old: 6 chicks per square foot;

6-14 weeks old: 1 bird per 4 square feet;
1 breeding pair per 8 square feet.

4. *WILD TURKEYS (LICENSE WILL NOT BE ISSUED)

It is unlawful to take from the wild or possess in captivity any live wild turkeys or their eggs. No pen raised turkeys from within or without the state shall be liberated (released) within the state.

5. HAWKS, FALCONS

Refer to federal raptor facilities specifications

6. SQUIRRELS

A. Single Animal: 3 feet long x 3 feet wide x 4 feet high;

Additional Animals: add 6 inches more in length per additional animal; several limbs, nest box.

B. Due to the inherent tendency of these animals to bite people, it is further required that applicants provide a certificate of good health from a license veterinarian stating that the squirrels do not show symptoms of rabies.

7. RABBITS

Single Animal: 6 feet long x 3 feet wide x 3 feet high; gnawing logs; den or retreat.

Additional Animals: add 1 foot in length per animal.

8. WHITETAIL DEER OR OTHER NORTH AMERICAN DEER

A. No license will be issued in metropolitan or urban areas. A rural environment is required to keep these animals.

B. Single Animal: 5000 square feet paddock or corral (50 feet wide x 100 feet long); increase corral size by 50% of that size for each additional animal; shelter required. Pen site must be well drained so as to prevent extended periods of standing water.

Materials: 12 gauge chain link or other satisfactory woven wire, 8 feet high minimum. Welded wire is not acceptable.

9. *ELK (LICENSE WILL NOT BE ISSUED)

Single Animal: 5000 square feet paddock or corral; increase corral size by 50% for each additional animal; barn, shaded or protected area attached to or adjoining corral fence, 9 gauge chain link or woven wire; 8 feet high. Welded wire is not acceptable.

10. *BEAR (LICENSE WILL NOT BE ISSUED)

Single Animal: Sturdy pen (chain link wire) not less than 9 gauge with top cover 25 feet long x 12 feet wide x 10 feet high;

Pair: 30 feet x 15 feet x 10 feet high;

Pool: 6 feet x 4 feet x 18 inches deep, with facilities for spraying or wetting bears;

Den: 6 feet long x 4 feet wide x 4 feet high, per animal.

11. *WOLVES AND WOLF CROSSES (LICENSE WILL NOT BE ISSUED)

Single Animal: 15 feet long x 8 feet wide x 6 feet high; double cage area for each additional animal; secluded den area required, 4 feet x 4 feet for each animal, sturdy wire required.

12. *COUGAR, MOUNTAIN LION (LICENSE WILL NOT BE ISSUED)

Single Animal: 10 feet long x 8 feet wide x 8 feet high, covered roof;

Pair: 15 feet long x 8 feet wide x 8 feet high;

Materials: not less than 9 gauge chain link or equivalent and safety perimeter rail, danger sign, claw log; 24 inch wide shelf, 8 feet long, 40 inches off floor.

*NOTE: Valid Game Breeder's License holders for these species legally possessed prior to October 1, 1988, will be "grandfathered" and renewed annually until existing captive animals expire, or are legally transferred out of state or to a suitable public facility. This position by the Department is necessary due to the ability of these animals to cause serious physical injury to the owner or other innocent bystanders and/or their potential to transmit disease to wildlife or livestock. Qualified educational institutions, municipal zoos or scientific organizations will be excepted to this provision on a case by case basis.

13. OTHER GAME QUADRUPEDS AND BIRDS: Other game quadruped and birds indigenous to North America may not be kept without specific approval of the Game Division. Pen specifications for other species will be developed

by the Game Division as needed.

14. GENERAL REQUIREMENTS

General Rules

- A. Game quadrupeds and birds cannot be taken from the wild, nor can animals held under a game breeders license be released into the wild except as provided on licensed shooting preserves. (The only exception to this policy is that hawks and falcons may be taken from the wild by licensed falconers, as provided in the federal falconry regulations).
- B. Game Breeders can only keep those species for which they have been approved. If an applicant desires to keep additional species, the facilities for those species must be inspected and approved prior to obtaining the new species.

Application Requirements

- C. A game breeders license must be issued before any animals are obtained. It is the responsibility of the applicant to comply with pen specifications. In addition to the described pen dimensions, all bird and animal pens must include adequate feeding and watering facilities necessary for the well being of the animal. Applicants for waterfowl, doves, pheasants, quail, chukars, squirrels and rabbits must submit a form verifying their facilities meet or exceed the described pen specifications. Their facilities may require inspection at the biologists discretion. All pens built for raising

deer, birds of prey and potentially dangerous animals are required to be inspected for security.

- D. All applicants for a Game Breeder's License for deer and potentially dangerous animals must submit (1) a signed waiver statement holding the Department of Wildlife and Fisheries and its employees harmless for liability as a result of issuing a Game Breeder's License. Licenses will only be issued to those applicants who are willing to accept full responsibility and liability for any damages or injuries resulting from their animals or activities as a licensed game breeder of domesticated wildlife in Louisiana; (2) a written plan of action for the recapture of an escaped animal must be submitted and approved by the Department before the application is processed. The plan of action should include (a) equipment; (b) personnel; (c) recovery techniques; and (d) method of mitigation payments for damages caused by the escaped animal. This information is necessary because the Department of Wildlife and Fisheries will not provide these services.

Records and Inspections

- E. Applicants are required to have a bill of sale for each animal acquired, as well as keep records of all animals sold or transferred including names and addresses to whom they were sold or transferred. An annual report detailing animals in possession and all transactions must be submitted annually with license renewal application.

- F. License holders must allow inspections of premises by Department of Wildlife and Fisheries employees for purposes of enforcing these regulations. Inspections may include but are not limited to, pens, stalls, holding facilities, records, and examination of animals as necessary to determine health and/or identification of species.

Hunting

- G. Hunting of deer and other big game animals held under a game breeders license by individuals other than the licensee must conform to all hunting regulations including season and license requirements for the area in which the animals are confined.

Administrative Fees

- H. An inspection fee of \$50.00 will be assessed when a pen is inspected as part of the application process as required for birds of prey, deer and potentially dangerous animals. A license renewal processing fee of \$5.00 will be assessed annually. These fees are in addition to the \$25.00 required for the game breeder license.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56.171.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 14:631 (September 1988), amended L.R. 18: (August 1992).

Interested persons may comment on the proposed changes and/or additions in writing to Hugh Bateman, Administrator, Game Division, LA Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000 until 4:30p.m. June 12, 1992.

James H. Jenkins, Jr.
Chairman

RESOLUTION

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

WHEREAS, the Louisiana Department of Wildlife and Fisheries has the authority under State and Federal Statute to set alligator seasons and to promulgate rules and regulations to insure the proper management of this renewable natural resource; and

WHEREAS, Louisiana's thirty million dollar alligator industry is important to the citizens of this state; and

WHEREAS, certain aspects of the management of the american alligator are under Federal jurisdiction due to the provisions of the Convention on International Trade in Endangered Species and the look alike provisions of the Endangered Species Act; now

THEREFORE, BE IT RESOLVED, That the Louisiana Wildlife and Fisheries Commission authorizes the Chairman to appoint an alligator committee to take any and all steps necessary, including but not limited to filing Fiscal and Economical Impact Statements, the filing of Notices of Intent, submitting Declarations of Emergency, and correspondence to other agencies of government to amend the Louisiana Alligator Rules and Regulations to comply with federal guidelines and recommendations for the management of the american alligator.

Joe L. Herring
Secretary

Jimmy Jenkins
Chairman

April 2, 1992

NOTES:

1992 BIRTHSTONE: RUBY

JULY

FLOWER: LARKSPUR **1992**

A well spent day brings happy sleep.

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
NOTES:			1	2	3	4 <small>INDEPENDENCE DAY</small>
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	NOTES:

Louisiana Department of Wildlife and Fisheries

NEWS RELEASE

Joe L. Herring
Secretary



CONTACT
(504) 765-2923

92-58

3/31/92

AMENDED AGENDA FOR COMMISSION MEETING

The next regular public board meeting as set by the Louisiana Wildlife and Fisheries Commission meeting will be held at 10 a.m. Thursday, April 2, 1992, in the Louisiana Room at the Wildlife and Fisheries Building, 2000 Quail Drive, Baton Rouge.

The following will be on the agenda:

1. Roll Call
2. Approval of Minutes of March 5, 1992 Commission meeting.
3. Resolution/Free Fishing Days and National Fishing Week.
4. Notice of Intent/Amendment to Game Breeder's License Rule.
5. Update on Civil Restitutions.
6. Authorize the Secretary to Amend Alligator Regulations Using the Emergency Provisions of the Administrative Procedure Act.
7. Monthly Law Enforcement Report/March.
8. Secretary's Report to the Commission.
9. Set July Meeting Date.
10. Public Comments.

March 26, 1992

NEWS RELEASE

Approved 

AMENDED AGENDA FOR COMMISSION MEETING

The next regular public board meeting as set by the Commission will be held at 10:00 A.M. on Thursday, April 2, 1991, in the Louisiana Room at the Wildlife and Fisheries Building, 2000 Quail Drive, Baton Rouge, Louisiana.

The following will be on the agenda:

1. Roll Call
2. Approval of Minutes of March 5, 1992 Commission meeting
3. Resolution/Free Fishing Days and National Fishing Week
4. Notice of Intent/Amendment to Game Breeder's License Rule
5. Update on Civil Restitutions
6. Authorize the Secretary to Amend Alligator Regulations Using the Emergency Provisions of the Administrative Procedure Act
7. Monthly Law Enforcement Report/March
8. Secretary's Report to the Commission
9. Set July Meeting Date
10. Public Comments

Louisiana Department of Wildlife and Fisheries
NEWS RELEASE

Joe L. Herring
Secretary



CONTACT
(504) 765-2923

92-54

Amended - 3-31

3/27/92

AGENDA FOR COMMISSION MEETING

The next regular public board meeting as set by the Louisiana Wildlife and Fisheries Commission meeting will be held at 10 a.m. Thursday, April 2, 1992, in the Louisiana Room at the Wildlife and Fisheries Building, 2000 Quail Drive, Baton Rouge.

The following will be on the agenda:

1. Roll Call
2. Approval of Minutes of March 5, 1992 Commission meeting.
3. Resolution/Free Fishing Days and National Fishing Week.
4. Notice of Intent/Amendment to Game Breeder's License Rule.
5. Update on Civil Restitutions.
6. Monthly Law Enforcement Report/March.
7. Secretary's Report to the Commission.
8. Set July Meeting Date.
9. Public Comments.

--30--

Alligator Snapping Rept. - Tommy -

Louisiana Department of Wildlife and Fisheries

NEWS RELEASE

Joe L. Herring
Secretary



CONTACT
(504) 765-2923

92-54

3/27/92

AGENDA FOR COMMISSION MEETING

The next regular public board meeting as set by the Louisiana Wildlife and Fisheries Commission meeting will be held at 10 a.m. Thursday, April 2, 1992, in the Louisiana Room at the Wildlife and Fisheries Building, 2000 Quail Drive, Baton Rouge.

The following will be on the agenda:

1. Roll Call
2. Approval of Minutes of March 5, 1992 Commission meeting.
3. Resolution/Free Fishing Days and National Fishing Week.
4. Notice of Intent/Amendment to Game Breeder's License Rule.
5. Update on Civil Restitutions.
6. Monthly Law Enforcement Report/March.
7. Secretary's Report to the Commission.
8. Set July Meeting Date.
9. Public Comments.

--30--

REC'D

MAR 30 92

OFFICE OF WILDLIFE
ASSISTANT SECRETARY

March 26, 1992

NEWS RELEASE

Approved 

AGENDA FOR COMMISSION MEETING

The next regular public board meeting as set by the Commission will be held at 10:00 A.M. on Thursday, April 2, 1991, in the Louisiana Room at the Wildlife and Fisheries Building, 2000 Quail Drive, Baton Rouge, Louisiana.

The following will be on the agenda:

1. Roll Call
2. Approval of Minutes of March 5, 1992 Commission meeting
3. Resolution/Free Fishing Days and National Fishing Week
4. Notice of Intent/Amendment to Game Breeder's License Rule
5. Update on Civil Restitutions
6. Monthly Law Enforcement Report/March
7. Secretary's Report to the Commission
8. Set July Meeting Date
9. Public Comments

State of Louisiana



Joe L. Herring
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800
March 23, 1992

Edwin W. Edwards
Governor

MEMORANDUM

TO: Chairman and Members of Commission
FROM: Joe L. Herring, Secretary 
RE: April Board Meeting Agenda

The next regular public board meeting as set by the Commission will be held at 10:00 A.M. on Thursday, April 2, 1992, in the Louisiana Room at the Wildlife and Fisheries Building, 2000 Quail Drive, Baton Rouge, Louisiana.

The following will be on the agenda:

1. Approval of Minutes of March 5, 1992

BOB DENNIE

2. Resolution/Free Fishing Days and National Fishing Week

CORKY PERRET

3. Ratification of Rule/Amendment to Seismic Exploration Regulations

HUGH BATEMAN

4. Notice of Intent/Amendment to Game Breeder's License Rule

FRED PREJEAN

5. Update on Civil Restitutions

WINTON VIDRINE

6. Monthly Law Enforcement Report/March

Page 2
Commission Agenda
March 23, 1992

JOE L. HERRING

7. Secretary's Report to the Commission
8. Set July Meeting Date

PUBLIC COMMENTS

JLH:sb

C: Clyde Kimball
Fred Prejean
Lee Caubarreaux
Corky Perret
Don Puckett
John Medica
Division Chiefs

State of Louisiana

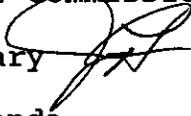


Joe L. Herring
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800
March 23, 1992

Edwin W. Edwards
Governor

MEMORANDUM

TO: Chairman and Members of Commission
FROM: Joe L. Herring, Secretary 
RE: April Board Meeting Agenda

The next regular public board meeting as set by the Commission will be held at 10:00 A.M. on Thursday, April 2, 1992, in the Louisiana Room at the Wildlife and Fisheries Building, 2000 Quail Drive, Baton Rouge, Louisiana.

The following will be on the agenda:

1. Approval of Minutes of March 5, 1992

BOB DENNIE

2. Resolution/Free Fishing Days and National Fishing Week

CORKY PERRET

3. Ratification of Rule/Amendment to Seismic Exploration Regulations

HUGH BATEMAN

4. Notice of Intent/Amendment to Game Breeder's License Rule

FRED PREJEAN

5. Update on Civil Restitutions

WINTON VIDRINE

6. Monthly Law Enforcement Report/March

Page 2
Commission Agenda
March 23, 1992

JOE L. HERRING

7. Secretary's Report to the Commission
8. Set July Meeting Date

PUBLIC COMMENTS

JLH:sb

C: Clyde Kimball
Fred Prejean
Lee Caubarreaux
Corky Perret
Don Puckett
John Medica
Division Chiefs

RECEIVED
LA. DEPARTMENT OF
WILDLIFE & FISHERIES

MAR 06 1992

ASSISTANT SECRETARY
OFFICE OF FISHERIES

State of Louisiana



Copy to:
✓ Bennie Fontenot
John Roussel
Karen Foote

Joe L. Herring
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800
March 6, 1992

Edwin W. Edwards
Governor

MEMORANDUM

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

FROM: Joe L. Herring, Secretary *JLH*

RE: Commission Meeting Agenda - April 2, 1992

Please write on the bottom of this memo and return to Sharyn Bateman by Wednesday, March 18th any agenda items your office may have for the Thursday, April 2nd Commission meeting to be held in Baton Rouge, Louisiana, at the Wildlife and Fisheries Building, Quail Drive. This meeting will begin at 10 a.m. on April 2nd. 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!

hff

JLH/sb

- C: Commissioners
- Don Puckett
- Bob Dennie ✓
- Winton Vidrine ✓
- Hugh Bateman
- Johnnie Tarver ✓
- Tommy Prickett ✓
- Bennie Fontenot ✓
- Wynnette Kees ✓
- Karl Turner

copy:

I have no items for April 2nd Commission meeting. Thanks.

RECEIVED
LA. DEPT. WILDLIFE & FISHERIES

MAR - 6 1992

FISH DIVISION

Bennie

RECEIVED
LA. DEPARTMENT OF
WILDLIFE & FISHERIES

MAR 06 1992

ASSISTANT SECRETARY
OFFICE OF FISHERIES

State of Louisiana



Copy to:
Bennie Fontenot
John Roussel
Karen Foote

Joe L. Herring
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800
March 6, 1992

Edwin W. Edwards
Governor

MEMORANDUM

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

FROM: Joe L. Herring, Secretary *JLH*

RE: Commission Meeting Agenda - April 2, 1992

Please write on the bottom of this memo and return to Sharyn Bateman by Wednesday, March 18th any agenda items your office may have for the Thursday, April 2nd Commission meeting to be held in Baton Rouge, Louisiana, at the Wildlife and Fisheries Building, Quail Drive. This meeting will begin at 10 a.m. on April 2nd. 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!

JLH/sb

C: Commissioners
Don Puckett
Bob Dennie
Winton Vidrine
Hugh Bateman
Johnnie Tarver
Tommy Prickett
Bennie Fontenot
Wynnette Kees
Karl Turner

Sharyn
3-13-92
Ratification of seismic rates
Karen
cc: Corfy

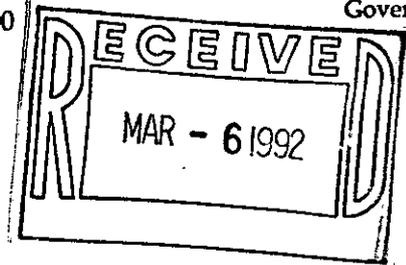
State of Louisiana



Joe L. Herring
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800
March 6, 1992

Edwin W. Edwards
Governor



MEMORANDUM

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

FROM: Joe L. Herring, Secretary 

RE: Commission Meeting Agenda - April 2, 1992

Please write on the bottom of this memo and return to Sharyn Bateman by Wednesday, March 18th any agenda items your office may have for the Thursday, April 2nd Commission meeting to be held in Baton Rouge, Louisiana, at the Wildlife and Fisheries Building, Quail Drive. This meeting will begin at 10 a.m. on April 2nd. 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!

JLH/sb

C: Commissioners
Don Puckett
Bob Dennie
Winton Vidrine
Hugh Bateman
Johnnie Tarver
Tommy Prickett
Bennie Fontenot
Wynnette Kees
Karl Turner

A large, hand-drawn oval outline containing the handwritten word "None" and a signature that appears to be "Alyde".

Sharyn

State of Louisiana



Joe L. Herring
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800
March 6, 1992

Edwin W. Edwards
Governor

MEMORANDUM

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

FROM: Joe L. Herring, Secretary *JLH*

RE: Commission Meeting Agenda - April 2, 1992

Please write on the bottom of this memo and return to Sharyn Bateman by Wednesday, March 18th any agenda items your office may have for the Thursday, April 2nd Commission meeting to be held in Baton Rouge, Louisiana, at the Wildlife and Fisheries Building, Quail Drive. This meeting will begin at 10 a.m. on April 2nd. 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!

JLH/sb

C: Commissioners
Don Puckett
Bob Dennie
Winton Vidrine
Hugh Bateman
Johnnie Tarver
Tommy Prickett
Bennie Fontenot
Wynnette Kees ✓
Karl Turner

Civil Restitution Update

State of Louisiana



Joe L. Herring
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800
March 6, 1992

Edwin W. Edwards
Governor

MEMORANDUM

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

FROM: Joe L. Herring, Secretary *JLH*

RE: Commission Meeting Agenda - April 2, 1992

Please write on the bottom of this memo and return to Sharyn Bateman by Wednesday, March 18th any agenda items your office may have for the Thursday, April 2nd Commission meeting to be held in Baton Rouge, Louisiana, at the Wildlife and Fisheries Building, Quail Drive. This meeting will begin at 10 a.m. on April 2nd. 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!

JLH/sb

C: Commissioners
Don Puckett
Bob Dennie
Winton Vidrine ✓
Hugh Bateman
Johnnie Tarver
Tommy Prickett
Bennie Fontenot
Wynnette Kees
Karl Turner

Enforcement Report!
W. Vidrine

State of Louisiana



Joe L. Herring
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800
March 6, 1992

Edwin W. Edwards
Governor

MEMORANDUM

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

FROM: Joe L. Herring, Secretary *JLH*

RE: Commission Meeting Agenda - April 2, 1992

Please write on the bottom of this memo and return to Sharyn Bateman by Wednesday, March 18th any agenda items your office may have for the Thursday, April 2nd Commission meeting to be held in Baton Rouge, Louisiana, at the Wildlife and Fisheries Building, Quail Drive. This meeting will begin at 10 a.m. on April 2nd. 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!

JLH/sb

C: Commissioners
Don Puckett
Bob Dennie
Winton Vidrine
Hugh Bateman
Johnnie Tarver
Tommy Prickett
Bennie Fontenot
Wynnette Kees
Karl Turner

NONE - Induck Prison
Wynnette - Carol Puckett

State of Louisiana



Joe L. Herring
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800
March 6, 1992

Edwin W. Edwards
Governor

M E M O R A N D U M

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

FROM: Joe L. Herring, Secretary 

RE: Commission Meeting Agenda - April 2, 1992

Please write on the bottom of this memo and return to Sharyn Bateman by Wednesday, March 18th any agenda items your office may have for the Thursday, April 2nd Commission meeting to be held in Baton Rouge, Louisiana, at the Wildlife and Fisheries Building, Quail Drive. This meeting will begin at 10 a.m. on April 2nd. 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!

JLH/sb

C: Commissioners
Don Puckett
Bob Dennie
Winton Vidrine
Hugh Bateman
Johnnie Tarver
Tommy Prickett
Bennie Fontenot
Wynnette Kees
Karl Turner

State of Louisiana



RECEIVED
LA DEPARTMENT OF
WILDLIFE & FISHERIES

MAR 06 92

HABITAT
CONSERVATION

Joe L. Herring
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800
March 6, 1992

Edwin W. Edwards
Governor

MEMORANDUM

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

FROM: Joe L. Herring, Secretary *JLH*

RE: Commission Meeting Agenda - April 2, 1992

Please write on the bottom of this memo and return to Sharyn Bateman by Wednesday, March 18th any agenda items your office may have for the Thursday, April 2nd Commission meeting to be held in Baton Rouge, Louisiana, at the Wildlife and Fisheries Building, Quail Drive. This meeting will begin at 10 a.m. on April 2nd. 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!

JLH/sb

C: Commissioners
Don Puckett
Bob Dennie
Winton Vidrine
Hugh Bateman
Johnnie Tarver
Tommy Prickett
Bennie Fontenot
Wynnette Kees
Karl Turner

Blue - please note + return for our discussion.

Sharyn Bateman

I have nothing Blue

State of Louisiana



RECEIVED
LA DEPARTMENT OF
WILDLIFE & FISHERIES

MAR 06 92

HABITAT
CONSERVATION

Joe L. Herring
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800
March 6, 1992

Edwin W. Edwards
Governor

MEMORANDUM

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

FROM: Joe L. Herring, Secretary *JLH*

RE: Commission Meeting Agenda - April 2, 1992

Please write on the bottom of this memo and return to Sharyn Bateman by Wednesday, March 18th any agenda items your office may have for the Thursday, April 2nd Commission meeting to be held in Baton Rouge, Louisiana, at the Wildlife and Fisheries Building, Quail Drive. This meeting will begin at 10 a.m. on April 2nd. 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!

JLH/sb

C: Commissioners
Don Puckett
Bob Dennie
Winton Vidrine
Hugh Bateman
Johnnie Tarver ✓
Tommy Prickett
Bennie Fontenot
Wynnette Kees
Karl Turner

*Copy - please note +
return for our discussion.
March 5, 1992
Johnnie Tarver
3-5-92
none - GL 92-03-16*

Rule

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

In accordance with the provisions of the Administrative Procedures Act, R.S. 49:950, et seq., the Wildlife and Fisheries Commission does hereby adopt the amended rules and regulations governing game breeders.

Title 76
Wildlife and Fisheries

Part V. Wild Quadrupeds and Wild Birds

Chapter 1. Wild Quadrupeds

Section 107. Game Breeder's License

This commission regulation established general requirements, minimum pen specifications and animals that will be permitted under the Game Breeder's License to read as follows:

MINIMUM PEN SPECIFICATIONS AND REQUIREMENTS FOR
GAME QUADRUPEDS AND BIRDS

The dimensions and specifications described herein are minimum standards for permanent exhibit facilities for the well-being of the animals specified. It must be emphasized that these are minimum standards and the optimum conditions for most animals would include dimensions at least several times greater than those cited.

1. WATERFOWL

- A. Single Bird: 100 square feet with 25% in water area; increase pen size by 25% for each additional bird with one-

fourth of this increase being in water area.

B. Commercial Operation:

Extension Service Recommendation: Up to six weeks old; 1 square foot per duck. Over six weeks old; 3 square feet per duck.

2. DOVES

Single Bird: 3 feet x 2 feet x 5 feet high.

Community Group: large enough to fly or at least 8 feet in diameter.

3. PHEASANT, QUAIL, CHUKAR

A. Exhibit Purposes: 20 square feet; add 20 square feet for each additional bird.

B. Commercial Operation:

Extension Service Recommendations:

Quail

1-10 days old: 9 chicks per square foot;

10 days - 6 weeks old: 6 chicks per square foot;

6 weeks and older: 3 birds per square foot;

1 breeding pair per square foot.

Note: If only Pharaoh Quail are to be kept then the Game Breeder's License is not required.

Pheasants and Chukar

1-10 days old: 4 chicks per square foot;

10 days - 6 weeks old: 6 chicks per square foot;

6-14 weeks old: 1 bird per 4 square feet;
1 breeding pair per 8 square feet.

4. *WILD TURKEYS (LICENSE WILL NOT BE ISSUED)

It is unlawful to take from the wild or possess in captivity any live wild turkeys or their eggs. No pen raised turkeys from within or without the state shall be liberated (released) within the state.

5. HAWKS, FALCONS

Refer to federal raptor facilities specifications

6. SQUIRRELS

- A. Single Animal: 3 feet long x 3 feet wide x 4 feet high;
Additional Animals: add 6 inches more in length per additional animal; several limbs, nest box.
- B. Due to the inherent tendency of these animals to bite people, it is further required that applicants provide a certificate of good health from a license veterinarian stating that the squirrels do not show symptoms of rabies.

7. RABBITS

Single Animal: 6 feet long x 3 feet wide x 3 feet high; gnawing logs;
den or retreat.

Additional Animals: add 1 foot in length per animal.

8. WHITETAIL DEER OR OTHER NORTH AMERICAN DEER

A. No license will be issued in metropolitan or urban areas. A rural environment is required to keep these animals.

B. Single Animal: 5000 square feet paddock or corral (50 feet wide x 100 feet long); increase corral size by 50% of that size for each additional animal; shelter required. Pen site must be well drained so as to prevent extended periods of standing water.

Materials: 12 gauge chain link or other satisfactory woven wire, 8 feet high minimum. Welded wire is not acceptable.

9. *ELK (LICENSE WILL NOT BE ISSUED)

Single Animal: 5000 square feet paddock or corral; increase corral size by 50% for each additional animal; barn, shaded or protected area attached to or adjoining corral fence, 9 gauge chain link or woven wire; 8 feet high. Welded wire is not acceptable.

10. *BEAR (LICENSE WILL NOT BE ISSUED)

Single Animal: Sturdy pen (chain link wire) not less than 9 gauge with top cover 25 feet long x 12 feet wide x 10 feet high;

Pair: 30 feet x 15 feet x 10 feet high;

Pool: 6 feet x 4 feet x 18 inches deep, with facilities for spraying or wetting bears;

Den: 6 feet long x 4 feet wide x 4 feet high, per animal.

11. *WOLVES AND WOLF CROSSES (LICENSE WILL NOT BE ISSUED)

Single Animal: 15 feet long x 8 feet wide x 6 feet high; double cage area for each additional animal; secluded den area required, 4 feet x 4 feet for each animal, sturdy wire required.

12. *COUGAR, MOUNTAIN LION (LICENSE WILL NOT BE ISSUED)

Single Animal: 10 feet long x 8 feet wide x 8 feet high, covered roof;

Pair: 15 feet long x 8 feet wide x 8 feet high;

Materials: not less than 9 gauge chain link or equivalent and safety perimeter rail, danger sign, claw log; 24 inch wide shelf, 8 feet long, 40 inches off floor.

*NOTE: Valid Game Breeder's License holders for these species legally possessed prior to October 1, 1988, will be "grandfathered" and renewed annually until existing captive animals expire, or are legally transferred out of state or to a suitable public facility. This position by the Department is necessary due to the ability of these animals to cause serious physical injury to the owner or other innocent bystanders and/or their potential to transmit disease to wildlife or livestock. Qualified educational institutions, municipal zoos or scientific organizations will be excepted to this provision on a case by case basis.

13. OTHER GAME QUADRUPEDS AND BIRDS: Other game quadruped and birds indigenous to North America may not be kept without specific approval of the Game Division. Pen specifications for other species will be developed

by the Game Division as needed.

14. GENERAL REQUIREMENTS

General Rules

- A. Game quadrupeds and birds cannot be taken from the wild, nor can animals held under a game breeders license be released into the wild except as provided on licensed shooting preserves. (The only exception to this policy is that hawks and falcons may be taken from the wild by licensed falconers, as provided in the federal falconry regulations).
- B. Game Breeders can only keep those species for which they have been approved. If an applicant desires to keep additional species, the facilities for those species must be inspected and approved prior to obtaining the new species.

Application Requirements

- C. A game breeders license must be issued before any animals are obtained. It is the responsibility of the applicant to comply with pen specifications. In addition to the described pen dimensions, all bird and animal pens must include adequate feeding and watering facilities necessary for the well being of the animal. Applicants for waterfowl, doves, pheasants, quail, chukars, squirrels and rabbits must submit a form verifying their facilities meet or exceed the described pen specifications. Their facilities may require inspection at the biologists discretion. All pens built for raising

deer, birds of prey and potentially dangerous animals are required to be inspected for security.

- D. All applicants for a Game Breeder's License for deer and potentially dangerous animals must submit (1) a signed waiver statement holding the Department of Wildlife and Fisheries and its employees harmless for liability as a result of issuing a Game Breeder's License. Licenses will only be issued to those applicants who are willing to accept full responsibility and liability for any damages or injuries resulting from their animals or activities as a licensed game breeder of domesticated wildlife in Louisiana; (2) a written plan of action for the recapture of an escaped animal must be submitted and approved by the Department before the application is processed. The plan of action should include (a) equipment; (b) personnel; (c) recovery techniques; and (d) method of mitigation payments for damages caused by the escaped animal. This information is necessary because the Department of Wildlife and Fisheries will not provide these services.

Records and Inspections

- E. Applicants are required to have a bill of sale for each animal acquired, as well as keep records of all animals sold or transferred including names and addresses to whom they were sold or transferred. An annual report detailing animals in possession and all transactions must be submitted annually with license renewal application.

- F. License holders must allow inspections of premises by Department of Wildlife and Fisheries employees for purposes of enforcing these regulations. Inspections may include but are not limited to, pens, stalls, holding facilities, records, and examination of animals as necessary to determine health and/or identification of species.

Hunting

- G. Hunting of deer and other big game animals held under a game breeders license by individuals other than the licensee must conform to all hunting regulations including season and license requirements for the area in which the animals are confined.

Administrative Fees

- H. An inspection fee of \$50.00 will be assessed when a pen is inspected as part of the application process as required for birds of prey, deer and potentially dangerous animals. A license renewal processing fee of \$5.00 will be assessed annually. These fees are in addition to the \$25.00 required for the game breeder license.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56.171.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 14:631 (September 1988), amended L.R. 18: (1992).

Interested persons may comment on the proposed changes and/or additions in writing to Hugh Bateman, Administrator, Game Division, LA Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000 until 4:30p.m. June 12, 1992.

James H. Jenkins, Jr.
Chairman