

LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES

BOARD MEETING

MAY 6, 1993

**BERT H. JONES
CHAIRMAN**

**LANDMARK HOTEL
METAIRIE, LOUISIANA**

The following constitute minutes of the Commission Meeting
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Louisiana Department of Wildlife and Fisheries
2000 Quail Drive
Baton Rouge, Louisiana 70808
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AGENDA
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
METAIRIE, LOUISIANA
MAY 6, 1993

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MINUTES OF THE MEETING
OF
LOUISIANA WILDLIFE AND FISHERIES COMMISSION

Thursday, May 6, 1993

Chairman Bert H. Jones presiding.

James H. Jenkins, Jr.
Perry Gisclair
Joseph B. Cormier
Jeff Schneider
Pete Vujnovich

Commissioner Tee John Mialjevich was not in attendance.

Secretary Joe L. Herring was also present.

Chairman Jones called for a motion for approval of the April 6, 1993, **Commission Minutes**. A motion for approval was made by Commissioner Vujnovich and seconded by Commissioner Jenkins. The motion passed unanimously.

The Declaration of Emergency for **Setting the Inshore Spring Shrimp Season** was presented by Mr. Corky Perret. He began the discussion by introducing members of the Texas Shrimp Association and Dr. Andy Kemmerer and his staff from the National Marine Fisheries Service. He then noted that at this particular meeting the staff's findings of the hydrological, environmental conditions, and shrimp conditions relative to juvenile brown shrimp would be presented by showing graphs.

These graphs included information on the Louisiana landings for years 1980 - 1992; the monthly reports of Louisiana landings for years 1987 - 1992; the average weights of Louisiana shrimp landings by species for years 1982 - 1992; Louisiana shrimp catch for years 1976 - 1992; documented offshore shrimp trawlers from North Carolina to Brownsville, Texas for 1962 - 1992; Gulf of Mexico shrimp landings for 1962 - 1992; countries where shrimp imports are coming from; license sales for Louisiana shrimp gear for 1975 - 1991; the 122 different locations along the coast where information was obtained on shrimp.

Then the discussion turned to the hydrological information that affects the spring shrimp. Information shown from the graphs included southeastern Louisiana rainfall by months; Mississippi River discharge; North and South Barataria Bay salinities; North Barataria Bay salinities for the month of April only; South Barataria Bay temperature by months; South Barataria Bay water temperature for the month of April only; April brown shrimp nursery areas by million acres for 1967 - 1993; cumulative postlarval catch

in Barataria Bay; catch/effort on brown shrimp in 6' test trawls in Barataria Bay for work weeks 14 - 18; mean size in millimeters on brown shrimp in 6' test trawls in Barataria Bay for work weeks 14 -18; brown shrimp catch/effort and size in the three zones for work week 18, 1993; a map showing the three shrimp zones; and the projected date when at least 50% of the shrimp would be marketable for all three zones. Mr. Perret advised, the consensus from the biologists who have worked on this project suggested Zones 1 & 3 to open on June 9 and Zone 2 to open on June 4; however, if opened statewide, open on June 7.

Chairman Jones introduced Ms. Linda Mathies from the Corps of Engineers who requested time to give public information. She reminded the group of a study being done in Breton Sound and the fact they do the maintenance dredging of the Mississippi River Gulf Outlet in an attempt to create habitat. Monitoring of the dredging material was being performed to make sure it was doing what it should by releasing seabed drifters. The study would continue this year, so Ms. Mathies asked shrimpers and fishermen in the Breton Sound area to fill out a waterproof card that was attached to a drifter and return to the Corps address. The drifters would be dropped one week before shrimp season began.

Chairman Jones then asked for questions from the Commission. Commissioner Jenkins asked what was the Department's recommendation on opening the zones. Mr. Perret restated the Department's opening dates for shrimp as: statewide - June 7; or Zones 1 & 3 - June 9 and Zone 2 - June 4. However, he further stated law enforcement staff had recommended opening at 12:01 a.m. on the opening date but the technical staff had recommended 6:00 a.m. Again, Commissioner Jenkins asked if the Department was recommending a statewide opening or zone opening.

Commissioner Gisclair asked if there was a record of the least amount of days the fishermen ever had in May; does not the season for Zone 2 usually run 40 to 45 days; and commented, if they went with a June 7 opening date, you would have the shortest season on record with only a 30 day season. He then advised the public attending the meeting to make their feelings known so he could know how each felt.

Commissioner Cormier asked if the closing dates would remain the same. Commissioner Vujnovich stated that in the Barataria Bay estuary, two freshwater siphons opened up and the salinities had dropped, then asked if the diversions were helping or putting the fishermen out of business.

Chairman Jones then called for public comments on the setting of the 1993 spring inshore shrimp season.

Mr. Michael Trosclair, Yscloskey, Louisiana, suggested opening the season between June 4 and June 9, which would be around the

same as Alabama and Mississippi and those boaters should stay in their own waters.

Mr. C. J. Kiefe, Chairman of the Governor's Task Force on Shrimp Management, noted the Task Force voted to open the shrimp season statewide to prevent all the boats from migrating to one area and it would also be an advantage for the producers to have a better price for their shrimp. The Task Force also recommended the season open at 6:00 a.m. or 30 minutes before sunrise. Commissioner Jenkins asked if he had a date in mind. Mr. Kiefe advised between June 1 and June 7.

Mr. Gary Mute, Lafitte, Louisiana, asked when the moon would be and if it was before June 7, if there was a guarantee on how long the season would be, could there be an exception made on the 50% or above for determining dates on brown shrimp, and would this date be the final date. Then he noted there were a lot of unanswered questions, that it would be hard to survive with a 30 day or less season, and the fishermen would have to pay for the season and no one else suffered. Mr. Perret reiterated to the Commission and the audience that the numbers of shrimp are greatly reduced from what was normally seen at this time.

Mr. Tee Roy Bourg advised that last year on opening date the shrimp were bigger than the 80-100 count, and the economics are bad in Golden Meadow, then requested opening the season before the first of June or by the first in Zone 2.

Mr. Ted Loupe, Chairman of the Crab Task Force, asked Mr. Perret if it would be possible for the state to allow the opening in Terrebonne Bay, Timbalier Bay, Lake Borgne and other larger bodies of water two weeks later to allow for a longer season.

Mr. Bubbie Ruther, a processor, asked if the law still stated that you only have to give a 72 hour notice prior to opening the season, then suggested collecting data for another two weeks and meeting again on the 20th to set the dates.

Mr. Pete Gericca, Lake Pontchartrain Fisherman's Association, stated his association took a vote to open the shrimp season on the latest possible date beginning at 6:00 a.m. for Zone 1. Then asked Mr. Perret why was the Department back in the Bonnet Carre Spillway system when there would be no shrimp season and the saltwater finfish would not be in their normal areas; and stated that for the last 5 years, with the dumping of the Pearl River into the Rigolets, there have been no brown shrimp of any consequence.

Mr. Darren Bullock, Lafitte, Louisiana, stated Mother Nature was a factor for everyone in setting the season, and after the meeting, Mother Nature would be the shrimpers factor; then suggested opening Zone 2 on June 4th at 6:00 a.m.

Mr. Huey Daigle recommended setting a tentative season at the meeting, and also use the May 20th date to change the dates for the season if conditions warrant a change.

Chairman Jones clarified that if some reason should occur to warrant changing the season dates after the meeting, a Special Meeting of the Commission could be called if the Department deemed it necessary.

Mr. Gene Adams pointed out that on May 20th, the moon would be coming in and if we waited until June 7th to open the season in Zone 2, you would have missed a second moon. He also stated the shrimpers could not afford to have 2 moons pass, and if Zone 2 was not opened by June 1st, the fishermen would be looking for some type of Federal relief.

Mr. Brian Schwartz, Kenner, Louisiana, reminded the Commission that they asked Mr. Perret to open Zone 2 last year before the moon phase and he did not do it. Again this year, Mr. Schwartz asked to open the shrimp season three days before the moon phase, not on or after the moon phase. He asked Mr. Perret how fast would a shrimp grow in three days and then recommended June 1st as the opening date for shrimp season.

Mr. Dean Blanchard, Grand Isle, Louisiana, mentioned they have not seen any shrimp so far this year and agreed with the June 7th opening date. However, he continued by stating that since this was an unusual year, come back in a few weeks and look at it again.

Mr. Charles Robin, Yscloskey, Louisiana, noted it would be a bad year for the shrimp, recommended the June 7th opening date, and suggested the fishermen look for another job.

Mr. Bill Dekemel, President, East Bank Commercial Fishermen Association, began by stating several characteristics that are unique to the shrimp population and its movement in Zone 1; was very surprised the Department recommended a statewide opening date because of the fact that at least 61% of the shrimp harvested on that date would be thrown away; then recommended an opening date for Zone 1 at 6:00 a.m. between June 11 and June 14, 1993. Commissioner Jenkins asked Mr. Dekemel if he represented the majority of the fishermen in Zone 1. Mr. Dekemel continued by stating if you have a statewide opening, wait until the smallest shrimp are ready to harvest. He felt that opening the shrimp season this year should be by the three zones because the areas are so different. Commissioner Jenkins asked Mr. Perret if he still wanted to recommend what he said knowing what Mr. Dekemel had just reported, and then again asked Mr. Perret if he recommended a statewide opening.

Chairman Jones restated the Department was recommending an opening date of June 9th for Zones 1 and 3 and June 4th for Zone

2. Commissioner Gisclair mentioned the Department gave the dates they wanted, but also an optional date for a statewide opening.

Mr. Gene Adams pointed out that when the zones are opened at different times, it does not become a people problem, but it does kill an area; then recommended opening the season statewide on June 7th.

Mr. Ted Loupe, Gulf Tide Seafood, stated, with the Shrimp Task Force and most fishermen wanting a statewide opening, it would be detrimental to have the different zones opening on different dates, and he again asked for a statewide opening.

Mr. Jimmy Toupe, a shrimper, asked to open the shrimp season statewide on the date recommended by the Department.

Mr. Steven Charpentier, a shrimper and member of the Shrimp Task Force, recommended the June 7th opening date and added, from the report received, the shrimp should be at a marketable size before going to catch them and the season should be opened at the latest date possible.

Commissioner Jenkins made a motion to accept the staff's recommendation for a statewide opening at 6:00 a.m. on June 7th. Commissioner Gisclair seconded the motion. Chairman Jones called for the vote and it passed unanimously.

Then Chairman Jones asked Mr. Perret to read the Declaration of Emergency. Commissioner Jenkins asked if, in the past years, was the paragraph about the Secretary's authority also included. A motion to accept the Declaration of Emergency was made by Commissioner Jenkins and seconded by Commissioner Gisclair. The motion passed unanimously.

Mr. Perret read the Therefore Be It Resolved portion of the corresponding Resolution as requested by Chairman Jones. Commissioner Jenkins made a motion to accept the Resolution and was seconded by Commissioner Gisclair. This motion also passed unanimously.

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

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

In accordance with the emergency provisions of R.S. 49:953(B) of the Administrative Procedure Act, R.S. 49:967 and 56:497, the

Wildlife and Fisheries Commission hereby finds that an imminent peril to the public welfare exists and accordingly adopts the following emergency rule:

The Wildlife and Fisheries Commission does hereby:

1. Set the 1993 spring inshore shrimp season to open as follows:
 - a. In Zone 1, that portion of Louisiana's inside waters, as described in R.S. 56:495, from the Louisiana/Mississippi state line to South Pass of the Mississippi River, and
 - b. In Zone 2, that portion of Louisiana's inside waters, as described in R.S. 56:495, from South Pass of the Mississippi River to the western shore of Vermilion Bay and Southwest Pass at Marsh Island, and
 - c. In Zone 3, that portion of Louisiana's inside waters, as described in R.S. 56:495, from the western shore of Vermilion Bay and Southwest Pass at Marsh Island to the Louisiana/Texas state line at 6:00 a.m. on June 7, 1993.
2. Authorize and empower the Secretary of the Department of Wildlife and Fisheries to change the opening date or close the 1993 spring inshore shrimp season in any area or Zone when the Marine Fisheries Division certifies that the biological and technical data indicates the need to do so.

The Commission finds that shrimp in these zones are projected to be of legal size count and will meet the management criteria by the opening dates of the season.

Bert H. Jones
Chairman

RESOLUTION

Adopted by the Wildlife and Fisheries Commission at its regular meeting on May 6, 1993 in New Orleans, Louisiana, relative to the 1993 spring inshore shrimp season.

WHEREAS, R.S. 56:497 provides that the Wildlife and Fisheries Commission shall fix no less than two open shrimp seasons each year for all inside waters, and

WHEREAS, R.S. 56:497 further states these shrimp seasons shall be opened by Zone, and

WHEREAS, R.S. 56:497 further states these shrimp seasons shall be based upon biological and technical data, and

WHEREAS, the Wildlife and Fisheries Commission has reviewed in public the biological and technical data presented by the Department of Wildlife and Fisheries on shrimp populations and environmental conditions present in Louisiana's coastal waters during the spring of 1993, and

WHEREAS, the Wildlife and Fisheries Commission has received public testimony relative to this biological and technical data as well as other factors relative to the 1993 spring inshore shrimp season, now

THEREFORE BE IT RESOLVED, the Wildlife and Fisheries Commission does hereby:

1. Set the 1993 spring inshore shrimp season to open as follows:
 - a. In Zone 1, that portion of Louisiana's inside waters, as described in R.S. 56:495, from the Louisiana/Mississippi state line to South Pass of the Mississippi River, and
 - b. In Zone 2, that portion of Louisiana's inside waters, as described in R.S. 56:495, from South Pass of the Mississippi River to the western shore of Vermilion Bay and Southwest Pass at Marsh Island, and
 - c. In Zone 3, that portion of Louisiana's inside waters, as described in R.S. 56:495, from the western shore of Vermilion Bay and Southwest Pass at Marsh Island to the Louisiana/Texas state line at 6:00 a.m. on June 7, 1993.
2. Authorize and empower the Secretary of the Department of Wildlife and Fisheries to change the opening date or close the 1993 spring inshore shrimp season in any area or Zone when the Marine Fisheries Division certifies that the biological and technical data indicates the need to do so.

Bert H. Jones, Chairman
Louisiana Wildlife & Fisheries
Commission

Joe L. Herring, Secretary
Louisiana Department of Wildlife
& Fisheries

TED's Information Presentation began with Mr. Corky Perret reminding everyone that changes in the TED's regulations would

occur in the future. Commissioner Mialjevich and the Shrimp Task Force invited Dr. Andy Kemmerer, Regional Director, National Marine Fisheries Service, St. Petersburg, Florida and his staff to the meeting to explain some of the new regulations on TED's.

Dr. Andy Kemmerer thanked everyone for the invitation to the meeting and then introduced the members of his staff that were present. Dr. Kemmerer stated he would be explaining the new changes in the TED regulations. The law on TED's and tow times was to stop activities that were killing the threatened and/or endangered species. In December 1992, the new TED regulations required shrimpers to comply with sea turtle conservation for the full 12 months throughout the Atlantic Coast and Gulf of Mexico. The tow times have been changed and are measured from the time the doors enter the water until they leave the water. For nets that do not have doors, tow time is measured from the time any part of the net goes into the water. From April 1 through October 31, the tow time is 55 minutes; and then 75 minutes from November 1 through March 31. The soft TED's criteria had to be just as described in the law, however, the hard TED's had a lot more flexibility.

Beginning January 1, 1994, all shrimp trawlers offshore have to have a TED installed in each net that is rigged for fishing. The intent was for shore sight enforcement. In inshore waters, all shrimp trawlers, with limited exceptions, must have an improved TED installed in each net rigged for fishing except those with a head rope length of less than 35' and a foot rope length of less than 44'. This exemption on 35' trawls would be lifted December 1, 1994. If you do not have a mechanical retrieval system on your boat, you are exempted from having to use a TED, but you still must abide by the tow times. Bait shrimpers are exempted if they have a circulating seawater system, if they have no more than 32 pounds of dead shrimp on board and if they have a state bait shrimp license if required. Pusher head trawls, skimmer nets and wing nets are exempted from using TED's.

The tri-net with head rope lengths of less than 20', if used as intended, was not required to have a TED and does not have to follow the tow time requirement. A beam and roller trawl was exempted as long as it had a rigid frame mouth with bars across that are no more than four inches apart. All shrimpers that have at least 90% raw red shrimp on board do not have to abide by tow times or use TED's.

Dr. Kemmerer also stated that the Assistant Administrator or the Director of the National Marine Fisheries Service can substitute tow times in lieu of TED's if environmental conditions occur and if there was evidence TED's would not work in an area, and if TED's are shown to be ineffective for protecting turtles. Also, the Assistant Administrator can restrict fishing activities if TED's or tow times are not protecting turtles in an area.

Other points shrimpers must adhere to include: resuscitating a turtle if found comatose and it may be kept for up to 24 hours on board a vessel; must comply with directions from authorized enforcement officers; and TED's can not be sold, bartered or traded that do not meet certain standards.

Mr. Mike Trosclair, Yscloskey, Louisiana, asked if a log should be kept on the 55 minute tow times.

Mr. Bill Dekemel asked the Commission to pass a resolution requesting the National Marine Fisheries Service to suspend TED's in lieu of tow times in Louisiana due to the three major storm systems that have passed because of an excessive amount of crab traps lost in these storms.

Commissioner Gisclair asked Dr. Kemmerer if he was aware of the number of crab traps lost in inside waters, then stated there was an 80 to 90% wipe out on the bottom of the Gulf in addition to the debris from Hurricane Andrew. Dr. Kemmerer stated in order for the restriction to be suspended, the problem would have to be clearly demonstrated and the tow times would have to be strictly enforced.

An unidentified lady reminded Dr. Kemmerer of documentation from a trip made by the National Marine Fisheries Service and the Extension Service that pulled two trawls. On one side there was a trawl that had a TED and a crab trap in it which lost 48% of the shrimp; and the other trawl, that did not have a TED but had a crab trap in it, only lost 10% of its shrimp.

Mr. C. J. Kiefe asked about the proper angles that are required for the different TED's; how would the National Marine Fisheries Service measure the width on the bibs; a problem with a gray TED being used that was 28" along the bottom and the fact the required cut was longer than the grill that would prevent the turtles from going into the bag. Then, Mr. Kiefe expressed his appreciation for allowing the use of zippers to get rid of debris in the nets.

Another unidentified person told Dr. Kemmerer he brought a TED with him to the meeting and asked if they could check it to see if the panel was installed properly.

Mr. George Barisich, member of the Shrimp Task Force and a representative for St. Bernard Parish, asked what criteria was used to move up the effective date two years to December 1, 1992 for using TED's in inshore waters since fishermen like himself would stand to lose a great deal of money.

Dr. Kemmerer advised he would stay through lunch and answer questions that were asked and thanked the Commission for allowing the time he was given.

After lunch, Chairman Jones noted the next agenda item as **Reconsideration of Resolution in the Minutes of February 25, 1993**, put on by Commissioner Mialjevich who was absent from the meeting. Commissioner Gisclair asked that the item be placed on the next meeting's agenda, stated he thought the problem was where the resolution read the Louisiana Legislature permanently established and that the Act did not permanently establish redbfish as a gamefish.

Commissioner Jenkins agreed with Commissioner Gisclair on what he thought Commissioner Mialjevich's problem was and reminded them the minutes were correct, the Whereas's were a history of the redbfish issue, the word "permanent" was put in to distinguish it from the sunset provision and then requested to dispose of the item at this meeting. Commissioner Gisclair understood from the last meeting that the minutes were accepted except for those that dealt with the resolution. Commissioner Jenkins advised Mr. Puckett clarified the minutes were correct at the last meeting. Commissioner Gisclair requested, as a courtesy to Commissioner Mialjevich, to wait and discuss the item at the next meeting. Commissioner Jenkins wanted to move on with the agenda item and stated if Commissioner Mialjevich wanted to discuss it again, he could do so. But, Commissioner Gisclair reminded that, with the amending of the By-Laws, it would take a 2/3 vote and made a motion to put the item on the next meeting's agenda. Commissioner Vujnovich seconded the motion.

Chairman Jones restated the motion and asked Mr. Landrum if the motion followed Roberts Rules of Order and was advised it did not. Commissioner Cormier felt that legally reconsideration of the resolution could not be made unless a member that voted for the resolution had a question or wanted to change his vote. Going on, Commissioner Cormier further reminded that studies would be conducted on the redbfish and requested the Commission wait until the data was in to bring the issue up again.

Commissioner Gisclair noted in the minutes that it was not stated that it should be brought up for reconsideration of a resolution and then read an excerpt of the April minutes and felt it was not Commissioner Mialjevich's intent to reconsider the resolution. Chairman Jones asked Secretary Herring if he had a discussion with Commissioner Mialjevich on this item and then noted the definition of "permanent" was what was being addressed. Commissioner Gisclair asked if Mr. Puckett had reviewed the resolution. Mr. Mike Landrum, attending the meeting for Mr. Puckett, stated Mr. Puckett had reviewed the minutes and found no error in the minutes. Chairman Jones stated the whole discussion came down to a definition of "permanent" and asked Commissioner Gisclair is there was any action on the agenda item. Commissioner Gisclair responded no.

The **March Aircraft Report** was presented by Mr. Lee Caubarreaux. This report showed four pilots flew a total of 102.8 hours for the month. He then gave a breakdown of the number of hours each plane was flown. Also included in the report was a breakdown of the flights that occurred during the month. Commissioner Jenkins asked if the Partenavia was down due to maintenance and commented it was just an extra airplane; then asked why not give the airplane back and get something the Department can use. Chairman Jones mentioned the Department was not utilizing the resources that are available to them and, as such, tax dollars are not being spent wisely. Commissioner Jenkins asked Mr. Rackle to inform him of what the airplane could be used for; are the flights for DNR federal projects; and added he thought the plane was to be used for federal migratory bird counts and other related activities.

Commissioner Schneider asked about the Audubon Society flight and what they were doing. Chairman Jones asked if the Partenavia could be used to look at eagles, why was the 210 being used instead of the Partenavia, and explained his feelings on not utilizing tax dollars the right way. He then asked if you had to fly low and slow to look at the eagles. Commissioner Jenkins asked Mr. Tommy Prickett, if the plane was given back to the federal government, would the Department get credit for it; would the Department get the money; and suggested considering giving the plane back and use the money elsewhere. Chairman Jones asked if the plane was a maintenance nightmare and a hangar hog.

Chairman Jones then asked for **Public Comments on the 1993-94 Resident Game Hunting Season Proposals**. He stated he had received comments concerning the new area and other different areas. Then, Chairman Jones asked Mr. Tommy Prickett if the rule for hunting seasons would be ratified at the June meeting. Mr. Prickett asked Chairman Jones about a proposed change in the dates set for the new Area 7 and should a News Release be sent out with these new dates.

Alligator Harvest on Marsh Island was presented as a point of information and public notification by Mr. Johnnie Tarver. The Russell Sage Foundation works with the Department on managing wildlife on Marsh Island. Since 1981, alligators have been harvested on the island and since 1986, studies have been conducted to learn about the harvests. A project proposal which would expand the data needed for the Alligator Harvest Program was given to the Commissioners as a point of information. Mr. Tarver then requested public comments on the proposed Marsh Island hunt. There was no season on Marsh Island last year due to the price of the alligators. However, a change for this year had been made which included lowering the amount of money the Department would accept. A concurrent season would run on Salvador WMA to obtain the same type data. Chairman Jones asked for questions from the Commission and public comments and none were heard.

Mr. Harry Blanchet offered the Commission a Notice of Intent to change the **Menhaden Season**. The change was with the closure date. Right now the season closes in the middle of October and the change would have the season run through November 1. Recent years have shown a decline in the number of vessels and total effort in the menhaden fishery. The proposed change should provide an extra 5% in the harvest of menhaden. The Department expects the other coastal states to follow the same process. Chairman Jones asked for questions from the Commission. There being no questions, Commissioner Jenkins made a motion to approve the Notice of Intent and was seconded by Commissioner Schneider. Then, Chairman Jones asked for public comments and received none. The motion passed unanimously.

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

NOTICE OF INTENT

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

The Wildlife and Fisheries Commission does hereby give notice, in accordance with the Administrative Procedure Act, of its intent to promulgate a rule to amend the legal menhaden fishing season.

Title 76

WILDLIFE AND FISHERIES

Part VII. Fish and Other Aquatic Life

Chapter 3. Saltwater Sport and Commercial Fishing

§307. Menhaden Season

A. The season for the taking of menhaden as well as processing of menhaden shall be from the third Monday in April through November 1.

* * *

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:313, 56:6(25)(a) and 56:326.3.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 5:329 (October 1979), amended LR 14:547 (August 1988), amended LR 19:58 (January 1993), amended LR (September 1993).

Interested persons may submit written comments relative to the proposed rule until Thursday, July 8, 1993 to Mr. Harry Blanchet, Marine Fish Division, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000.

Bert H. Jones
Chairman

A Resolution and Notice of Intent on **Fill Material** was presented by Mrs. Janice Sharkey. She began by notifying the Commission of a change in the Notice of Intent they had been given, read the change and then explained the reason for the change. Commissioner Gisclair asked if the fees for the severance royalty had been changed, why the prices are staying the same, and how many people we are competing against on fill material. Commissioner Jenkins informed Commissioner Gisclair that the prices are in line with the industry and if collection was made, the Department would be getting a fair price for them. Chairman Jones asked how many permits there are in the State, what kind of receipts have been received from the permits, and how was the system monitored.

Mrs. Sharkey read the Therefore Be It Resolved portion of the Resolution. A motion to accept the Resolution was made by Commissioner Gisclair and seconded by Commissioner Schneider. Mrs. Sharkey noted the Fill Material program was in the process of being reorganized where only one section would be responsible for the program and would make sure all revenues due the Department are collected. Chairman Jones asked if the permitting was handled by the Environmental Section and where are most of the permits in the State. The motion passed unanimously.

A motion was made by Commissioner Jenkins to accept the Notice of Intent on Fill Material and was seconded by Commissioner Schneider. This motion also passed unanimously.

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

RESOLUTION
LOUISIANA WILDLIFE AND FISHERIES COMMISSION

STATE OWNED WATER BOTTOMS
REMOVAL OF FILL MATERIAL AND ROYALTY THEREON

WHEREAS, Most water bottoms in lakes, bays, rivers, bayous, and other streams in the State of Louisiana is property of the State, and

WHEREAS, Removal of bottom sediments from those lakes, bays, river, bayous, and other streams without permission and

compensation to the State of Louisiana is contrary to the Constitution of the State, and

WHEREAS, The Department of Wildlife and Fisheries and the Wildlife and Fisheries Commission has been given the statutory authority to regulate the removal of fill material from state owned water bottoms,

THEREFORE BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission does hereby give notice of its intent to prohibit removal of fill material from any state owned water bottom unless a permit is first issued by the Department of Wildlife and Fisheries to the person wishing to remove that fill material.

BE IT FURTHER RESOLVED that, unless exempt, a severance royalty for each cubic yard of material removed shall be paid to the State through the Department of Wildlife and Fisheries in the amounts indicated in the schedule below:

Fill Material and/or fill sand	\$.20/cubic yard
Gravel, screened and washed	\$.60/cubic yard
Gravel and sand, unscreened	\$.40/cubic yard
Sand, screened	\$.22/cubic yard

BE IT FURTHER RESOLVED that the schedule of royalty payments established by this rule shall be reviewed and may be adjusted annually.

Bert H. Jones, Chairman
Louisiana Wildlife and Fisheries
Commission

Joe L. Herring, Secretary
Louisiana Department of Wildlife
and Fisheries

NOTICE OF INTENT

Department of Wildlife and Fisheries
Wildlife And Fisheries Commission

The Wildlife and Fisheries Commission does hereby give notice of its intent to promulgate a rule to require that any person who removes or intends to remove any type of fill material from any water bottom which is property of the State of Louisiana shall be authorized to do so only upon securing a permit from the Department of Wildlife and Fisheries prior to removal of said fill. Further, any person who severs fill material from state owned water bottoms may be liable to pay to the State of Louisiana through the Department of Wildlife and Fisheries a severance royalty for each cubic yard removed in amounts set by this rule.

WILDLIFE AND FISHERIES

Part XIII. Fill Material

Chapter 1. Royalties

§101. Dredging

A. The Louisiana Department of Wildlife and Fisheries has adopted, via resolution of the Wildlife and Fisheries Commission, the following rules relative to the dredging of fill material, sand and gravel from water bottoms owned by the State of Louisiana and royalties thereon.

B. No fill material shall be dredged from state owned water bottoms unless a permit for that removal is issued by the Louisiana Department of Wildlife and Fisheries.

C. A severance royalty for each cubic yard of material removed from state owned water bottoms shall be paid to the State through the Department of Wildlife and Fisheries in the amounts indicated in the schedule below:

Fill Material and/or fill sand . . .	\$.20/cubic yard
Gravel, screened and washed . . .	\$.60/cubic yard
Gravel and sand, unscreened . . .	\$.40/cubic yard
Sand, screened	\$.22/cubic yard

Any interest and/or penalty owed on unpaid royalty shall be established by the Department in accordance with the Administrative Procedure Act.

D. No person or firm shall dredge fill material, sand or gravel from the public water bottoms of this state without a permit from the Department of Wildlife and Fisheries, the fee for which shall be set at \$25, non-refundable.

E. The extent of a single permitted site in the Mississippi River, the Atchafalaya River, the Red River, the Pearl River (not including the West Pearl), the Calcasieu River below the saltwater barrier, the Ouachita/Black River south of the confluence of Bayou Bartholomew shall not exceed one linear mile and shall not extend across the geometric center line of the stream. The extent of a single permitted site on all other streams except designated Natural and Scenic streams shall not exceed one linear half mile. Fill material, sand and gravel shall not be permitted to be removed from the water bottom of any designated Natural and Scenic River unless removal of such material is specifically allowed by statute.

F. A permit shall not be issued to an applicant who is, or who contracts for the removal of fill material with someone who is

not currently in good standing with the department. Those applicants whose fill material permit has been revoked or suspended for cause within the past 12 months, or who has an outstanding, unresolved royalty debt to the department, or who has repeatedly violated other provisions of previous permits or agreements may be deemed to not be in good standing with the Department.

G. A performance bond or irrevocable letter of Credit to run concurrently with the period of the permit, and in the amount according to the schedule below, shall accompany the application. In lieu, the entire royalty fee owed to the State may be remitted with the application.

Bond Value per volume dredged in 100 yd³

Type of Material	0 to 5 yd ³	5+to ₃ 10yd ³	10+to ₃ 50yd ³	50+to ₃ 100yd ³	100+yd ³
Fill Material and /or Fill Sand	\$1,000	\$2,000	\$10,000	\$20,000	\$.20 x total cu. yds
Sand, Screened	\$1,100	\$2,200	\$11,000	\$22,000	\$.22 x total cu. yds
Gravel and Sand, un-screened	\$2,000	\$4,000	\$20,000	\$40,000	\$.40 x total cu. yds
Gravel, screened and washed	\$3,000	\$6,000	\$30,000	\$60,000	\$.60 x total cu. yds

A certified copy of such bond must be submitted to the Department of Wildlife and Fisheries before commencement of any dredging operation.

H. Any person or firm found to be dredging without, or in violation of a validly issued permit from this department shall be subject to criminal and civil penalties pursuant to R.S. 56:2012.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:22.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission LR 19: ().

Interested persons may submit written comments relative to the proposed rule until 4:30 p.m. Thursday, July 8, 1993 to Mr. Fredrick J. Prejean, Sr., Undersecretary, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000.

Bert H. Jones
Chairman

Civil Restitution and Class 1 Update computer printouts were provided by Ms. Wynnette Kees to the Commission. She stated the figures for the month were not impressive but advised the Department was still working with the collection attorney. She advised Chairman Jones she had nothing new to report on the cases of interest to him. Chairman Jones asked Ms. Kees to remind the District Attorney about the Winn Parish case. He then requested Ms. Kees to contact the Collection Attorney and ask him to come to the next Commission Meeting and give a briefing on how the collections are going. Commissioner Schneider inquired on the status of legislation on Civil Restitution.

The **Monthly Law Enforcement Report for April** was given by Lt. Col. Charlie Clark. He informed the Commission of the status on the Civil Restitution bills that Commissioner Schneider asked about. Chairman Jones asked Mr. Clark to explain one of the bills dealing with Civil Restitution. Commissioner Schneider asked if there were any other bills associated with Civil Restitutions.

The following numbers of citations were issued during the month of April.

Region I - Minden - 43 citations from Enforcement and 2 citations from other divisions.

Region II - Monroe - 85 citations from Enforcement.

Region III - Alexandria - 117 citations from Enforcement and 16 citations from other divisions.

Region IV - Ferriday - 59 citations from Enforcement and 3 citations from other divisions.

Region V - Lake Charles - 185 citations from Enforcement and 1 citation from other divisions.

Region VI - Opelousas - 159 citations from Enforcement.

Region VII - Baton Rouge - 160 citations from Enforcement.

Region VIII - New Orleans - 167 citations from Enforcement and 4 citations from other divisions.

Region IX - Thibodaux - 240 citations from Enforcement and 7 citations from other divisions.

Oyster Strike Force - 23 citations.

Statewide Strike Force - 107 citations.

Offshore Boats - 5 citations.

The grand total of citations issued statewide for the month of April was 1,383.

Commissioner Gisclair asked, when a person is stopped on the road and found to have undersized crabs, how far back would the citations go; and are not the hauling boxes to be marked with the commercial fisherman's license number. He noted a bill passed last year that boats should have a Loran on them and are they on the boats now. Commissioner Schneider asked if there was a video on an enforcement incident that occurred in Lafitte.

Amendment to the By-Laws was presented by Commissioner Jenkins. The reason for the amendment was to prevent revisiting a particular item time after time which proved to be a waste of time for the Commissioners and others also. Commissioner Jenkins made a motion to amend Article VIII of the By-Laws and then read the amendment. Commissioner Gisclair seconded the motion. The motion passed unanimously.

Secretary's Report to the Commission was next given by Mr. Joe Herring. Meetings with the U.S. Forest Service have taken place involving 62 National Forests not being allowed to cut timber. The Kisatchie Forest in Louisiana would not be one of the areas affected by the prohibition. Chairman Jones asked about the harvesting of timber on Kisatchie, and about the primitive area on Kisatchie.

The Information & Education Section has been working on activities for the Free Fishing Days. The Catahoula District of Kisatchie National Forest really gets involved with these activities and the Department has received a lot of cooperation from them.

The Florida Bass stocking program began with stocking 139,000 fingerlings in False River, 28,000 in Vernon Lake, 25,000 in Cleco Lake, 23,000 in Chicot Lake. Dow Chemical was still working with the fingerlings they have to be stocked in the Atchafalaya Basin. The Toledo Bend striped bass program occurred during April. Number of fish produced were: 7,597,400 striped bass, 2,737,555 hybrid striped bass for a total of 10,334,955. Several Department personnel who had never seen the striped bass operation were given the opportunity to see the operation in action.

The Aquatic Plant Section sprayed approximately 1400 acres during the month.

The Department spent a lot of time at the Legislature during the month. Secretary Herring then explained a situation that occurred during a House Natural Resources Committee meeting.

The U.S. Fish and Wildlife Service had met with some southeastern states to discuss reorganization of the research

activities into one section. This could affect the Wildlife and Fisheries Unit at LSU and, at this point, Louisiana would oppose this action.

The Hunter Education Program had 3,200 volunteers who do the actual work and Secretary Herring commended all of the volunteers. This past year there were 20,200 students certified through the Hunter Education program.

The shell litigation plans have sent out notices as to where the shell would be placed.

Commissioner Jenkins suggested several items for the June Commission Meeting which included: preparing a list of any old as well as new revenue enhancing methods. He felt if the severances that were collected by the Department were updated, then the Department could run properly. Secretary Herring reminded the Commission of a Finance Committee established by the Department and asked if a Commission Member had been appointed. Chairman Jones announced that Commissioner Schneider would be the representative from the Commission on the Finance Committee.

Another item Commissioner Jenkins requested for the June Commission Meeting was a report from the District Attorney.

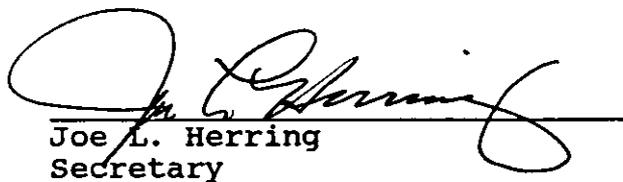
Commissioner Schneider asked Secretary Herring how the Department was doing in the legislature. Secretary Herring stated all of the Department bills had cleared the House Natural Resources Committee and some had cleared the House. Commissioner Schneider asked for an explanation of some bills for the Department of Natural Resources on dredging through shell beds.

Commissioner Vujnovich asked Enforcement about the legality of an article by Mr. Bob Marshall which stated that an oyster boat could not have a redfish on the boat. He further stated that in all his years of fishing, he had never captured a redfish while dredging for oysters.

The August 1993 Meeting Date was scheduled for August 5, 1993 in the Baton Rouge office, beginning at 10:00 a.m.

Next, Chairman Jones called for **Public Comments**. An unidentified person stated the Commission should be proud of the professionalism and the amount of information that was presented to them by the Department's staff. Chairman Jones stated the Commission acknowledged and appreciated the Department's good job.

Commissioner Jenkins made a motion to **Adjourn** the meeting and was seconded by Commissioner Gisclair.



Joe L. Herring
Secretary

JLH:sch

MINUTES OF THE MEETING
OF
LOUISIANA WILDLIFE AND FISHERIES COMMISSION

Draft
Corrections made
5/18/93 - sch

Thursday, May 6, 1993

Chairman Bert H. Jones presiding.

James H. Jenkins, Jr.
Perry Gisclair
Joseph B. Cormier
Jeff Schneider
Pete Vujnovich

Commissioner Tee John Mialjevich was not in attendance.

Secretary Joe L. Herring was also present.

Chairman Jones called for a motion for approval of the April 6, 1993, **Commission Minutes**. A motion for approval was made by Commissioner Vujnovich and seconded by Commissioner Jenkins. The motion passed unanimously.

The Declaration of Emergency for **Setting the Inshore Spring Shrimp Season** was presented by Mr. Corky Perret. He began the discussion by introducing members of the Texas Shrimp Association and Dr. Andy Kemmerer and his staff from the National Marine Fisheries Service. He then noted that at this particular meeting the staff's findings of the hydrological, environmental conditions, and shrimp conditions relative to juvenile brown shrimp would be presented by showing graphs.

These graphs included information on the Louisiana landings for years 1980 - 1992; the monthly reports of Louisiana landings for years 1987 - 1992; the average weights of Louisiana shrimp landings by species for years 1982 - 1992; Louisiana shrimp catch for years 1976 - 1992; documented offshore shrimp trawlers from North Carolina to Brownsville, Texas for 1962 - 1992; Gulf of Mexico shrimp landings for 1962 - 1992; countries where shrimp imports are coming from; license sales for Louisiana shrimp gear for 1975 - 1991; the 122 different locations along the coast where information was obtained on shrimp.

Then the discussion turned to the hydrological information that affects the spring shrimp. Information shown from the graphs included southeastern Louisiana rainfall by months; Mississippi River discharge; North and South Barataria Bay salinities; North Barataria Bay salinities for the month of April only; South Barataria Bay temperature by months; South Barataria Bay water temperature for the month of April only; April brown shrimp nursery areas by million acres for 1967 - 1993; cumulative postlarval catch

in Barataria Bay; catch/effort on brown shrimp in 6' test trawls in Barataria Bay for work weeks 14 - 18; mean size in millimeters on brown shrimp in 6' test trawls in Barataria Bay for work weeks 14 -18; brown shrimp catch/effort and size in the three zones for work week 18, 1993; a map showing the three shrimp zones; and the projected date ~~for~~ when at least 50% of the shrimp would be marketable for all three zones. Mr. Perret advised, the consensus from the biologists who have worked on this project, suggested Zones 1 & 3 to open on June 9 and Zone 2 to open on June 4; however, if open ^{ed} statewide, open on June 7.

Chairman Jones introduced Ms. Linda Mathies from the Corps of Engineers who requested time to give public information. She reminded the group of a study being done in Breton Sound and the fact they do the maintenance dredging of the Mississippi River Gulf Outlet in an attempt to create habitat. Monitoring of the dredging material was being performed to make sure it was doing what it should by releasing seabed drifters. The study would continue this year, so Ms. Mathies asked shrimpers and fishermen in the Breton Sound area to fill out a waterproof card that was attached to a drifter and return to the Corps address. The drifters would be dropped one week before shrimp season began.

Chairman Jones then asked for questions from the Commission. Commissioner Jenkins asked what was the Department's recommendation on opening the zones. Mr. Perret restated the Department's opening dates for shrimp as: statewide - June 7; or Zones 1 & 3 - June 9 and Zone 2 - June 4. However, he further stated law enforcement staff had recommended opening at 12:01 a.m. on the opening date but the technical staff had recommended 6:00 a.m. Again, Commissioner Jenkins asked if the Department was recommending a statewide opening or zone opening.

Commissioner Gisclair asked if there was a record of the least amount of days the fishermen ever had in May; ~~does not the season for Zone 2 usually run 40 to 45 days; ^{AND} commented, if ^{they} went with a June 7 opening date, you would have the shortest season on record with only a 30 day season.~~ He then advised the public attending the meeting to make their feelings known so he could know how each felt.

Commissioner Cormier asked if ^{stated} the closing dates would remain the same. Commissioner Vujnovich ~~informed~~ that in the Barataria Bay estuary, two freshwater siphons opened up and ~~that~~ the salinities had dropped, then asked if the diversions were helping or putting the fishermen out of business.

Chairman Jones then called for public comments on the setting of the 1993 spring inshore shrimp season.

Mr. Michael Trosclair, Yscloskey, Louisiana, suggested opening the season between June 4 and June 9, which would be around the

same as Alabama and Mississippi and ^{those} these boaters should stay in their own waters.

Mr. C. J. Kiefe, Chairman of ^{the} Governor's Task Force on Shrimp Management, noted the Task Force voted to open the shrimp season statewide to prevent all the boats from migrating to one area and it would also be an advantage for the producers to have a better price for their shrimp. The Task Force also recommended the season open at 6:00 a.m. or 30 minutes before sunrise. Commissioner Jenkins asked if he had a date in mind. Mr. Kiefe advised between June 1 and June 7.

Mr. Gary Mute, Lafitte, Louisiana, asked when the moon would be and if it was before June 7, if there was a guarantee on how long the season would be, could there be an exception made on the 50% or above for determining dates on brown shrimp, ^{AND} would this date be the final date. Then he noted there were a lot of unanswered questions, that it would be hard to survive with a 30 day or less season, and the fishermen would have to pay for the season and no one else suffered. Mr. Perret reiterated to the Commission and the audience that the numbers of shrimp are greatly reduced from what was normally seen at this time.

Mr. Tee Roy Bourg advised that last year on opening date the shrimp were bigger than the 80-100 count, ^{AND} the economics are bad in Golden Meadow, then requested opening the season before the first of June or by the first in Zone 2.

Mr. Ted Loupe, Chairman of the Crab Task Force, asked Mr. Perret if it would be possible for the state to allow the opening in Terrebonne Bay, Timbalier Bay, Lake Borgne and other larger bodies of water two weeks later to allow for a longer season.

^{IN} Mr. Bubbie Ruther, a processor, asked if the law still stated that you only have to give a 72 hour notice prior to opening the season, then suggested collecting data for another two weeks and meet again on the 20th to set the dates.

Mr. Pete Gericca, Lake Pontchartrain Fisherman's Association, stated his association took a vote to open the shrimp season on the latest possible date beginning at 6:00 a.m. for Zone 1. Then asked Mr. Perret why was the Department back in the Bonnet Carre Spillway system when there would be no shrimp season and the saltwater finfish would not be in their normal areas; and stated that for the last 5 years, with the dumping of the Pearl River into the Rigolets, there have been no brown shrimp of any consequence.

Mr. Darren Bullock, Lafitte, Louisiana, stated Mother Nature was a factor for everyone in setting the season, and after the meeting, Mother Nature would be the shrimpers factor; then suggested opening Zone 2 on June 4th at 6:00 a.m.

Mr. Huey Daigle recommended setting a tentative season at the meeting, and also use the May 20th date ~~by which~~ to change the dates for the season if conditions warrant a change.

Chairman Jones clarified that if some reason should occur to warrant changing the season dates after the meeting, a Special Meeting of the Commission could be called if the Department deemed it necessary.

Mr. Gene Adams pointed out that on May 20th, the moon would be coming in, and if we waited until June 7th to open the season in Zone 2, you would have missed a second moon. He also stated the shrimpers could not afford to have 2 moons pass, and if Zone 2 was not opened by June 1st, the fishermen would be looking for some type of Federal relief.

Mr. Brian Schwartz, Kenner, Louisiana, reminded the Commission that they asked Mr. Perret to open Zone 2 last year before the moon phase and he did not do it. Again this year, Mr. Schwartz asked to open the shrimp season three days before the moon phase, not on or after the moon phase. He asked Mr. Perret how fast would a shrimp grow in three days and then recommended June 1st as the opening date for shrimp season.

Mr. Dean Blanchard, Grand Isle, Louisiana, mentioned they have not seen any shrimp so far this year and agreed with the June 7th opening date. However, he continued by stating that since this was an unusual year, come back in a few weeks and look at it again.

Mr. Charles Robin, Yscloskey, Louisiana, noted it would be a bad year for the shrimp, recommended the June 7th opening date, and suggested the fishermen look for another job.

Mr. Bill Dekemel, President, East Bank Commercial Fishermen Association, began by stating several characteristics that are unique to the shrimp population and its movement in Zone 1; was very surprised the Department recommended a statewide opening date because of the fact that at least 61% of the shrimp harvested on that date would be thrown away; then recommended an opening date for Zone 1 at 6:00 a.m. between June 11 and June 14, 1993. Commissioner Jenkins asked Mr. Dekemel if he represented the majority of the fishermen in Zone 1. Mr. Dekemel continued by stating if you have a statewide opening, ~~wait until the smallest shrimp are ready to harvest and then~~ felt that opening the shrimp season this year should be by the three zones because the areas are so different. Commissioner Jenkins asked Mr. Perret if he still wanted to recommend what he said knowing what Mr. Dekemel had just reported, and then again asked Mr. Perret if he recommended a statewide opening. He

Chairman Jones restated the Department was recommending an opening date of June 9th for Zones 1 and 3 and June 4th for Zone

2. Commissioner Gisclair mentioned the Department gave the dates they wanted, but also an optional date for a statewide opening.

Mr. Gene Adams pointed out that when the zones are opened at different times, it does not become a people problem, but it does kill an area; then recommended opening the season statewide on June 7th.

Mr. Ted Loupe, Gulf Tide Seafood, stated, with the Shrimp Task Force and most fishermen wanting a statewide opening, it would be detrimental to have the different zones opening on different dates, and he again asked for a statewide opening.

Mr. Jimmy Toupe, a shrimper, asked to open the shrimp season statewide on the date recommended by the Department.

Mr. Steven Charpentier, a shrimper and member of the Shrimp Task Force, recommended ~~to go with~~ the June 7th opening date and from the report received, the shrimp should be at a marketable size before going to catch them and the season opened at the latest date possible.

added,
should be opened

Commissioner Jenkins made a motion to accept the staff's recommendation for a statewide opening at 6:00 a.m. on June 7th. Commissioner Gisclair seconded the motion. Chairman Jones called for the vote and it passed unanimously.

Then Chairman Jones asked Mr. Perret to read the Declaration of Emergency. Commissioner Jenkins asked if, in the past years, was the paragraph about the Secretary's authority also included. A motion to accept the Declaration of Emergency was made by Commissioner Jenkins and seconded by Commissioner Gisclair. The motion passed unanimously.

Mr. Perret read the Therefore Be It Resolved portion of the corresponding Resolution as requested by Chairman Jones. Commissioner Jenkins made a motion to accept the Resolution and was seconded by Commissioner Gisclair. This motion also passed unanimously.

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

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

In accordance with the emergency provisions of R.S. 49:953(B) of the Administrative Procedure Act, R.S. 49:967 and 56:497, the

Wildlife and Fisheries Commission hereby finds that an imminent peril to the public welfare exists and accordingly adopts the following emergency rule:

The Wildlife and Fisheries Commission does hereby:

1. Set the 1993 spring inshore shrimp season to open as follows:
 - a. In Zone 1, that portion of Louisiana's inside waters, as described in R.S. 56:495, from the Louisiana/Mississippi state line to South Pass of the Mississippi River, and
 - b. In Zone 2, that portion of Louisiana's inside waters, as described in R.S. 56:495, from South Pass of the Mississippi River to the western shore of Vermilion Bay and Southwest Pass at Marsh Island, and
 - c. In Zone 3, that portion of Louisiana's inside waters, as described in R.S. 56:495, from the western shore of Vermilion Bay and Southwest Pass at Marsh Island to the Louisiana/Texas state line at 6:00 a.m. on June 7, 1993.
2. Authorize and empower the Secretary of the Department of Wildlife and Fisheries to change the opening date or close the 1993 spring inshore shrimp season in any area or Zone when the Marine Fisheries Division certifies that the biological and technical data indicates the need to do so.

The Commission finds that shrimp in these zones are projected to be of legal size count and will meet the management criteria by the opening dates of the season.

Bert H. Jones
Chairman

RESOLUTION

Adopted by the Wildlife and Fisheries Commission at its regular meeting on May 6, 1993 in New Orleans, Louisiana, relative to the 1993 spring inshore shrimp season.

WHEREAS, R.S. 56:497 provides that the Wildlife and Fisheries Commission shall fix no less than two open shrimp seasons each year for all inside waters, and

WHEREAS, R.S. 56:497 further states these shrimp seasons shall be opened by Zone, and

WHEREAS, R.S. 56:497 further states these shrimp seasons shall be based upon biological and technical data, and

WHEREAS, the Wildlife and Fisheries Commission has reviewed in public the biological and technical data presented by the Department of Wildlife and Fisheries on shrimp populations and environmental conditions present in Louisiana's coastal waters during the spring of 1993, and

WHEREAS, the Wildlife and Fisheries Commission has received public testimony relative to this biological and technical data as well as other factors relative to the 1993 spring inshore shrimp season, now

THEREFORE BE IT RESOLVED, the Wildlife and Fisheries Commission does hereby:

1. Set the 1993 spring inshore shrimp season to open as follows:
 - a. In Zone 1, that portion of Louisiana's inside waters, as described in R.S. 56:495, from the Louisiana/Mississippi state line to South Pass of the Mississippi River, and
 - b. In Zone 2, that portion of Louisiana's inside waters, as described in R.S. 56:495, from South Pass of the Mississippi River to the western shore of Vermilion Bay and Southwest Pass at Marsh Island, and
 - c. In Zone 3, that portion of Louisiana's inside waters, as described in R.S. 56:495, from the western shore of Vermilion Bay and Southwest Pass at Marsh Island to the Louisiana/Texas state line at 6:00 a.m. on June 7, 1993.
2. Authorize and empower the Secretary of the Department of Wildlife and Fisheries to change the opening date or close the 1993 spring inshore shrimp season in any area or Zone when the Marine Fisheries Division certifies that the biological and technical data indicates the need to do so.

Bert H. Jones, Chairman
Louisiana Wildlife & Fisheries
Commission

Joe L. Herring, Secretary
Louisiana Department of Wildlife
& Fisheries

TED's Information Presentation began with Mr. Corky Perret reminding everyone that changes in the TED's regulations would

occur in the future. Commissioner Mialjevich and the Shrimp Task Force invited Dr. Andy Kemmerer, Regional Director, National Marine Fisheries Service, St. Petersburg, Florida and his staff to the meeting to explain some of the new regulations on TED's.

Dr. Andy Kemmerer thanked everyone for the invitation to the meeting and then introduced the members of his staff that were present. Dr. Kemmerer stated he would be explaining the new changes in the TED regulations. The law on TED's and tow times was to stop activities that were killing the threatened and/or endangered species. In December, 1992 the new TED regulations required shrimpers to comply with sea turtle conservation for the full 12 months throughout the Atlantic Coast and Gulf of Mexico. The tow times have been changed and are measured from the time the doors enter the water until they leave the water. For nets that do not have doors, tow time is measured from the time any part of the net goes into the water. From April 1 through October 31, the tow time is 55 minutes; and then 75 minutes from November 1 through March 31. The soft TED's criteria had to be just as described in the law, however, the hard TED's had a lot more flexibility.

Beginning January 1, 1994, all shrimp ^{is} trawlers offshore ^{have} had to have a TED installed in each net that was rigged for fishing. The intent was for shore sight enforcement. In inshore waters, all shrimp trawlers, with limited exceptions, must have an improved TED installed in each net rigged for fishing except those with a head rope length of less than 35' and a foot rope length of less than 44'. This exemption on 35' trawls would be lifted December 1, 1994. If you do not have a mechanical retrieval system on your boat, you are exempted from having to use a TED, but you still must abide by the tow times. Bait shrimpers are exempted if they have a circulating seawater system, if they have no more than 32 ^{bait} pounds of dead shrimp on board and if they have a state boat shrimp license if required. Pusher head trawls, skimmer nets and wing nets are exempted from using TED's.

The tri-net with head rope lengths of less than 20', if used as intended, was not required to have a TED and does not have to follow the tow time requirement. A beam and roller trawl was exempted as long as it had a rigid frame mouth with bars across that are no more than four inches apart. All shrimpers that have at least 90% raw red shrimp on board do not have to abide by tow times or use TED's.

Dr. Kemmerer also ^{stated} ~~informed~~ that the Assistant Administrator or the Director of the National Marine Fisheries Service can substitute tow times in lieu of TED's if environmental conditions occur and if there was evidence TED's would not work in an area, and if TED's are shown to be ineffective for protecting turtles. Also, the Assistant Administrator can restrict fishing activities if TED's or tow times are not protecting turtles in an area.

Other points shrimpers must adhere to include: ~~resuscitating~~ ^{ix} a turtle if found comatose and ~~may be kept for up to 24 hours on board a vessel~~; must comply with directions from authorized enforcement officers; and TED's can not be sold, bartered or traded that ~~does~~ not meet certain standards.

Mr. Mike Trosclair, Yscloskey, Louisiana, asked if a log should be kept on the 55 minute tow times.

Mr. Bill Dekemel asked the Commission to pass a resolution requesting the National Marine Fisheries Service to suspend TED's in lieu of tow times in Louisiana due to the three major storm systems that have passed because of an excessive amount of crab traps lost in these storms.

Commissioner Gisclair asked Dr. Kemmerer if he was aware of the number of crab traps lost in inside waters, then stated there was an 80 to 90% wipe out on the bottom of the Gulf in addition to the debris from Hurricane Andrew. Dr. Kemmerer stated in order for the restriction to be suspended, the problem would have to be clearly demonstrated and the tow times would have to be strictly enforced.

An unidentified lady reminded Dr. Kemmerer of documentation from a trip made by the National Marine Fisheries Service and the Extension Service that pulled two trawls. On one side there was a trawl that had a TED and a crab trap in it which lost 48% of the shrimp; and the other trawl, that did not have a TED but had a crab trap in it, only lost 10% of its shrimp.

Mr. C. J. Kiefe asked about the proper angles that are required for the different TED's; how would the National Marine Fisheries Service measure the width on the bibs; a problem with a gray TED being used that was 28" along the bottom and the fact the required cut was longer than the grill that would prevent the turtles from going into the bag. Then, Mr. Kiefe expressed his appreciation for allowing the use of zippers to get rid of debris in the nets.

Another unidentified person told Dr. Kemmerer he brought a TED with him to the meeting and asked if they could check it to see if the panel was installed properly.

Mr. George Barisich, member of the Shrimp Task Force and a representative for St. Bernard Parish, asked what criteria was used to move up the effective date two years to December 1, 1992 for using TED's in inshore waters since fishermen like himself would stand to loose a great deal of money.

Dr. Kemmerer advised he would stay through lunch and answer questions that were asked and thanked the Commission for allowing the time he was given.

After lunch, Chairman Jones noted the next agenda item as **Reconsideration of Resolution in the Minutes of February 25, 1993**, and was put on by Commissioner Mialjevich who was absent from the meeting. Commissioner Gisclair asked that the item be placed on the next meeting's agenda, stated he thought the problem was where the resolution read the Louisiana Legislature permanently established and that the Act did not permanently establish redbfish as a gamefish.

Commissioner Jenkins agreed with Commissioner Gisclair on what he thought Commissioner Mialjevich's problem was, and reminded them the minutes were correct, the Whereas's were a history of the redbfish issue, the word "permanent" was put in to distinguish it from the sunset provision and requested to dispose of the item at this meeting. Commissioner Gisclair understood from the last meeting that the minutes were accepted except for those that dealt with the resolution. Commissioner Jenkins advised Mr. Puckett clarified the minutes were correct at the last meeting. Commissioner Gisclair requested, as a courtesy to Commissioner Mialjevich, to wait and discuss the item at the next meeting. Commissioner Jenkins wanted to move on with the agenda item and stated if Commissioner Mialjevich wanted to discuss it again, he could do so. But, Commissioner Gisclair reminded that with the amending of the By-Laws, it would take a 2/3 vote and made a motion to put the item on the next meeting's agenda. Commissioner Vujnovich seconded the motion.

Chairman Jones restated the motion and asked Mr. Landrum if the motion followed the Roberts Rules of Order and was advised it did not. Commissioner Cormier felt that legally reconsideration of the resolution could not be made unless a member that voted for the resolution had a question or wanted to change his vote. Going on, Commissioner Cormier further reminded that studies would be conducted on the redbfish and requested the Commission wait until the data was in to bring the issue up again.

Commissioner Gisclair noted in the minutes that it was not stated that it should be brought up for reconsideration of a resolution and then read an excerpt of the April minutes and felt it was not Commissioner Mialjevich's intent to reconsider the resolution. Chairman Jones asked Secretary Herring if he had a discussion with Commissioner Mialjevich on this item and then noted the definition of "permanent" was what was being addressed. Commissioner Gisclair asked if Mr. Puckett had reviewed the resolution. Mr. Mike Landrum, attending the meeting for Mr. Puckett, stated Mr. Puckett had reviewed the minutes and found no error in the minutes. Chairman Jones stated the whole discussion came down to a definition of "permanent" and asked Commissioner Gisclair is there was any action on the agenda item. Commissioner Gisclair responded no.

The **March Aircraft Report** was presented by Mr. Lee Caubarreaux. This report showed four pilots flew a total of 102.8 hours for the month, then gave a breakdown of the number of hours each plane was flown. Also included in the report was a breakdown of the flights that occurred during the month. Commissioner Jenkins asked if the Partenavia was down due to maintenance and commented it was just an extra airplane; then asked why not give the airplane back and get something the Department can use. Chairman Jones mentioned the Department was not utilizing the resources that are available to them and, as such, tax dollars are not being spent wisely. Commissioner Jenkins asked Mr. Rackle to inform him of what the airplane could be used for; are the flights for DNR federal projects; and thought the plane was to be used for federal migratory bird counts and other related activities.

He

Added he

Commissioner Schneider asked about the Audubon Society flight and what were they doing. Chairman Jones asked if the Partenavia could be used to look at eagles, why was the 210 being used instead of the Partenavia, and explained his feelings on not utilizing tax dollars the right way. He then asked if you had to fly low and slow to look at the eagles. Commissioner Jenkins asked Mr. Tommy Prickett, if the plane was given back to the federal government, would the Department get credit for it; would the Department get the money; and suggested considering giving the plane back and use the money elsewhere. Chairman Jones asked if the plane was a maintenance nightmare and a hangar hog.

Chairman Jones then asked for **Public Comments on the 1993-94 Resident Game Hunting Season Proposals**. He stated he had received comments concerning the new area and other different areas. Then, Chairman Jones asked Mr. Tommy Prickett if the rule for hunting seasons would be ratified at the June meeting. Mr. Prickett asked Chairman Jones about a proposed change in the dates set for the new Area 7 and should a News Release be sent out with these new dates.

ON **Alligator Harvest on Marsh Island** was presented as a point of information and public notification by Mr. Johnnie Tarver. The Russell Sage Foundation works with the Department on managing wildlife on Marsh Island. Since 1981, alligators have been harvested off the island and since 1986, studies have been conducted to learn about the harvests. A project proposal which would expand the data needed for the Alligator Harvest Program was given to the Commissioners as a point of information. Mr. Tarver then requested public comments on the proposed Marsh Island hunt. There was no season on Marsh Island last year due to the price of the alligators. However, a change for this year had been made which included lowering the amount of money the Department would accept. A concurrent season would run on Salvador WMA to obtain the same type data. Chairman Jones asked for questions from the Commission and public comments and none were heard.

Mr. Harry Blanchet offered the Commission a Notice of Intent to change the **Menhaden Season**. The change was with the closure date. Right now the season closes in the middle of October and the change would have the season run through November 1. Recent years have shown a decline in the number of vessels and total effort in the menhaden fishery. The proposed change should provide an extra 5% in the harvest of menhaden. The Department expects the other coastal states to follow the same process. Chairman Jones asked for questions from the Commission. There being no questions, Commissioner Jenkins made a motion to approve the Notice of Intent and was seconded by Commissioner Schneider. Then, Chairman Jones asked for public comments and received none. The motion passed unanimously.

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

NOTICE OF INTENT

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

The Wildlife and Fisheries Commission does hereby give notice, in accordance with the Administrative Procedure Act, of its intent to promulgate a rule to amend the legal menhaden fishing season.

Title 76

WILDLIFE AND FISHERIES

Part VII. Fish and Other Aquatic Life

Chapter 3. Saltwater Sport and Commercial Fishing

§307. Menhaden Season

A. The season for the taking of menhaden as well as processing of menhaden shall be from the third Monday in April through November 1.

* * *

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:313, 56:6(25)(a) and 56:326.3.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 5:329 (October 1979), amended LR 14:547 (August 1988), amended LR 19:58 (January 1993), amended LR (September 1993).

Interested persons may submit written comments relative to the proposed rule until Thursday, July 8, 1993 to Mr. Harry Blanchet, Marine Fish Division, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000.

Bert H. Jones
Chairman

A Resolution and Notice of Intent on **Fill Material** was presented by Mrs. Janice Sharkey. She began by notifying the Commission of a change in the Notice of Intent they had been given, read the change and then explained the reason for the change. Commissioner Gisclair asked if the fees for the severance royalty had been changed, why the prices are staying the same, *AND* how many people we are competing against on fill material. Commissioner Jenkins informed Commissioner Gisclair that the prices are in line with the industry and if collection was made, the Department would be getting a fair price for them. Chairman Jones asked how many permits are there in the State, what kind of receipts have been received from the permits, and how was the system monitored.

Mrs. Sharkey read the Therefore Be It Resolved portion of the Resolution. A motion to accept the Resolution was made by Commissioner Gisclair and seconded by Commissioner Schneider. Mrs. Sharkey noted the Fill Material program was in the process of being reorganized where only one section would be responsible for the program and would make sure all revenues due the Department are collected. Chairman Jones asked if the permitting was handled by the Environmental Section and where are most of the permits in the State. The motion passed unanimously.

A motion was made by Commissioner Jenkins to accept the Notice of Intent on Fill Material and was seconded by Commissioner Schneider. This motion also passed unanimously.

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

RESOLUTION
LOUISIANA WILDLIFE AND FISHERIES COMMISSION

STATE OWNED WATER BOTTOMS
REMOVAL OF FILL MATERIAL AND ROYALTY THEREON

WHEREAS, Most water bottoms in lakes, bays, rivers, bayous, and other streams in the State of Louisiana is property of the State, and

WHEREAS, Removal of bottom sediments from those lakes, bays, river, bayous, and other streams without permission and

compensation to the State of Louisiana is contrary to the Constitution of the State, and

WHEREAS, The Department of Wildlife and Fisheries and the Wildlife and Fisheries Commission has been given the statutory authority to regulate the removal of fill material from state owned water bottoms,

THEREFORE BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission does hereby give notice of its intent to prohibit removal of fill material from any state owned water bottom unless a permit is first issued by the Department of Wildlife and Fisheries to the person wishing to remove that fill material.

BE IT FURTHER RESOLVED that, unless exempt, a severance royalty for each cubic yard of material removed shall be paid to the State through the Department of Wildlife and Fisheries in the amounts indicated in the schedule below:

Fill Material and/or fill sand . . .	\$.20/cubic yard
Gravel, screened and washed . . .	\$.60/cubic yard
Gravel and sand, unscreened . . .	\$.40/cubic yard
Sand, screened	\$.22/cubic yard

BE IT FURTHER RESOLVED that the schedule of royalty payments established by this rule shall be reviewed and may be adjusted annually.

Bert H. Jones, Chairman
Louisiana Wildlife and Fisheries
Commission

Joe L. Herring, Secretary
Louisiana Department of Wildlife
and Fisheries

NOTICE OF INTENT

Department of Wildlife and Fisheries
Wildlife And Fisheries Commission

The Wildlife and Fisheries Commission does hereby give notice of its intent to promulgate a rule to require that any person who removes or intends to remove any type of fill material from any water bottom which is property of the State of Louisiana shall be authorized to do so only upon securing a permit from the Department of Wildlife and Fisheries prior to removal of said fill. Further, any person who severs fill material from state owned water bottoms may be liable to pay to the State of Louisiana through the Department of Wildlife and Fisheries a severance royalty for each cubic yard removed in amounts set by this rule.

Title 76

WILDLIFE AND FISHERIES

Part XIII. Fill Material

Chapter 1. Royalties

§101. Dredging

A. The Louisiana Department of Wildlife and Fisheries has adopted, via resolution of the Wildlife and Fisheries Commission, the following rules relative to the dredging of fill material, sand and gravel from water bottoms owned by the State of Louisiana and royalties thereon.

B. No fill material shall be dredged from state owned water bottoms unless a permit for that removal is issued by the Louisiana Department of Wildlife and Fisheries.

C. A severance royalty for each cubic yard of material removed from state owned water bottoms shall be paid to the State through the Department of Wildlife and Fisheries in the amounts indicated in the schedule below:

Fill Material and/or fill sand . . .	\$.20/cubic yard
Gravel, screened and washed . . .	\$.60/cubic yard
Gravel and sand, unscreened . . .	\$.40/cubic yard
Sand, screened	\$.22/cubic yard

Any interest and/or penalty owed on unpaid royalty shall be established by the Department in accordance with the Administrative Procedure Act.

D. No person or firm shall dredge fill material, sand or gravel from the public water bottoms of this state without a permit from the Department of Wildlife and Fisheries, the fee for which shall be set at \$25, non-refundable.

E. The extent of a single permitted site in the Mississippi River, the Atchafalaya River, the Red River, the Pearl River (not including the West Pearl), the Calcasieu River below the saltwater barrier, the Ouachita/Black River south of the confluence of Bayou Bartholomew shall not exceed one linear mile and shall not extend across the geometric center line of the stream. The extent of a single permitted site on all other streams except designated Natural and Scenic streams shall not exceed one linear half mile. Fill material, sand and gravel shall not be permitted to be removed from the water bottom of any designated Natural and Scenic River unless removal of such material is specifically allowed by statute.

F. A permit shall not be issued to an applicant who is, or who contracts for the removal of fill material with someone who is

not currently in good standing with the department. Those applicants whose fill material permit has been revoked or suspended for cause within the past 12 months, or who has an outstanding, unresolved royalty debt to the department, or who has repeatedly violated other provisions of previous permits or agreements may be deemed to not be in good standing with the Department.

G. A performance bond or irrevocable letter of Credit to run concurrently with the period of the permit, and in the amount according to the schedule below, shall accompany the application. In lieu, the entire royalty fee owed to the State may be remitted with the application.

(INSERT TABLE FROM CATHY'S COMPUTER!)

A certified copy of such bond must be submitted to the Department of Wildlife and Fisheries before commencement of any dredging operation.

H. Any person or firm found to be dredging without, or in violation of a validly issued permit from this department shall be subject to criminal and civil penalties pursuant to R.S. 56:2012.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:22.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission LR 19: ().

Interested persons may submit written comments relative to the proposed rule until 4:30 p.m. Thursday, July 8, 1993 to Mr. Fredrick J. Prejean, Sr., Undersecretary, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000.

Bert H. Jones
Chairman

Civil Restitution and Class 1 Update computer printouts were provided by Ms. Wynnette Kees to the Commission. *she stated* The figures for the month were not impressive but advised the Department was still working with the collection attorney. She advised Chairman Jones she had nothing new to report on the cases of interest to him. Chairman Jones asked Ms. Kees to remind the District Attorney about the Winn Parish case. He then requested Ms. Kees to contact the Collection Attorney and ask him to come to the next Commission Meeting and give a briefing on how the collections are going. Commissioner Schneider inquired on the status of legislation on Civil Restitution.

The **Monthly Law Enforcement Report for April** was given by Lt. Col. Charlie Clark. He informed the Commission of the status on the Civil Restitution bills that Commissioner Schneider asked about. Chairman Jones asked Mr. Clark to explain one of the bills

dealing with Civil Restitution. Commissioner Schneider asked if there were any other bills associated with Civil Restitutions.

The following numbers of citations were issued during the month of April.

Region I - Minden - 43 citations from Enforcement and 2 citations from other divisions.

Region II - Monroe - 85 citations from Enforcement.

Region III - Alexandria - 117 citations from Enforcement and 16 citations from other divisions.

Region IV - Ferriday - 59 citations from Enforcement and 3 citations from other divisions.

Region V - Lake Charles - 185 citations from Enforcement and 1 citation from other divisions.

Region VI - Opelousas - 159 citations from Enforcement.

Region VII - Baton Rouge - 160 citations from Enforcement.

Region VIII - New Orleans - 167 citations from Enforcement and 4 citations from other divisions.

Region IX - Thibodaux - 240 citations from Enforcement and 7 citations from other divisions.

Oyster Strike Force - 23 citations.

Statewide Strike Force - 107 citations.

Offshore Boats - 5 citations.

The grand total of citations issued statewide for the month of April was 1,383.

and Commissioner Gisclair asked when a person ^{is} stopped on the road and found to have undersized crabs, how far back would the citations go; are not the hauling boxes to be marked with the commercial fisherman's license numbers *He Noted* a bill passed last year that boats should have a Loran on them and are they on the boats now. Commissioner Schneider asked if there was a video on an incident *ENFORCEMENT* that occurred in Lafitte.

Amendment to the By-Laws was presented by Commissioner Jenkins. The reason for the amendment was to prevent revisiting a particular item time after time which proved to be a waste of time for the Commissioners and others also. Commissioner Jenkins made a motion to amend Article VIII of the By-Laws and then read

the amendment. Commissioner Gisclair seconded the motion. The motion passed unanimously.

Secretary's Report to the Commission was next given by Mr. Joe Herring. Meetings with the U.S. Forest Service have taken place involving 62 National Forests not being allowed to cut timber. The Kisatchie Forest in Louisiana would not be one of the areas affected by the prohibition. Chairman Jones asked about the harvesting of timber on Kisatchie, and about the primitive area on Kisatchie.

The Information & Education Section has been working on activities for the Free Fishing Days. The Catahoula District of Kisatchie National Forest really gets involved with these activities and the Department has received a lot of cooperation from them.

The Florida Bass stocking program began with stocking 139,000 fingerlings in False River, 28,000 in Vernon Lake, 25,000 in Cleco Lake, 23,000 in Chicot Lake, and Dow Chemical was still working with the fingerlings they have to be stocked in the Atchafalaya Basin. The Toledo Bend striped bass program occurred during April. Number of fish produced were: 7,597,400 striped bass, 2,737,555 hybrid striped bass for a total of 10,334,955. Several Department personnel who had never seen the striped bass operation *were* given the opportunity to see the operation in action.

The Aquatic Plant Section sprayed approximately 1400 acres during the month.

The Department spent a lot of time at the Legislature during the month. Secretary Herring then explained ~~of~~ a situation that occurred during a House Natural Resources Committee meeting.

The U.S. Fish and Wildlife Service had met with some southeastern states to discuss reorganization of the research ~~part~~ *activities* into one section. This could affect the Wildlife and Fisheries Unit at LSU and at this point, Louisiana would oppose this action.

The Hunter Education Program had 3,200 volunteers who do the actual work and Secretary Herring commended all of the volunteers. This past year there were 20,200 students certified through the Hunter Education program.

The shell litigation plans have sent out notices as to where the shell would be placed.

Commissioner Jenkins suggested several items for the June Commission Meeting which included: preparing a list of any old as well as new revenue enhancing methods. He felt if the severances that were collected by the Department were updated, then the Department could run properly. Secretary Herring reminded the

Commission of a Finance Committee established by the Department and asked if a Commission Member had been appointed. Chairman Jones announced that Commissioner Schneider would be the representative from the Commission on the Finance Committee.

Another item Commissioner Jenkins requested for the June Commission Meeting was a report from the District Attorney.

Commissioner Schneider asked Secretary Herring how the Department was doing in the legislature. Secretary Herring stated all of the Department bills had cleared the House Natural Resources Committee and some had cleared the House. Commissioner Schneider asked for an explanation of some bills for the Department of Natural Resources on dredging through shell beds.

Commissioner Vujnovich asked Enforcement about the legality of an article by Mr. Bob Marshall which stated that an oyster boat could not have a redfish on the boat. He further stated that in all his years of fishing, he had never captured a redfish while dredging for oysters.

The **August 1993 Meeting Date** was scheduled for August 5, 1993 in the Baton Rouge office, beginning at 10:00 a.m.

Next, Chairman Jones called for **Public Comments**. An unidentified person stated the Commission should be proud of the professionalism and the amount of information that was presented to them by the Department's staff. Chairman Jones stated the Commission acknowledged and appreciated the Department's good job.

Commissioner Jenkins made a motion to **Adjourn** the meeting and was seconded by Commissioner Gisclair.

Joe L. Herring
Secretary

JLH:sch

COMMISSION MEETING
ROLL CALL

Thursday, May 6, 1993
Metairie, LA
Landmark Hotel

	Attended	Absent
Bert Jones (Chairman)	<u>✓</u>	—
Jimmy Jenkins	<u>✓</u>	—
Perry Gisclair	<u>✓</u>	—
Tee John Mialjevich	—	<u>✓</u>
Joseph Cormier	<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
LANDMARK HOTEL, METAIRIE, LA
May 6, 1993
10:00 AM

- ✓1. Roll Call
- ✓2. Approval of Minutes of April 6, 1993
- ✓3. Declaration of Emergency - Setting Inshore Spring Shrimp Season - Corky Perret
- ✓4. Reconsideration of Resolution in the Minutes of February 25, 1993 - Tee John Mialjevich
- ✓5. NMFS - TED's Information Presentation - Tee John Mialjevich
- ✓6. Aircraft Report - Lee Caubarreaux
- ✓7. Public Comments - 1993-94 Resident Game Hunting Season Proposals
- ✓8. Alligator Harvest on Marsh Island (Point of Information and Public Notification) - Johnnie Tarver
- ✓9. Notice of Intent - Menhaden Season - Harry Blanchet
- ✓10. Notice of Intent - Fill Material - Janice Sharkey
- ✓11. Civil Restitution and Class 1 Update - Wynnette Kees
- ✓12. Monthly Law Enforcement Report/April - Winton Vidrine
- ✓13. Amend By-Laws - Jimmy Jenkins
- ✓14. Secretary's Report to the Commission - Joe Herring
- ✓15. Set August 1993 Meeting Date
16. Public Comments

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- 4-257 4. Reconsideration of Resolution in the Minutes of February 25, 1993 - Tee John Mialjevich
- 3-268 5. NMFS - TED's Information Presentation - Tee John Mialjevich
LUNCH
- 4-252 — 6. Aircraft Report - Lee Caubarreaux
4-440 —
- 4-560 — 7. Public Comments - 1993-94 Resident Game Hunting Season Proposals
- 4-596 — 8. Alligator Harvest on Marsh Island (Point of Information and Public Notification) - Johnnie Tarver
5-001 —
- 5-077 — 9. Notice of Intent - Menhaden Season - Harry Blanchet
- 5-150 — 10. Notice of Intent - Fill Material - Janice Sharkey
- 5-264 — 11. Civil Restitution and Class 1 Update - Wynnette Kees
- 5-335 — 12. Monthly Law Enforcement Report/April - Winton Vidrine
- 5-534 — 13. Amend By-Laws - Jimmy Jenkins
- 5-567 — 14. Secretary's Report to the Commission - Joe Herring
- 6-288 15. Set August 1993 Meeting Date
- 6-301 16. Public Comments

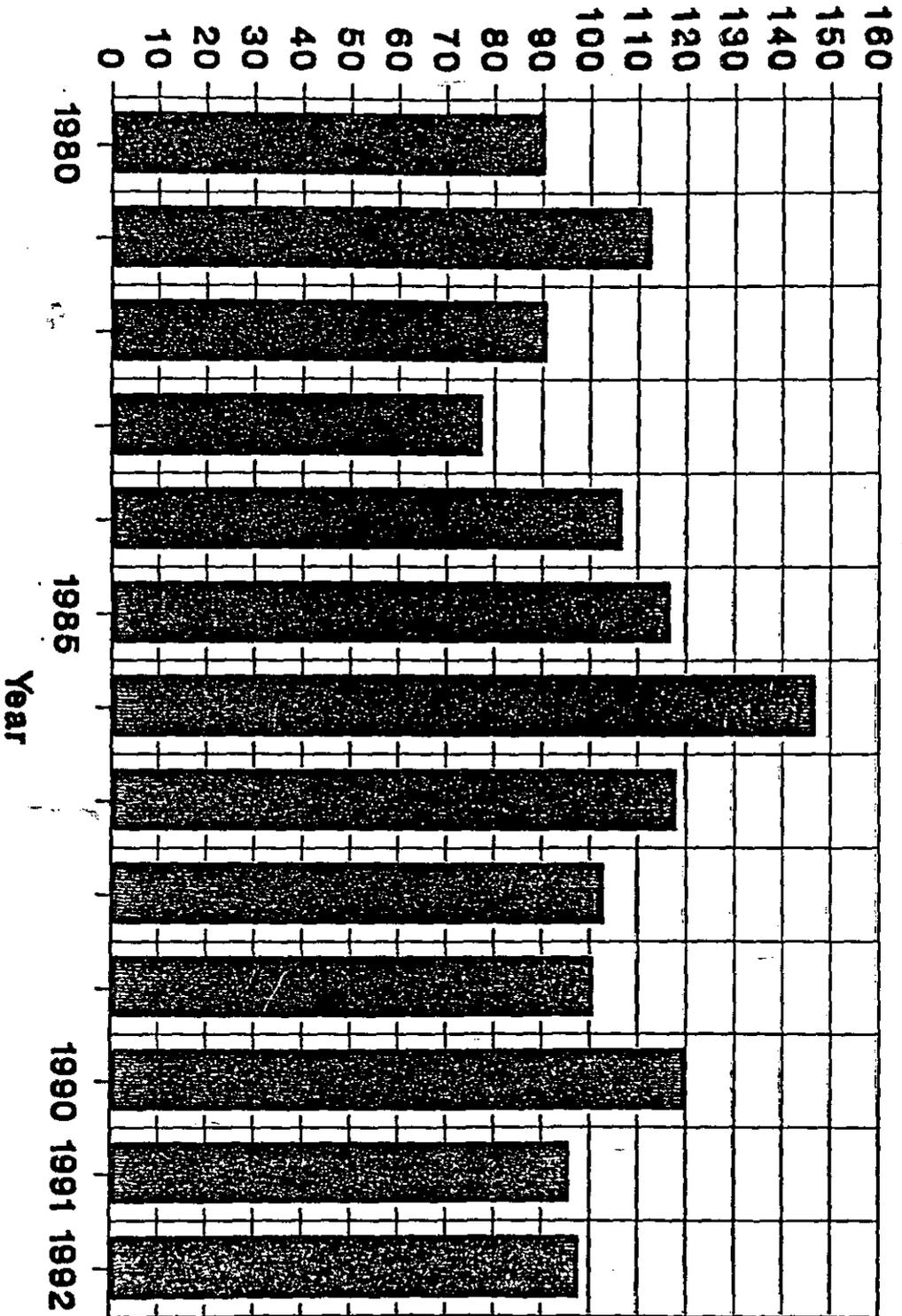
MARINE FISHERIES DIVISION



ANNUAL SPRING SHRIMP PRESENTATION

1993

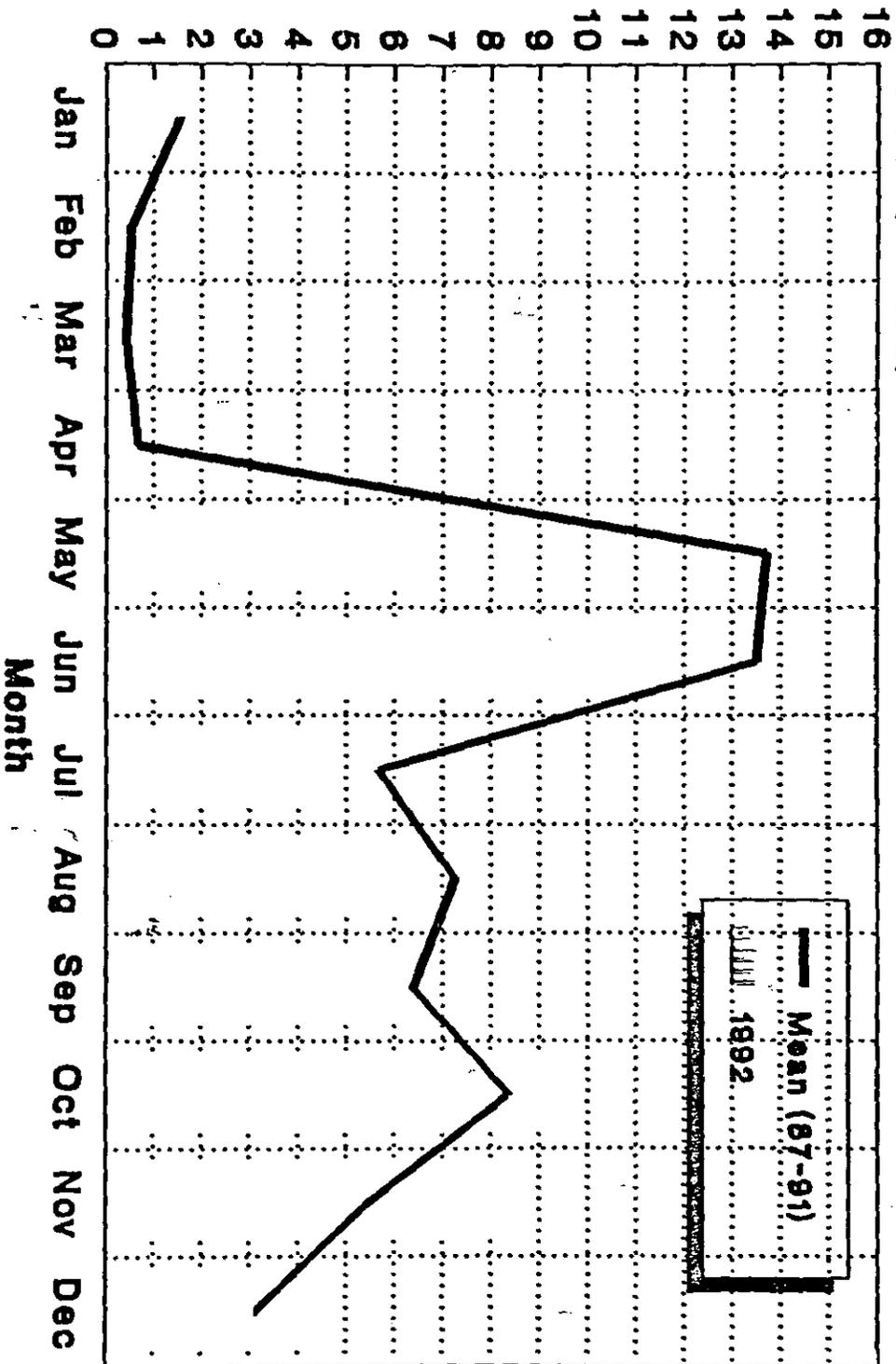
Louisiana Shrimp Landings (Live Weight/Heads-on)



Source: NMFS

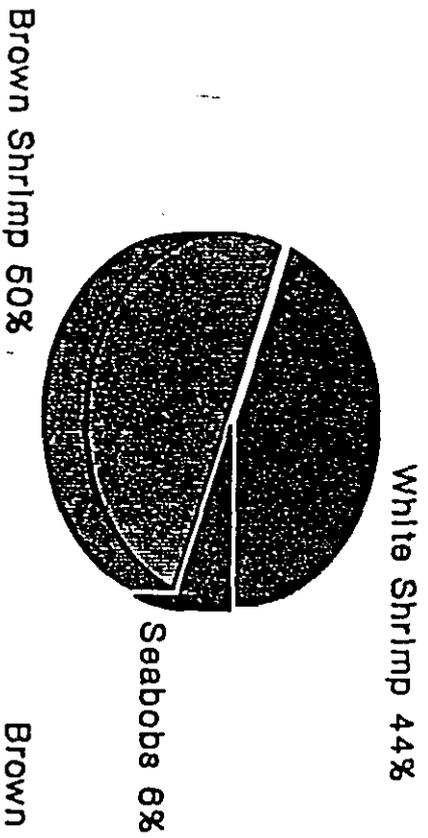
Louisiana Landings

Pounds (Millions)

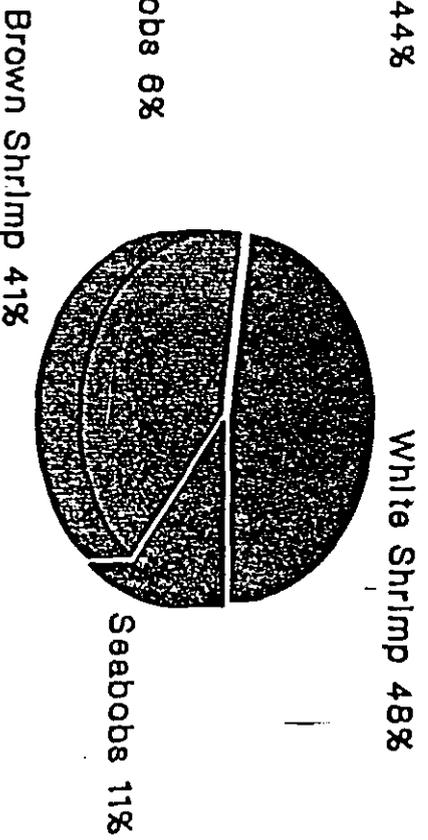


Preliminary from
NMFS SHRIMP STATISTICS

LOUISIANA SHRIMP LANDINGS WEIGHT BY SPECIES



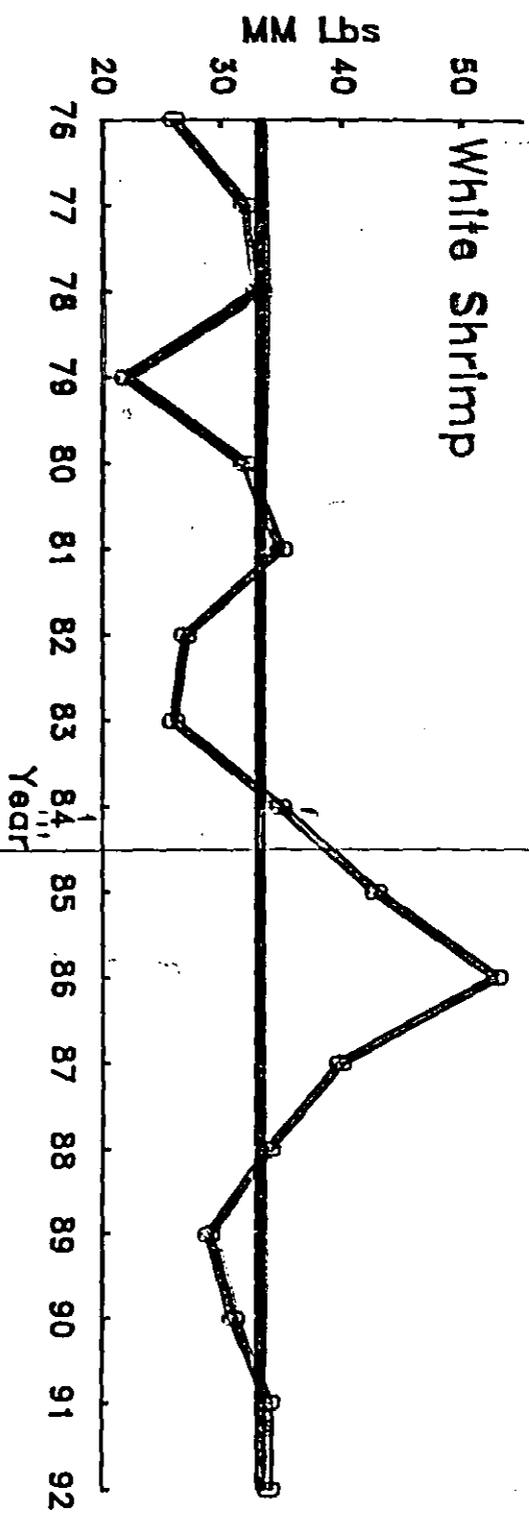
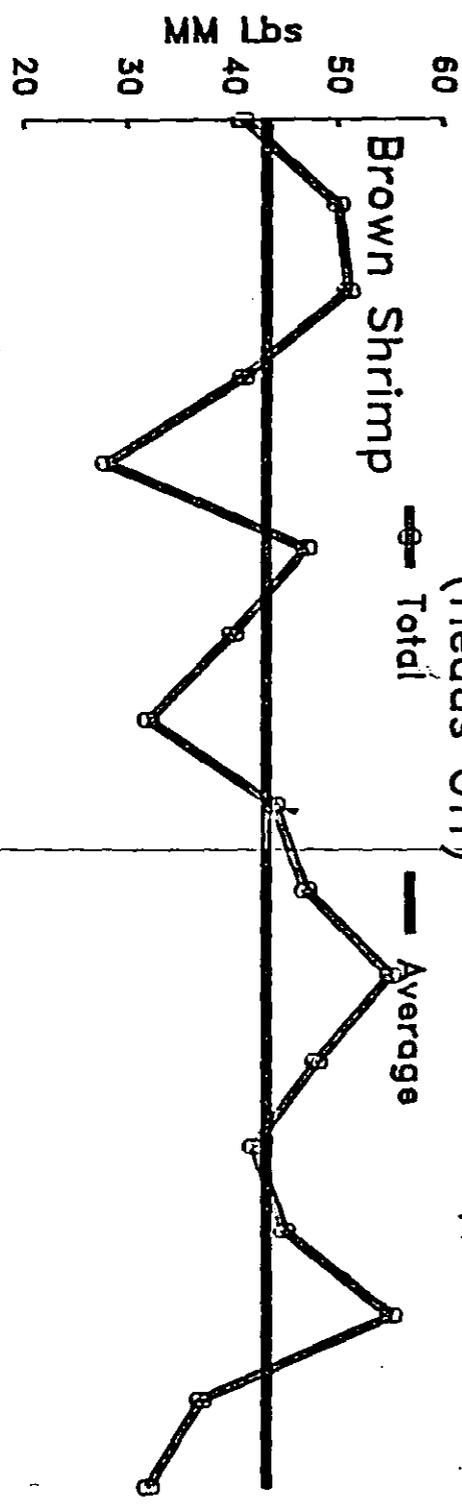
Average 1982 - 1991



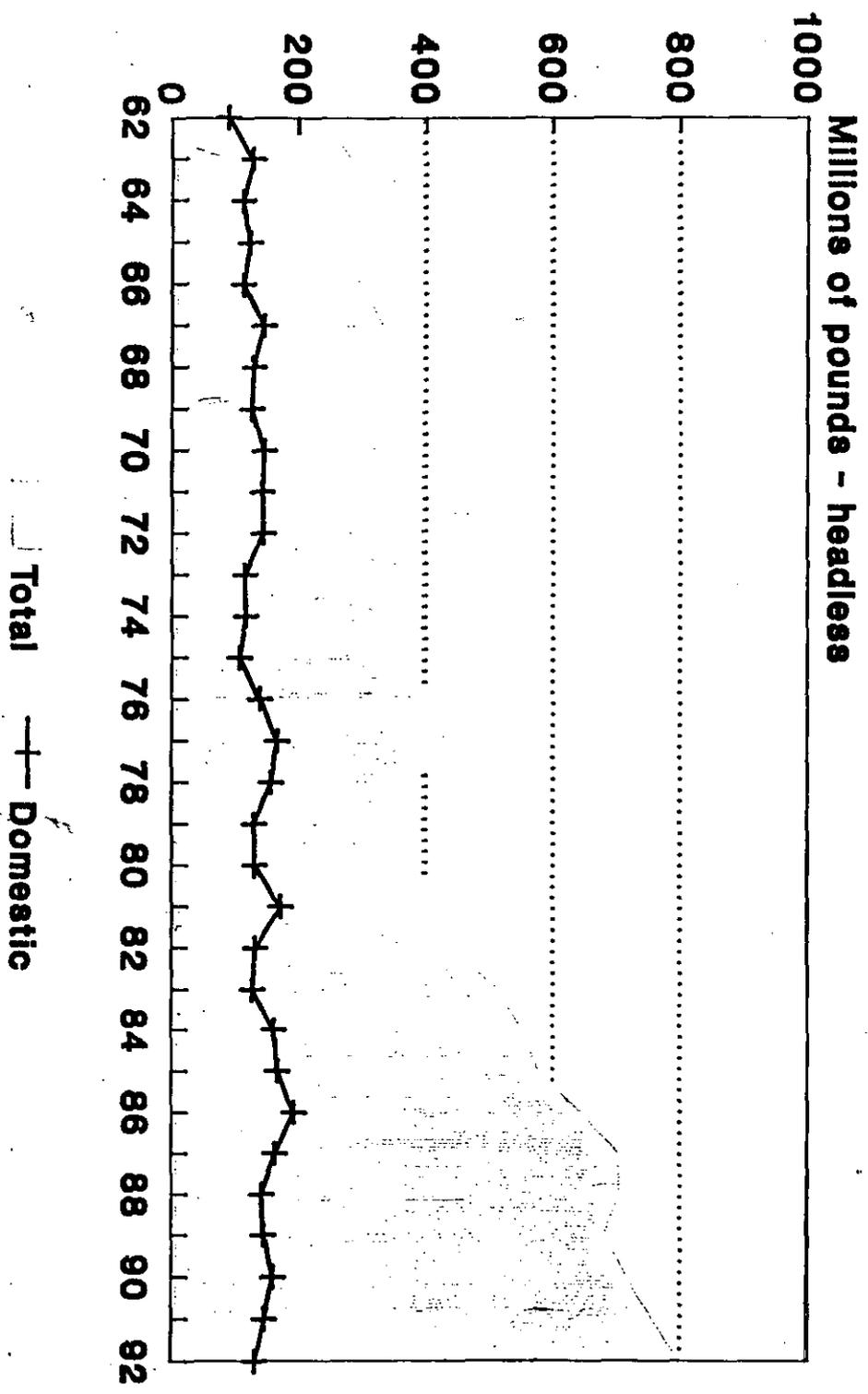
1992

Source : NMFS

Louisiana Shrimp Catch (Heds Off)

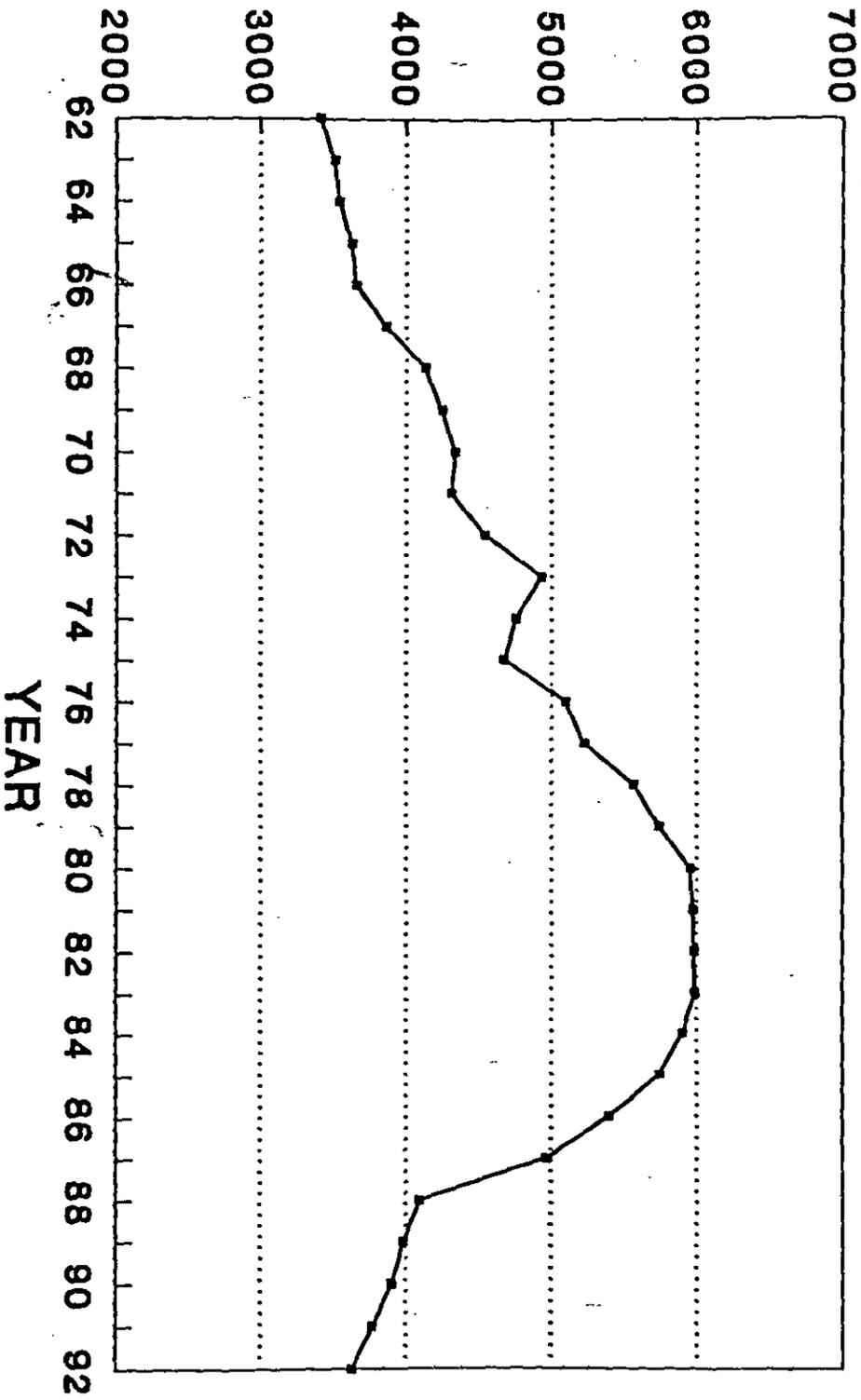


GULF OF MEXICO SHRIMP LANDINGS JANUARY - DECEMBER



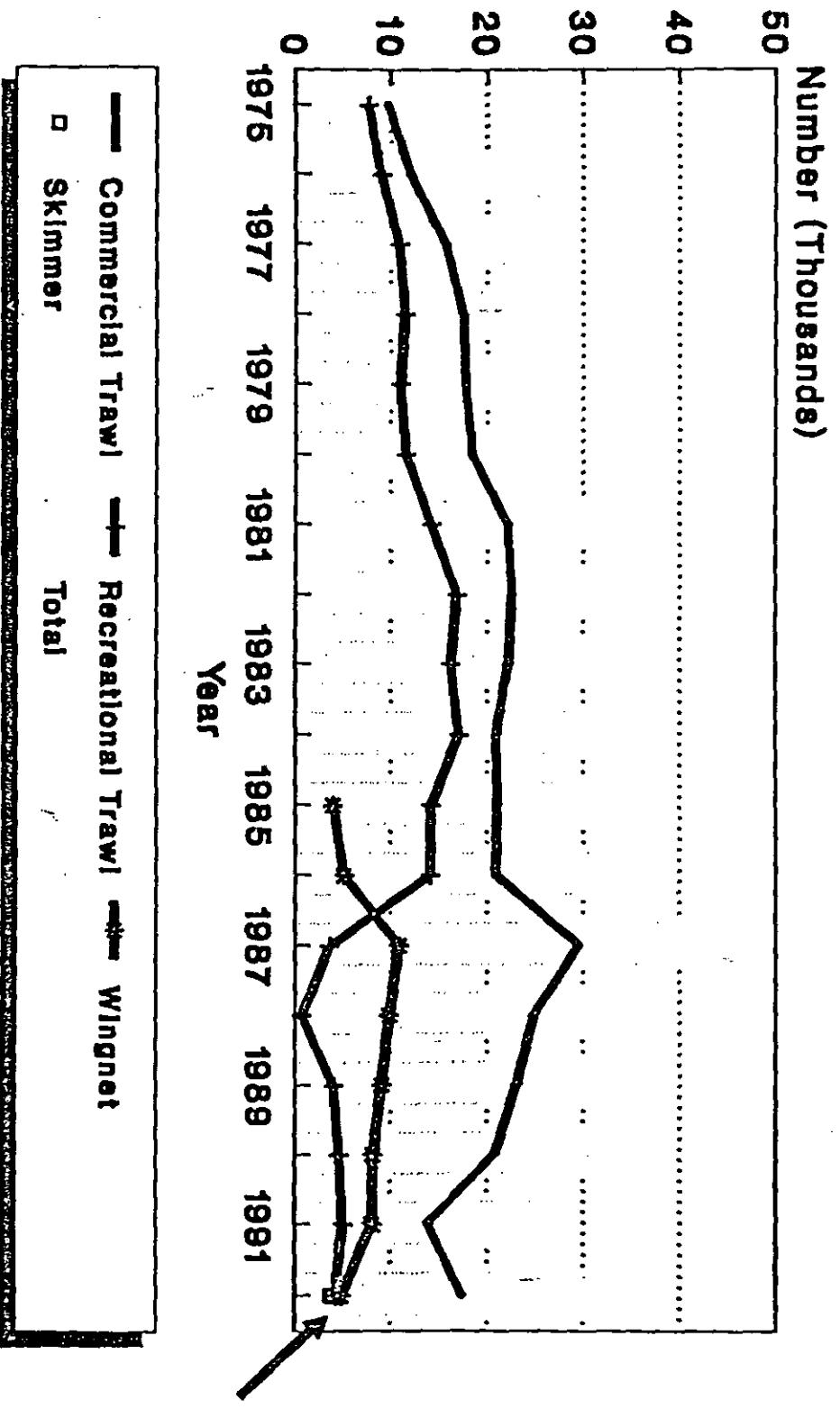
Source: NMFS

DOCUMENTED OFFSHORE SHRIMP TRAWLERS ELIZABETH CITY, NC. TO BROWNSVILLE, TX. JANUARY - DECEMBER



Source: NMFS

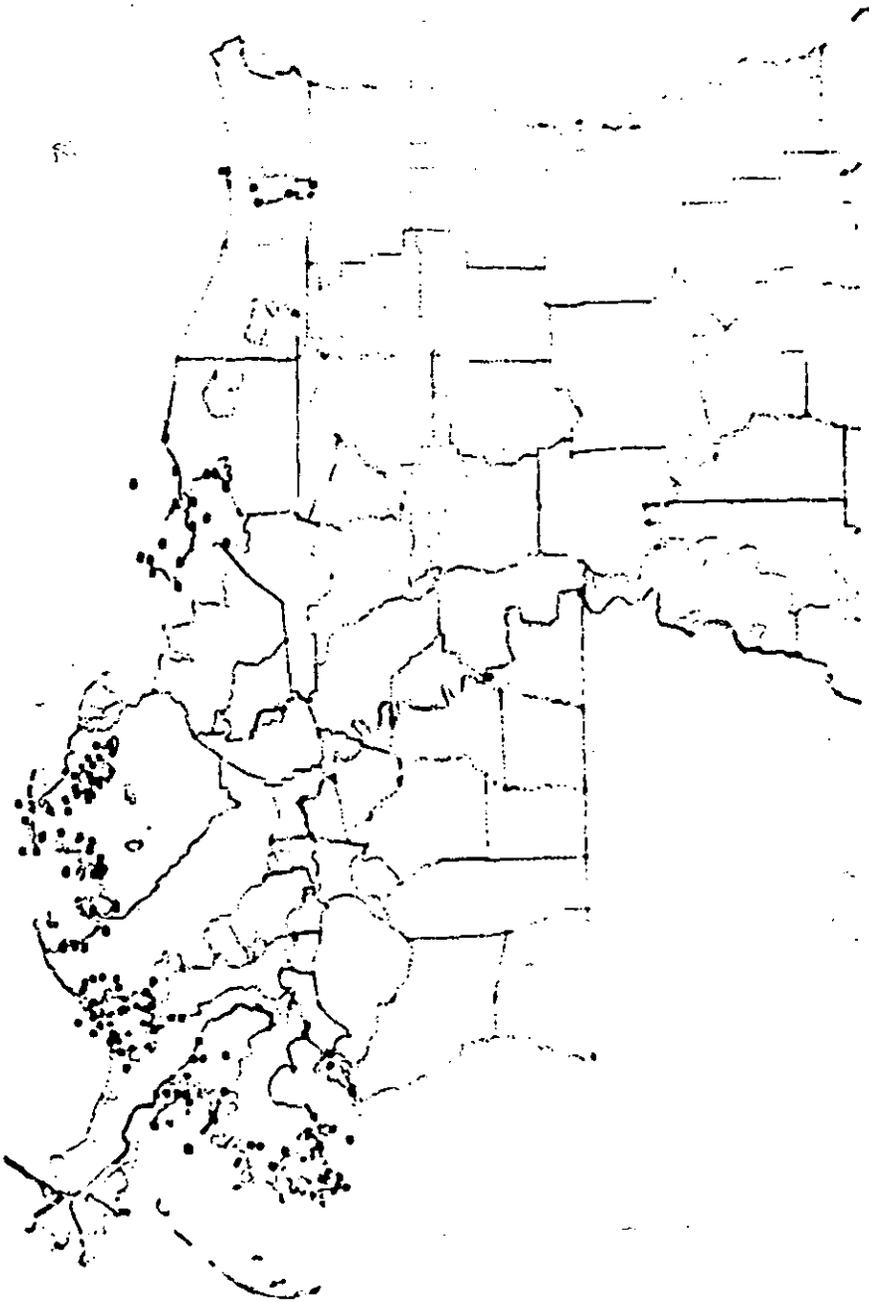
Louisiana Shrimp Gear License Sales by Year



Source: LDWF

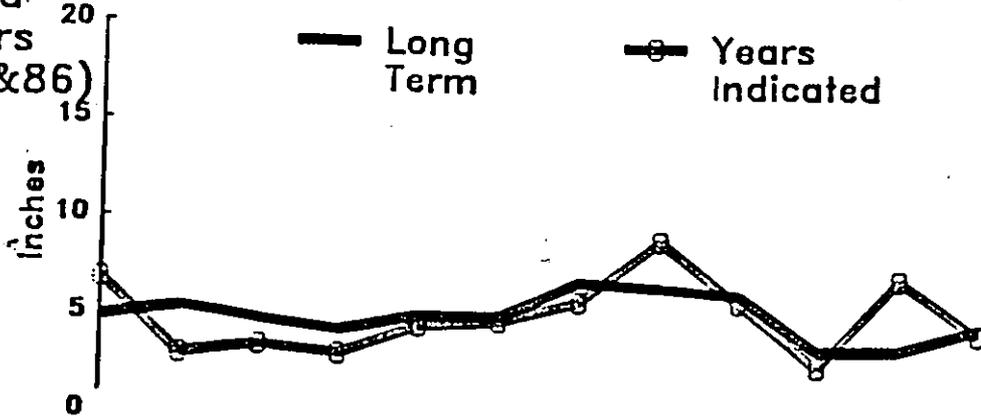
NOV 1 1975

LOUISIANA DEPT WILDLIFE & FISHERIES
SHRIMP/GROUNDFISH MONITORING PROGRAM
SAMPLING STATIONS

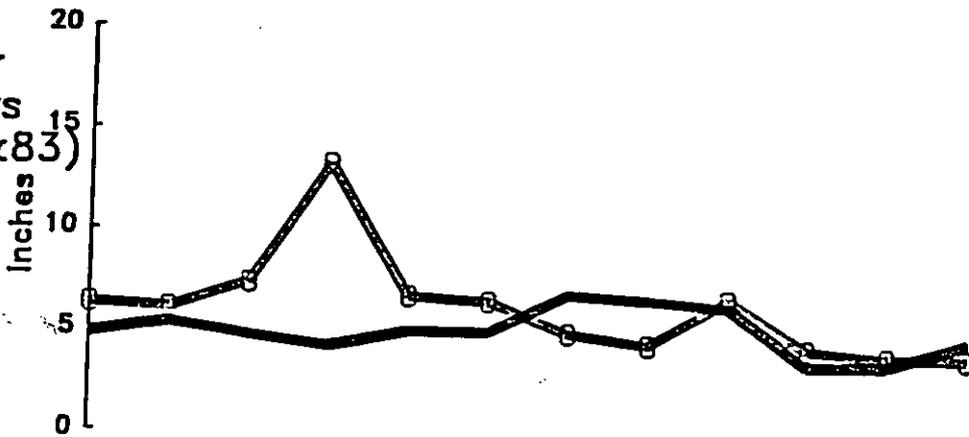


S.E. Louisiana Rainfall

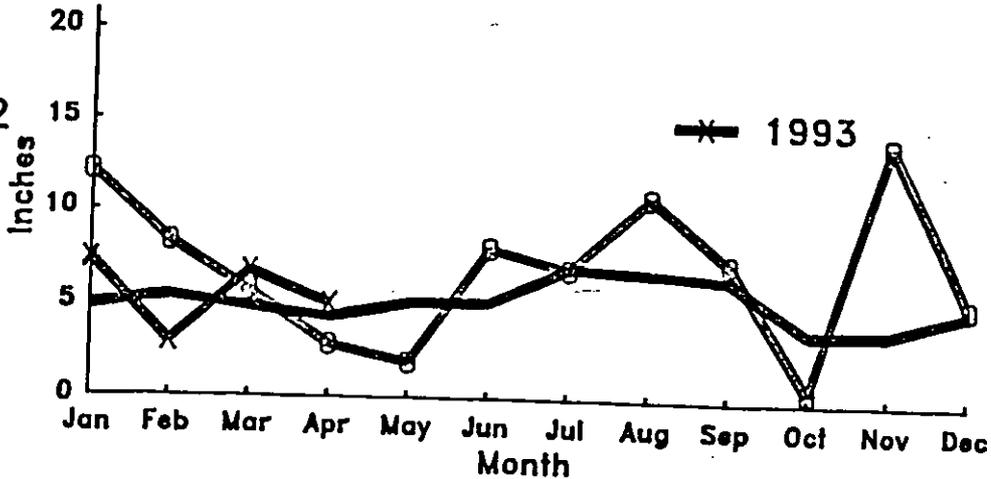
Good Years
(81&86)



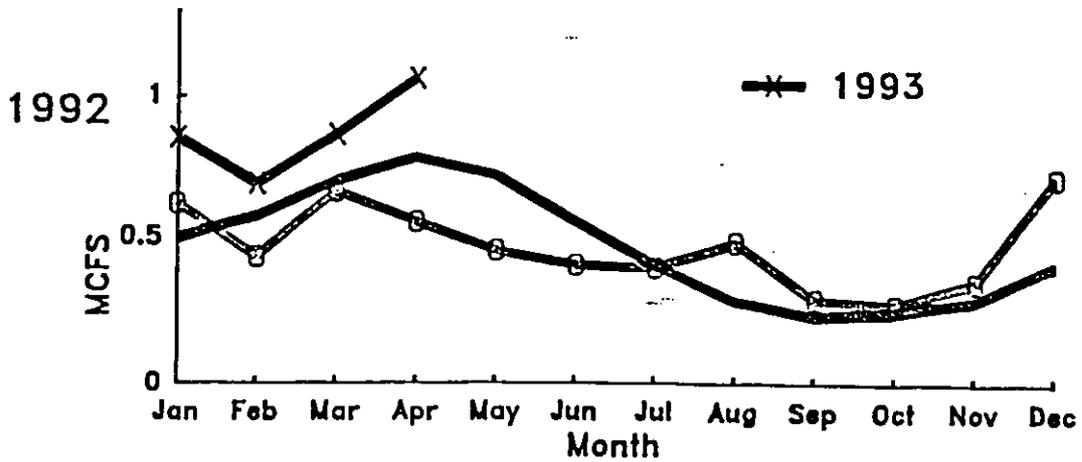
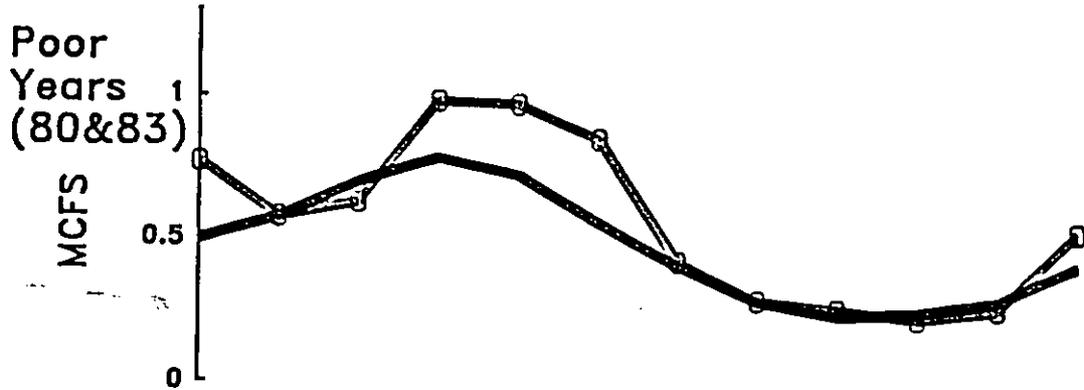
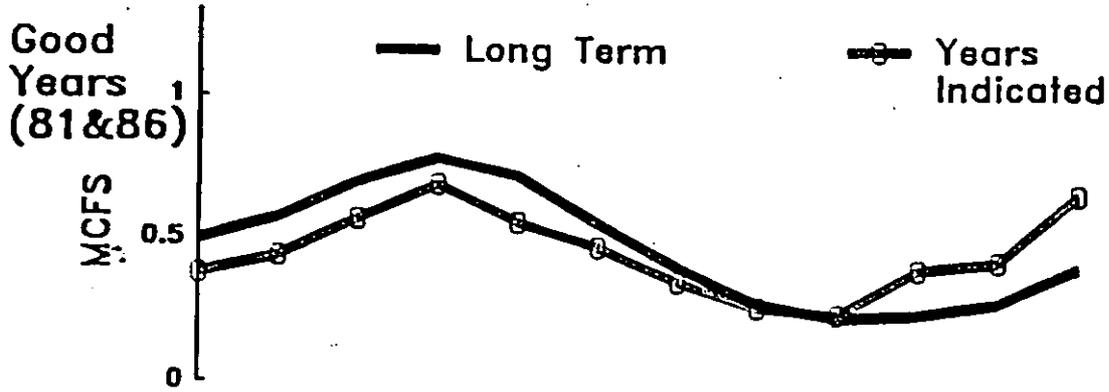
Poor Years
(80&83)



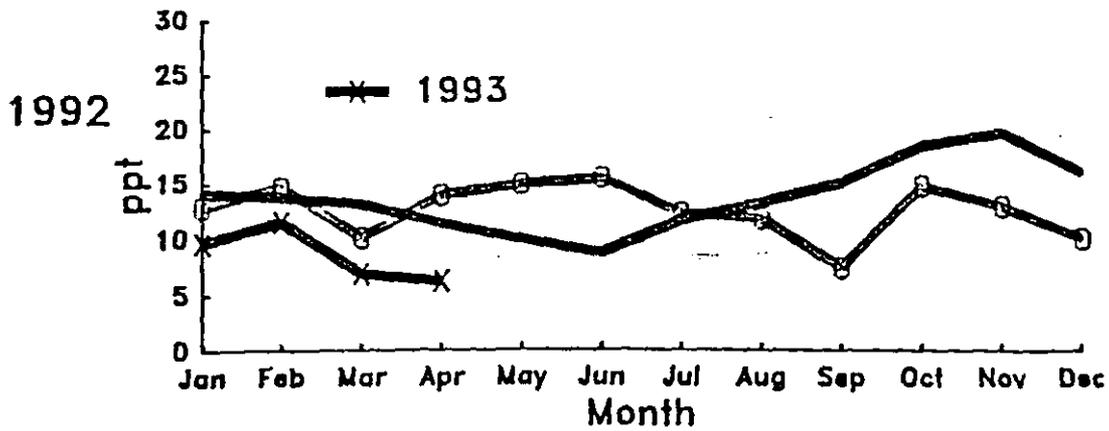
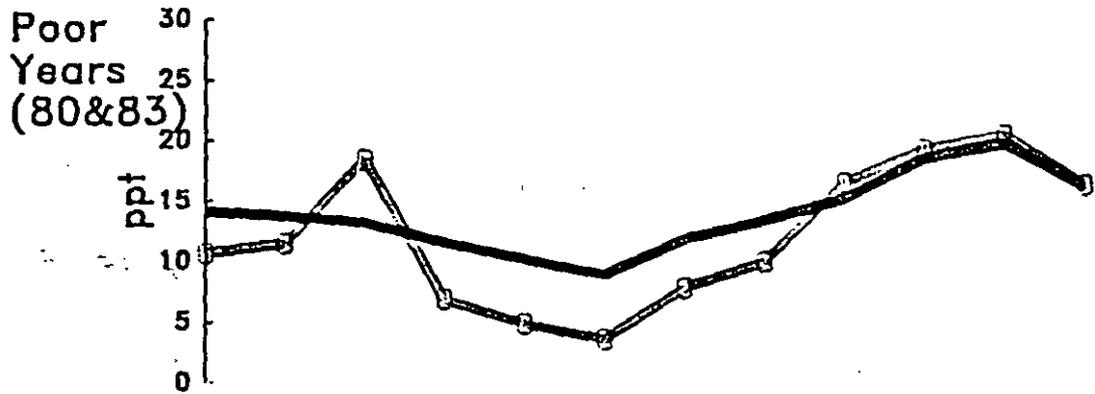
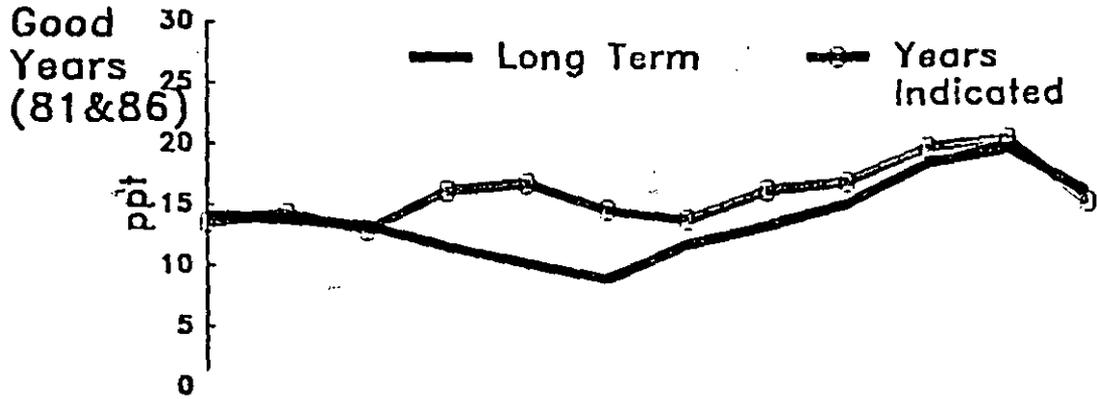
1992



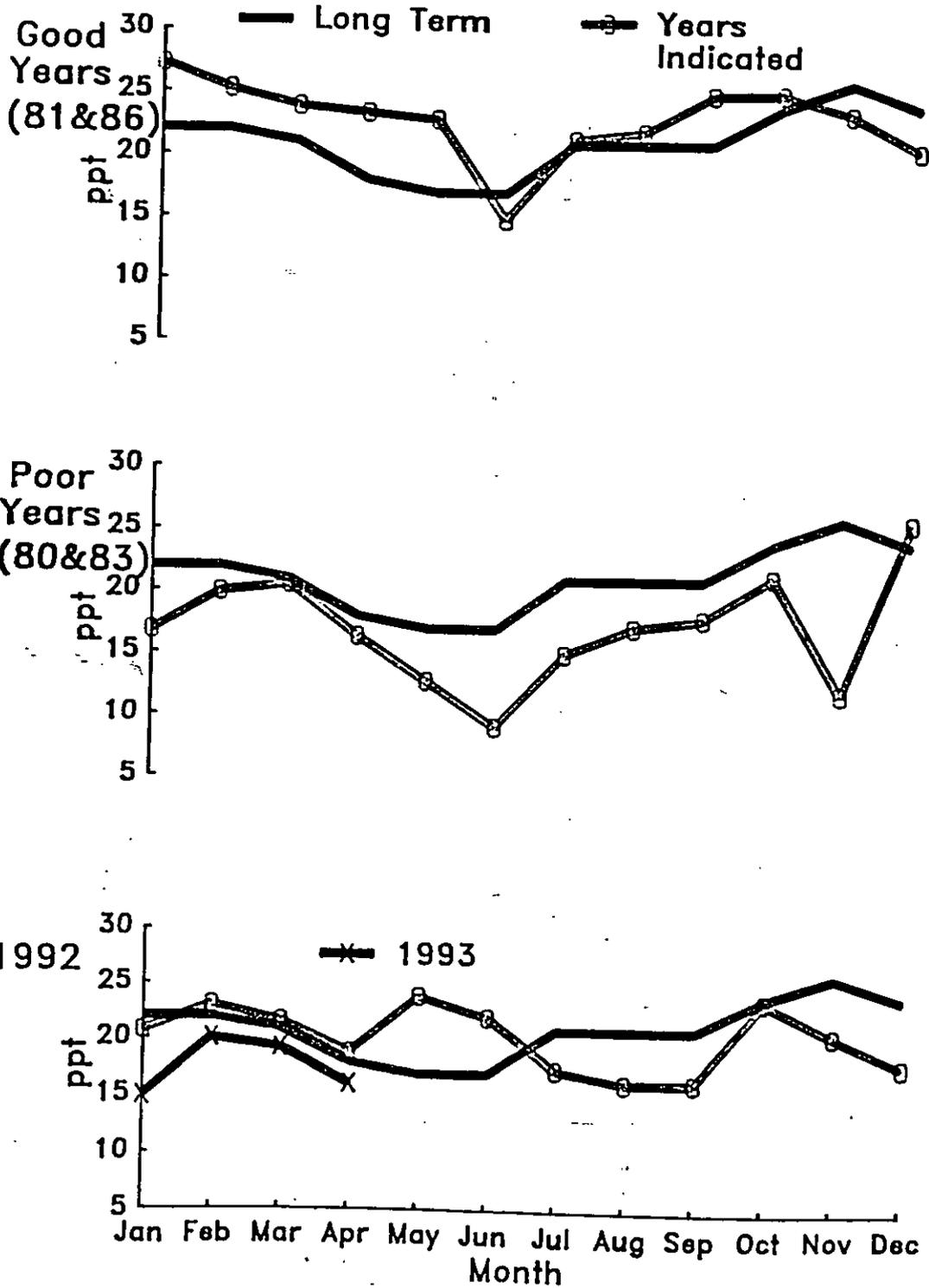
Mississippi River Discharge



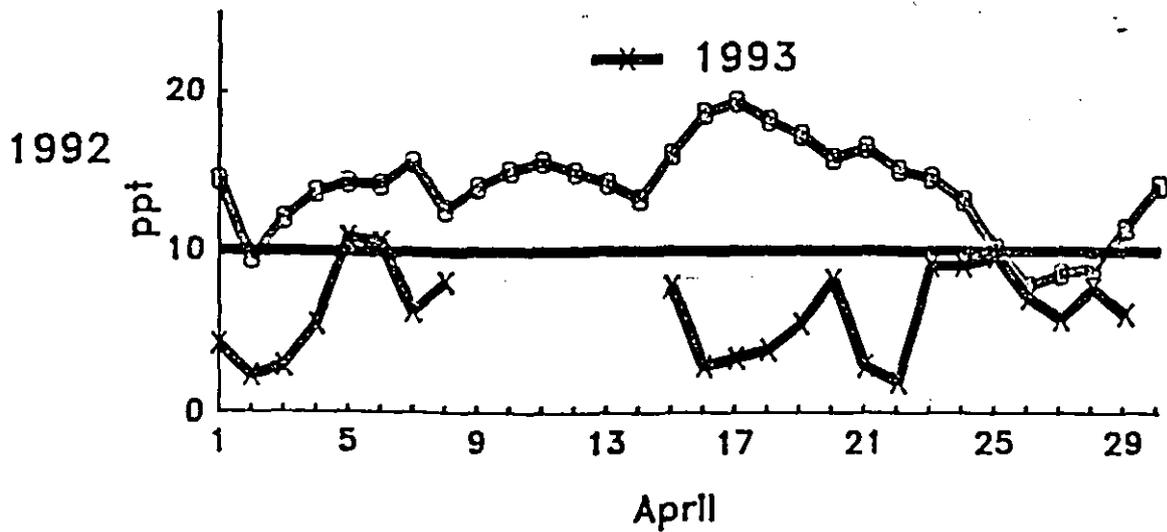
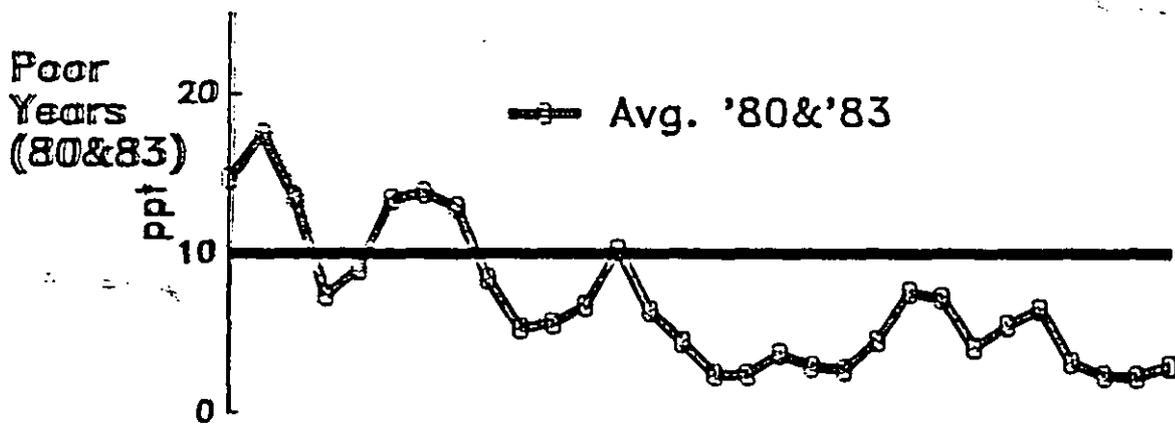
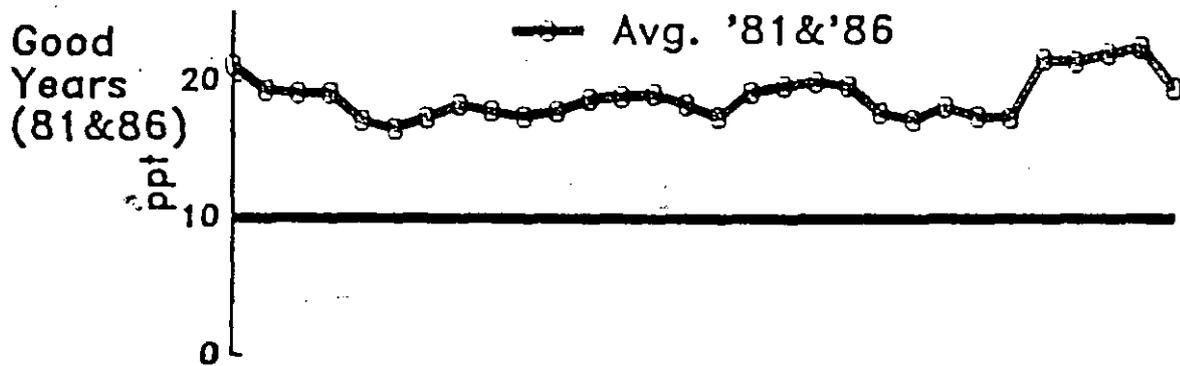
N. Barataria Bay Salinity



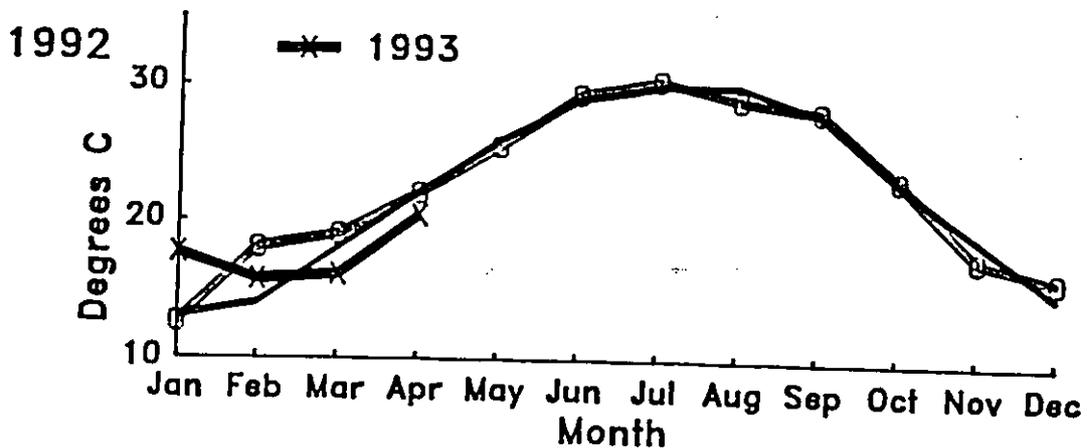
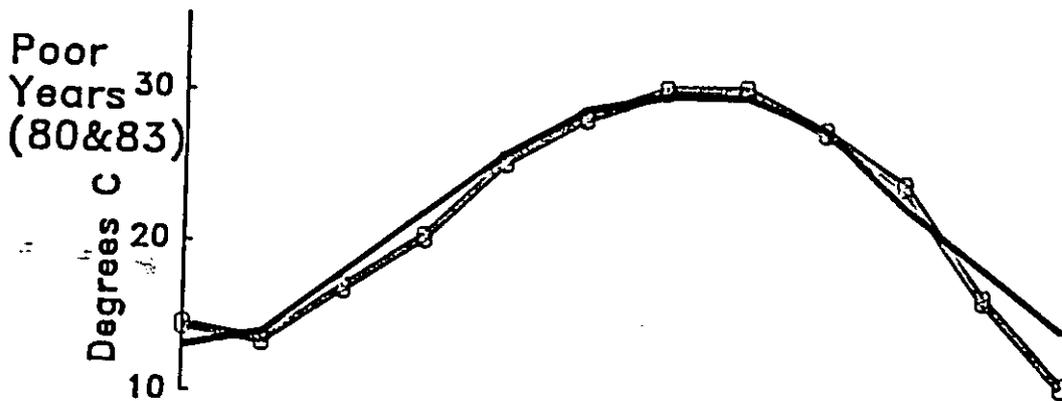
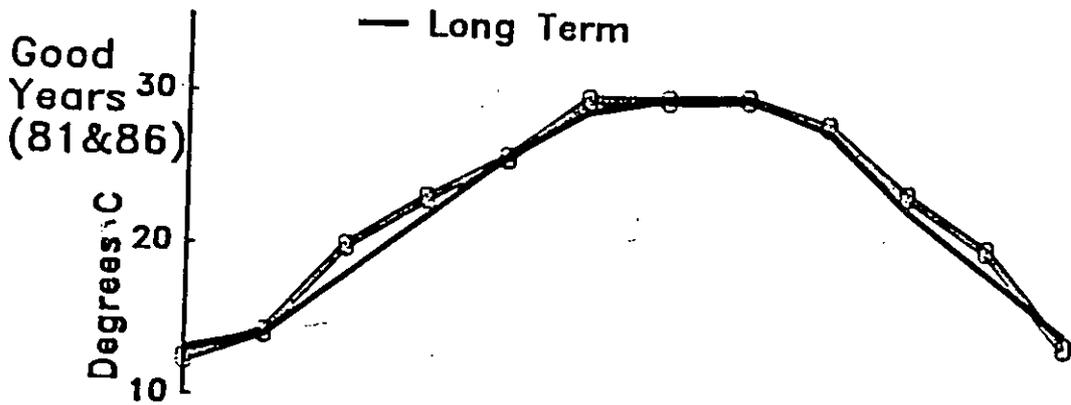
S. Barataria Bay Salinity



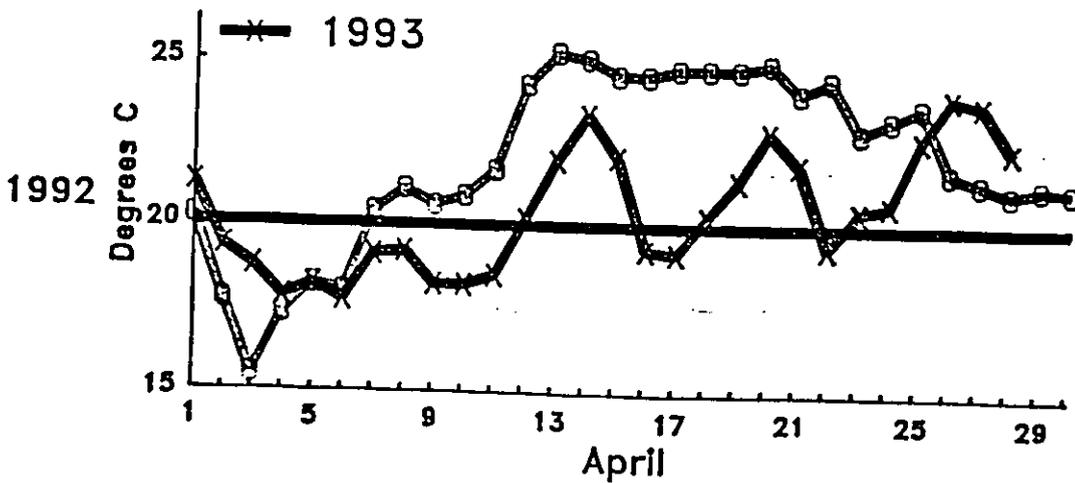
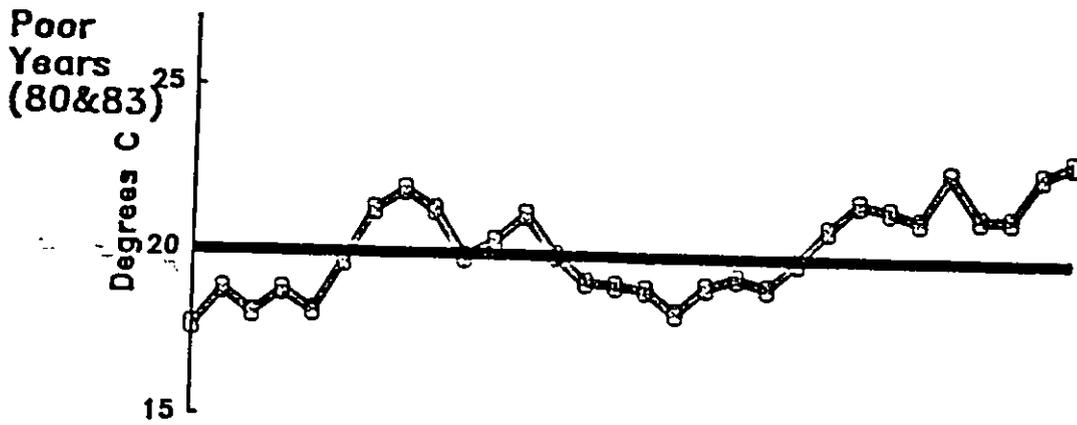
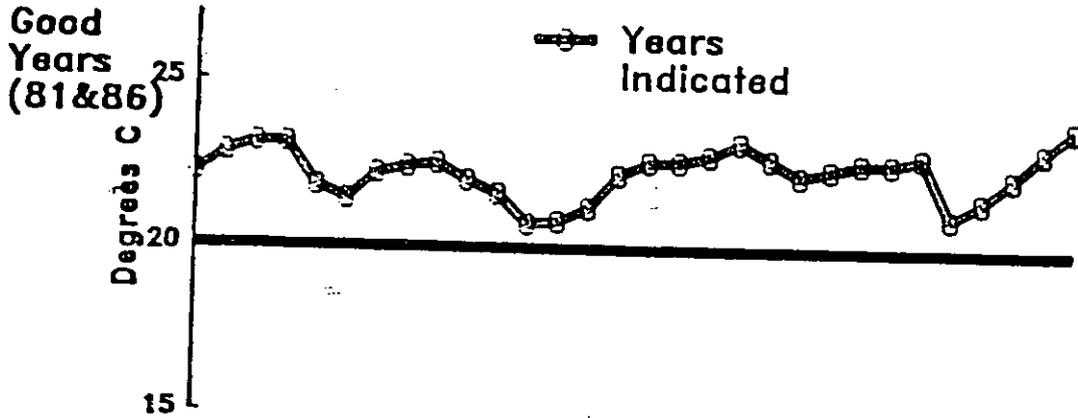
N. Barataria Bay, April Salinity



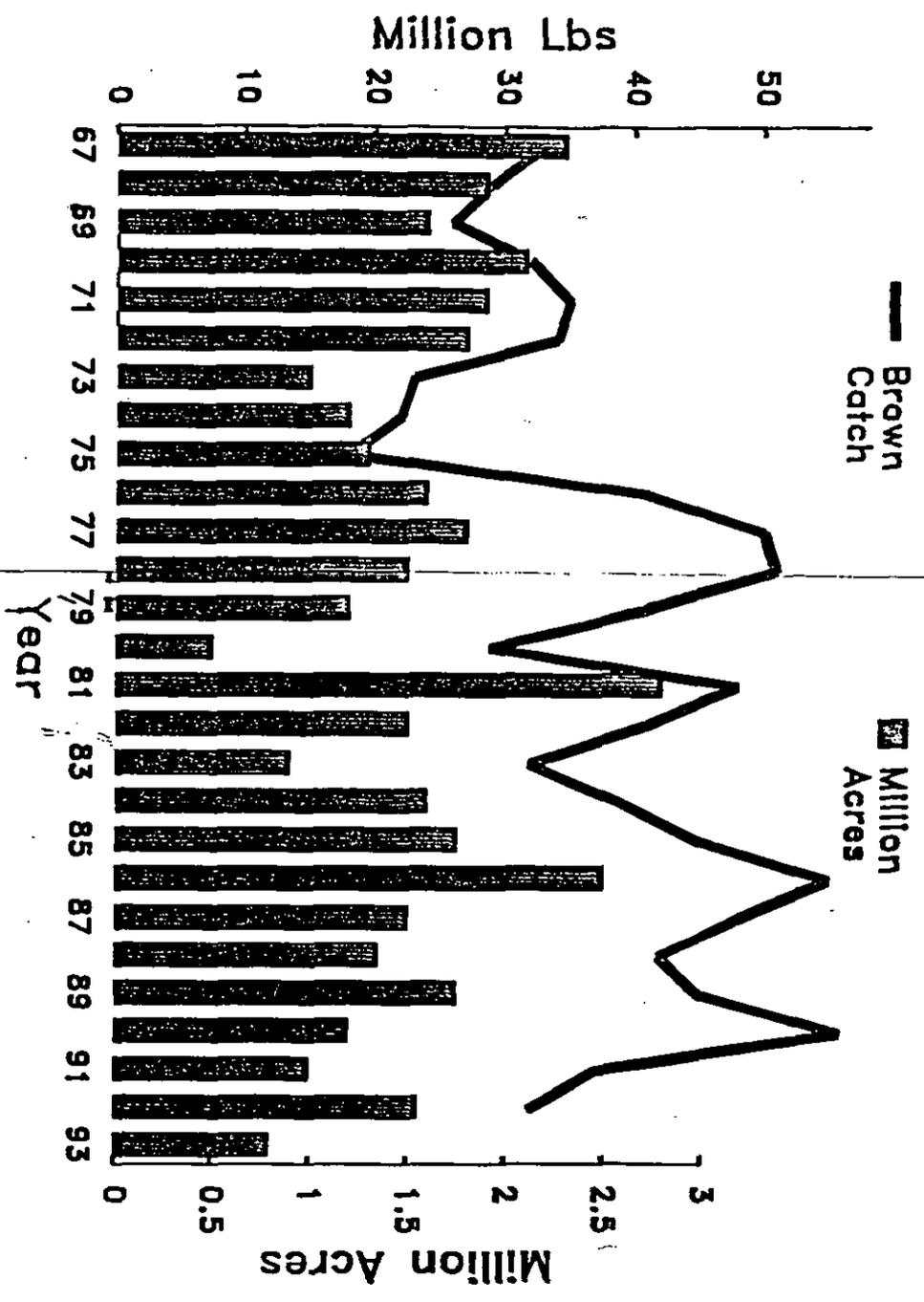
S. Barataria Bay Temperature



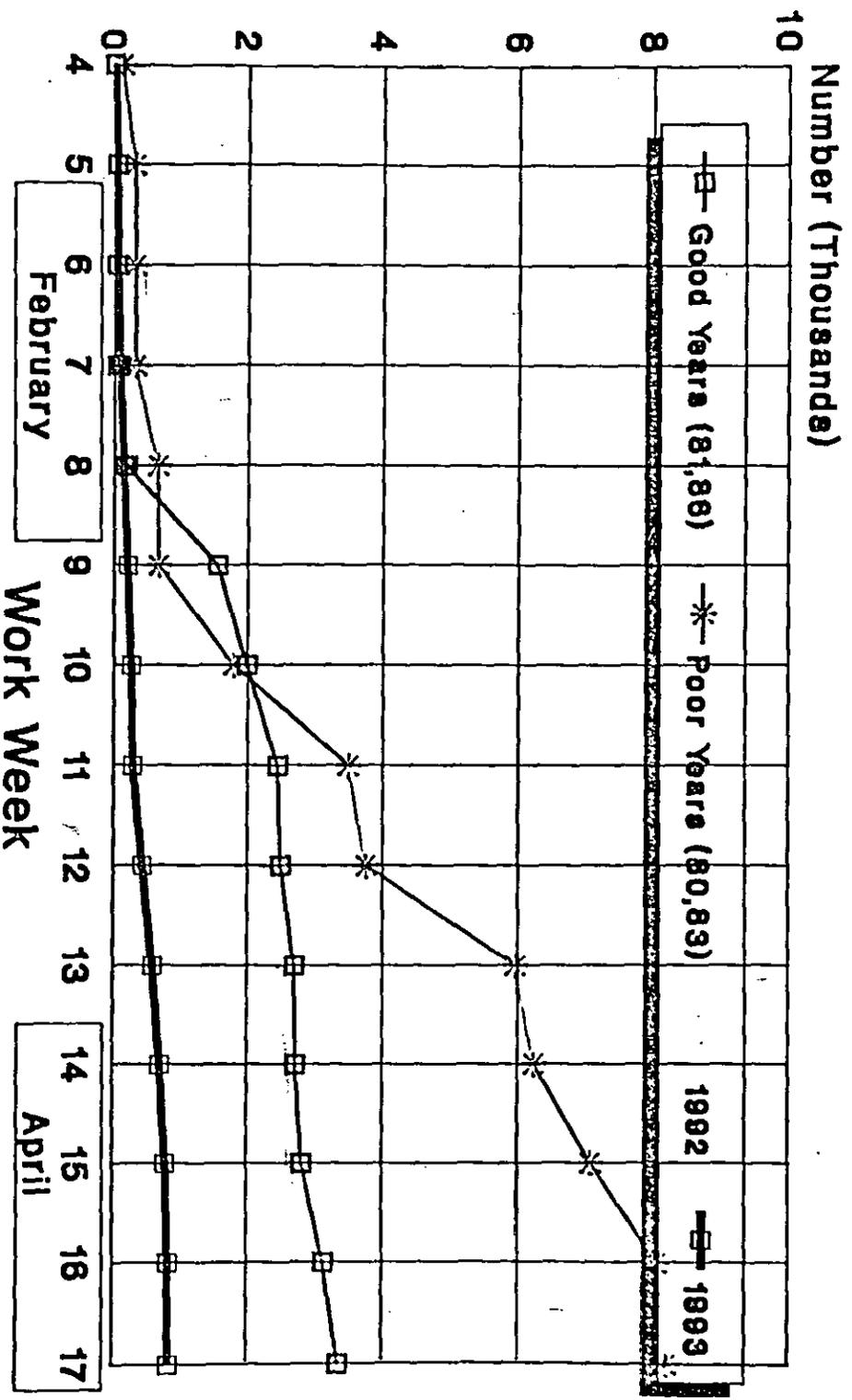
S. Bay Daily Water Temperature



April Brown Shrimp Nursery Area

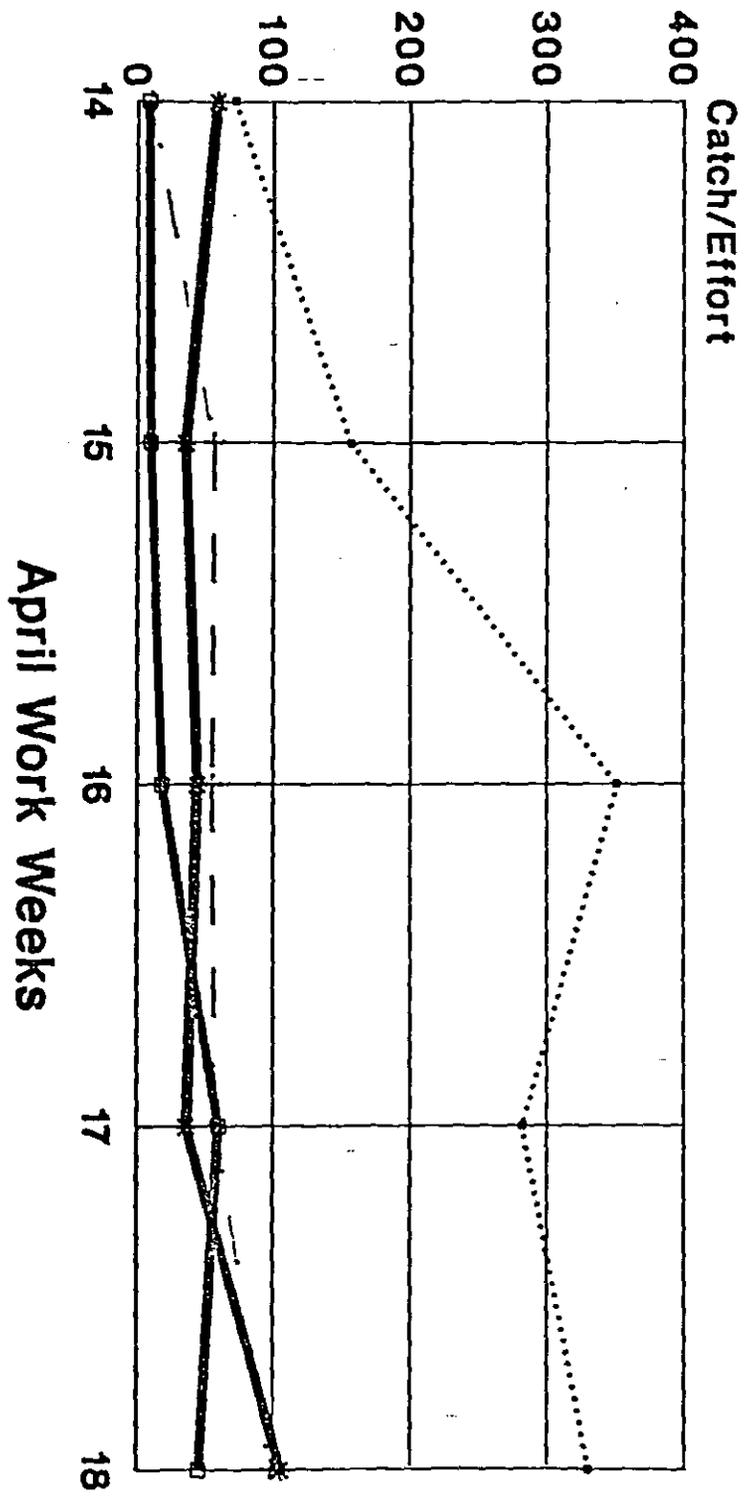


Cumulative Postlarval Catch Barataria Bay



LDWF, 1993

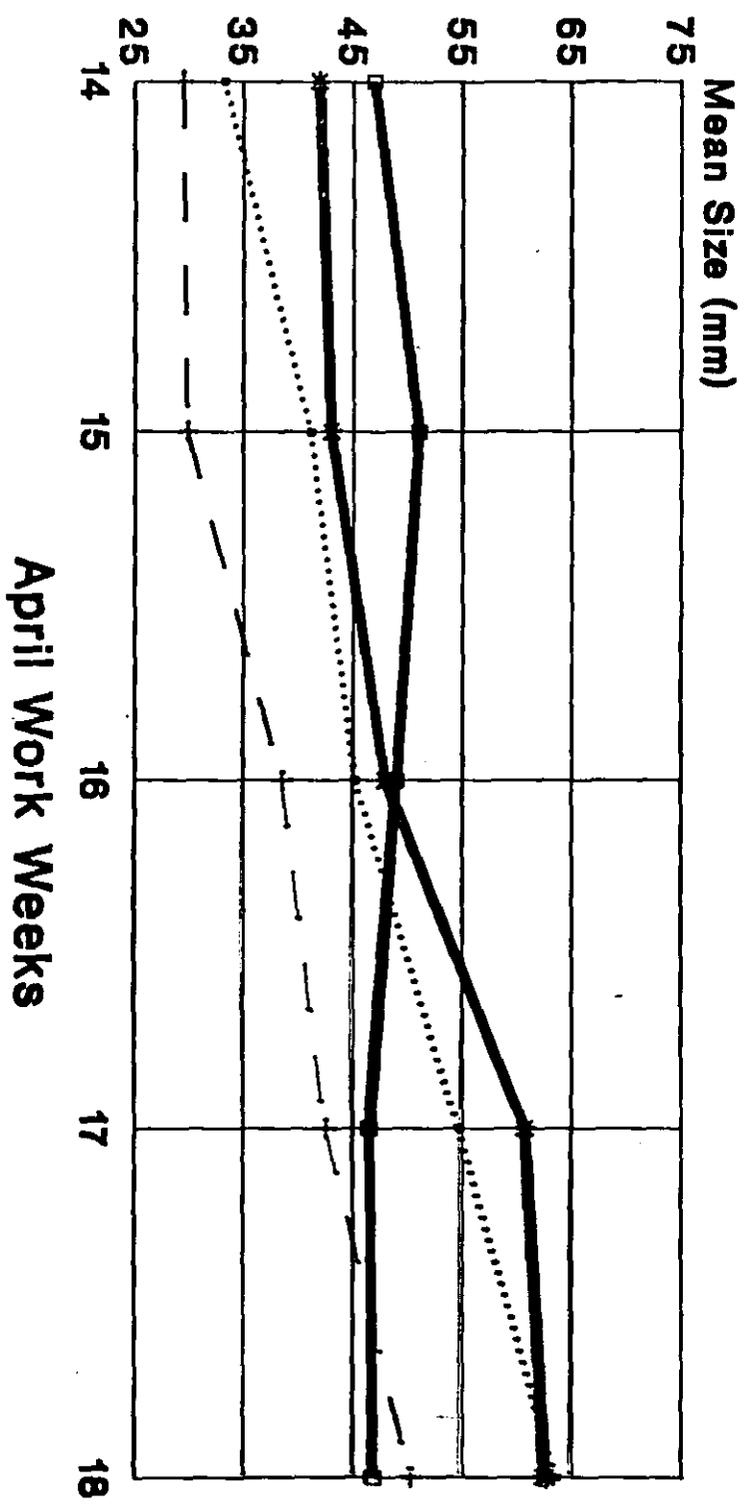
Brown Shrimp in 6' Trawls Barataria Bay



LDWF, 1993

..... Good Years + Poor Years — 1993 * 1992

Brown Shrimp in 6' Trawls Barataria Bay

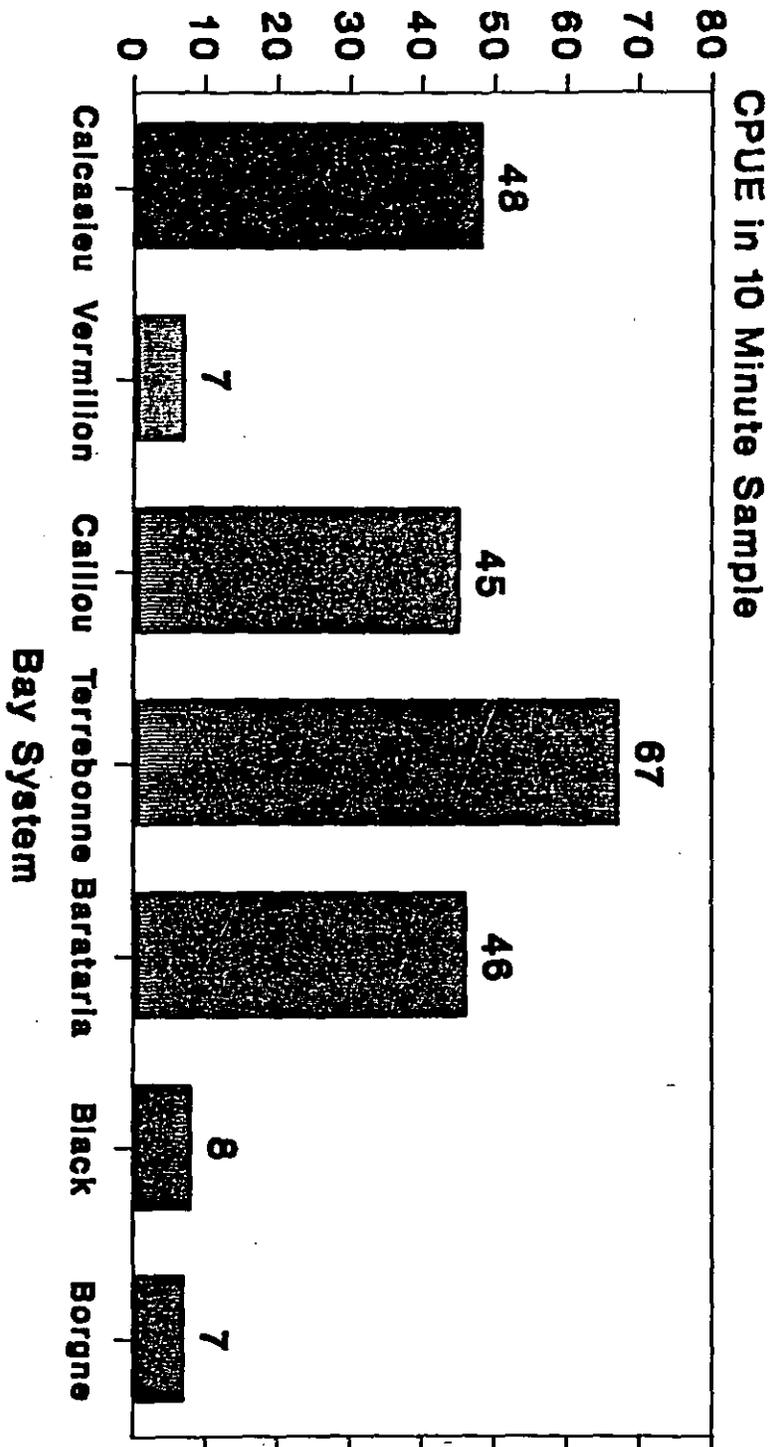


..... Good Years + Poor Years —■— 1993 —◆— 1992

LDWF, 1983

Brown Shrimp Catch per Effort

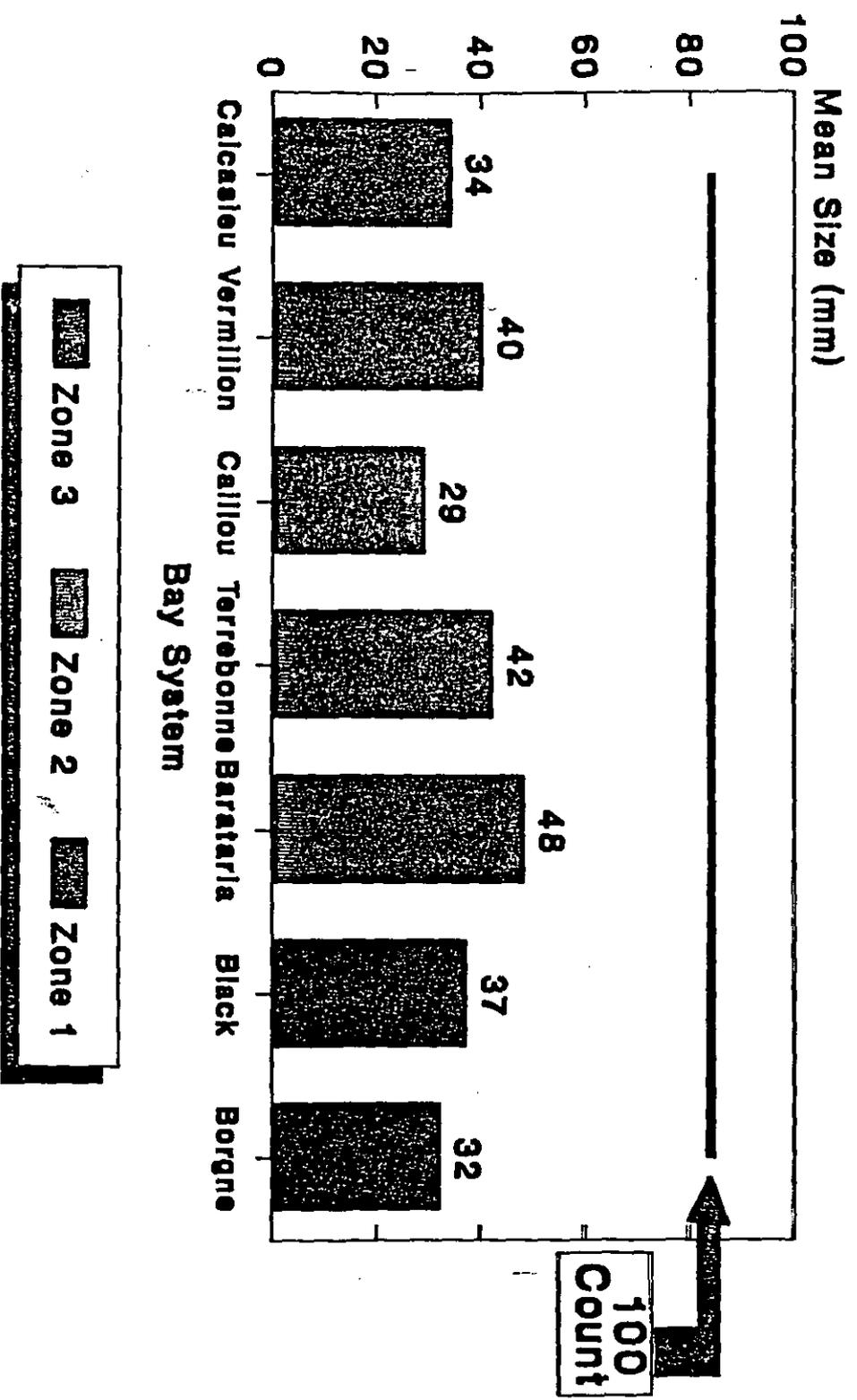
Week 18, 1993



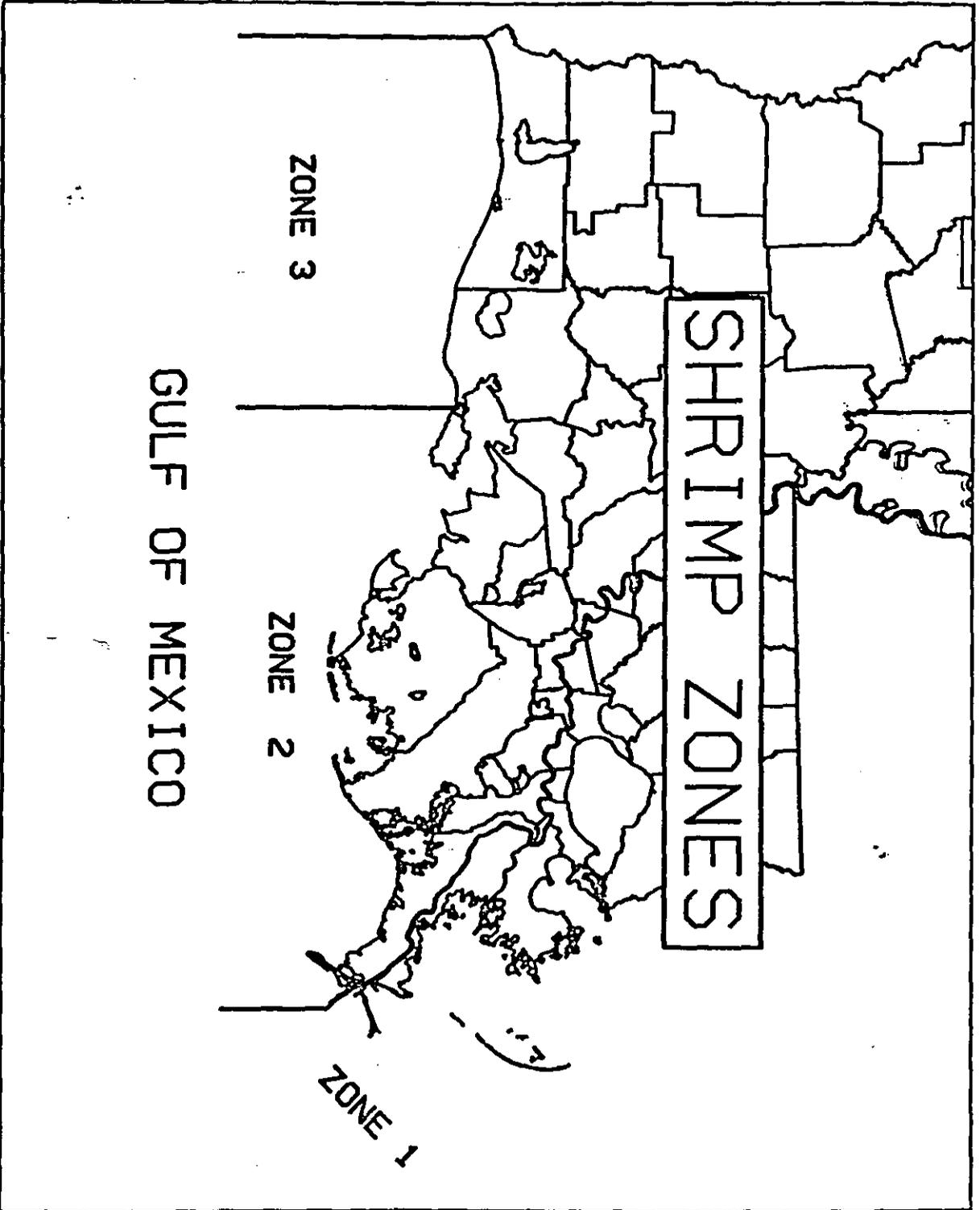
LDWF, 1993

Brown Shrimp Size

Week 18, 1993



LDWF, 1993



GULF OF MEXICO

SHRIMP ZONES

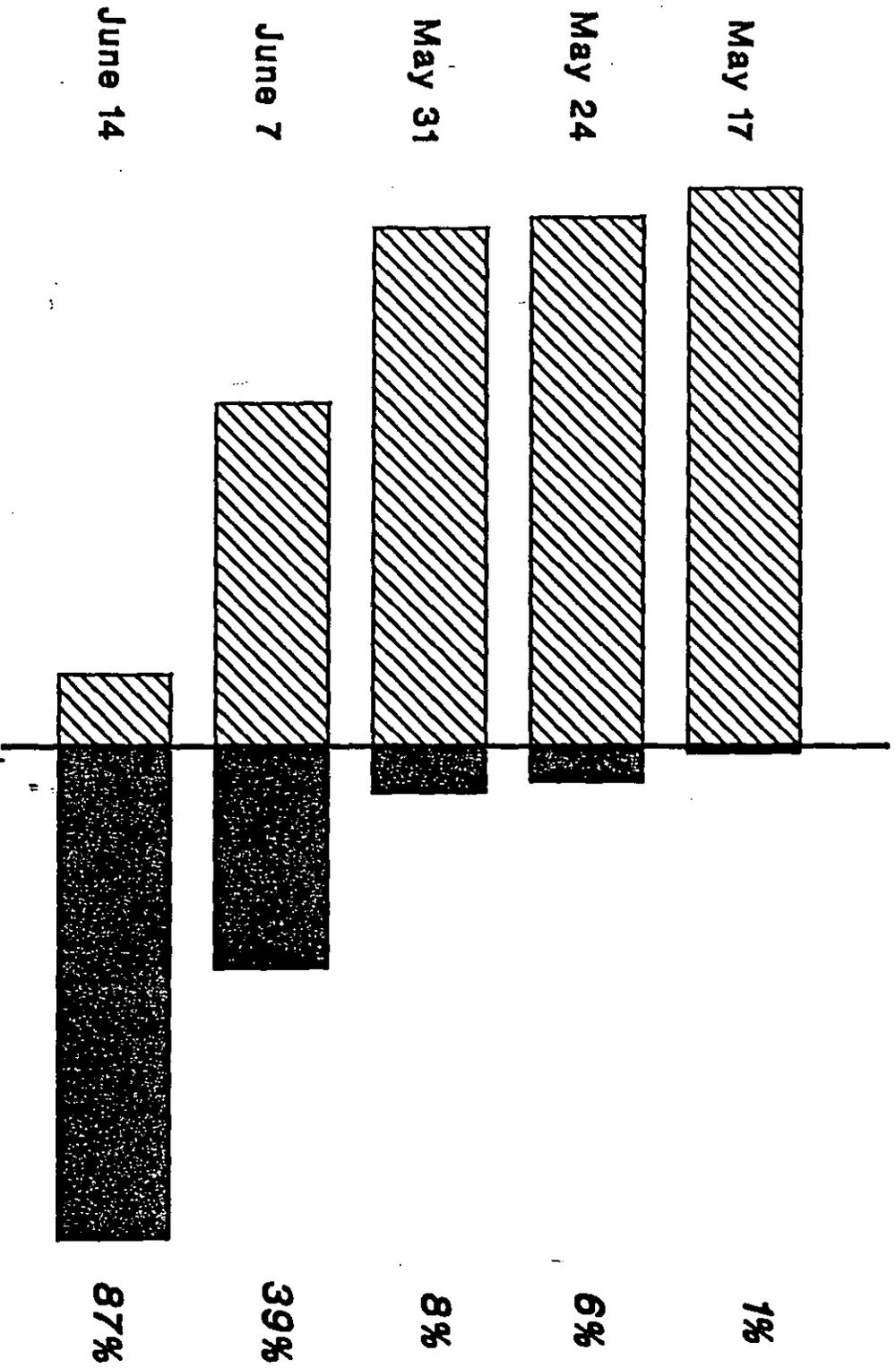
ZONE 3

ZONE 2

ZONE 1

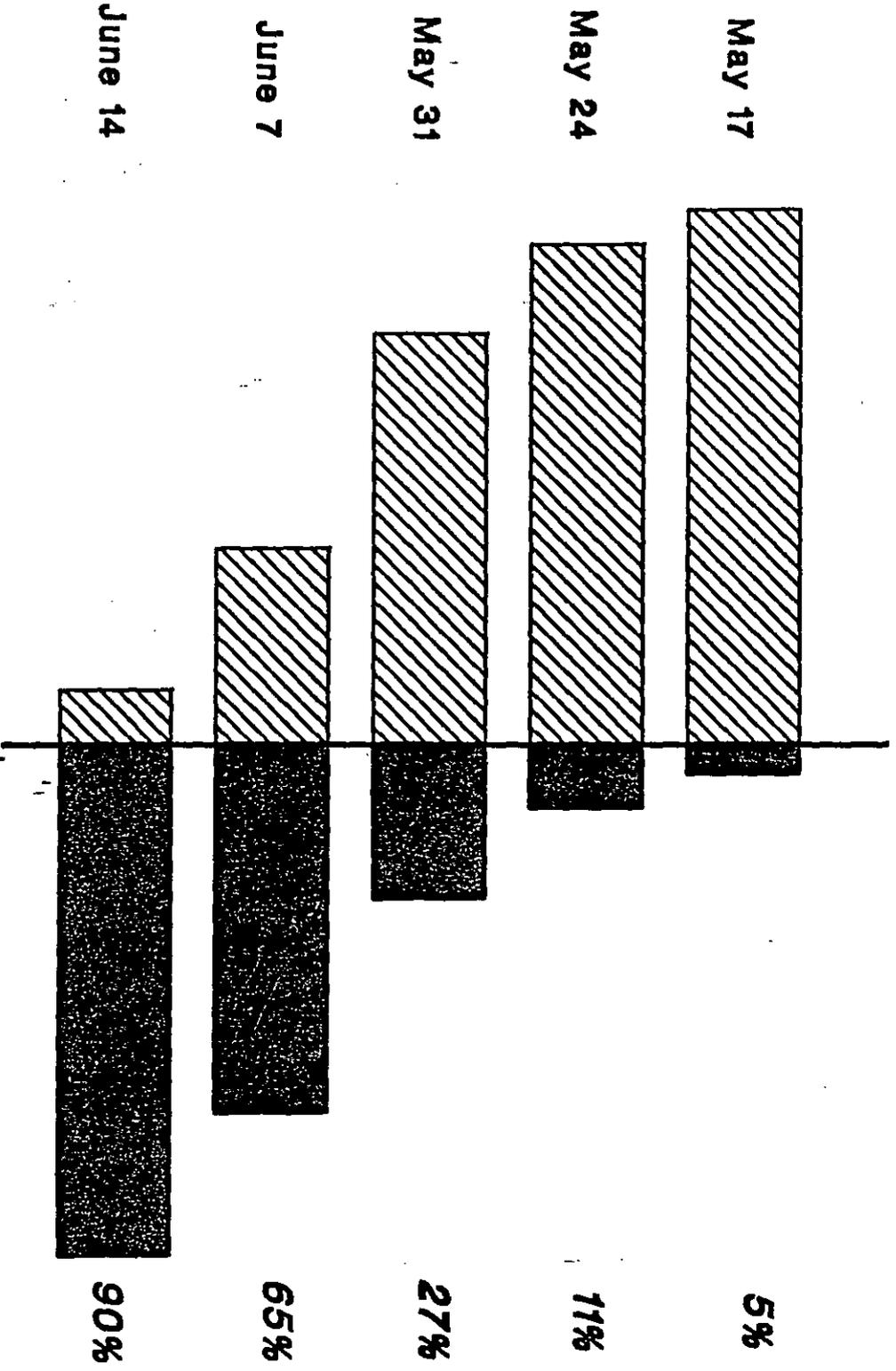
ZONE 1 1993

Percent
100 Count



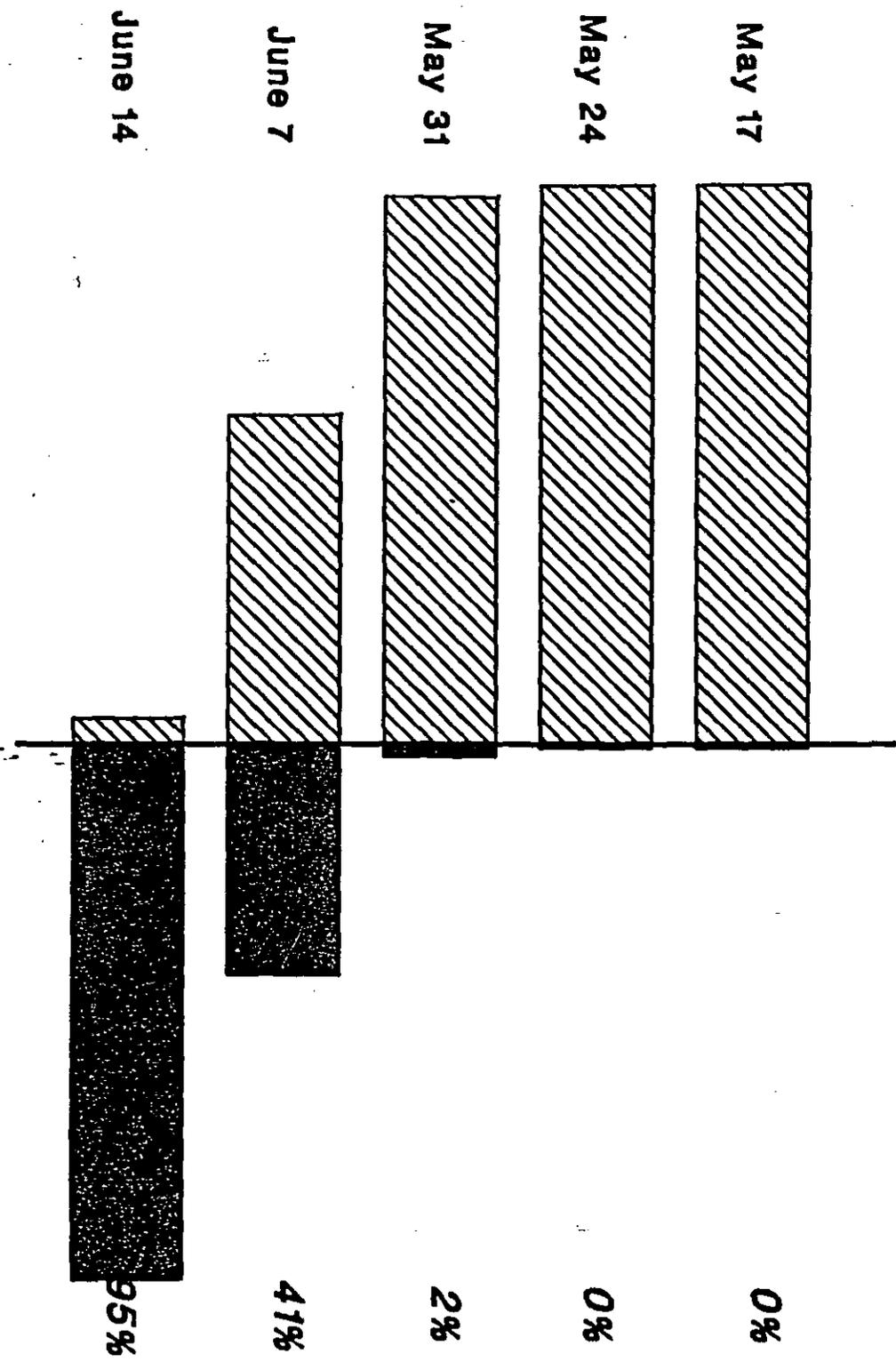
ZONE 2 1993

Percent
100 Count



ZONE 3 1993

Percent
100 Count



New Orleans, St. Tammany, St. Bernard, East Jefferson

EAST BANK COMMERCIAL FISHERMEN ASSN

And Other Parishes East of The Mississippi River

#11 Treasure Isle

Slidell, La. 70461

[504]646-1954

May 6 1993

Good morning, Mr. Chairman, Commission members and ladies and gentlemen. My name is Bill Dekemel I am a commercial fisherman and president of East Bank Commercial Fisherman's Association which represents the views of most commercial fishermen east of the Mississippi and north and east of the Mississippi River Gulf outlet. Before I make our recommendation I would like to point out as I did last year several unique characteristic relative to shrimp population and movements in Zone 1, in particular that portion of Zone 1 consisting of Lake Pontchartrain, Lake Borgne and the surrounding marsh areas.

Research by the Department of Wildlife and Fisheries and the National Marine Fisheries Service has shown shrimp exhibit different emigration patterns in different areas of the state. This was first identified by the Department of Wildlife and Fisheries in the early 1970's and reported in "The Investigation of Commercially Important Penaeid Shrimp in Louisiana Estuaries". This research was refined in 1977 in the report "Development of an Area Management Concept for Gulf penaeid Shrimp". In fact, as a result of this report, Louisiana was divided into three Shrimp Management Zones which has been successfully used by the Department of Wildlife and Fisheries to manage shrimp and to set seasons and closures that still remains in effect today. Tagging studies conducted by the Department and the National Marine Fisheries Service during the 1970's and 1980's provides additional evidence that the zone concept was correct and that shrimp have a different emigration pattern in Zone 1 when compared to Zone 2. In Zone 2 the tagging data reveals that when brown shrimp reach approximately 80 count (whole shrimp per pound) they begin leaving the inside waters. This is the primary reason fishermen from Zone 2 want an early opening or the season opened when 50% of the shrimp reach 100 count. This management criteria provides opportunities for the inshore fishing in Zone 2 and is reasonably suited for the shrimp processing industry in that area which is primarily a drying and peeling industry.

In Zone 1 however, shrimp do not leave the inside waters at 80 count. Tagging data by the Department has shown shrimp tagged and released in Lake Borgne and Lake Pontchartrain stayed in the same general area for as long as 70 days and increased in size from over 100 count to 30 count. Using today's exvessel prices one pound of over 100 count is worth .40 that same 100 shrimp if left in the system 70 days as indicated by the

departments study would be worth \$5.99 that relates to a 1500% increase in exvessel price for the same number of shrimp. If by using the Zone system to set seasons when necessary just a 7 day difference in opening dates will increase the value of our resource on opening day by 350% . Additionally the industry in that portion of Zone 1 is geared to a larger more valuable shrimp which is marketed to both the docks and seafood shops, restaurants and individuals in the metro area as a fresh head on product. Based upon this information which is all documented by the Department of Wildlife and Fisheries, the tagging study and the fact that although the shrimp in Zone 1 may be 50% 100 count sometime in early June, the rest of the crop which is at least 50% will be much smaller than 100 count and not considered marketable. We do not think that we should sacrifice one half of our crop to catch 100 count shrimp.

At this time based on the information given by the department and in this presentation the East Bank Commercial Fisherman's Association recommends the 1993 spring inshore shrimp season in Zone 1 open at 6:00 A.M. no earlier than June 11 or later than June 14, 1993.

Bill Dekemel Pres.

RESOLUTION

Adopted by the Wildlife and Fisheries Commission at its regular meeting on May 6, 1993 in New Orleans, Louisiana, relative to the 1993 spring inshore shrimp season.

WHEREAS, R.S. 56:497 provides that the Wildlife and Fisheries Commission shall fix no less than two open shrimp seasons each year for all inside waters, and

WHEREAS, R.S. 56:497 further states these shrimp seasons shall be opened by Zone, and

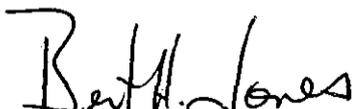
WHEREAS, R.S. 56:497 further states these shrimp seasons shall be based upon biological and technical data, and

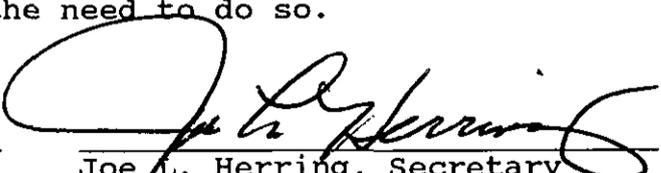
WHEREAS, the Wildlife and Fisheries Commission has reviewed in public the biological and technical data presented by the Department of Wildlife and Fisheries on shrimp populations and environmental conditions present in Louisiana's coastal waters during the spring of 1993, and

WHEREAS, the Wildlife and Fisheries Commission has received public testimony relative to this biological and technical data as well as other factors relative to the 1993 spring inshore shrimp season, now

THEREFORE BE IT RESOLVED, the Wildlife and Fisheries Commission does hereby:

1. Set the 1993 spring inshore shrimp season to open as follows:
 - a. In Zone 1, that portion of Louisiana's inside waters, as described in R.S. 56:495, from the Louisiana/Mississippi state line to South Pass of the Mississippi River at 6:00 a.m. on June 7th, 1993, and
 - b. In Zone 2, that portion of Louisiana's inside waters, as described in R.S. 56:495, from South Pass of the Mississippi River to the western shore of Vermilion Bay and Southwest Pass at Marsh Island at 6:00 a.m. on June 7th, 1993, and
 - c. In Zone 3, that portion of Louisiana's inside waters, as described in R.S. 56:495, from the western shore of Vermilion Bay and Southwest Pass at Marsh Island to the Louisiana/Texas state line at 6:00 a.m. on June 7th, 1993.
2. Authorize and empower the Secretary of the Department of Wildlife and Fisheries to change the opening date or close the 1993 spring inshore shrimp season in any area or Zone when the Marine Fisheries Division certifies that the biological and technical data indicates the need to do so.


Bert H. Jones, Chairman
Louisiana Wildlife & Fisheries
Commission


Joe L. Herring, Secretary
Louisiana Department of Wildlife
& Fisheries

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

In accordance with the emergency provisions of R.S. 49:953(B) of the Administrative Procedures Act, R.S. 49:967 and 56:497 the Wildlife and Fisheries Commission hereby finds that an imminent peril to the public welfare exists and accordingly adopts the following emergency rule:

The Wildlife and Fisheries Commission does hereby:

1. Set the 1993 spring inshore shrimp season to open as follows:
 - a. In Zone 1, that portion of Louisiana's inside waters, as described in R.S. 56:495, from the Louisiana/ Mississippi state line to South Pass of the Mississippi River, ~~at _____ a.m. on _____, 1993, and~~ *and*
 - b. In Zone 2, that portion of Louisiana's inside waters, as described in R.S. 56:495, from South Pass of the Mississippi River to the western shore of Vermilion Bay and Southwest Pass at Marsh Island, ~~at _____ a.m. on _____, 1993, and~~
 - c. In Zone 3, that portion of Louisiana's inside waters, as described in R.S. 56:495, from the western shore of Vermilion Bay and Southwest Pass at Marsh Island to the Louisiana/Texas state line at 6:00 a.m. on *June 7th*, 1993.
2. Authorize and empower the Secretary of the Department of Wildlife and Fisheries to change the opening date or close the 1993 spring inshore shrimp season in any area or Zone when the Marine Fisheries Division certifies that the biological and technical data indicates the need to do so.

The commission finds that shrimp in these zones are projected to be of legal size count and will meet the management criteria by the opening dates of the season.

RESOLUTION

Adopted by the Wildlife and Fisheries Commission at its regular meeting on May 6, 1993 in New Orleans, Louisiana, relative to the 1993 spring inshore shrimp season.

WHEREAS, R.S. 56:497 provides that the Wildlife and Fisheries Commission shall fix no less than two open shrimp seasons each year for all inside waters, and

WHEREAS, R.S. 56:497 further states these shrimp seasons shall be opened by Zone, and

WHEREAS, R.S. 56:497 further states these shrimp seasons shall be based upon biological and technical data, and

WHEREAS, the Wildlife and Fisheries Commission has reviewed in public the biological and technical data presented by the Department of Wildlife and Fisheries on shrimp populations and environmental conditions present in Louisiana's coastal waters during the spring of 1993, and

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2. Authorize and empower the Secretary of the Department of Wildlife and Fisheries to change the opening date or close the 1993 spring inshore shrimp season in any area or Zone when the Marine Fisheries Division certifies that the biological and technical data indicates the need to do so.

Bert Jones, Chairman
Wildlife and Fisheries Commission

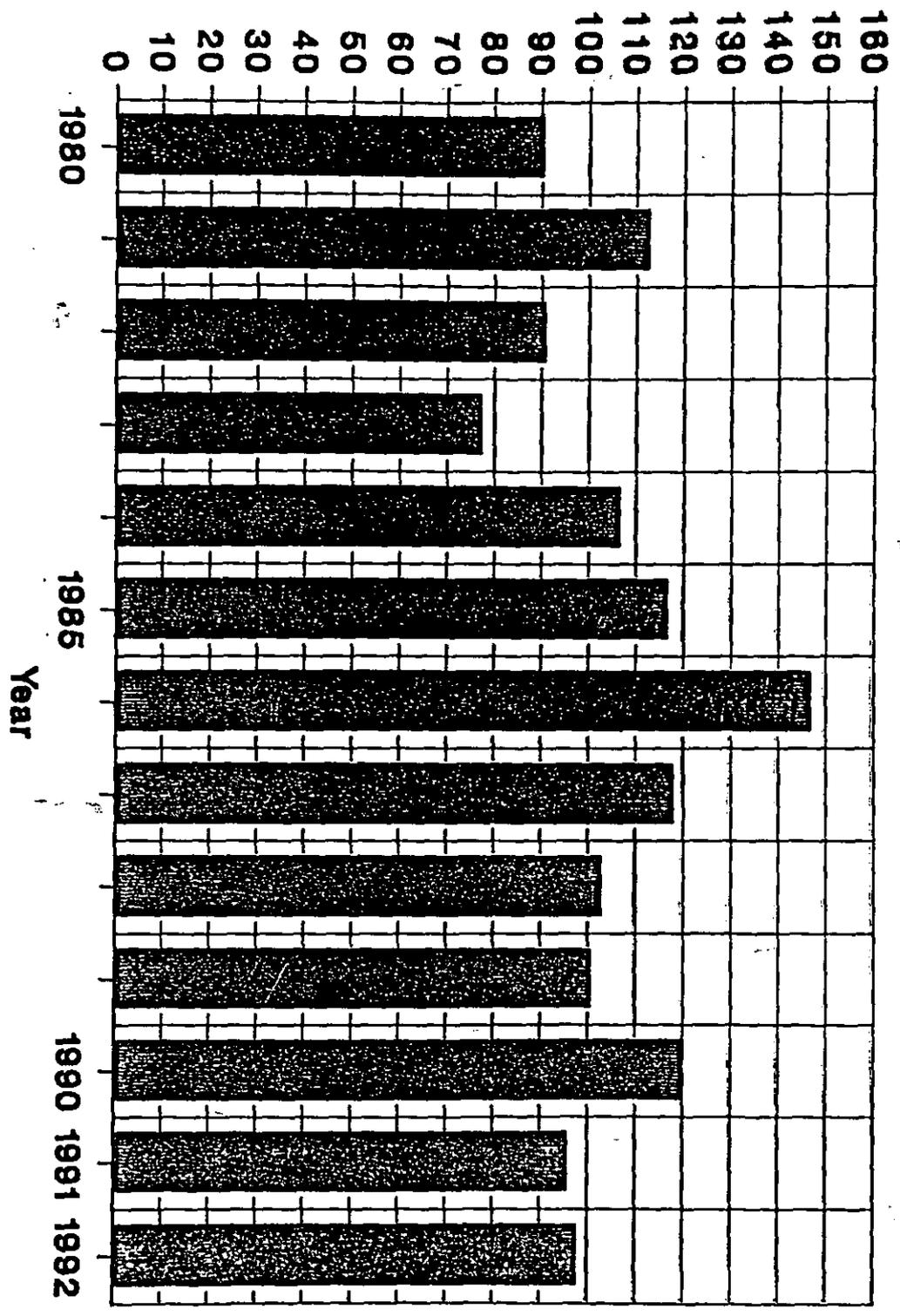
MARINE FISHERIES DIVISION



ANNUAL SPRING SHRIMP PRESENTATION

1993

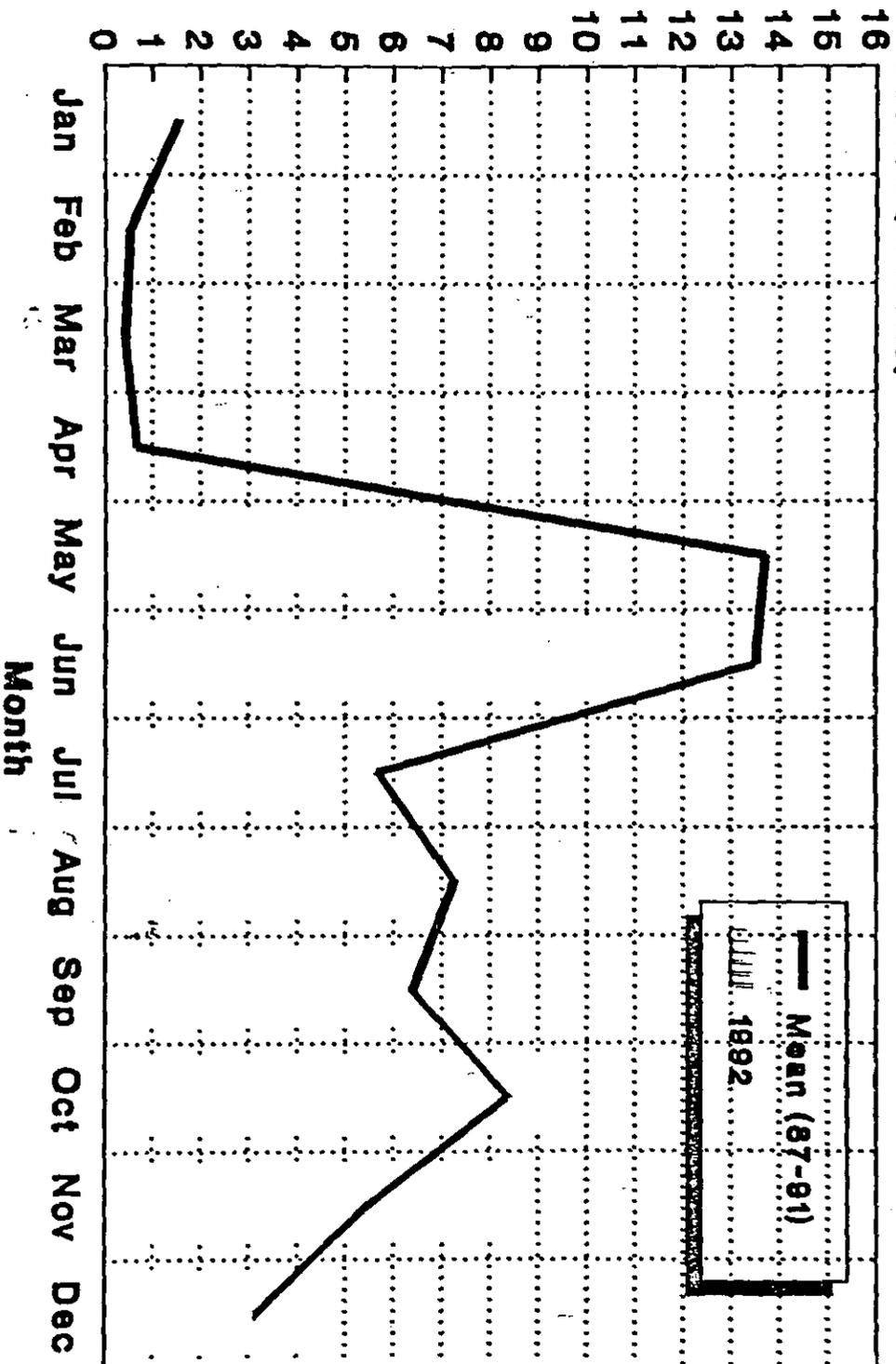
Louisiana Shrimp Landings (Live Weight/Heads-on)



Source: NMFS

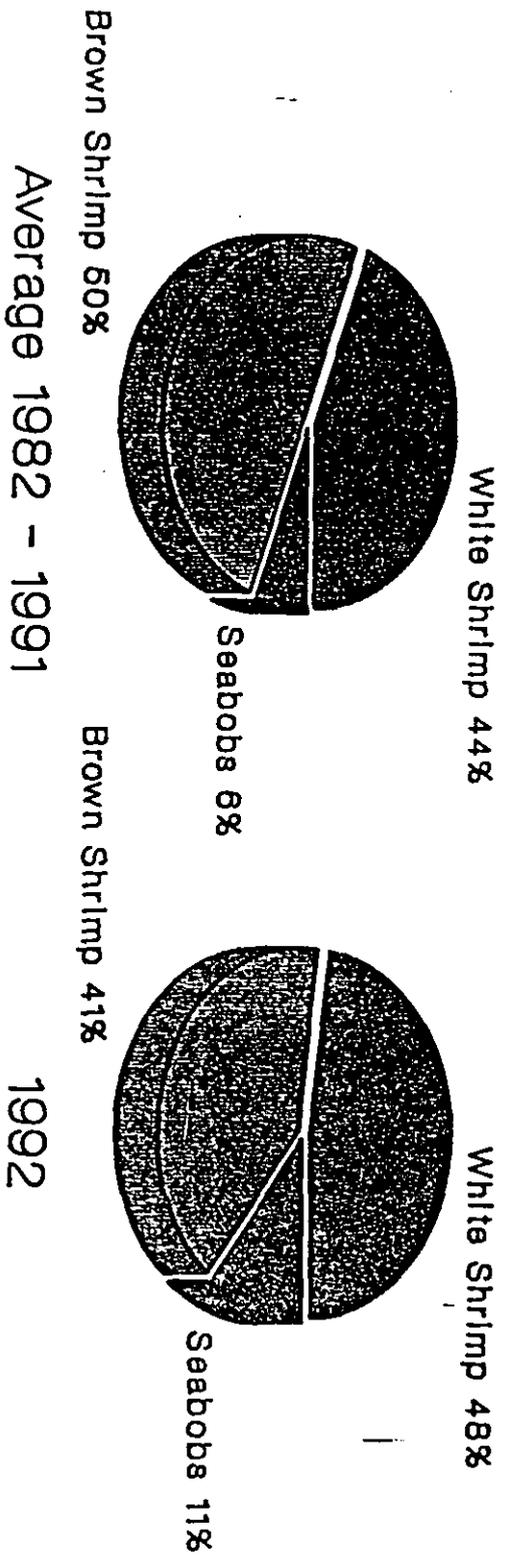
Louisiana Landings

Pounds (Millions)



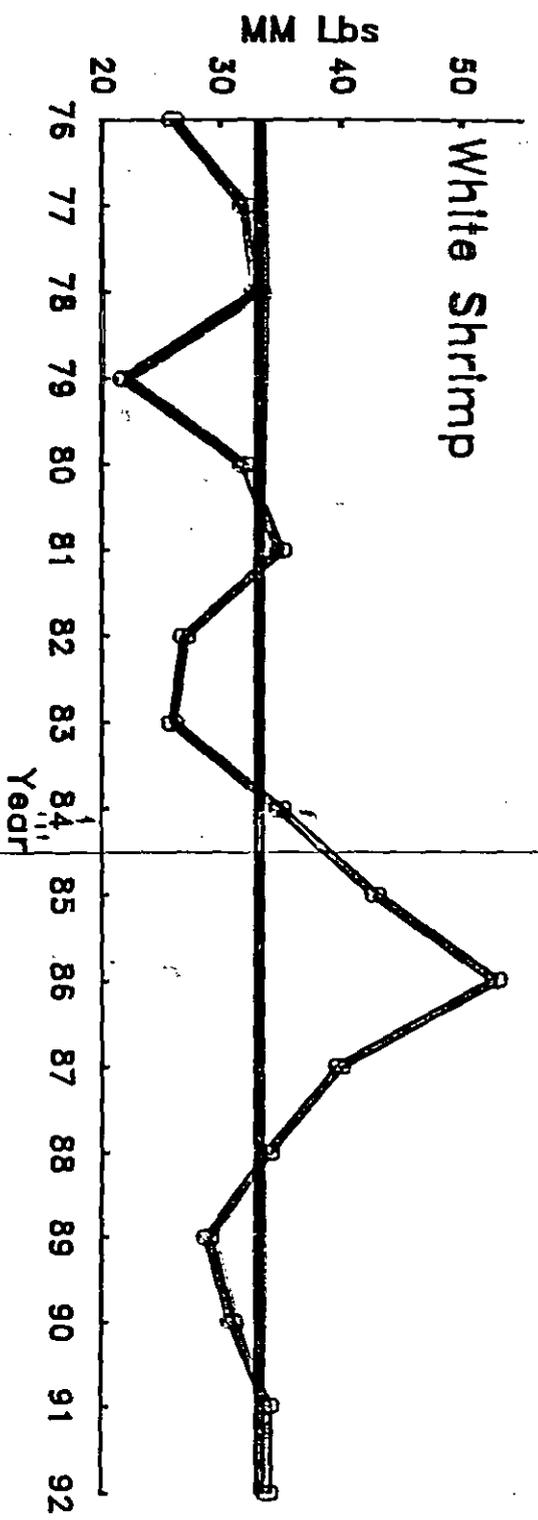
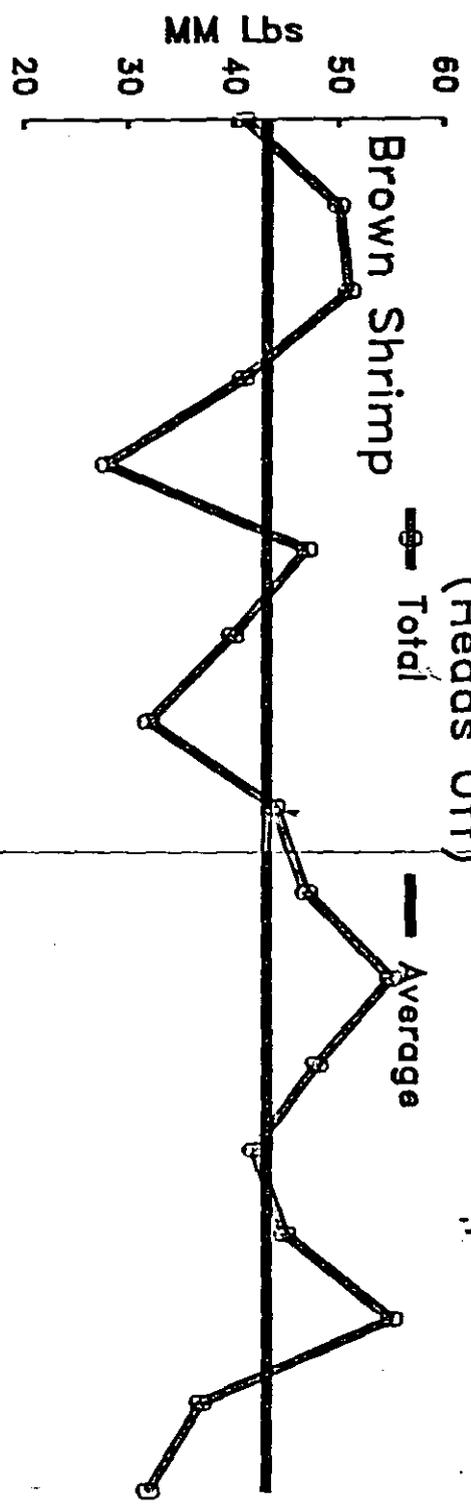
Preliminary from
NMFS SHRIMP STATISTICS

LOUISIANA SHRIMP LANDINGS WEIGHT BY SPECIES

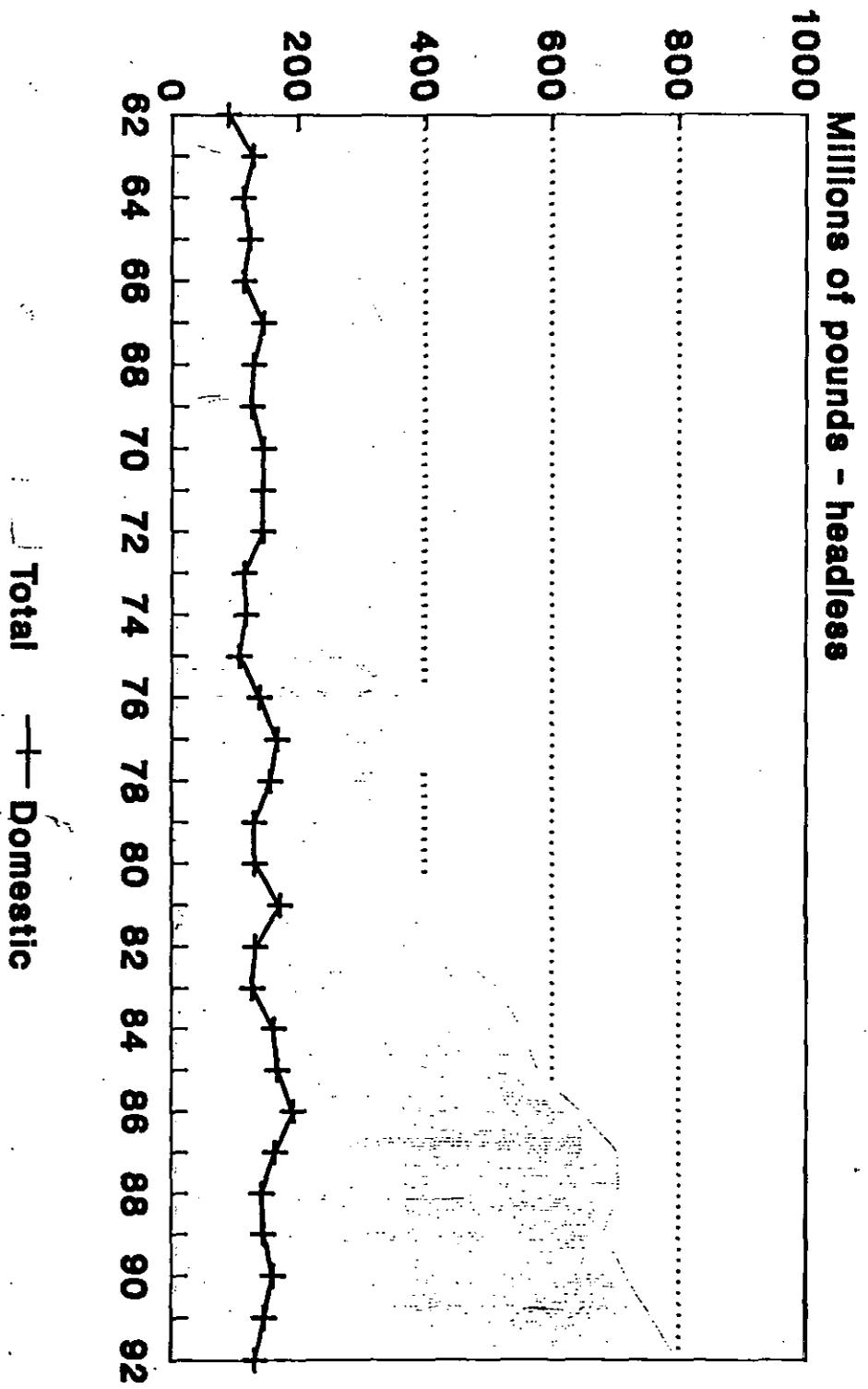


Source : NMFS

Louisiana Shrimp Catch (Heds Off)

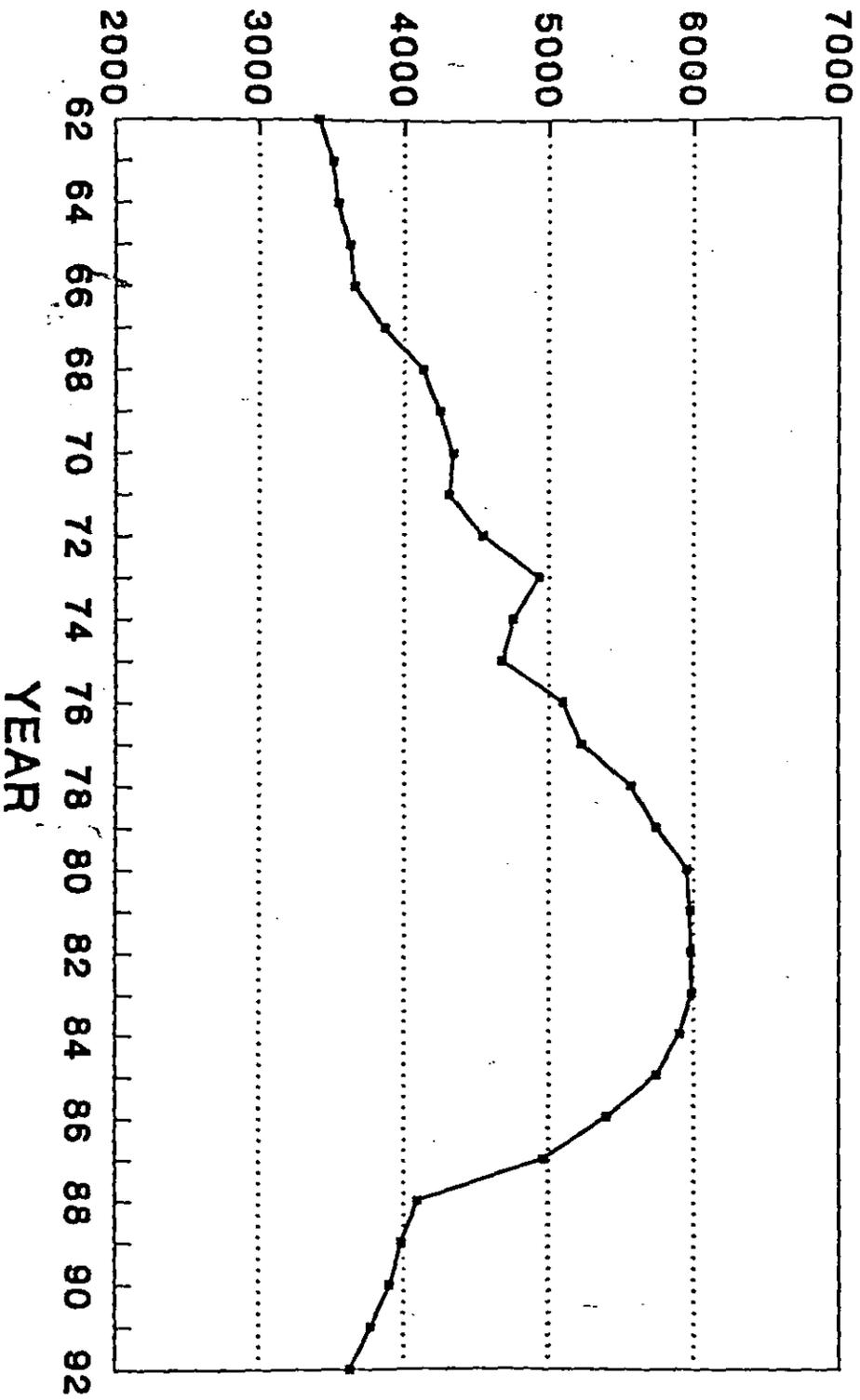


GULF OF MEXICO SHRIMP LANDINGS JANUARY - DECEMBER



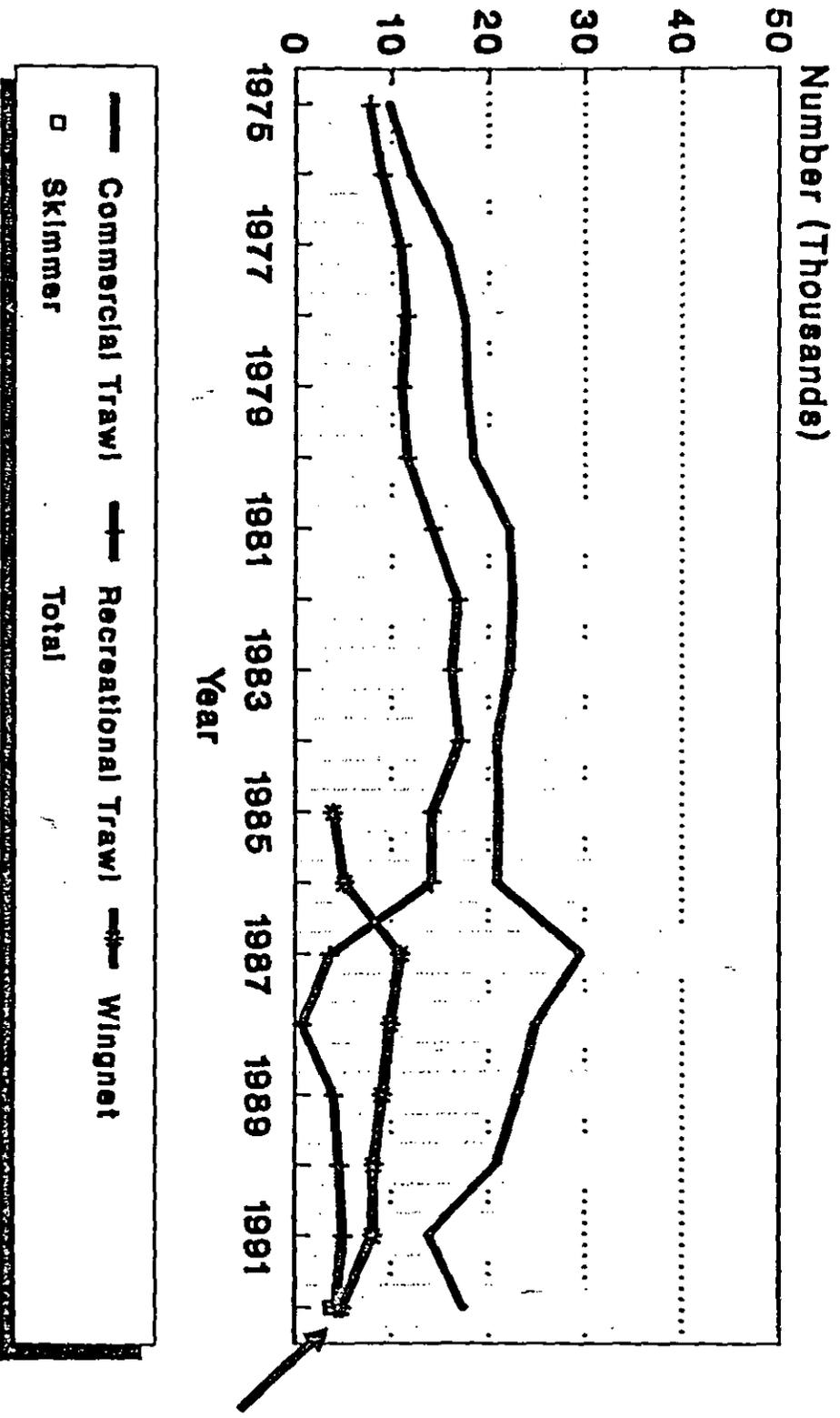
Source: NMFS

DOCUMENTED OFFSHORE SHRIMP TRAWLERS ELIZABETH CITY, NC. TO BROWNSVILLE, TX. JANUARY - DECEMBER



Source: NMFS

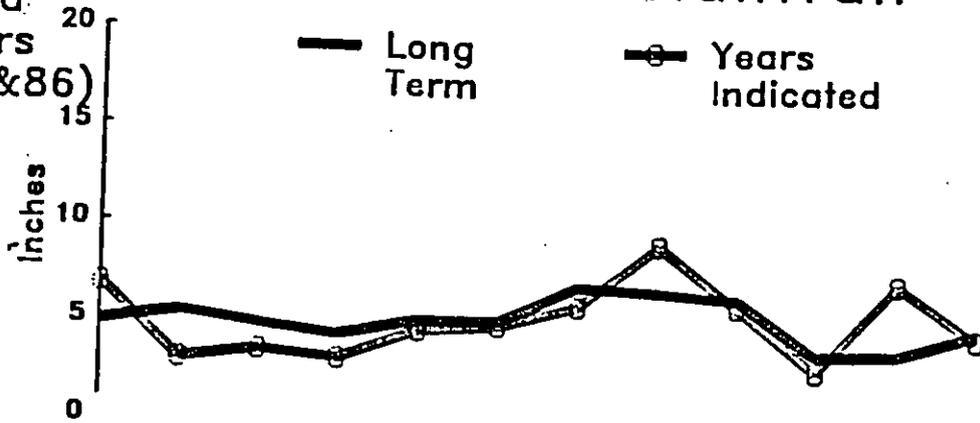
Louisiana Shrimp Gear License Sales by Year



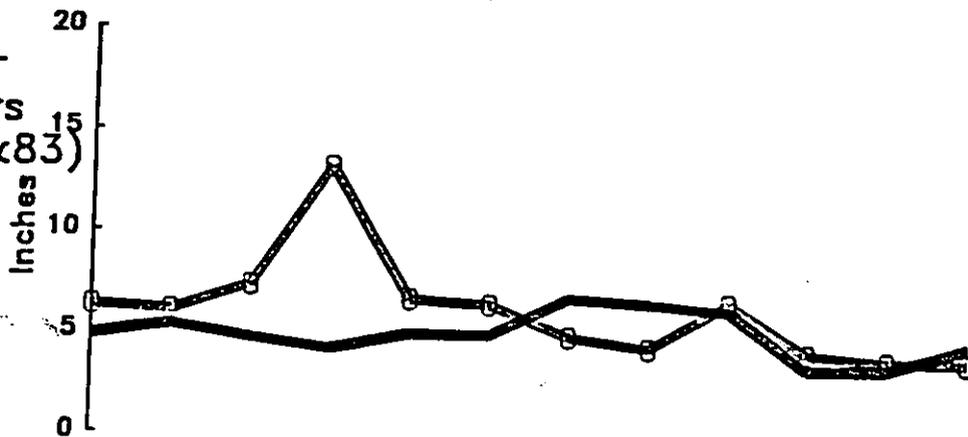
Source: LDWF

S.E. Louisiana Rainfall

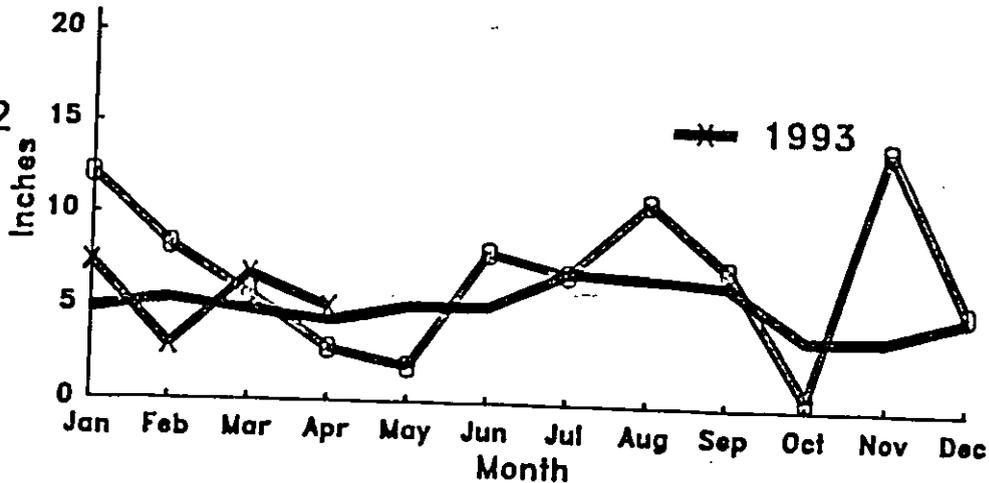
Good Years
(81&86)



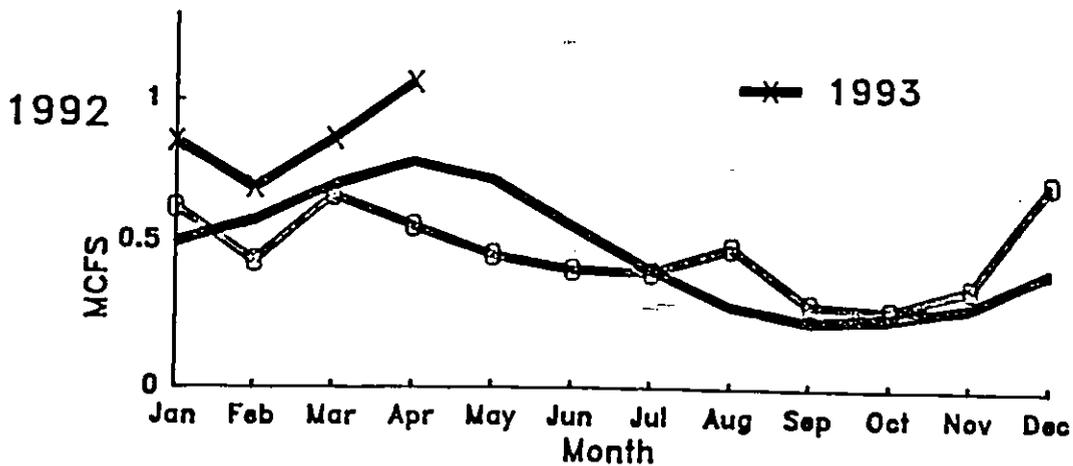
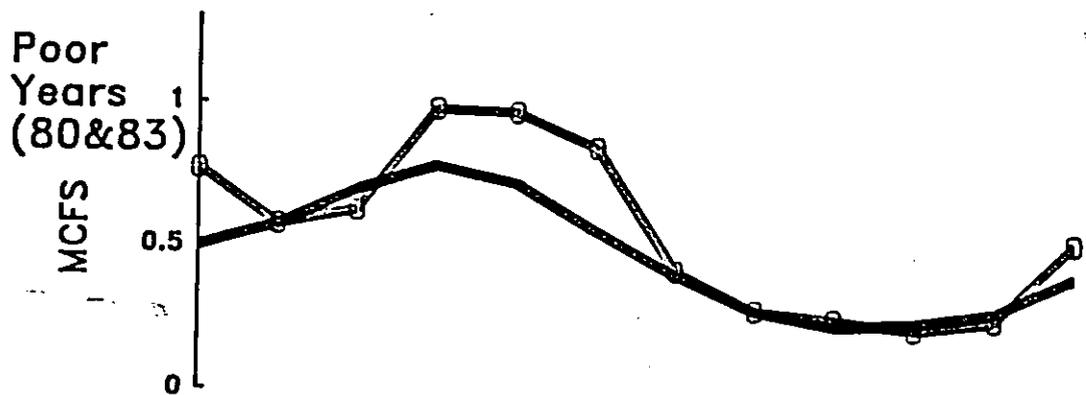
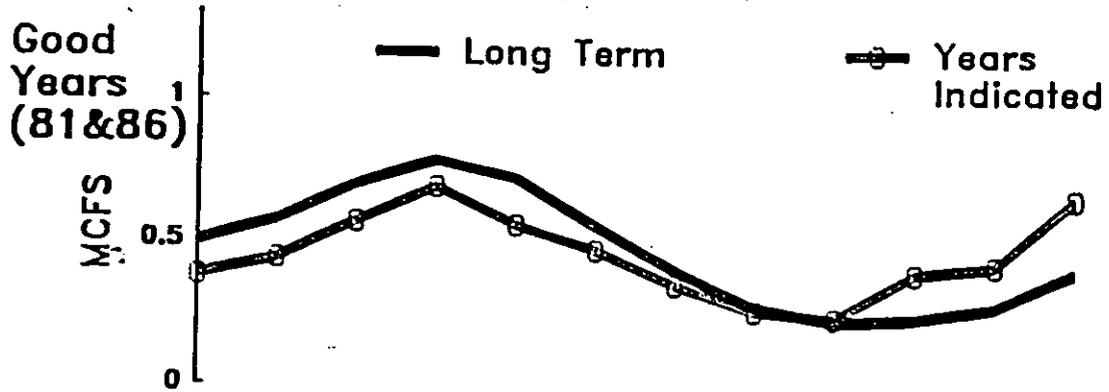
Poor Years
(80&83)



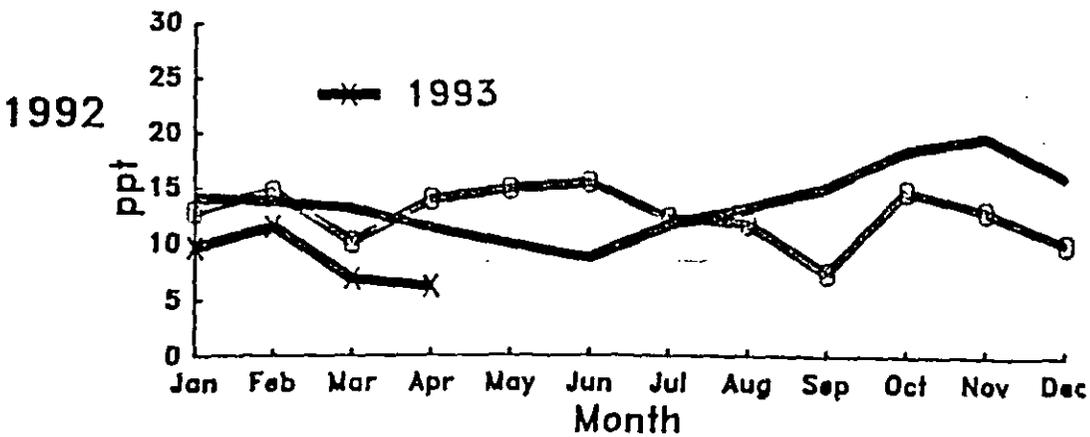
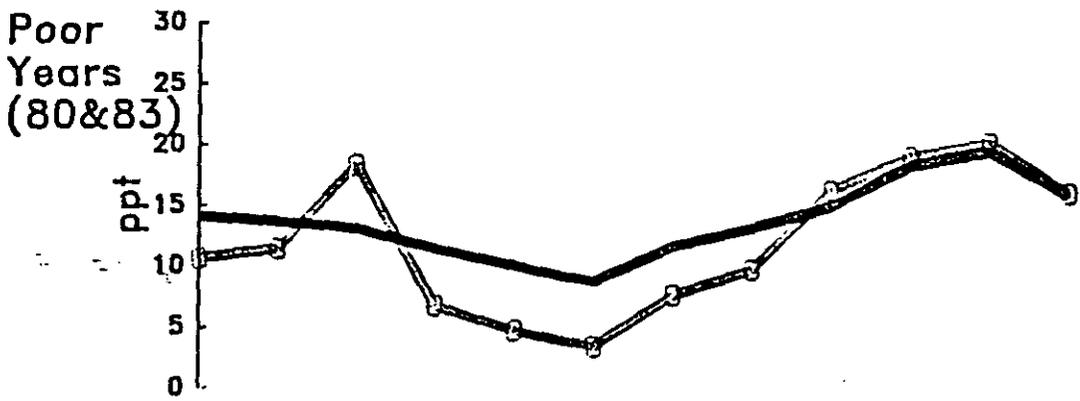
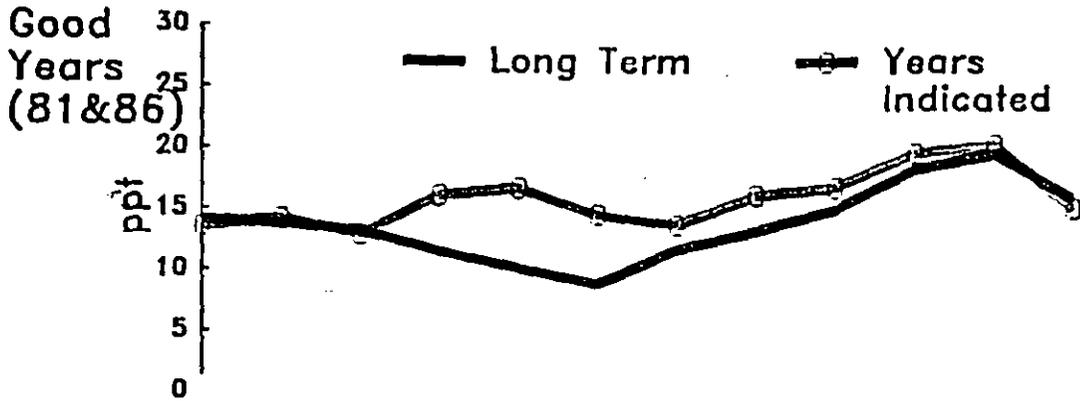
1992



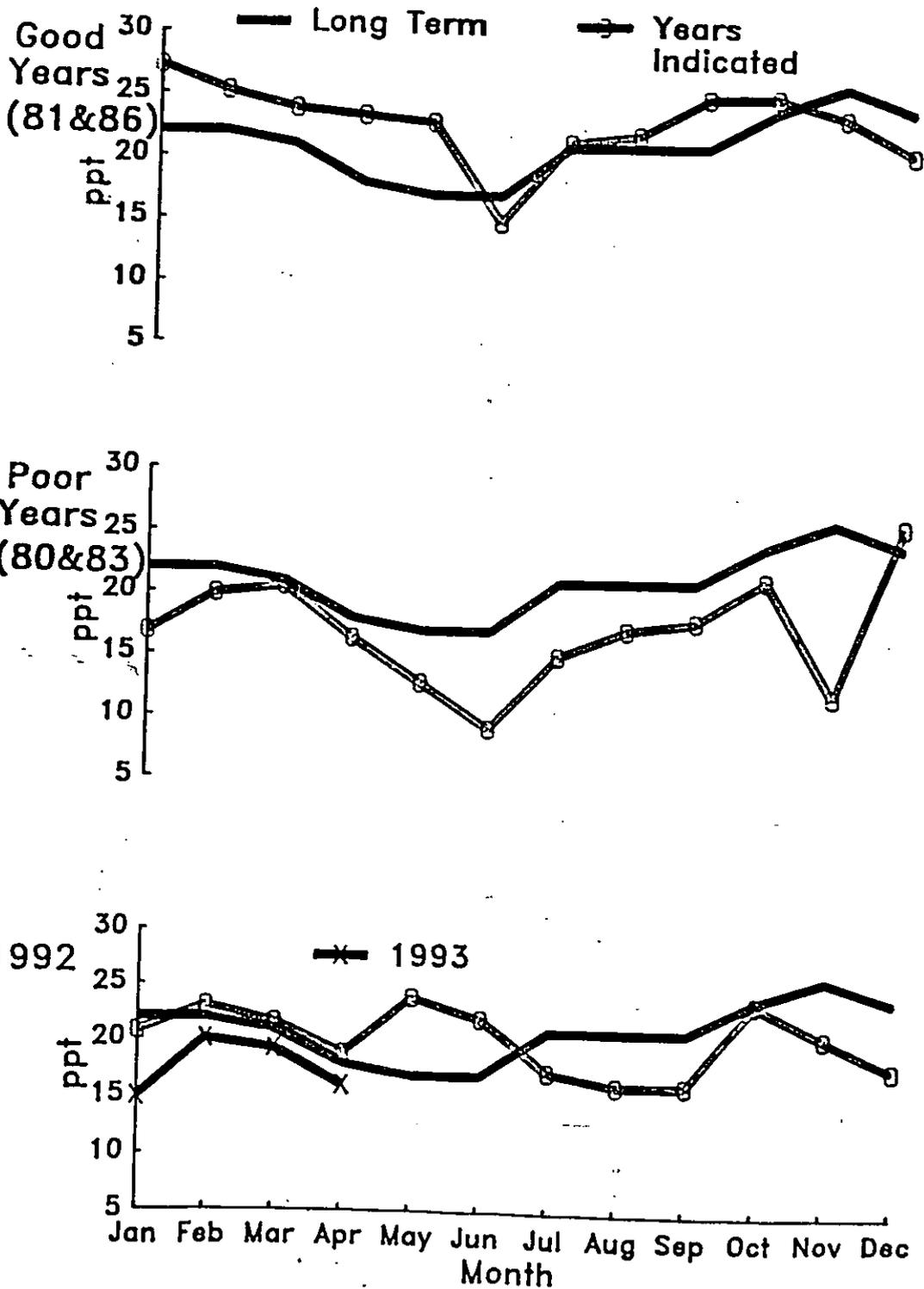
Mississippi River Discharge



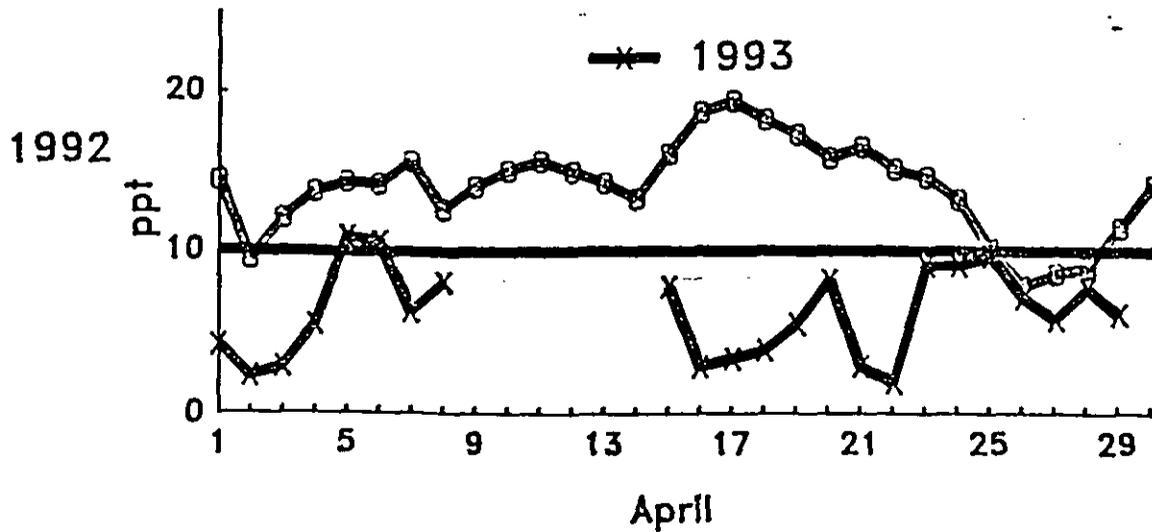
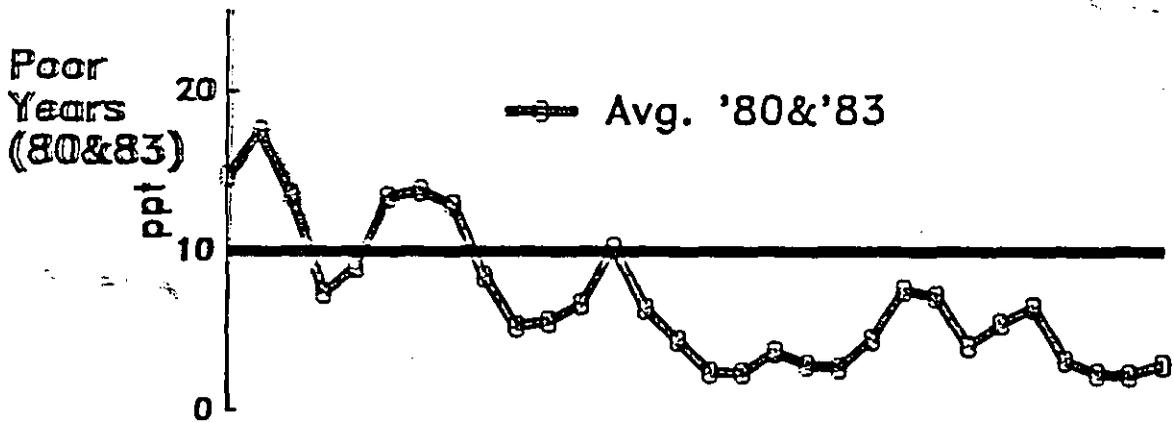
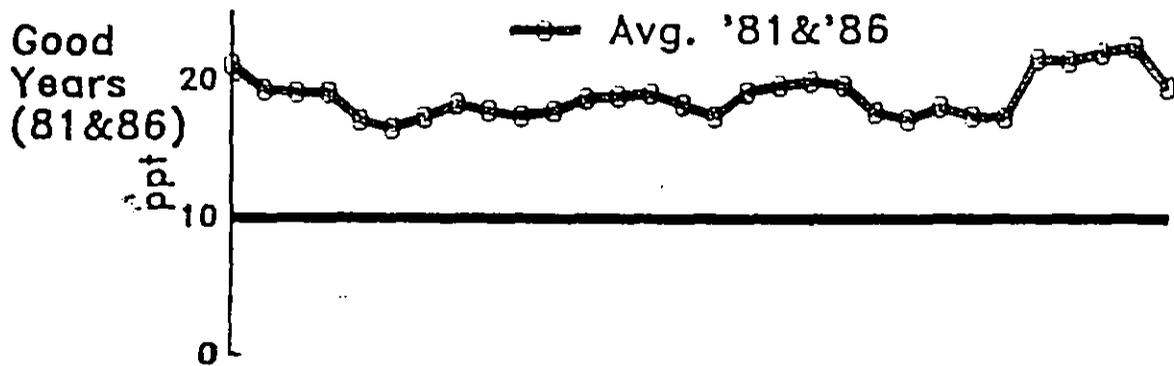
N. Barataria Bay Salinity



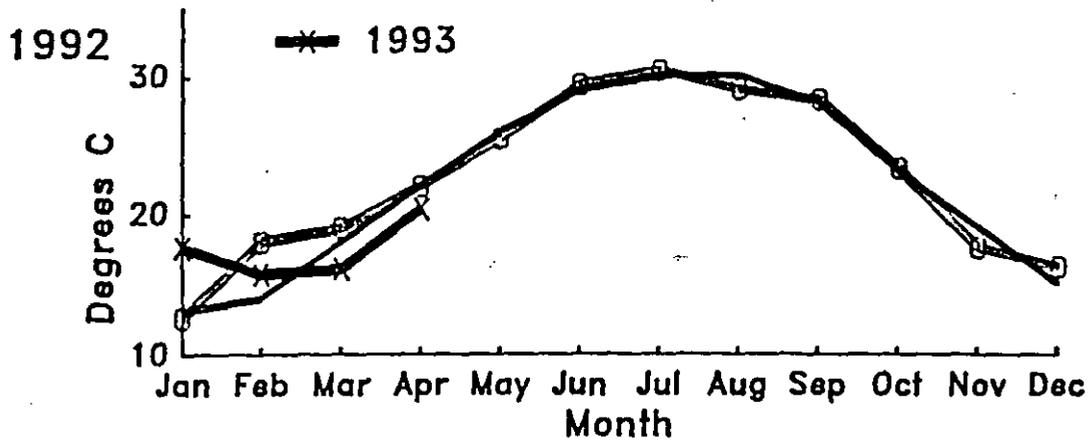
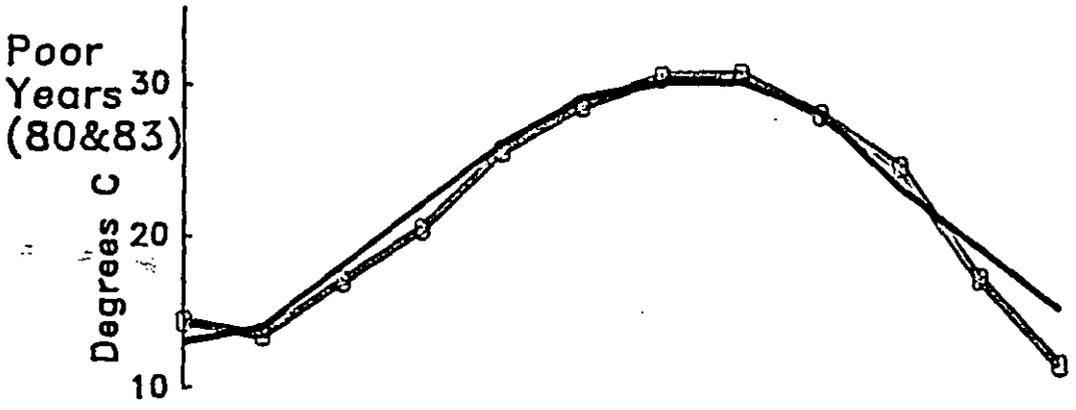
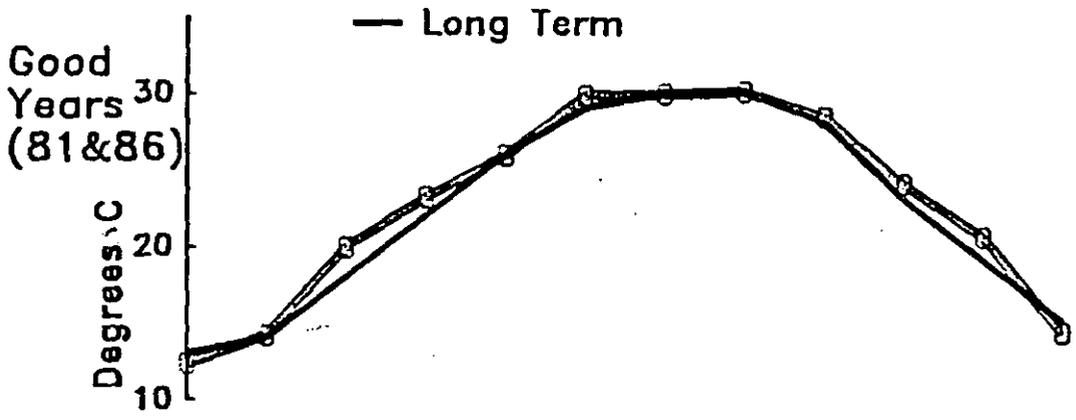
S. Barataria Bay Salinity



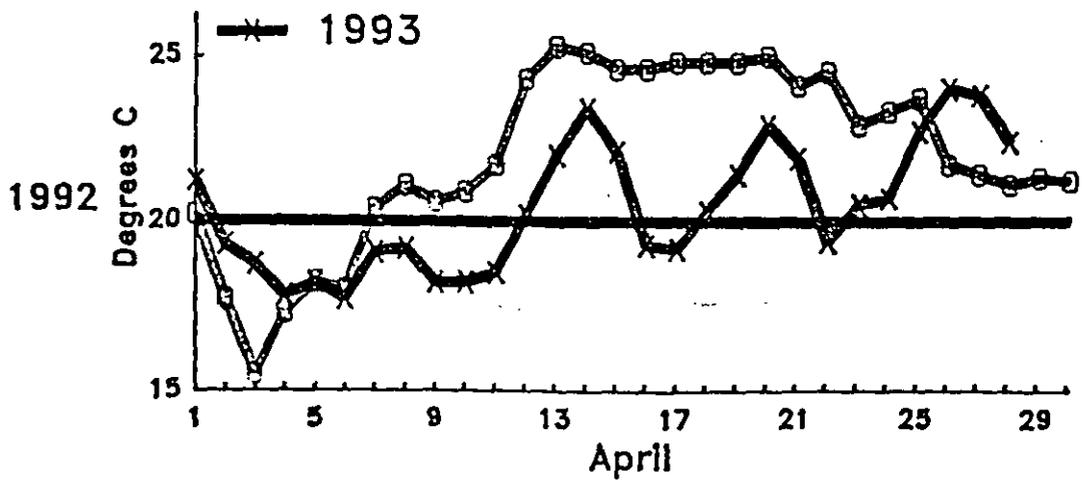
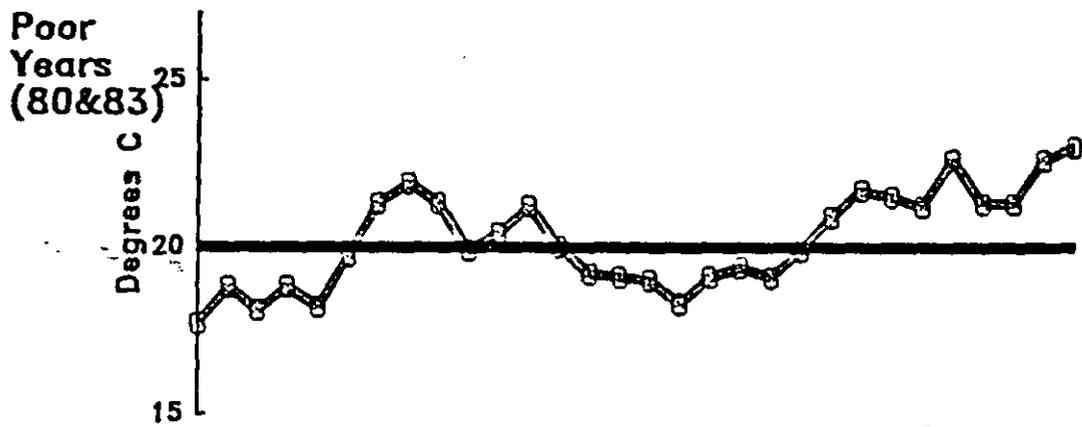
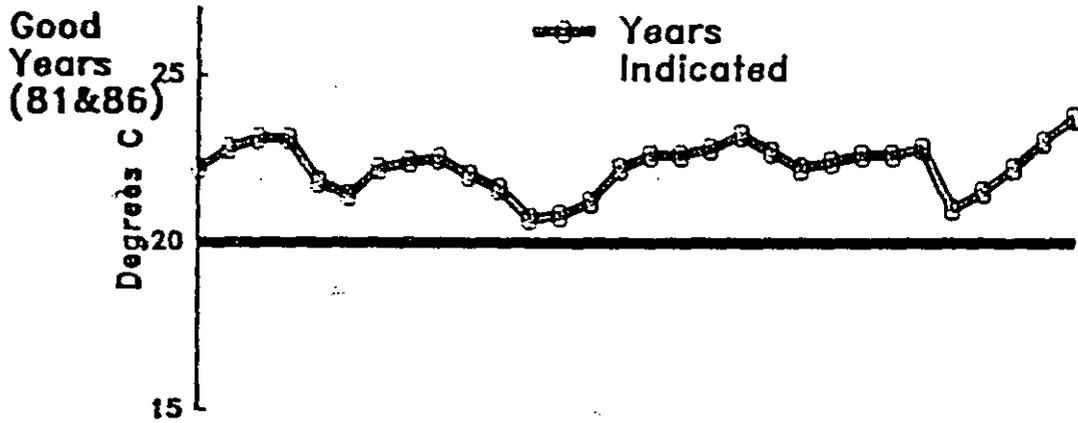
N. Barataria Bay, April Salinity



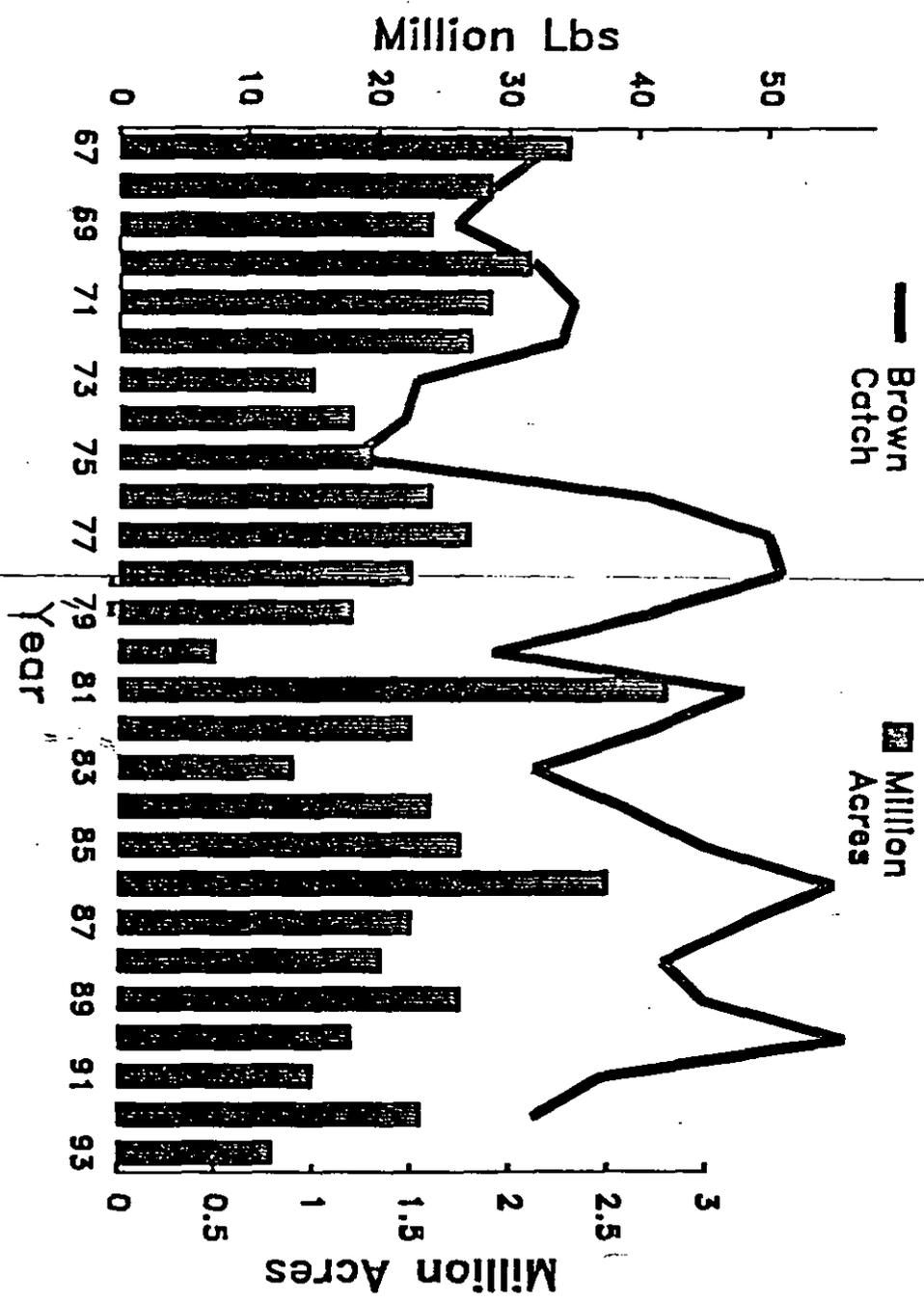
S. Barataria Bay Temperature



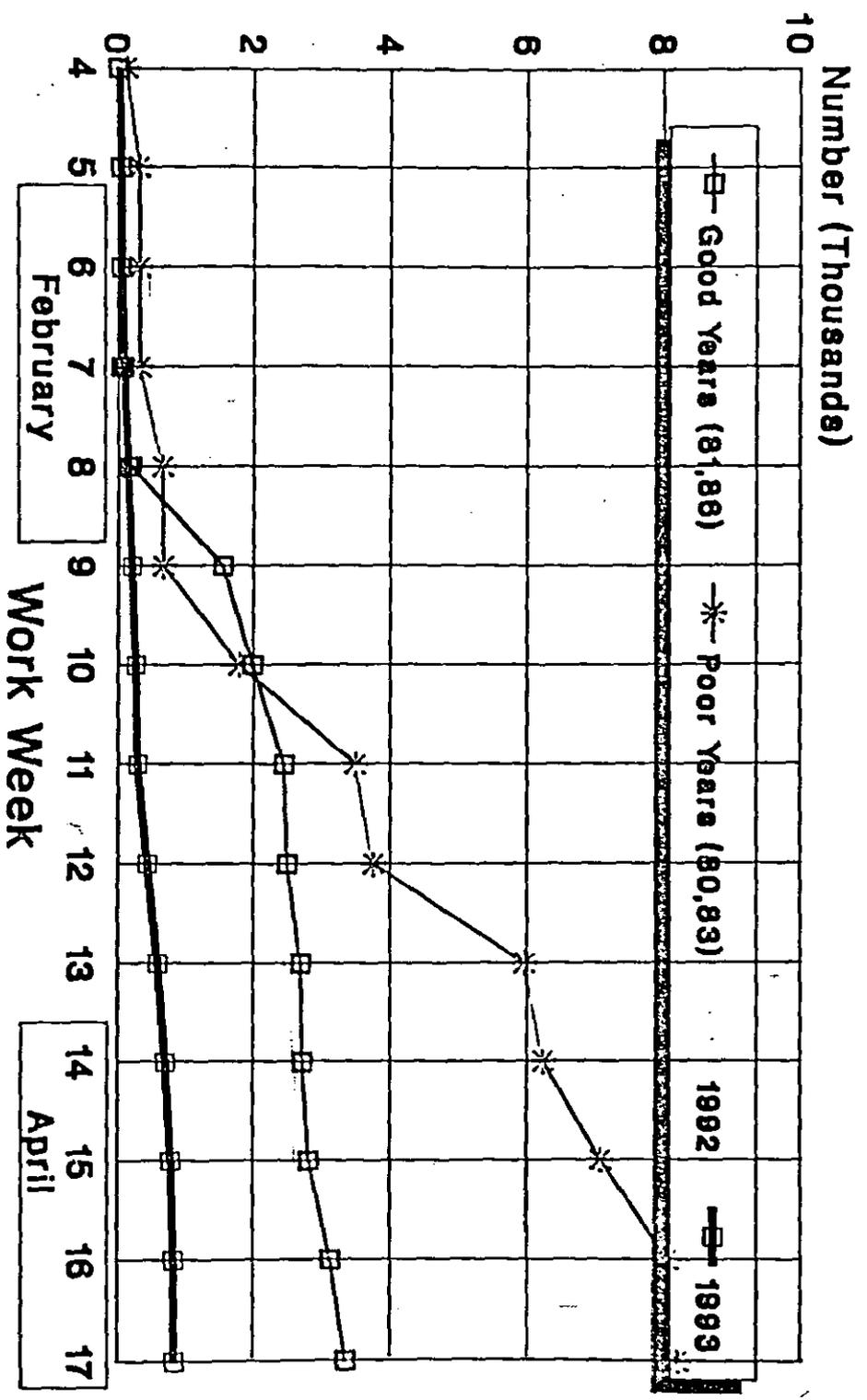
S. Bay Daily Water Temperature



April Brown Shrimp Nursery Area

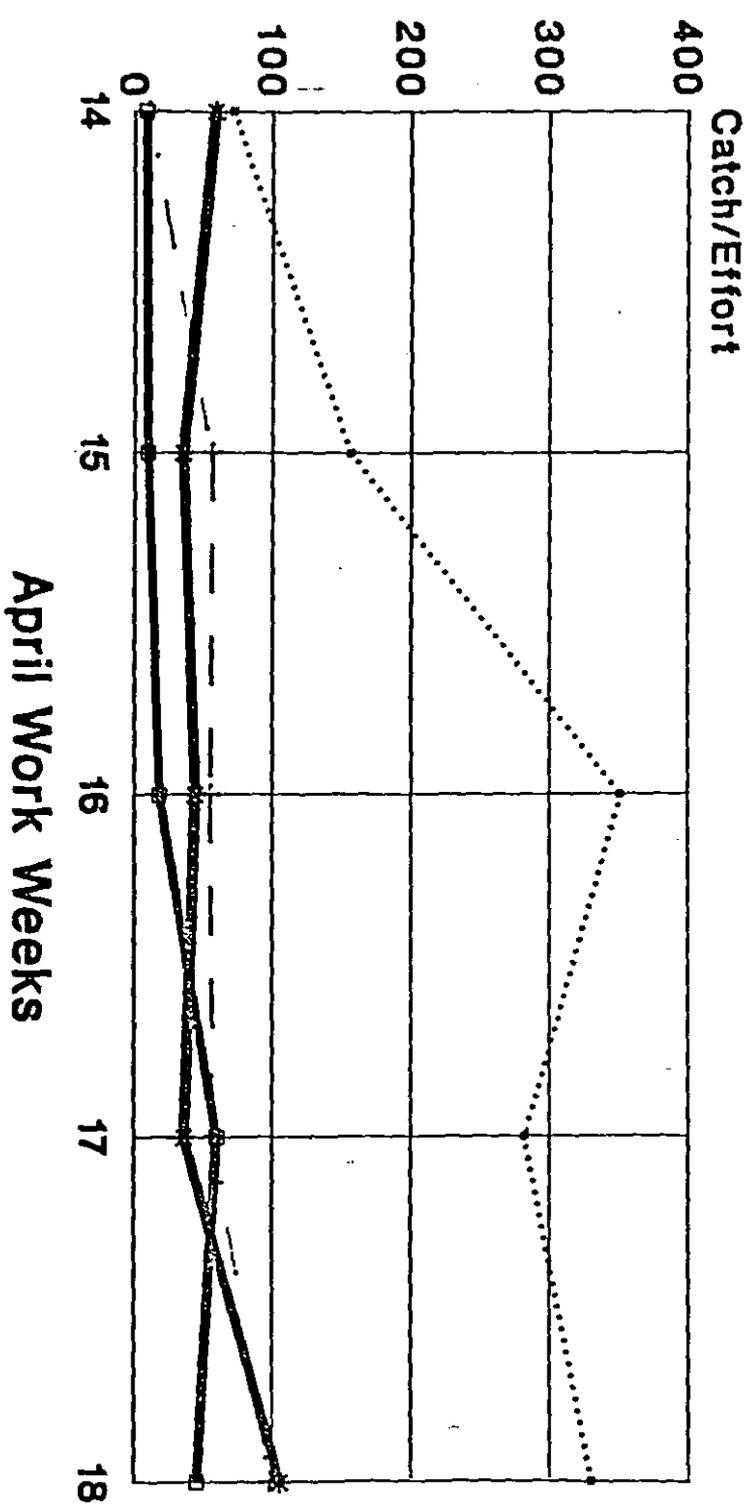


Cumulative Postlarval Catch Barataria Bay



LDWF, 1989

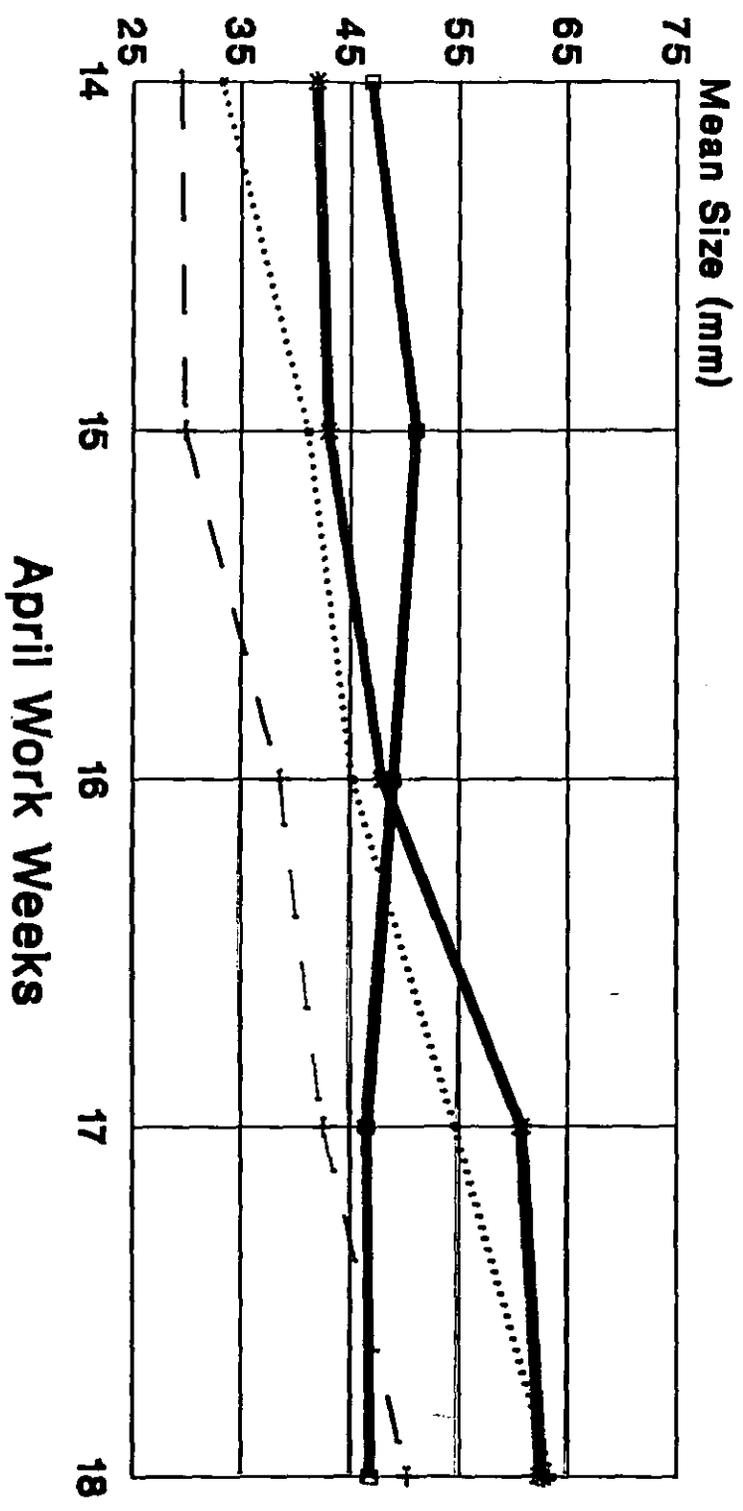
Brown Shrimp in 6' Trawls Barataria Bay



..... Good Years -·- Poor Years — 1993 - - - 1992

LDWFF, 1993

Brown Shrimp in 6' Trawls Barataria Bay

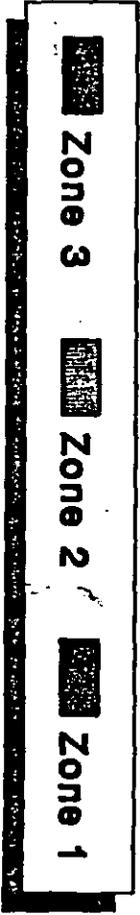
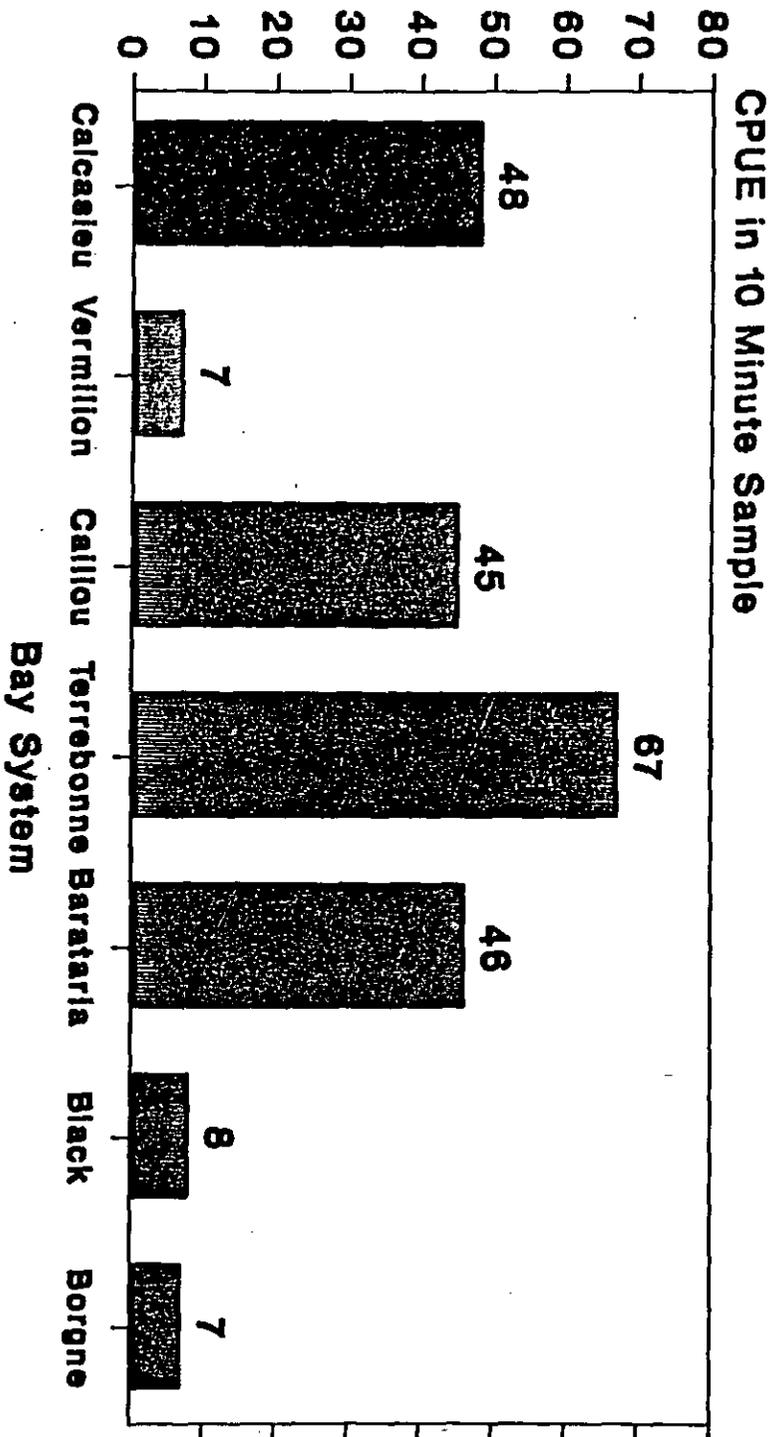


..... Good Years -·- Poor Years — 1993 - - - 1992

LDWF, 1993

Brown Shrimp Catch per Effort

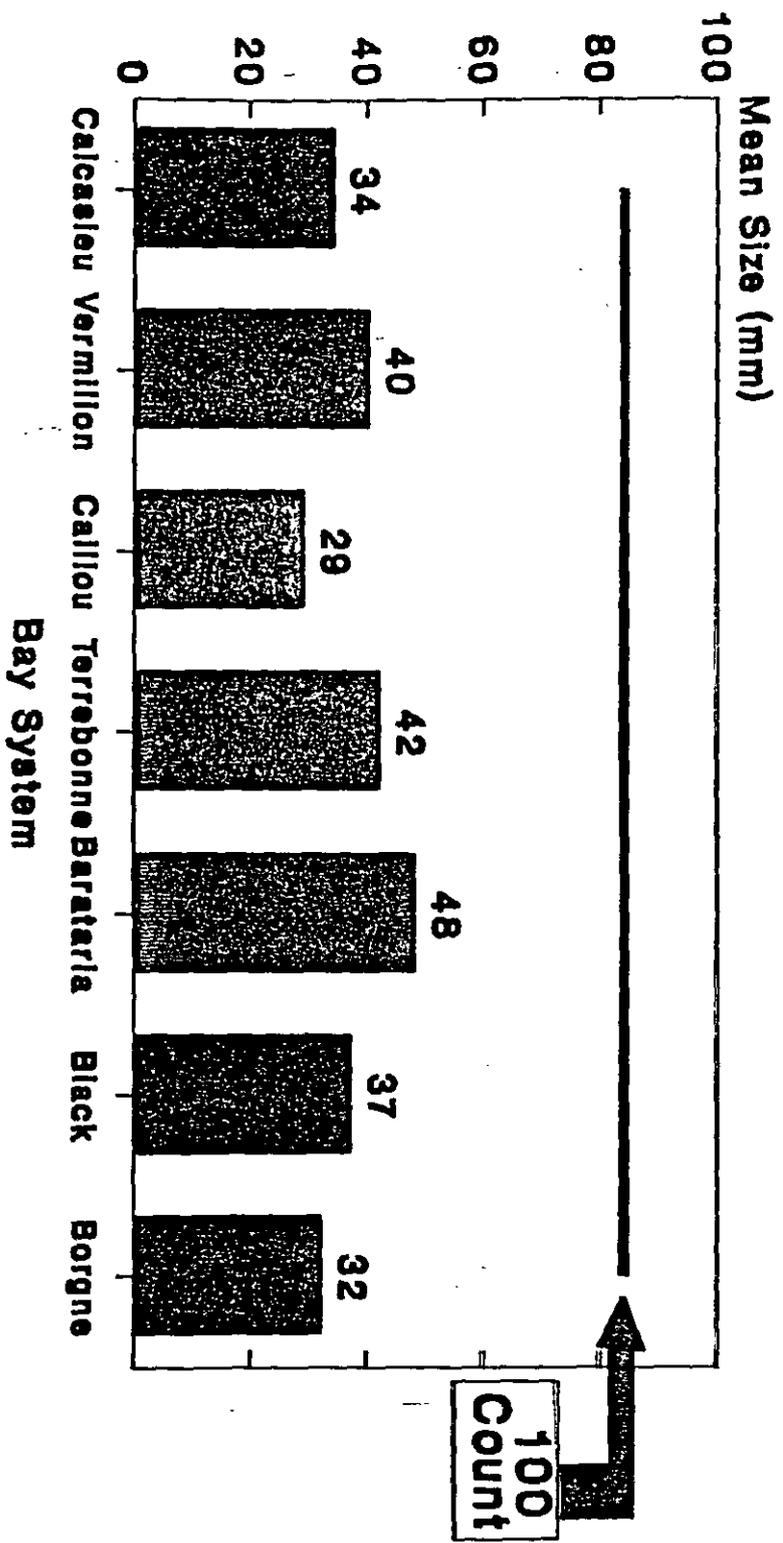
Week 18, 1993



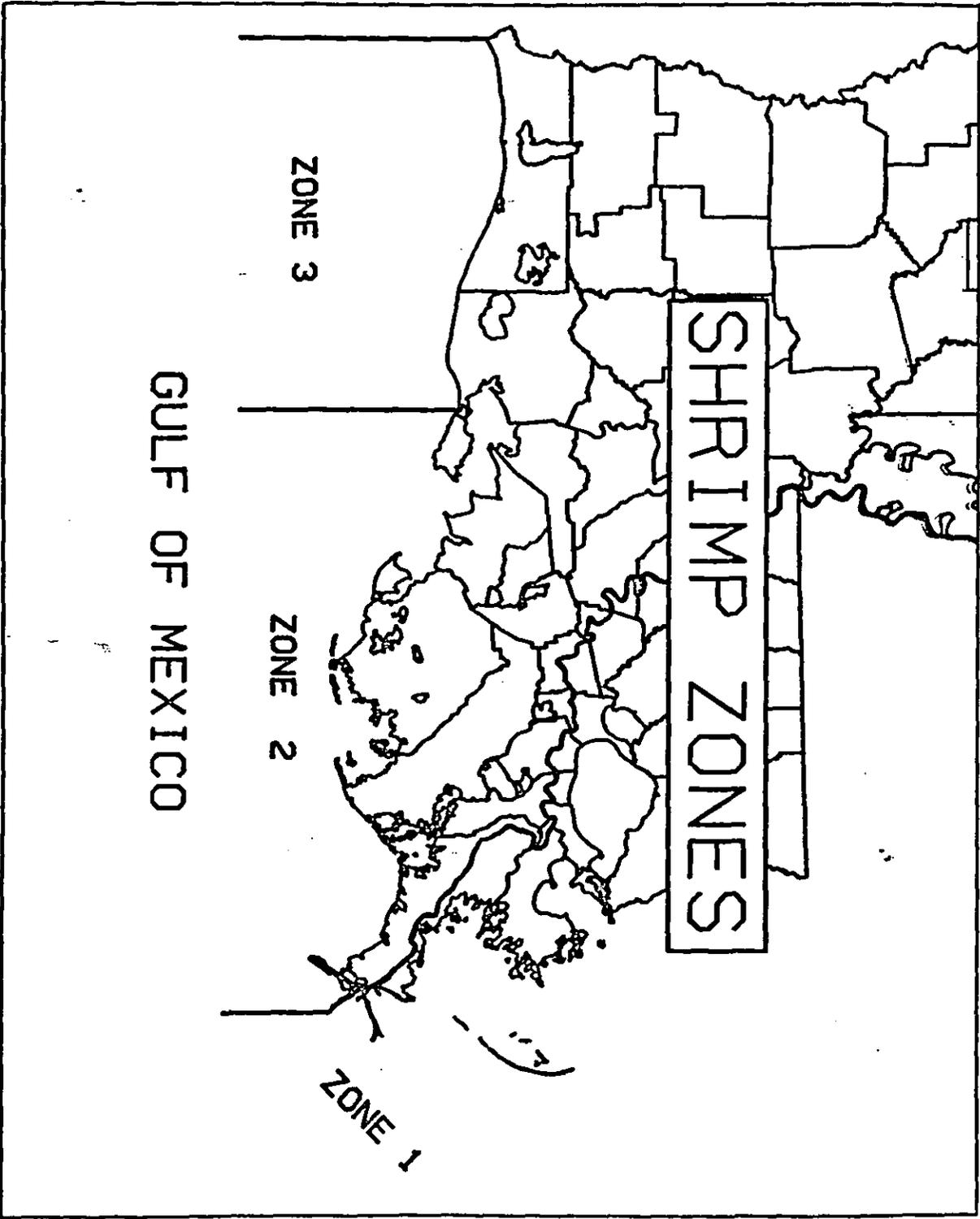
LDWF, 1993

Brown Shrimp Size

Week 18, 1993

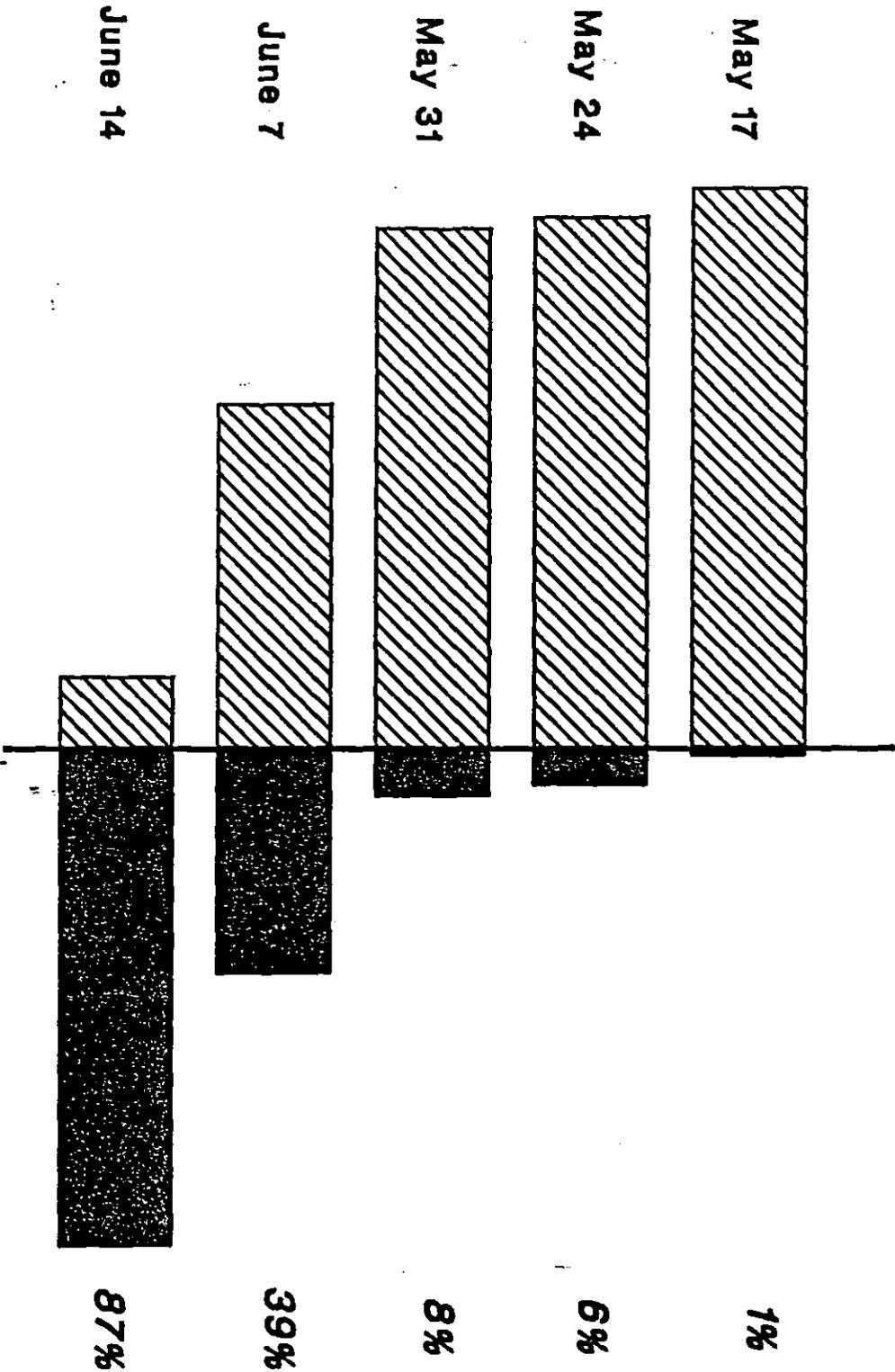


LDWF, 1993



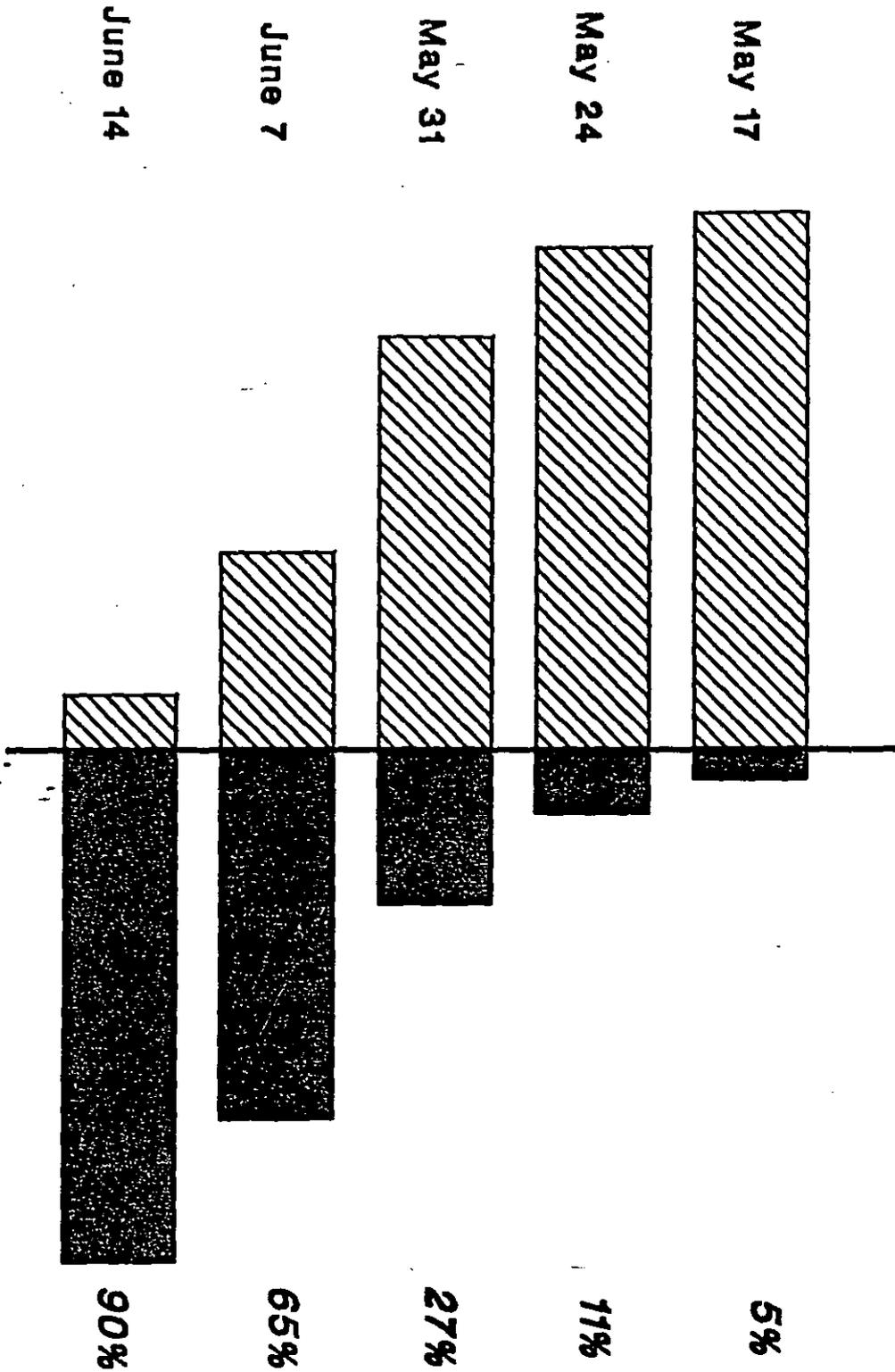
ZONE 1 1993

Percent
100 Count



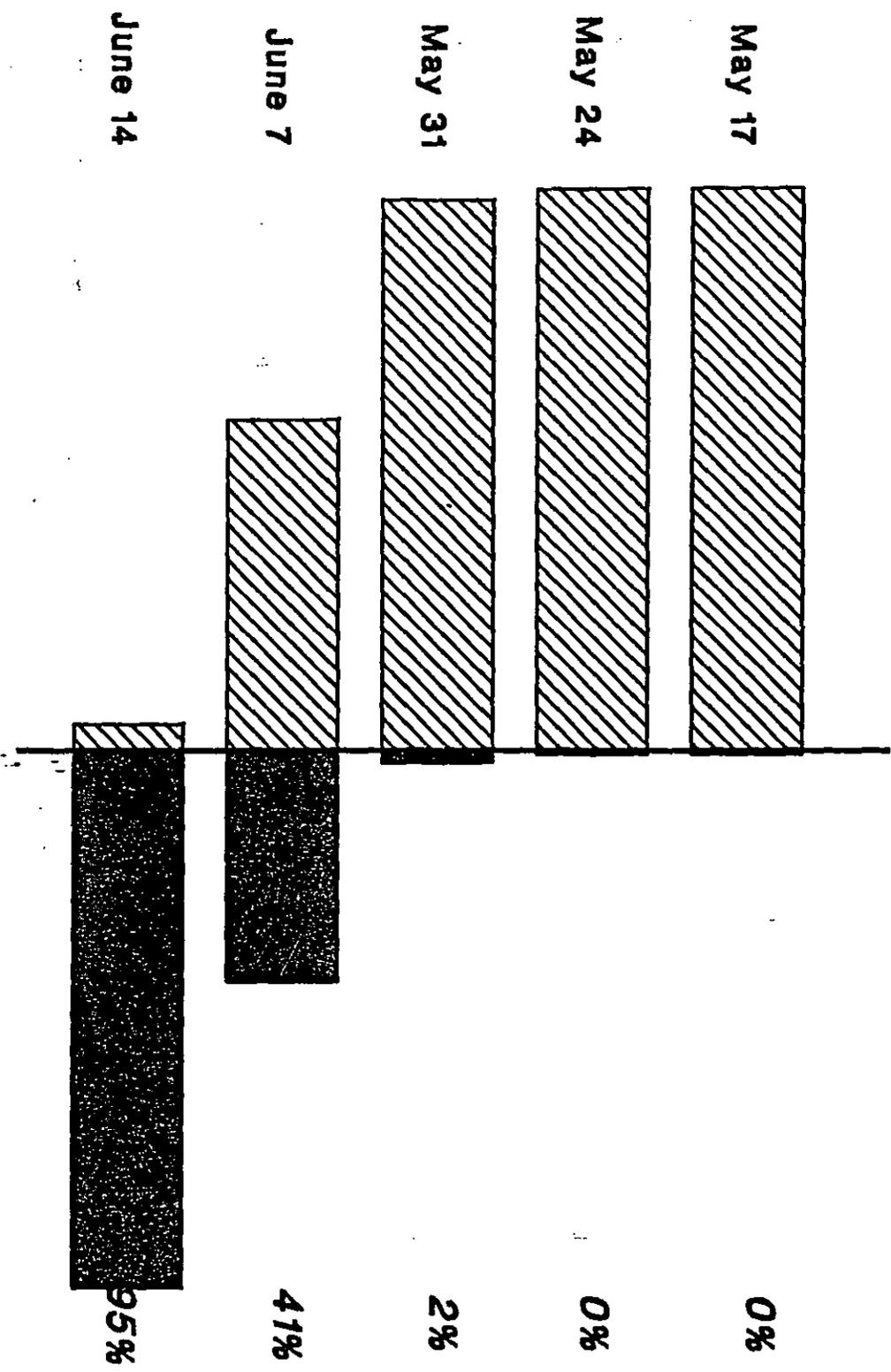
ZONE 2 1993

Percent
100 Count



ZONE 3 1993

Percent
100 Count



State of Louisiana



Joe L. Herring
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800
April 13, 1993

Edwin W. Edwards
Governor

MEMORANDUM:

TO: Joe L. Herring, Secretary

FROM: Lee Caubarreaux, Assistant Secretary *Lee 4/14*

SUBJECT: Aviation Report - March 1993

Total hours listed are:

PILOT	TOTAL HOURS
G. Rackle	31.1
B. Stamey	10.8
M. Windham	11.9
D. Clause	49.0
TOTAL HOURS	102.8

-0- No Flights

PLANE	FLIGHT HOURS	ESTIMATED ¹ COST(TOTAL)	ACTUAL ² COST(TOTAL)
N61092 Amphib	14.3	1,779.06	1,167.16
70365 Float-DC	49.0	5,720.75	5,175.52
N2576K Float-MW	11.9	1,416.70	1,068.39
N9467Y 210	27.6	2,665.61	2,395.15
N223MS Partenavia	0.0	0.00	0.00
N57266 Aero Commander	0.0		
TOTALS	102.8	11,582.12	9,806.22

¹Estimated Cost is based on an historical average per flight hour.

²Actual Cost substitutes actual maintenance for the month for the average maintenance costs used in the previous figure. This is the only figure used in the calculation of estimated costs that varies significantly from month to month.

LGC:csg

cc: Debbie Unbehagen, Fiscal

NOTICE OF INTENT

**Department of Wildlife and Fisheries
Wildlife and Fisheries Commission**

The Wildlife and Fisheries Commission does hereby give notice, in accordance with the Administrative Procedure Act, of its intent to promulgate a rule to amend the legal menhaden fishing season.

Title 76

WILDLIFE AND FISHERIES

Part VII. Fish and Other Aquatic Life

Chapter 3. Saltwater Sport and Commercial Fishing

§307. Menhaden Season

A. The season for the taking of menhaden as well as processing of menhaden shall be from the third Monday in April through November 1.

* * *

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:313, 56:6(25)(a) and 56:326.3.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 5:329 (October 1979), amended LR 14:547 (August 1988), amended LR 19:58 (January 1993), amended LR (September 1993).

Interested persons may submit written comments relative to the proposed rule until Thursday, July 8, 1993 to Mr. Harry Blanchet, Marine Fish Division, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000.

Bert H. Jones

Chairman

RESOLUTION
LOUISIANA WILDLIFE AND FISHERIES COMMISSION

STATE OWNED WATER BOTTOMS
REMOVAL OF FILL MATERIAL AND ROYALTY THEREON

WHEREAS, Most water bottoms in lakes, bays, rivers, bayous, and other streams in the State of Louisiana is property of the State, and

WHEREAS, Removal of bottom sediments from those lakes, bays, river, bayous, and other streams without permission and compensation to the State of Louisiana is contrary to the Constitution of the State, and

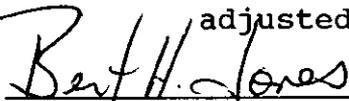
WHEREAS, The Department of Wildlife and Fisheries and the Wildlife and Fisheries Commission has been given the statutory authority to regulate the removal of fill material from state owned water bottoms,

THEREFORE BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission does hereby give notice of its intent to prohibit removal of fill material from any state owned water bottom unless a permit is first issued by the Department of Wildlife and Fisheries to the person wishing to remove that fill material.

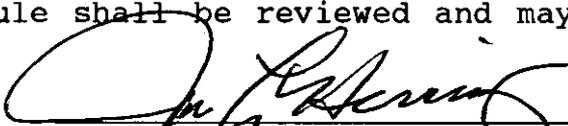
BE IT FURTHER RESOLVED that, unless exempt, a severance royalty for each cubic yard of material removed shall be paid to the State through the Department of Wildlife and Fisheries in the amounts indicated in the schedule below:

Fill Material and/or fill sand	\$.20/cubic yard
Gravel, screened and washed	\$.60/cubic yard
Gravel and sand, unscreened	\$.40/cubic yard
Sand, screened	\$.22/cubic yard

BE IT FURTHER RESOLVED that the schedule of royalty payments established by this rule shall be reviewed and may be adjusted annually.



Bert H. Jones, Chairman
Louisiana Wildlife and Fisheries
Commission



Joe I. Herring, Secretary
Louisiana Department of Wildlife
and Fisheries

RESOLUTION
LOUISIANA WILDLIFE AND FISHERIES COMMISSION

STATE OWNED WATER BOTTOMS
REMOVAL OF FILL MATERIAL AND ROYALTY THEREON

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Bert H. Jones, Chairman
Louisiana Wildlife and Fisheries
Commission

Joe L. Herring, Secretary
Louisiana Department of Wildlife
and Fisheries

NOTICE OF INTENT

Department of Wildlife and Fisheries
Wildlife And Fisheries Commission

The Wildlife and Fisheries Commission does hereby give notice of its intent to promulgate a rule to require that any person who removes or intends to remove any type of fill material from any water bottom which is property of the State of Louisiana shall be authorized to do so only upon securing a permit from the Department of Wildlife and Fisheries prior to removal of said fill. Further, any person who severs fill material from state owned water bottoms may be liable to pay to the State of Louisiana through the Department of Wildlife and Fisheries a severance royalty for each cubic yard removed in amounts set by this rule.

Title 76

WILDLIFE AND FISHERIES

Part XIII. Fill Material

Chapter 1. Royalties

§101. Dredging

A. The Louisiana Department of Wildlife and Fisheries has adopted, via resolution of the Wildlife and Fisheries Commission, the following rules relative to the dredging of fill material, sand and gravel from water bottoms owned by the State of Louisiana and royalties thereon.

~~B. The fill material contract issued by the Department of Wildlife and Fisheries and heretofore used to regulate the severance of fill material from state owned water bottoms and the payment of royalty thereon is hereinafter abolished and will be reinstated with appropriate changes as a fill material permit~~

No fill material shall be dredged from state owned water bottoms unless a permit for that removal is issued by the La. Dept. of Wildlife and Fisheries.

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Department of Wildlife and Fisheries
Wildlife And Fisheries Commission

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issued by the Department.

C. A severance royalty for each cubic yard of material removed from state owned water bottoms shall be paid to the State through the Department of Wildlife and Fisheries in the amounts indicated in the schedule below:

Fill Material and/or fill sand .	\$.20/cubic yard
Gravel, screened and washed . . .	\$.60/cubic yard
Gravel and sand, unscreened . . .	\$.40/cubic yard
Sand, screened	\$.22/cubic yard

Any interest and/or penalty owed on unpaid royalty shall be established by the Department in accordance with the Administrative Procedure Act.

D. No person or firm shall dredge fill material, sand or gravel from the public water bottoms of this state without a permit from the Department of Wildlife and Fisheries, the fee for which shall be set at \$25, non-refundable.

E. The extent of a single permitted site in the Mississippi River, the Atchafalaya River, the Red River, the Pearl River (not including the West Pearl), the Calcasieu River below the saltwater barrier, the Ouachita/Black River south of the confluence of Bayou Bartholomew shall not exceed one linear mile and shall not extend across the geometric center line of the stream. The extent of a single permitted site on all other streams except designated Natural and Scenic streams shall not exceed one linear half mile. Fill material, sand and gravel shall not be permitted to be removed from the water bottom of any designated Natural and Scenic River unless removal of such material is specifically allowed by statute.

F. A permit shall not be issued to an applicant who is, or who contracts for the removal of fill material with someone who is not currently in good standing with the department. Those applicants whose fill material permit has been revoked or suspended for cause within the past 12 months, or who has an outstanding, unresolved royalty debt to the department, or who has repeatedly violated other provisions of previous permits or agreements may be deemed to not be in good standing with the Department.

G. A performance bond or irrevocable letter of Credit to run concurrently with the period of the permit, and in the amount according to the schedule below, shall accompany the application. In lieu, the entire royalty fee owed to the State may be remitted with the application.

Bond Value per volume dredged in 100 yd³

Type of Material	0 to 5 yd ³	5+to ₃ 10yd ³	10+to ₃ 50yd ³	50+to ₃ 100yd ³	100+yd ³
Fill Material and /or Fill Sand	\$1,000	\$2,000	\$10,000	\$20,000	\$.20 x total cu. yds
Sand, Screened	\$1,100	\$2,200	\$11,000	\$22,000	\$.22 x total cu. yds
Gravel and Sand, un-screened	\$2,000	\$4,000	\$20,000	\$40,000	\$.40 x total cu. yds
Gravel, screened and washed	\$3,000	\$6,000	\$30,000	\$60,000	\$.60 x total cu. yds

A certified copy of such bond must be submitted to the Department of Wildlife and Fisheries before commencement of any dredging operation.

H. Any person or firm found to be dredging without, or in violation of a validly issued permit from this department shall be subject to criminal and civil penalties pursuant to R.S. 56:2012.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:22.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission LR 19: ().

Interested persons may submit written comments relative to the proposed rule until 4:30 p.m. Thursday, July 8, 1993 to Mr. Fredrick J. Prejean, Sr., Undersecretary, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000.

Bert H. Jones

Chairman

MONTHLY CIVIL RESTITUTION REPORT 1992-93

PERIOD	NO. CASES ASSESSED	AMOUNT ASSESSED	CREDIT FOR NO. SALE GOODS	CASES PAID	AMOUNT PAID	DISCOUNTS TAKEN
July, 1992	105	26,553	(10,515)	103	5,578	
Aug, 1992	137	26,153	(3,241)	95	5,292	
Sept, 1992	214	34,341	(3,245)	82	6,186	
Oct, 1992	346	238,388	(19,670)	119	8,310	292
Nov, 1992	34	17,264		220	11,744	4,651
Dec, 1992	122	76,371	(7,012)	97	5,042	1,275
Jan, 1993	77	35,470	(979)	75	7,389	3,799
Feb, 1993	40	10,787		81	13,141	6,941
March, 1993	37	15,552	(1,876)	60	13,479	5,848
April, 1993	24	8,418	(10,809)	31	5,000	2,379
TOTALS	1,136	489,297	(57,347)	963	81,161	25,185

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LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES
CIVIL RESTITUTION ACTIVITY REPORT

DATE: 5-MAY-1993

CURRENT MONTH 04/01/1993 TO 04/30/1993 FISCAL YEAR TO DATE 07/01/1992 TO 04/30/1993

INCEPTION TO DATE 04/30/1993

	# CASES	AMOUNT	# CASES	AMOUNT	# CASES	AMOUNT
ORIG RESTITUTION VALUES ENTERED	24	\$8,418.02	1,131	\$503,551.15	1,473	\$671,220.31
SALE OF CONFISCATED COMMODS	4	\$10,808.90-	121	\$71,576.50-	190	\$137,949.90-
SALES EXCEEDING RESTITUTION	1	\$7,851.40	52	\$19,965.33	92	\$32,759.48
RESTITUTION ASSESSED	24	\$5,460.52	1,131	\$451,939.98	1,473	\$566,029.89
PAYMENTS	31	\$4,999.88-	899	\$85,509.15-	914	\$88,364.63-
OVERPAYMENTS	0	\$0.00	0	\$9.02	0	\$9.02
DISCOUNTS FOR TIMELY PAYMENTS	14	\$2,378.80-	310	\$26,021.83-	310	\$26,021.83-
REFUNDS	0	\$0.00	2	\$392.80	2	\$392.80
REMUNERATION REFUNDS	0	\$0.00	2	\$7,038.85	2	\$7,038.85
RETURNED CHECKS	0	\$0.00	0	\$0.00	0	\$0.00
MISC. ADJUSTMENTS	0	\$0.00	0	\$0.00	0	\$0.00
DEBITS	0	\$0.00	0	\$0.00	0	\$0.00
CREDITS	0	\$0.00	4	\$991.94-	4	\$991.94-
REASSESSMENTS	0	\$0.00	8	\$2,060.35	9	\$2,786.59
DEBITS	0	\$0.00	23	\$3,340.73-	30	\$7,888.80-
CREDITS	0	\$0.00	0	\$0.00	0	\$0.00
ADJUST VIOLATION	0	\$0.00	0	\$0.00	0	\$0.00
DEBITS	0	\$0.00	0	\$0.00	0	\$0.00
CREDITS	0	\$0.00	0	\$0.00	0	\$0.00
WRITE-OFFS	1	\$365.07-	15	\$2,369.03-	15	\$2,369.03-
ASSESSMENTS WITHDRAWN	0	\$0.00	3	\$204.78-	3	\$204.78-
TOTAL OUTSTANDING					521	\$450,416.14

AGING OF OUTSTANDING CASES

AGING OF OUTSTANDING CASES	# CASES	AMOUNT
0 - 30 DAYS	48	\$29,485.22
31 - 60 DAYS	7	\$5,693.88
61 - 90 DAYS	2	\$1,597.02
91 - 120 DAYS	42	\$62,566.18
121 - 150 DAYS	29	\$11,985.29
151 - 180 DAYS	8	\$147,800.65
181 - 365 DAYS	383	\$190,356.40
OVER 1 YEAR UNCOLLECTABLE	0	\$0.00
OVER 1 YEAR PENDING	0	\$0.00
OVER 1 YEAR (OTHER)	2	\$931.50

LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES
CLASS I ACTIVITY REPORT

DATE: 5-MAY-1993

	CURRENT MONTH 04/01/1993 TO 04/30/1993	FISCAL YEAR TO DATE 07/01/1992 TO 04/30/1993	INCEPTION TO DATE 04/30/1993			
	# CASES	AMOUNT	# CASES	AMOUNT	# CASES	AMOUNT
FINES	908	\$46,500.00	7,025	\$355,350.00	23,463	\$1,180,722.07
HEARING COSTS	224	\$5,600.00	2,163	\$54,075.00	5,471	\$136,755.00
DEBITS	0	\$25.00-	4	\$250.00-	4	\$275.00-
CREDITS						
TOTAL DUE		\$52,075.00		\$409,175.00		\$1,317,202.07

PAID IN FULL	193	\$9,587.00-	4,525	\$228,996.12-	11,856	\$599,685.69-
PARTIAL PAYMENTS	18	\$848.62-	140	\$6,048.33-	238	\$9,362.58-
OVERPAYMENTS	1	\$2.00	57	\$2,188.62	85	\$4,005.12
REFUNDS	0	\$0.00	16	\$1,073.50	16	\$1,073.50
RETURNED CHECKS	0	\$0.00	12	\$600.00	12	\$600.00
MISC CHANGES	0	\$0.00	12	\$180.00	12	\$180.00
DEBITS	2	\$1.38-	38	\$41.83-	55	\$53.08-
CREDITS	0	\$0.00	21	\$1,150.00	21	\$1,150.00
ADJUSTMENTS TO VIOLATION	1	\$0.00	3	\$50.00-	3	\$50.00-
DEBITS	27	\$1,350.00-	384	\$16,980.88-	858	\$36,827.88-
CREDITS	8	\$400.00-	134	\$6,700.00-	151	\$7,550.00-
VOIDS						
NOT GUILTY						
TOTAL OUTSTANDING						\$670,681.46

AGING OF OUTSTANDING CASES
FROM CITATION DATE

0 - 30 DAYS	517	\$26,450.00
31 - 60 DAYS	308	\$15,850.00
61 - 90 DAYS	210	\$12,340.00
91 - 120 DAYS	109	\$6,365.00
121 - 150 DAYS	0	\$0.00
151 - 180 DAYS	0	\$0.00
181 - 365 DAYS	2,977	\$187,035.43
OVER 1 YEAR UNCOLLECTABLE	0	\$0.00
OVER 1 YEAR PENDING	0	\$0.00
OVER 1 YEAR (OTHER)	6,595	\$422,641.03

AGING OF OUTSTANDING CASES
FROM HEARING DATE

PRE HEARING	878	\$44,985.00
0 - 90 DAYS	2,292	\$122,980.00
91 - 180 DAYS	0	\$0.00
181 - 270 DAYS	67	\$4,050.00
271 - 365 DAYS	3,444	\$214,754.43
OVER 1 YEAR UNCOLLECTABLE	0	\$0.00
OVER 1 YEAR PENDING	0	\$0.00
OVER 1 YEAR (OTHER)	4,035	\$283,912.03

ENFORCEMENT CASE REPORT

APRIL 1993

ENFORCEMENT CASE REPORT-APRIL 1993

REGION I

TOTAL CASES-45

ENFORCEMENT-43

OTHER DIV. - 2

12-Boating

7-Angling W/O A License

18-Fish W/O Resident Pole Lic.

3-Take Illegal Size Black Bass

3-Hunt Turkey Over Baited Area

2-Not Abiding By Rules And Regulations On WMA

CONFISCATIONS:

1 shotgun, 5 black bass returned to water.

GRAND TOTAL OF EACH CATEGORY FOR REGION I:

12-Boating

28-Fishing

3-Turkey

2-Misc.

Page (2)

REGION 2

TOTAL CASES-85

ENFORCEMENT-85

OTHER DIV. - 0

22-Boating

38-Angling W/O A License

18-Fishing W/O Resident Pole License

2-Take Or Possession Game Fish Illegally

1-Take Illegal Size Black Bass

1-Transport W/O Required License

2-Take/Possess Frogs Closed Season

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

2-DWI

1-Other

CONFISCATIONS:

9 buffalo fish.

GRAND TOTAL OF EACH CATEGORY FOR REGION 2:

22-Boating

30-Fishing

30-Hunting

2-DWI

1-Other

Page (3)

REGION 3

TOTAL CASES-133

ENFORCEMENT-117

OTHER DIV. - 16

38-Boating

61-Angling W/O A License

4-Fish W/O Resident Pole license

4-Take Or Possess Game Fish Illegally

2-Taking/Possession Over Limit Or Undersized Freshwater Gamefish

2-Take Illegal Size Black Bass

1-Take Or Possess Spoonbill Catfish

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

1-Take Commercial Fish W/O Comm. Gear License

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

1-Use Lead Nets In Other Than Overflow Regions

1-Blocking Passage Of Fish

1-Fail To Maintain Sex I.D. Or Tag Meat

9-Not Abiding By Rules And Regs. On WMA

4-Criminal Trespass On State Property

1-Illegal Spotlighting From Public Road

1-Operate ATV Vehicle On Public Road

CONFISCATIONS:

2 hoop nets, 38 foot lead nets, 200 feet of 4 1/2 inch trammel net, 1-25 h.p. Johnson outboard, 1-410 gauge shotgun, 7 striped bass.

Page (4)

REGION 3 CONT'D.

GRAND TOTAL OF EACH CATEGORY FOR REGION 3:

38-Boating

79-Fishing

16-Other

REGION 4

TOTAL CASES-62

ENFORCEMENT-59

OTHER DIV. - 3

19-Boating

22-Angling W/O A License

6-Fish W/O Resident Pole Lic.

1-Take/Possession Spoonbill Catfish

2-Fail To Have Commercial Lic. In Possession

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

4-Take Commercial Fish W/O Comm. Gear License

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

1-Transport W/O Required License

1-Use Illegal Mesh Nets

3-Hunt Turkey Closed Season

1-Not Abiding By Rules And Regulations On WMA

CONFISCATIONS:

225 yards of 2 inch gill net with 6 hoop nets with leads.

GRAND TOTAL FOR EACH CATEGORY FOR REGION 4:

19-Boating

1-WMA

39-Fishing

3-Hunting

REGION 5

TOTAL CASES-186

ENFORCEMENT-185

OTHER DIV. - 1

74-Boating

4-Allow Another To Use Recreational License

83-Angling W/O A License

1-Take Illegal Size Black Bass

2-Take Or Possess Undersized Black Bass

1-Not Abiding By Commission Rules

1-Possess Or Sell Undersized Crabs

7-Take/Possess Frogs Closed Season

3-Hunting From Moving Vehicle And/Or Aircraft

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

1-Taking Or Possessing Alligators Closed Season

3-Criminal Trespass

1-Other Than Wildlife And Fisheries

1-Possess/Take Undersize Federal Controlled Fish

CONFISCATIONS:

3 red drum, 22 frogs, 1 deer, 2 rifles, 3 red snapper, 1 alligator, 1 bass, 3 cobia.

GRAND TOTAL OF EACH CATEGORY FOR REGION 5:

74-Boating

102-Fishing

9-Hunting

REGION 6

TOTAL CASES-159

ENFORCEMENT-159

OTHER DIV. - 0

57-Boating

68-Angling W/O A License

20-Fish W/O Resident Pole License

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

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

1-Take Or Possession Game Fish Illegally

1-Take Commercial Gear W/O Commercial Gear License

1-Illegal Spotlighting From Public Road

2-Other Than Wildlife And Fisheries

1-Possession Of Wild Quadrupeds Or Wild Birds

CONFISCATIONS:

2 crates of crabs returned to water, 36 sac-a-lait, 21 bream, 1 spotted fawn deer, 1981-18 foot Skeeter boat,

1 Yamaha motor-150 H.P., 1-18 foot trailer, 1 trolling motor.

GRAND TOTAL OF EACH CATEGORY FOR REGION 6:

57-Boating

96-Fishing

1-Hunting

5-Misc.

REGION 7

TOTAL CASES-160

ENFORCEMENT-160

OTHER DIV. - 0

38-Boating

80-Angling W/O A License

27-Fish W/O Resident Pole License

1-Taking/Possession Over Limit Or Undersized Freshwater Gamefish

2-Contest Fraud

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

1-Transport W/O Required License

1-Hunting W/O Resident License

4-Hunting W/Unplugged Gun

1-Hunt Turkey Over Baited Area

1-Not Abiding By Rules And Regulations On WMA

3-Illegal Spotlighting Public Road

CONFISCATIONS:

3 shotguns, 30 bass, 13 red fish

GRAND TOTAL OF EACH CATEGORY FOR REGION 7:

38-Boating

114-Fishing

6-Hunting

4-WMA

Page (8)

REGION 8

TOTAL CASES-171

ENFORCEMENT-167

OTHER DIV. - 4

25-Boating

18-Angling W/O A License

4-Use Gear W/O Recreational Gear License

4-Angling W/O Saltwater License

1-Take Or Possess Game Fish Illegally

1-Possession O/L Of Red Drum

1-Contest Fraud

8-Take Or Possess Undersized Red Drum

1-Take Or Possess Undersized Spotted Sea Trout

2-Take Or Possess Undersized Black Drum

2-Take Or Possess O/L Black Drum

11-Not Abiding By Commission Rules

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

5-Take Commercial Fish W/O Commercial Gear License

7-Take Or Possess Commercial Fish W/O Vessel License

1-Transport W/O Required License

13-Leave Nets Unattended

3-Use Crab Traps W/O Required Markings

2-Fail To Have Commercial Fish Intact

1-Permit Unlicensed Person To Operate Commercial Vessel

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

7-Failure To Mark/Tag Nets

1-Take/Possess Undersized Black Drum

REGION 8 CONT'D.

- 1-Take/Possess Black Drum W/O Permit
- 15-Possess Undersized Crabs
- 11-Sell Undersize Crabs
- 2-Blocking Passage Of Fish
- 2-Destroy Legal Crab Traps Or Removing Contents
- 1-Allow Another To Use Commercial License
- 2-Take/Posses Frogs Closed Season
- 1-Failure To Have Written Permission
- 1-Failure To Dsplay Proper Number On Vessel
- 1-Failure To Tag Sacked Or Containerized Oysters
- 2-Trawling In Closed Season
- 2-Possess Over Limit Of Coots
- 1-Criminal Trespass
- 1-Littering
- 1-Trespass On Property After Forbidden
- 3-Reckless Operation Of Vehicle

CONISCATIONS:

1 set of deer antlers, 2 crab traps, 1 motor, 1 contest entry form, 2 plaques, 1 glove, 3 licenses, 2 trawls, 22,800 feet of gill net, 115 lbs. of garfish sold for \$49.60, 2 flounder, 2 black drum sold for \$6.00, 63 lbs. of red drum, 10 lbs. of sheephead, 45 lbs. of black drum, 5 perch, 5 bass, 58 red snapper, 4 speckled trout.

GRAND TOTAL OF EACH CATEGORY FOR REGION 8:

- 25-Boating
- 53-Sport Fishing
- 79-Commercial Fishing
- 2-Trawling
- 3-Oyster
- 2-MGB
- 7-Misc.

REGION 9

TOTAL CASES-247

ENFORCEMENT-240

OTHER DIV. - 7

48-Boating

28-Angling W/O A License

3-Fish W/O Resident Pole License

1-Angling W/O Saltwater License

2-Take Or Possess Game Fish Illegally

2-Take Or Possess Undersized Red Drum

1-Take Or Possess Undersized Spotted Sea Trout

3-Take Or Possess Undersized Black Drum

2-Take Or Sell Commercial Fish Or Bait Species

2-Take Commercial Fish W/O Commercial Gear License

6-Take Or Possess Commercial Fish W/O Vessel License

2-Transport W/O Required License

55-Sell Undersize Crabs

5-Failure To Mark/Tag Nets

5-Leave Nets Unattended

2-Take/Possess Undersize Cml. Finfish

1-Buy Commercial Fish From Un-Licensed Fisherman

1-Blocking Passage Of Fish

4-Use Crab Traps W/O Required Markings

2-Destroy Legal Crab Traps Or Removing Contents

1-Fail To Have Commercial Fish Intact

9-Fail To Mark Crab Containers

33-Possess Undersized Crabs

REGION 9 CONT'D.

4-Take/Possess Frogs Closed Season

1-Take/Possess Undersized Black Drum

4-Possess Red Drum Illegally

2-Fail To Mark Softshell Crab Container Or Improper Molting Stage

1-Theft Of Crab Trap

4-Illegal Possession Of Wild Quadrupeds Birds Or Parts Thereof

2-Resisting An Officer

5-Littering

2-Obstruction Of Justice

2-Take Diamond Back Turtle-Closed Season

1-Misrepresent Booking Information

CONFISCATIONS:

91 red drum, 114 black drum, 4-1/2 sacks of oysters released, 186 frogs, 1 stripe bass, 257 crates of crabs released to water, 3 sheephead, 6 seatrout, 411 lbs. of catfish sold for \$217.83, 2 flounder, 4 woodducks, 1 diamond-back turtle, 3 sac-a-lait, 4 perch, 4 crab traps, 4,060 feet of unattended gill net.

GRAND TOTAL OF EACH CATEGORY FOR REGION 9:

48-Boating

183-Fishing

4-Hunting

12-Misc.

OYSTER STRIKE FORCE

TOTAL CASES-23

6-Boating

3-Leave Nets Unattended

3-Take Undersize Crabs

1-Fail To Mark/Tag Crab Traps

1-No Commercial Vessel License

1-Possess Untagged Oysters

1-Possess Spotted Sea Trout Closed Season

1-Fail To Tag Gill Nets

1-No Commercial Fisherman's License

1-Permit Unlicensed Person To Use Gear

1-Permit Unlicensed Person To Use Vessel

1-Allow Another To Use Commercial License

1-Take Oysters Without Written Permission

1-Take Undersize Black Drum

CONFISCATIONS:

57 sacks of oysters, 11 speckled trout, 5 boxes of crabs, 6 black drum, 1 commercial fisherman's license.

SPECIAL STRIKE FORCE

TOTAL CASES-107

36-Angling W/O A License

2-Fish W/O Resident Pole License

1-Angling W/O Saltwater License

1-Possession O/L Of Red Drum

1-Take Or Possess Undersized Spotted Sea Trout

1-Fail To Have Commercial License In Possession

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

4-Take Commercial Fish W/O Commercial Gear License

4-Take Or Possess Commercial Fish W/O Vessel License

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

2-Transport W/O Required License

4-Leave Nets Unattended

1-Blocking Passage Of Fish

1-Use Crab Traps W/O Required Markings

1-Destroy Legal Crab Traps Or Removing Contents

1-Allow Another To Use Commercial License

1-Permit Unlicensed Person To Operate Commercial Vessel

1-Permit Unlicensed Person To Use Commercial Gear

7-Failure To Mark/Tag Nets

1-Take/Possess Black Drum W/O Permit

1-Theft Of Crab Trap

14-Possess Or Sell Undersized Crabs

SPECIAL STRIKE FORCE CONT'D.

8-Sell Undersize Crabs

2-Trawling In Closed Season

1-Buying Or Selling For Resale Untagged Oysters

3-Other Than Wildlife And Fisheries

1-Refuse/Misrepresent Booking Info.

CONFISCATIONS:

270 lbs. of red drum, 1,007 lbs. of black drum sold for \$403.50, 5,000 lbs. of crabs returned to water, 2 sacks of oysters disposed of, 5 speckled trout, 11,500 feet of gill net, 5 boats, 3 outboard motors, 3 boat trailers, 30 crab traps.

S.W.E.P.

TOTAL RUNNING HOURS: 118

TOTAL BOATS CHECKED: 15

TOTAL CASES-5

5-Trawling In Closed Season

CONFISCATIONS:

7,000 feet of gill net, 2 double riggers, 6 trawls, 1,395 lbs. of shrimp sold for \$1,483.90.

7,000
11,500
4,060
22,800

9 miles →

45,360

TOTAL CASES ENFORCEMENT - 1215

TOTAL CASES OTHER DIV. - 33

TOTAL CASES OSFORCE - 23

TOTAL CASES SSFORCE - 107

TOTAL CASES S.W.E.P. - 5

GRAND TOTAL - 1383

ARTICLE VIII

AGENDA AND ORDER OF BUSINESS

The Secretary shall prepare and submit to the Commission an agenda covering the items of business to be considered and acted upon at each meeting of the Commission including those items enumerated by the chairman. The chairman, or in his absence the vice chairman, shall give verbal approval of the final agenda to the Secretary no later than 72 hours prior to the meeting. If either the chairman or the vice chairman are unavailable, verbal approval of the final agenda may be given by any two (2) commission members. The Commission may consider such other matters as may properly be brought before it. The order of business may be altered by the Commission at its discretion.

The Commission may, by majority vote, exclude any item or class of items from the agenda for a period not to exceed twelve (12) months; provided, however, that by two-thirds vote, the Commission may return such item or class of items to the agenda at any subsequent meeting.

At least 3 days prior to each meeting, the staff, under the direction of the Secretary, shall provide each Commission member with full explanations and back-up material and information on each item to be presented at the meetings.

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LOUISIANA WILDLIFE AND FISHERIES COMMISSION

BY-LAWS

Adopted May 20, 1980

Amended December 9, 1991; November 5, 1992

ARTICLE I

COMMISSION OFFICE

1. The principal office of the Louisiana Wildlife and Fisheries Commissioners shall be 2000 Quail Drive, Baton Rouge, Louisiana.
2. The Commission at its discretion, may from time to time, hold meetings at any other location within the State of Louisiana after proper notice.

ARTICLE II

REGULAR MEETINGS

1. The Commission shall hold regular monthly meetings at a place, date and time properly noticed in accordance with the Louisiana Open Meeting law.

SPECIAL MEETINGS

1. Special meetings of the Commission may be called by the Chairman, at his discretion, and shall be called by the chairman upon written request of any four members. The notice of each special meeting shall state the purpose for which it is called, and only those matters shall be considered that have been included in the call, unless every member of the Commission is present at the called meeting and a quorum of the Board agrees to take up other matters.

2. The chairman, shall cause written notices of the time and place of special meetings to be mailed, or hand delivered, to each member, at the addresses as they appear in the records of the Commission, at least three days before the day on which the meeting is to be held, or shall communicate the notice of such meetings to the members by telegram or telephone not later than 24 hours before the meeting is to be held.

ATTENDANCE OF THE SECRETARY OF THE DEPARTMENT OF WILDLIFE AND FISHERIES

1. The Secretary of the Department of Wildlife and Fisheries shall attend all meetings of the Commission unless excused, or directed by the Commission not to attend, or unless other appropriate staff alternates, acceptable to the Commission by prior arrangement, are designated by the Secretary to attend.

ARTICLE III

QUORUM - MINUTES

1. The attendance of four members at any meeting shall constitute a quorum for the transaction of all business.
2. Final minutes will be available to Commission members as soon as possible before the next regular meeting.

ARTICLE IV

ELECTION OF OFFICERS AND APPOINTMENTS

1. Officers shall be elected annually at the regular meeting of the Commission in December, at which the members shall elect, from among their own number, a chairman and a vice-chairman, to hold office for one year, or until their successors are elected. The Board shall not be bound by any particular order of succession in the nomination of member for election to office.
2. In case a vacancy shall occur among the elected officers, due to death, resignation, or other cause, an election shall be held, at a regular or special meeting, to fill the vacant office for the unexpired portion of the term.
3. Within the terms of their respective appointments, any member elected on one of the above offices who shall have served in such office for one term, shall be eligible to succeed himself.

ARTICLE V

DUTIES OF THE CHAIRMAN

The powers and duties of the chairman shall be:

1. To preside as chairman at all meetings of the Commission, with the right to vote on all questions.
2. To see that the laws of the State, pertaining to the purpose and functions of the Commission, the Ordinances of the

Commission and its policies are faithfully observed and executed.

3. To call special meetings of the Commission, at his discretion, or upon the written request of four members.
4. To establish committees and appoint members thereof, at his discretion, as he deems necessary to carry out the business of the Commission.
5. To serve as an ex-officio member of all committees.
6. To perform such other duties as are usually incumbent upon the chairman of the Wildlife and Fisheries Commission.

ARTICLE VI

DUTIES OF THE VICE CHAIRMAN

1. Whenever the chairman is absent from any regularly scheduled meeting, his duties shall be performed by the vice-chairman. Whenever the chairman is absent from a special meeting called by him, upon his own initiative, or upon written request of four commissioners, his duties shall be performed by the vice-chairman. The vice-chairman may not assume the duties of the chairman for the purpose of calling a special meeting when the chairman is temporarily absent from the State, or when the chairman is temporarily incapacitated through illness, or otherwise, unless the chairman or the other five members, direct the vice-chairman to assume the office of the chairman for the purpose of calling such special meeting.

2. Whenever the chairman's absence from the state, or his incapacity due to illness, prevents him from handling routine, but necessary Commission business, at time other than at Commission meetings, such business shall be handled by the vice-chairman.

ARTICLE VII

COMMISSION COMMITTEES:

The following named committees shall be permanent standing committees. All members shall be appointed by the chairman and shall serve at his pleasure. Additional committees may be added by a majority vote of the Commission members at a regular or special meeting.

- 1) Hunting Regulations Committee
- 2) Minerals Committee
- 3) Sports & Commercial Fishing Committee
- 4) Oyster and Shrimp Committee
- 5) Wildlife Management Area Committee
- 6) Budget Committee

ARTICLE VIII

AGENDA AND ORDER OF BUSINESS

The Secretary shall prepare and submit to the Commission an agenda covering the items of business to be considered and

acted upon at each meeting of the Commission including those items enumerated by the chairman. The chairman, or in his absence the vice chairman, shall give verbal approval of the final agenda to the Secretary no later than 72 hours prior to the meeting. If either the chairman or the vice chairman are unavailable, verbal approval of the final agenda may be given by any two (2) commission members. The Commission may consider such other matters as may properly be brought before it. The order of business may be altered by the Commission at its discretion.

At least 3 days prior to each meeting, the staff, under the direction of the Secretary, shall provide each Commission member with full explanations and back-up material and information on each item to be presented at the meetings.

ARTICLE IX

RULES OF ORDER

Robert's Rules of Order shall be the parliamentary authority for all matters of procedures of this Commission not otherwise covered in these By-laws.

AMENDMENT OF BY-LAWS

These By-laws may be altered or amended at any regular meeting of the Commission by a majority vote of the commissioners

present at the meeting. However, no such alteration or amendment shall be considered unless (a) notice of the intention to alter or amend the By-laws shall have been given in writing at a previous meeting of the Commission, and (b) a draft of the proposed alteration or amendment shall have been sent to each member of the Commission at least forty eight hours in advance of the meeting at which action on such alteration or amendment is to be taken.

La. Wildlife and Fisheries Commission Meeting
May 6, 1993
Fur and Refuge Secretary's Report
Points of Interest

*Legislative approval of a BA-7 accepting the Dire Emergency Supplemental Appropriation - \$2.4M for Raccoon Island restoration

*Shell mitigation worked out; sites now permitted awaiting delivery this month of first batch

*Alligator releases of 17% put back proceeding

*Stepped up enforcement activities on Refuges and Wildlife Management Areas in anticipation of shrimp season opening

*Captive nutria research at New Iberia lab proceeding

*Alligator Marketing program presented in Tokyo and Hong Kong

*Nutria damage survey to estimate coastal acres impacted by nutria over population - DEQ funded research for Department.

*Million dollar Capital Improvement program proceeding at Marsh Island = 30% finished

NOTES:

1993 BIRTHSTONE: SARDONYX OR PERIDOT

AUGUST

FLOWER: GLADIOLA **1993**

Happiness can be thought, taught and caught — but not bought.

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

Shrimp Task Force Meeting
March 16, 1993

Chairman Kiffe called the meeting to order.

Chairman Kiffe introduced two members of the Task Force:
Bobby Samanie
Nick Mitchell

The roll was called.

Present

Steven Charpentier
Calvin Cheramie
Ricky Cradeur
Dickie Curole
Tommy Guidry
Darcy Kiffe
Donald Lirette
Clarence Reuther III
C. J. Kiffe
Bobby Samanie
Nick Mitchell

We have a quorum

The chairman accepted the minutes of the February meeting as submitted.

I. Motion - Fox Charamie - Add the Corps of Engineers to the Agenda as speakers at 1:45 P.M.

Seconded - Darcy Kiffe

Passed Unanimously

Charles Lapeyre arrived.

Carl Morgan, Charles St. Romain and Glen Kent from the State Land Office, Division of Administration addressed the Task Force and provided information on ownership of properties and the regulations and administration regarding ownership. All land in the state is owned either privately or publicly. Properties in the state were classified as 1) land; 2) waterbottoms; 3) water itself; 4) fish, wildlife, and shrimp that occupy these waters; and 5) oysters and other species. All fish and animals found in the water belong to the state and come under the management of the Department of Wildlife & Fisheries. Civil Code articles entitled Public Things, and Article 657 were read.

The next speakers were from the Attorney General's Office, Gary Keyser and Kell McInnis.

Ronny Paille, of the U. S. Fish & Wildlife Service, Dept. of Interior explained the different management projects used in the coastal marshes of Louisiana. He also had a slide presentation on these management tools. These projects include water control structures, weirs, and drawdown type management. Each project is reviewed on a case by case basis. A new approach to marsh management in recent years is called hydrologic restoration. This approach to marsh management is to somehow get the system back the way Mother Nature created it and hope that in itself would set the system right. Resource agencies believe that this is the better approach to take.

Mr. Paille stated the Cameron-Creole Watershed is a drawdown management project. He explained the drawdown period and procedures used on this particular watershed.

Chairman Kiffe stated there is a problem in the Cameron-Creole area and asked that all parties work together to solve the problem.

The Task Force felt there was a problem with control structures holding the shrimp in the marsh for too long a period of time, not allowing them to get into the Gulf.

12:25 Broke for lunch

1:40 Reconvened

Our first speaker after lunch was Bill Good of the Department of Natural Resources.

Bill Good presented the La. Department of Natural Resources' position concerning marsh management and hydrologic restoration. He stated in summary of their position "that their Department maintains that marsh management and hydrologic restoration should be encouraged in those instances where it can help reestablish historical or maintain current salinity regimes within a hydrologic basis of the context and contribute to a basin's overall sustainable productivity and bio-diversity." He explained that marsh management may either be active or passive and may include 1) increasing the submerged aquatic vegetation in open water areas thereby increasing their productivity to fish and wildlife, 2) increasing habitat for freshwater fisheries and 3) facilitate wetland restoration and conservation. The La. Administrative Code defines marsh management as: a systematic development and conservation plan to improve and increase biological productivity or the minimize land loss, saltwater intrusion, erosion or such environmental problems or to enhance restoration. He also talked about control structures, different types of impoundments and hydrologic management. The Legislature passed Act 6 of 1989 which established wetlands authority within the Governor's Office of Coastal Activity. There is also a Wetlands Task Force which is composed of 7 cabinet level positions from different state agencies. Input will be taken from public hearings and the Natural Resources Committee will pass judgement on the plan. A federal

bill was passed called the Breaux/Johnson Act or the Coastal Wetlands Plan & Protection & Restoration Act of 1990 which allows the use of federal matching funds (75%) on coastal projects. Mr. Good stated that 80% of Louisiana coastal wetlands are privately owned. He concluded that hydrologic restoration and marsh management techniques can be used in coastal Louisiana to deter wetland loss and restore marsh areas. They must be carried out according to the oversight & guidelines of the Louisiana Coastal Resources program and those of other agencies. Mostly Corps of Engineers, National Marine Fisheries Service, U. S. Fish & Wildlife Service, EPA, and Louisiana Department of Wildlife & Fisheries.

Chairman Kiffe opened the floor for questions.

Donald Lirette thanked the Dept. of Natural Resources for taking a second look in recent years and realizing that commercial fisheries plays a big part in coastal restoration.

Chairman Kiffe expressed his concern in marsh restoration because the fur bearing animals eat all the grass in the marsh and feels that the fur bearing animals have a lot to do with the destruction of the marsh.

The Corps of Engineers' representative, Mr. Ronald Ventolla, stated their opinions are very consistent with the state. He explained how the Corps evaluates projects and their permitting system. Generally, comments are solicited through public notice from the general public, user groups and various resource agencies. They also work very closely with Fish & Wildlife Service, National Marine Fisheries, Coastal Management Division and indirectly with Wildlife & Fisheries. They evaluate all the comments and take into consideration the overall project purpose. The major job is to balance the adverse impact against the beneficial impact.

One Task Force member asked if there had been any dramatic advancements in the design technology that's used in the design of these structures to allow for some of the concerns that the fishermen have.

They were informed that the type structure is somewhat dictated by the purpose of the project.

There was a discussion on the economic impact to fisheries outside the project area.

Mark Davis with Coalition To Restore Coastal Louisiana was the next speaker. He spoke about public trust, access to public resources and waterbodies, and marsh management and why the Coalition cares about it.

Daryl Carver, Dept. of Natural Resources, seated in the audience, made a statement regarding monitoring of marsh management projects. Monitoring will be done by the Dept. of Natural Resources, Coastal Restoration Division for the most. That will

include fish, sediments, water movement, salinity, etc.

It was suggested that a representative of the Coast Guard be invited to a meeting to discuss impeding navigation.

Colonel Winton Vidrine presented to the Task Force the policy the Enforcement Division has established on enforcing the 100 count on shrimp. He stated that said policy went into effect this date and would be enforced state-wide.

Legislation

Bill #1 was O.K.

Bill #2 was O.K.

Motion 2 - Delete the last sentence on page 1 of Shrimp Task Force Draft Bill #3. - Bubby Reuther

Seconded - Fox Charamie

Passed Unanimously

Motion 3 - Darcy Kiffe - Change Shrimp Task Force Draft Bill #4 to read \$100.00 for resident license and \$400.00 for non-resident license.

Seconded - Steven Charpentier

Passed Unanimously

Motion 4 - Bubby Reuther - Introduce STF Draft Bill #5 as the preferred vehicle to accomplish the goals of the task force.

Seconded - Ricky Cradeur

Passed Unanimously.

Motion 5 - Ricky Cradeur - Final motion proceed with legislation as amended today.

Seconded - Charles Lapeyre

Passed Unanimously.

Mr. Kiffe suggested that the statement that the Site Clearance bill is to be retroactive to 1-1-92 be added to the suggested legislation.

Next meeting scheduled for April 20, 1993

At the next meeting we will discuss opening all three zones at one time.

Brandt Savoie informed the task force that Mr. Jeff Schneider, Commission member, wants to proceed with the Commission doing something on shrimp sanctuaries. He intends to bring it up at the May shrimp meeting.

Motion to Adjourn - Ricky Cradeur

Seconded - Charles Lapayre

Meeting Adjourned

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Motion to Adjourn - Ricky Cradeur

Seconded - Charles Lapayre

Meeting Adjourned

RAY MARKERSON
237 Bayou Brook Lane
Franklin, Louisiana 70538

Sir:

Enclosed you will find just a sampling of people in St Mary, Iberville Parish area that believe a separate Zone 7 for hunting deer is needed and wanted. Most would have wanted the proposal of last year. It is generally felt dog hunters have for too long had an upper (and unfair) hand.

The proposal for this year is not equal but will give help in the area of managing our herds better for future generations.

A positive vote for this issue would be appreciated and remembered. Thanking you in advance, I am

Sincerely,

Ray Markerson

SIRS :

January 20, 1993

We, The undersigned, respectfully ask for your vote in the upcoming Commission meeting FOR The proposed New Zone 7 and its Regulations and hunting days. This measure was turned down last year but needs your serious consideration this year.

The State's Chief biologist did an assessment of EVA PACE and his proposal for a separate zone and 30 Day Still hunt only, 30 Day with or without dogs is a plan we agree with.

Thank you very much for your Time and your vote FOR our New zone and Regulations.

- 1) Daniel Dupre (13) Rodney A. LeBlanc (5) Bernard L. Minville
- 2) Marilyn J. Woodard (4) Cindy Thibault (26) Michael J. Brodeur (1)
- 3) Brad C. Johnson (15) Clint Zeffler (27) Lawrence L. Lewis
- 4) Terry J. Mayes (16) Wendel E. Henry (28) James Cayrol
- 5) Kelly Lewis (17) Edward Smith (29) Raymond L. Mouton
- 6) Gary Bell (18) Peter Martin (30) Ed Ferguson
- 7) Patsy Antez (19) Byron Mayes (31) Kenneth A. Blanchard Jr.
- 8) Karlene Bell (20) Sam McLean (32) Ronald Pinell Jr.
- 9) Peter J. Frazier (21) Hank Simpson (33) Ronald Pinell Jr.
- 10) Russ P. Lohr (22) Larry Landry (34) Lister L. Lohr
- 11) Brady Hebert (23) ~~Arthur Lohr~~ (35) Carl L. Lohr
- 12) ~~Jimmy Lohr~~ (24) Dale P. Lohr (36) Terry L. Lohr

37 David B. LaBauve
38 Robert Gordon
39 Herman Mount
40 Wilby P. Otey
41 Percy J. Williams
42 Marc S. Jauer
43 G. B. Bennett
44 Marshall J. Bond
45 Robert G. Sherman
46 Brent Jensen
47 Joel Jager
48 Wayne Joseph Keck
49 Douglas H. Jensen
50 Ray Newson
51 G. F. Bergum
52 Floyd J. Conner
53 John Wenter
54 Jeffery H. Kaul
55 James Golden
56 Sammy D. Williams
57 Eugene D. Matthews
58 Ruthay M. Junture
59 Lee Dean
60 Len Jensen
61 Richard H. Manuel

62 John H. Derts
63 ~~John~~ Beaso
64 J. H. New
65 Cudley Beall
66 Danny Howard
67 ~~John~~
68 Dave Berdhanf
69 Kevin Dinger
70 Felton Bizette
71 Richard A. Salter
72 Jerry J. Jager
73 William C. Lucas
74 W. J. Rougers
75 Mike Beaso
76 Wayne Roman
77 E. J. P. C.
78 Ronald L. Loney
79 ~~John~~
80 ~~John~~
81 ~~John~~
82 ~~John~~
83 Charles Newson
84 Coyille Hendry Jr.
85 Lionel Bodis
86 Paul Heber
87 Ronny Barrellay
88 Ken Carlisle
89 ~~John~~
90 ~~John~~

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January 20, 1993

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The State's chief biologist did an assessment of EWA Pass and his proposal for a separate zone and 30 Day Still hunt only, 30 Day with or without dogs is a plan we agree with.

Thank you very much for your Time and your vote FOR our New zone and Regulations.

- 1) Jimmy J. Dunham
- 2) Larry A. Brassard
- 3) Sualal Bous
- 4) Brent M. Long
- 5) Wayne Vignot
- 6) Donora Parfitt
- 7) Richard Fitzgerald
- 8) Verlynn
- 9) Rich Buchanan
- 10) Emel Bertone
- 11) Mark D. Blum
- 12) David Daigle
- 13) Terry M. DeLong
- 14) Tony Peterson
- 15) Chad M. Paurician
- 16) David Bernard
- 17) R. Guston
- 18) Gary Carter
- 19) Rogers Peltis
- 20) A. J. Touchet
- 21) R. J. Cedar
- 22) Honsel McPonsonit
- 23) D. J. ...
- 24) Anthony Barry C. ...
- 25) Donald ...
- 26) ...
- 27) ...
- 28) Spencer F. ...
- 29) ...
- 30) ...
- 31) ...
- 32) ...
- 33) ...
- 34) ...
- 35) ...

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January 20, 1993

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The state's chief biologist did an assessment of ESA and his proposal for a separate zone and 30 Day still hunt only, 30 Day with or without dogs is a plan we agree with.

Thank you very much for your Time and your vote FOR our New zone and Regulations.

- 1) James Reed
- 2) M. Knowlton
- 3) Buck DOE
- 4) Adam Meche Jr.
- 5) Derry Marto
- 6) John R. Bayh
- 7) Ben A. Zell
- 8) James W. Baker
- 9) Alvin Deward Sr.
- 10) Dennis
- 11) William / Wooten
- 12) Ralph R. Leedom
- 13) Susan Leedom
- 14) Gene Rodriguez
- 15) Phil Minor
- 16) Tim Dyer
- 17) Stephen Miguez Sr.
- 18) M. W. Duke
- 19) Huey Ashley
- 20) Patrick R. Picard
- 21) Wanda Carson
- 22) Riddle Carson
- 23) Mildred Jack
- 24) Shirley Rodriguez
- 25) [Signature]
- 26) Gene Martin
- 27) Jay Bondy
- 28) [Signature]
- 29) Ira S. Finley
- 30) Sheila Finley
- 31) Michele White
- 32) Ernest White
- 33) Bob P. Boush
- 34) Bill Seely Sr.
- 35) Vickie Stelly
- 36) Patrick Cole

SIRS:

January 20, 1993

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Thank you very much for your time and your vote FOR our New zone and Regulations.

- 1) Alvin Clark
- 2) Bobby Halverson
- 3) Julian Comond
- 4) Levey
- 5) Leni
- 6) Jamie Cloney
- 7) Doug Faulkner
- 8) [unclear]
- 9) Westley Starks
- 10) [unclear]
- 11) Larry Baran
- 12) Calvin [unclear]
- 13) David [unclear]
- 14) Johnny [unclear]
- 15) Gordon [unclear]
- 16) [unclear]
- 17) Perry [unclear]
- 18) Michael [unclear]
- 19) Nelson [unclear]
- 20) Bert [unclear]
- 21) Brad [unclear]
- 22) Mic [unclear]
- 23) [unclear]
- 24) [unclear]
- 25) Hubert [unclear]
- 26) [unclear]
- 27) [unclear]
- 28) [unclear]
- 29) Calvin [unclear]
- 30) Roy [unclear]
- 31) J [unclear]
- 32) [unclear]
- 33) [unclear]
- 34) [unclear]
- 35) [unclear]
- 36) Al [unclear]

SIRS :

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Thank you very much for your Time and your vote FOR our New zone and Regulations.

- | | | |
|--------------------------|------------------------|----------------------|
| 1) David D... | 13) Dr. Sinton | 25) ... |
| 2) Daniel Rodriguez | 14) Wayne Hill | 26) Steve Janney |
| 3) Cindy Minor | 15) Thom LeBlanc | 27) Louis J. Duffour |
| 4) M. Cl... | 16) Jay Mello | 28) Edward J. Naguin |
| 5) Shane J. Mahoney | 17) C.F. Newer | 29) Mark Fuduck Sr. |
| 6) Margaret D. LeBlanc | 18) Stacie Robicheau | 30) Charles F. Blak |
| 7) Ralph Longman | 19) Lawrence Robicheau | 31) ... |
| 8) ... | 20) Prinda Marcotte | 32) Eugene Hamon |
| 9) ... | 21) Robert Marcotte | 33) Steve Tugent |
| 10) ... | 22) Alton LeBlanc | 34) Albert Mock |
| 11) Ralph Ward | 23) Elay Bruch | 35) Jay Mello |
| 12) Robert Brown | 24) Mike Champagne | 36) Phil Naguin |
| ... | | 37) Thom LeBlanc |

SIRS :

JANUARY 20, 1993

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Thank you very much for your Time and your vote FOR our New zone and Regulations.

- | | | | | | |
|----|--------------------|----|-----------------|----|--|
| 1 | Chuck Robinson | 14 | William Collet | 27 | Jesse Bouth |
| 2 | Kerwin Robinson | 15 | Marie Ratto | 28 | 5303 Old SPANISH TRAIL
JEANETTE 70544 |
| 3 | Phil Lancy | 16 | Kim Rounsaville | 29 | A. Soprano |
| 4 | Robert Hatcher | 17 | Cindy Higgins | 30 | Isiah Thomas |
| 5 | Kenneth Levine | 18 | Waver Hankin | 31 | Charles Mitchell |
| 6 | Dagla Carter | 19 | Jody | 32 | HJ Bonhead |
| 7 | Yvonne Durocher | 20 | Tommy | 33 | Ray Brown |
| 8 | Robert Durocher | 21 | Kara Vincent | 34 | Clayton R. Baird |
| 9 | Kristal L. McCall | 22 | Suzey Dangle | 35 | Clarence Wilcox |
| 10 | Emmette Alvarado | 23 | Alan R. Morgan | 36 | James Henry |
| 11 | Marie Drouin | 24 | Blaine Drouin | 37 | O'Neil Drouin |
| 12 | Ronald Charpentier | 25 | Doug Bonzeas | 38 | Alan Lee Vaughan |
| 13 | Alan Todd | 26 | Judy Todd | 39 | Orville Skell |

SIRS :

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Thank you very much for your Time and your vote FOR our New zone and Regulations.

- | | | | | | |
|----|---|----|-------------------|----|-----------------|
| 1 | Ray Mackson | 14 | Fred. Yeh | 27 | Steven Bruce |
| 2 | Sandra Mackerson | 15 | Sammy Clark | 28 | Danny Hebert |
| 3 | Gerald Scott ^{BAKOU} _{SARLAH} | 16 | Gene Moore | 29 | John Senard |
| 4 | Dwight Christian | 17 | Harold L. Lauer | 30 | James Rodriguez |
| 5 | David A. Darby | 18 | Jana Fredericks | 31 | Boo Smith |
| 6 | Henry Limon | 19 | Sissy Hebert | 32 | Ronny Mathis |
| 7 | W. J. Remington | 20 | Chint Pryor | 33 | Robert Mathis |
| 8 | Tommy V. Smith | 21 | Dianne Pryor | 34 | Jane Mathis |
| 9 | Manuel Lopez | 22 | Ronny Limon | 35 | Roy Mathis |
| 10 | R. J. Lorro | 23 | Scott Day | 36 | Russell Mathis |
| 11 | Carl Spangler | 24 | Jay Duggs | 37 | TAMMY Mathis |
| 12 | James A. Chauvin | 25 | Paul Lauer | 38 | Ronny Mathis |
| 13 | Blair LeBlanc | 26 | Jonathan Arcamont | 39 | Russell Mathis |

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Thank you very much for your Time and your vote for our New zone and Regulations.

- 1) Mike Jancos (13)
- 2) G.J. Grubbs (14)
- 3) J.H. Bourgeois (15)
- 4) Mike Pluff (16)
- 5) [Signature] (17)
- 6) Michael [Signature] (18)
- 7) Ray [Signature] (19)
- 8) [Signature] (20)
- 9) [Signature] (21)
- 10) Tom [Signature] (22)
- 11) Gary [Signature] (23)
- 12) [Signature] (24)
- 25) [Signature] (25)
- 26) [Signature] (26)
- 27) Rose W. McCoy (27)
- 28) [Signature] (28)
- 29) [Signature] (29)
- 30) [Signature] (30)
- 31) [Signature] (31)
- 32) Pat [Signature] (32)
- 33) [Signature] (33)
- 34) [Signature] (34)
- 35) [Signature] (35)
- 36) [Signature] (36)

SIRS :

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Thank you very much for your Time and your vote FOR our New zone and Regulations.

- | | | | | | |
|----|-------------------------------------|----|----------------|----|--------------|
| 1 | Ray Mackerson | 14 | Scott Chauvin | 27 | Verko Berlin |
| 2 | Sandra Mapperson | 15 | Randy Chauvin | 28 | |
| 3 | Cerald Scott ^{RAYOU} SAKKA | 16 | Stem Vally Jr. | 29 | |
| 4 | Wes F Payne | 17 | Dr Ken Do | 30 | |
| 5 | Joseph Peters | 18 | Ricky Burton | 31 | |
| 6 | Chad Mayer | 19 | Paul Webster | 32 | |
| 7 | BARRY BLACK | 20 | | 33 | |
| 8 | Mrs. S. Fullott | 21 | | 34 | |
| 9 | Kenneth Meyers | 22 | | 35 | |
| 10 | Dane Louvige | 23 | | 36 | |
| 11 | Bill Dean | 24 | | 37 | |
| 12 | Eldridge J. Bouton | 25 | | 38 | |
| 13 | Wesly Wallin | 26 | | 39 | |

A. Ashley

January 20, 1993

Sirs:

We the undersigned respectfully ask for your vote in the upcoming Commission Meeting FOR the proposed new zone 7 and its regulations and Thunting days. This measure was turned down last year but needs your serious consideration this year.

The State's Chief Biologist did an assessment of our deer. His proposal for a separate zone and 30 day still hunt only, 30 day with or without dogs is a plan we agree with.

Thank you very much for your time and your vote FOR our new zone and regulations.

1	Raymond H. Quinn	26	Elmer C. Lancia	51
2	Frank W. Hill Jr.	27		52
3	Necia Adams	28		53
4	William R. Russell	29		54
5	Joe Christopher Jr.	30		55
6	John P. Smith	31		56
7	Jay Dyer	32		57
8	C. J. Hamilton	33		58
9	H. R. Bullen	34		59
11	Ray O. ...	35		60
11	Murphy Curry	36		61
12	Ronnie Owens	37		62
13	Bruce Helbert	38		63
14	Col. Beacher	39		64
15	George Simpson	40		65
16	Stanley ...	41		66
17	War ...	42		67
18	George ...	43		68
19	Anthony M. ...	44		69
20	Charles M. ...	45		70
21	Don Simpson	46		71
22	Alcide Landry	47		72
23	Al ...	48		73
24	R. George	49		74
25	Ollie ...	50		75

January 20, 1993

Sirs:

We the undersigned respectfully ask for your vote in the upcoming Commission Meeting FOR the proposed new zone 7 and its regulations and hunting days. This measure was turned down last year but needs your serious consideration this year.

The State's Chief Biologist did an assessment of our deer. His proposal for a separate zone and 30 day still hunt only, 30 day with or without dogs is a plan we agree with.

Thank you very much for your time and your vote FOR our new zone and regulations.

1	Chris Bobley	26	51
2	Kenneth Dyer	27	52
3	Bobby Halley	28	53
4	Jerry Dyer	29	54
5	Pat Brown	30	55
6	Oliver Williams	31	56
7	Brad Hebert	32	57
8	Karl LaVette	33	58
9	Tom Reaves	34	59
10	Carl Graham	35	60
11	Michael Dyer	36	61
12	Mike Brown	37	62
13	Howard Wilson	38	63
14	Arvid Bakley	39	64
15	Alan Ashby	40	65
16	Scott Daspit	41	66
17	Kimberly E. Blum	42	67
18	Wanda Baudreart	43	68
19	Jacqueline Daspit	44	69
20	Bridget Daspit	45	70
21	Michael Daspit	46	71
22	John R. Spore	47	72
23	Scott Brown	48	73
24	Gayle Curtis	49	74
25		50	75

Louisiana Department of Wildlife and Fisheries

NEWS RELEASE

Joe L. Herring
Secretary



CONTACT
(504) 765-2923

93-107

4/30/93

COMMISSION TO HOLD SHRIMP HEARING IN METAIRIE

The Louisiana Wildlife and Fisheries Commission will hold the annual public hearing on the spring inshore shrimp season on **Thursday, May 6, at the Landmark Hotel, 2601 Severn Avenue, Metairie, at 10:00 am.**

Following the hearing the Commission will hold its regular monthly meeting. The hearing and the meeting are open to the public.

The agenda for the meeting is:

1. Roll call.
2. Approval of April 6, 1993, minutes.
3. Reconsideration of Resolution in the minutes of February 25, 1993. *a) CAN ONLY BE DONE BY SOMEONE WHO VOTED IN FAVOR.*
4. National Marine Fisheries Service --TED's information presentation. *b) IF REDFISH, MAY NOT BE ADEQUATE NOTICE TO PUBLIC*
5. Aircraft report.
6. Public comments -- 1993-94 resident game hunting season proposals.
7. Alligator harvest on Marsh Island (Point of Information and Public Notification).
8. Declaration of Emergency -- setting Inshore Spring Shrimp Season.
9. Notice of Intent -- Menhaden Season.
10. Resolution and Notice of Intent -- Fill Material. *a) BE CERTAIN DOES NOT ADVERSELY AFFECT PRODUCTIVITY OR AVAILABILITY OF MARINE FISHERY RESOURCES.*
11. Civil Restitution and Class 1 update.
12. Monthly Law Enforcement Report/April.
13. Amend bylaws. - *Richard Rules of OMA*
14. Secretary's report to the Commission.
15. Set August 1993 meeting date.
16. Public comments.

Commercial
Residential
Repair

GLOBE

Mechanical & Associates, Inc.

Carl Gremillion, Sr.

2526 N. ACADIAN THRUWAY E. PHONE 357-2658
BATON ROUGE, LOUISIANA 70805

April 15, 1993

LA Dept. of Wildlife & Fisheries
P.O. Box 98000
Baton Rouge, LA 70898-9000

REF: Withdrawal of
Board Resolution on
Goose Creeping Ban

Gentlemen,

In 1989 LA Wildlife & Fisheries Board passed a resolution to ban goose creeping in Louisiana. This resolution was passed, and justifiably so out of embarrassment and shame, when less than 200 people out of a total of 200,000 licensed hunters, were responsible. Gentlemen, this is a democracy, please don't let such a minute majority control our freedom or hunting heritage which we have battled for over two centuries. Please let me make you aware of some facts:

- 1) Louisiana is the only state with a ban on goose creeping.
- 2) The statute is vague and hard to understand as it took three years to write and adopt.
- 3) Since it's adoption, only a few cases have been cited and none in the last three years.
- 4) The number of geese wintering in Louisiana is at an all time high.
- 5) Most, if not all, local, state and Federal Wildlife agents agree that the ban on goose creeping is no longer necessary and has served its purpose.

Please consider the request of all duck and goose hunters and vote to to remove the ban on goose creeping as it would only take a resolution by the LA Wildlife & Fisheries Commission.

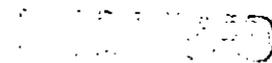
Please call me if I can be of further assistance.

Sincerely,



Carl W. Gremillion, Sr.

CWG/cw



APR 17 93

STATE OF LOUISIANA
GOVERNMENT PRINTING OFFICE

Regular Session, 1993

HOUSE BILL NO. 99

BY REPRESENTATIVE DOWNER

FISHING: Deletes the minimum size limits on spotted sea trout

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AN ACT

To amend and reenact R.S. 56:325.1(A)(1), (B)(introductory paragraph), and (C)(2)(c) and to repeal R.S. 56:325.1(B)(3), relative to taking spotted sea trout; to delete minimum size limits; to delete penalties; to limit the authority of the commission; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 56:325.1(A)(1), (B)(introductory paragraph), and (C)(2)(c) are hereby amended and reenacted to read as follows:

§325.1. Size and possession limits, recreational saltwater finfish; penalties

A.(1) The Wildlife and Fisheries Commission may set by rule, in accordance with the Administrative Procedure Act, daily take, and possession, and size limits for saltwater finfish caught recreationally in Louisiana territorial waters, based on biological and technical data; however, the commission shall not set size limits on spotted sea trout taken recreationally.

Aquaculturally raised fish, as defined in R.S. 56:356, shall be exempt from the provisions of this Section.

* * *

B. No saltwater sport fisherman shall take or possess at any one time in the Louisiana territorial waters extending to the outermost boundary limit of the Federal Exclusive Economic Zone any ~~red drum or spotted sea trout~~ under the prescribed

CODING: Words in ~~struck through~~ type are deletions from existing law; words underlined are additions.

1 minimum size nor over the maximum prescribed size and possession
 2 limit or any spotted sea trout in excess of the possession
 3 limit. Any red drum ~~or spotted sea trout~~ under the minimum
 4 prescribed size or over the maximum prescribed size and
 5 possession limit and any spotted sea trout in excess of the
 6 possession limit shall be returned immediately to the waters
 7 from which taken without avoidable injury. Until such time as
 8 the commission establishes legal size and possession limits for
 9 the red drum ~~and spotted sea trout~~ in accordance with the
 10 Administrative Procedure Act, the following are the legal size
 11 and possession limits for red drum: ~~and spotted sea trout~~

12 * * *

13 C.

14 * * *

15 (2) In addition to the penalties provided in R.S.
 16 56:325.1(C)(1), the following penalties shall apply:

17 * * *

18 (c) Violation of R.S. 56:325.1(A)(2)(b) ~~or (B)(3)~~ shall be
 19 punishable by a fine of twenty-five dollars per fish ~~under~~
 20 ~~twelve inches in total length~~ ~~or~~ over the limit of twenty-five
 21 or in violation of such ~~minimum size and take~~ and possession
 22 limits as may be established by the commission.

23 * * *

24 Section 2. R.S. 56:325.1(B)(3) is hereby repealed.

DIGEST

The digest printed below was prepared by House Legislative Services.
 It constitutes no part of the instrument.

Downer

HB No.

Present law authorizes the Wildlife and Fisheries Commission to set
size limits on spotted sea trout taken recreationally and prohibits
 the taking or possession of spotted sea trout that are under 12
 inches in length.

Present law provides for a penalty of \$25 per each trout under the
 12-inch limit.

Proposed law deletes present law and prohibits the commission from setting size limits on spotted sea trout.

(Amends R.S. 56:325.1(A)(1), (B)(intro. para.), and (C)(2)(c);
Repeals R.S. 56:325.1(B)(3))

Regular Session, 1993

HOUSE BILL NO. 450

BY REPRESENTATIVE SAM THERIOT

FISHING/TRAWLS: Allows for the use of trawls for the taking of commercial fish in saltwater

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AN ACT

To enact R.S. 56:322(C)(9), relative to commercial fishing; to provide for the use of trawls for fishing in saltwater; to clarify language relative to trawling in shrimping waters; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 56:322(C)(9) is hereby enacted to read as follows:

§322. Seines or nets; size of mesh; classification as to salt or freshwater; crawfish nets

* * *

C. The following provisions shall apply to saltwater areas:

* * *

(9) Trawls.

(a) For the taking of commercial fish in saltwater, a person may have in possession or use trawls with overall dimensions and numbers not to exceed those established by R.S. 56:495.1.

(b) The closing of outside waters to shrimping as defined in R.S. 56:495 shall not be construed as prohibiting or otherwise affecting the trawling for finfish or underutilized species as defined in R.S. 56:8.

1 (c) No trawling shall be permitted in inside waters as
2 defined in R.S. 56:495 during the closed season for saltwater
3 shrimp.

DIGEST

The digest printed below was prepared by House Legislative Services.
It constitutes no part of the instrument.

Sam Theriot

HB No.

Present law provides that the closing of outside waters to shrimping does not prohibit the trawling for finfish or underutilized species. Present law further provides that no trawling is permitted in inside waters during the closed season.

Proposed law allows for the use of trawls for the taking of commercial fish in saltwater. Proposed law further makes it clear that the closing of outside waters to shrimping does not prohibit or affect trawling for commercial fish and also makes it clear that trawling is prohibited in inside waters during the closed season for saltwater shrimp.

(Adds R.S. 56:322(C)(9))

State of Louisiana



Joe C. Herring
Secretary

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

Edwin W. Edwards
Governor

To Susan H.

Susan - Bethony of
the Stamp Season is
not listed - and
Corky it should be
4th item at least

Mark

Off An Equal Op

AGENDA

LOUISIANA WILDLIFE AND FISHERIES COMMISSION
LANDMARK HOTEL, METAIRIE, LA
May 6, 1993
10:00 AM

1. Roll Call
2. Approval of Minutes of April 6, 1993
3. Reconsideration of Resolution in the Minutes of February 25, 1993 - Tee John Mialjevich
4. NMFS - TED's Information Presentation - Tee John Mialjevich
5. Aircraft Report - Lee Caubarreaux
6. Public Comments - 1993-94 Resident Game Hunting Season Proposals
7. Alligator Harvest on Marsh Island (Point of Information and Public Notification) - Johnnie Tarver
8. Declaration of Emergency - Setting Inshore Spring Shrimp Season - Corky Perret
9. Notice of Intent - Menhaden Season - Harry Blanchet
10. Notice of Intent - Fill Material - Janice Sharkey
11. Civil Restitution and Class 1 Update - Wynnette Kees
12. Monthly Law Enforcement Report/April - Winton Vidrine
13. Amend By-Laws - Jimmy Jenkins
14. Secretary's Report to the Commission - Joe Herring
15. Set August 1993 Meeting Date
16. Public Comments

Louisiana Department of Wildlife and Fisheries

NEWS RELEASE

Joe L. Herring
Secretary



CONTACT
(504) 765-2923

93-107

4/30/93

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Following the hearing the Commission will hold its regular monthly meeting. The hearing and the meeting are open to the public.

The agenda for the meeting is:

1. Roll call.
2. Approval of April 6, 1993, minutes.
3. Reconsideration of Resolution in the minutes of February 25, 1993.
4. National Marine Fisheries Service --TED's information presentation.
5. Aircraft report.
6. Public comments -- 1993-94 resident game hunting season proposals.
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8. Declaration of Emergency -- setting Inshore Spring Shrimp Season.
9. Notice of Intent -- Menhaden Season.
10. Resolution and Notice of Intent -- Fill Material.
11. Civil Restitution and Class 1 update.
12. Monthly Law Enforcement Report/April.
13. Amend bylaws.
14. Secretary's report to the Commission.
15. Set August 1993 meeting date.
16. 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

Edwin W. Edwards
Governor

April 28, 1993

MEMORANDUM

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

The next regular public board meeting as set by the Commission will be held on Thursday, May 6, 1993, following the 10:00 A.M. Annual Public Hearing for the Spring Inshore Shrimp Season, at the Landmark Hotel, Metairie, LA.

The following will be on the agenda:

1. Approval of Minutes of April 6, 1993

TEE JOHN MIALJEVICH

2. Reconsideration of Resolution in the Minutes of February 25, 1993
3. NMFS - TED's Information Presentation

LEE CAUBARREAU

4. Aircraft Report
5. Public Comments - 1993-94 Resident Game Hunting Season Proposals
6. Alligator Harvest on Marsh Island (Point of Information and Public Notification)

CORKY PERRET

7. Declaration of Emergency - Setting Inshore Spring Shrimp Season
8. Notice of Intent - Menhaden Season

Page 2
Commission Meeting
April 28, 1993

WYNNETTE KEES

9. Resolution and Notice of Intent - Fill Material
10. Civil Restitution and Class 1 Update

WINTON VIDRINE

11. Monthly Law Enforcement Report/April

JIMMY JENKINS

12. Amend By-Laws

JOE L. HERRING

13. Secretary's Report to the Commission
14. Set August 1993 Meeting Date

PUBLIC COMMENTS

JLH:sch

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

April 28, 1993

NEWS RELEASE

APPROVED:  _____

AGENDA FOR COMMISSION MEETING

The next regular public board meeting as set by the Commission will be held on Thursday, May 6, 1993 following the 10:00 A.M. Annual Public Hearing for the Spring Inshore Shrimp Season, at the Landmark Hotel, Metairie, LA.

1. Roll Call
2. Approval of Minutes of April 6, 1993
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11. Civil Restitution and Class 1 Update
12. Monthly Law Enforcement Report/April
13. Amend By-Laws
14. Secretary's Report to the Commission
15. Set August 1993 Meeting Date
16. Public Comments

SUSAN

COMMISSION Agenda

MAY 6TH.

NMPS - TED'S INFORMATION PRESENTATION

J. John M13

State of Louisiana



Joe L. Herring
Secretary

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

Edwin W. Edwards
Governor

April 6, 1993

MEMORANDUM

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

FROM: Joe L. Herring, Secretary *[Signature]*

SUBJECT: Commission Meeting Agenda - May 6, 1993

Please write on the bottom of this memo and return to Susan Hawkins by Thursday, April 15, 1993 any agenda items your office may have for the Thursday, May 6th Commission Meeting to be held at the Landmark Hotel in Metairie. This meeting will begin with the public hearing for the spring shrimp season at 10:00 a.m. on May 6th and the regular Commission meeting will follow. 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/sch

cc: Commissioners
Don Puckett
Bob Dennie
Winton Vidrine
Hugh Bateman ✓
Johnnie Tarver
Bennie Fontenot
John Roussel
Wynnette Kees
Karl Turner

*1) Public Comments, 1993-94 Resident Game
Serious Proposals*

*Batch, Hunting over public lands
to all of them*

*Dave Tammy
Any items you
know of?
Return to me*

H.B.

State of Louisiana



Joe L. Herring
Secretary

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

Edwin W. Edwards
Governor

April 6, 1993

MEMORANDUM

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

FROM: Joe L. Herring, Secretary 

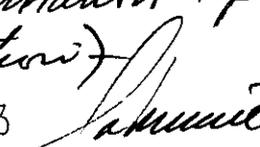
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John Roussel
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Karl Turner

★ Alligator Harvest on Marsh Island
(part of information + public
notification)
APR 08 93 
4-13-93

State of Louisiana



Joe L. Herring
Secretary

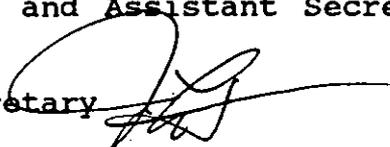
Department of Wildlife and Fisheries
Post Office Box 98000
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Governor

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John Roussel
Wynnette Kees ✓
Karl Turner

*Civil restitution/class one
update*

*W. Kees
4-13-93*

State of Louisiana



Joe L. Herring
Secretary

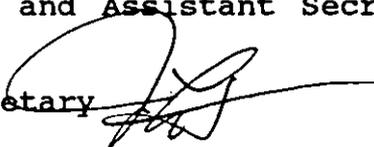
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Edwin W. Edwards
Governor

April 6, 1993

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Winton Vidrine
Hugh Bateman
Johnnie Tarver
Bennie Fontenot
John Roussel
Wynnette Kees
Karl Turner

Case Report
W. Vidrine

REC'D

APR 21 '93

OFFICE OF WILDLIFE
ASSISTANT SECRETARY

State of Louisiana



RECEIVED

APR 08 93

FISHERIES SECTION

Joe L. Herring
Secretary

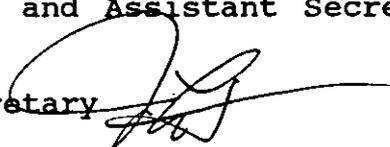
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Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800

Edwin W. Edwards
Governor

April 6, 1993

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Winton Vidrine
Hugh Bateman
Johnnie Tarver
Bennie Fontenot ✓
John Roussel
Wynnette Kees
Karl Turner

Dear Susan:

I have no items from
the Inland Fish Division
for the Commission meeting on
May 6th in Metairie - Thanks

Bennie

State of Louisiana



REC'D

APR 08 93

INFORMATION &
EDUCATION DIV.
ADM.

Joe L. Herring
Secretary

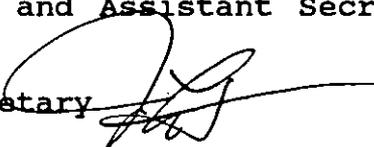
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(504) 765-2800

Edwin W. Edwards
Governor

April 6, 1993

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Hugh Bateman
Johnnie Tarver
Bennie Fontenot
John Roussel
Wynnette Kees
Karl Turner

Nothing this time for I&E

Bob Dennie 4-8-93

State of Louisiana



Joe L. Herring
Secretary

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

Edwin W. Edwards
Governor

April 6, 1993

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Hugh Bateman
Johnnie Tarver
Bennie Fontenot
John Roussel
Wynnette Kees
Karl Turner ✓

I have nothing to add

State of Louisiana



Joe L. Herring
Secretary

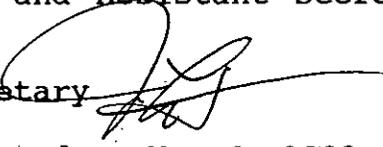
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Post Office Box 98000
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(504) 765-2800

Edwin W. Edwards
Governor

April 6, 1993

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State of Louisiana



Joe L. Herring
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
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(504) 765-2800

Edwin W. Edwards
Governor

MEMORANDUM

DATE: 03/16/93

TO: Guy LaBranche

FROM: Maurice Cockerham *MC*

RE: May Commission meeting - Public Hearing

The Commission will meet on Thursday, May 6, 1993 at the Landmark Hotel in Metairie. This will be the annual Public Hearing on the shrimp season. You will need to be there and record the meeting. That will probably mean going down on Wednesday and spending the night. Coordinate with Susan Hawkins and make all necessary arrangements (equipment, etc) well in advance. Keep Bob Dennie personally updated on those arrangements.

Thank you.

cc: Bob Dennie
Al Carver
Susan Hawkins
File

REC'D

MAR 16 93

OFFICE OF WILDLIFE
& FISHERIES

Original contract returned to
Hotel 1/26/93 - sch

CATERING AGREEMENT

ORGANIZATION: La Dept of Wild Fishers SALESPERSON: Linda Mashburn
 CONTACT: Linda Rivet DEPOSIT \$
 ADDRESS: P.O, BOX 98000 METHOD OF PAYMENT: Direct Billing
 CITY/STATE/ZIP: Baton Rouge, LA 70898 FAX
 BUSINESS PHONE: 1-765-2384 RENTAL: \$500 ACCESS TIME:
 DAY: Thurs DATE: 5/6/93 SETUP: Mtg ROOM: MG III TIME: 10AM-4PM PPL 200
 DAY DATE SETUP ROOM TIME PPL

SPECIAL INSTRUCTIONS	MENU (GTD # DUE 48 HR. PRIOR)
<p><u>Room Arrangements:</u> Theatre Style Standing Podium on Risers w/mike Water Service</p>	<p>Coffee Breaks times - TBA lunch on own</p>
<p>microphone - floor, table, lapel podium - table, freestanding blackboard, greaseboard, easel screen _____ flip chart _____ ashtrays, pads, pencils, mints extension cords, proj. table dance floor - risers OTHER</p>	<p>PRICE PER COVER: TAX: GRATUITY: TOTAL PER PERSON:</p> <hr/> <p>LIQUOR SERVICE:</p>
<p>EQUIPMENT TO BE ORDERED SET UP FEE</p>	<p><i>Linda Mashburn</i> Linda Mashburn Sales & Catering Mgr. 1/11/93</p>
<p>I have read the reverse of this agreement and agree to all terms explained.</p>	<p>ACCEPTED BY: <i>Fredrick J. Lejman</i> 1-25-93 TITLE DATE:</p>

PLEASE RETURN ONE SIGNED AGREEMENT COPY TO CONFIRM BOOKING.

CATERING AGREEMENT

ORGANIZATION: Linda Mashburn
CONTACT: Linda Niver
ADDRESS: P.O. BOX 23000
CITY/STATE: Baton Rouge, LA 70802
BUSINESS PHONE: 1-504-382-5555
DAYTIME FAX: 504-382-5555

STANDARD TERMS AND CONDITIONS
BANQUETS, RECEPTIONS AND PRIVATE FUNCTIONS
ROOMING III TIME: 10AM-4PM 500

1. DEFINITIONS: As used herein, the following shall have the following meaning: "Event" - the banquet, reception or other private function forming the subject of this Agreement. "Hotel" - LANDMARK HOTEL.

2. TAXES: In addition to the charges set forth elsewhere in this Agreement, Patron agrees to pay separately and all federal, state, Municipal or other taxes imposed on or applicable to the Event or this Agreement.

3. GUARANTEE: DEPOSIT: CANCELLATION: Patron shall, at least two (2) days prior to the date of the Event, specify in writing to Operator the exact number to be in attendance. This number shall constitute a guaranteed minimum and Patron will be charged accordingly.

A deposit in the amount of \$200.00 (which amount represents the charge for the space reserved hereunder) shall be paid by Patron to Operator at the time of signing of this agreement. If Patron cancels the Event or otherwise terminates this Agreement or if this Agreement is terminated by Operator for breach thereof by Patron, unless Operator has by customary and reasonable efforts been able to re-book such space, Operator shall be entitled to retain, as liquidated damages, the entire amount of such deposit. If Operator by such efforts is able to re-book such space, the deposit, less administrative charge of one percent (1%) of the contract price, not to exceed \$50.00 will be returned to Patron, without interest thereon, and neither party shall have any further obligation or liability hereunder.

Operator will not undertake to serve more than a five percent (5%) increase of persons above the attendance specified in advance by Patron. If guarantee is not received in 48 hours the original number proposed becomes the guarantee.

4. PAYMENT IN ADVANCE: Unless credit has been established in advance by Patron with Operator, payment of 80% of the approximate balance must be made, in cash or by certified or bank check, at least thirty (30) days prior to the date of the Event and, if such payment is not made, Operator may terminate this Agreement and retain all or part of Patron's deposit, and the remaining balance due the day of the function, in accordance with the provisions of Section 3 above. If credit has been established, payment will be due in accordance with the terms therefor agreed upon between the parties hereto, but in any event no later than thirty (30) days following the Event.

5. All items subject to 17% gratuity - 8% tax, based on total of food, beverage and gratuity. (Tax rate subject to change)

6. PRICE INCREASES: Prices quoted herein are subject to proportionate increased to meet increased costs of supplies or operation at the time of the Event due to increases in costs or commodities, labor, taxes or currency value subsequent to the signing of this Agreement and Patron agrees to pay such increased prices. Alternatively, Operator, at its option, may in the event of such increased costs make reasonable substitutions in menu items and Patron agrees to accept such substitutions.

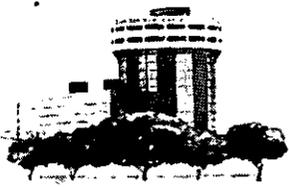
7. EXCUSED NON-PERFORMANCE: If for any reasons beyond its control, including, but not limited to, strikes, labor disputes, accidents, government requisitions, restrictions or regulation on travel, hotel operation, commodities or supplies, acts of war or acts of God, Operator or the Hotel is unable to perform its obligations under this Agreement, such non-performance is excused and Operator may terminate this Agreement without further liability of any nature, upon return of Patron's deposit. In no event shall Operator be liable for consequential damages of any nature for any reason whatsoever. If for any reason the space reserved hereunder is not available for the Event, Operator may substitute therefor other space in the Hotel, at least comparable in quality thereto, and Patron agrees to accept such substitution.

8. PROVISION OF BEVERAGES: Neither Patron nor any of Patron's guests or invitees may bring any beverages of any kind into the Hotel from off-premises unless approved by Hotel Management.

9. CONDUCT OF EVENT: Patron undertakes to conduct the Event in an orderly manner in full compliance with applicable laws, regulations and Hotel rules. Patron assumes full responsibility for the conduct of all persons in attendance and for any damages done to any part of the Hotel's premises during any time such premises are under the control of Patron, or Patron's agents, invitees, employees or independent contractors employed by Patron. Patron hereby indemnifies and holds harmless Operator, the Hotel, Landmark and each of the foregoing, against any and all claims, liabilities or costs (including reasonable attorney's fees and whether by reason or personal injury or death or property damage or otherwise) arising out of or connected with the Event of this Agreement, caused or contributed to by the negligence of Patron, or any guest, invitee or agent of Patron, or any independent contractor hired by Patron. Upon the request of Operator, Patron shall procure and maintain, at its expense, policies of insurance, in such amounts, upon such terms and with such responsible insurance companies as shall be satisfactory to Operator, including comprehensive general liability coverage (with a specific indorsement acknowledging the insuring of the contractual liabilities assumed by Patron under this Section 9) and such workers' compensation, employers liability and automobile liability coverages as may be required by Operator. Certificate of issuance of each such policy shall be delivered to Operator at least three (3) days prior to the Event. Each such policy shall name Operator, the Hotel and Landmark as additional insureds. Such insurance shall be considered primary of any similar insurance carried by any of the above named parties.

10. DISPLAYS AND DECORATIONS: PATRON'S PROPERTY: All displays and/or decorations proposed by Patron shall be subject to the prior written approval of Operator in each instance. Any personal property of Patron or Patron's guests or invitees brought onto the premises of the Hotel and left thereon, either prior to or following the Event, shall be at the sole risk of the Patron and Operator shall not be liable for any loss of or damage to any such property for any reason.

11. SECURITY: If required, in the sole judgement of Operator, in order to maintain adequate security measures in light of the size and nature of the Event, Patron shall provide, at its expense, uniformed guards. All Security Personnel shall be supplied by a reputable licensed guard or security agency doing business in the Parish which agency shall be subject to the prior approval of Operator. The Security Personnel are to coordinate with Operator's regular security force and shall concern themselves only with access to the space reserved hereunder or substituted therefor, restricting their presence to these areas of the premises of the Hotel.



Landmark

HOTEL-METAIRIE
(NEW ORLEANS I-10 AT CAUSEWAY)

January 11, 1993

Ms. Linda Rivet
LA Dept. of Wild Fishers
P.O. Box 98000
Baton Rouge, LA 70898

Dear Ms. Rivet:

It certainly was a pleasure speaking with you and I will be delighted to confirm accommodations for La Dept of Wild Fishers on May 6, 1993 upon receipt of a signed copy of the enclosed contract.

Per our conversation, please find enclosed a contract outlining arrangements between the Landmark Hotel-Metairie and La Dept of Wild Fishers. Please review the contents carefully and should it meet with your approval, please sign and return the original contract. You may retain the copy enclosed for your files.

Allowing you time to review, I will contact you by telephone to learn what more I can do on your behalf. In the meantime, should you require my assistance, please do not hesitate to contact me at 888-9500 or 1-800-277-7575.

Sincerely,

Linda Mashburn
Sales and Catering Manager

LM/acr

Enclosure

State of Louisiana



Joe L. Herring
Secretary

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

Edwin W. Edwards
Governor

January 19, 1993

MEMORANDUM

TO: Fred Prejean, Undersecretary
FROM: Susan Hawkins, Commission Secretary
SUBJECT: Contract Agreement

Attached you will find the contract agreement between the Landmark Hotel and this Department for the May Wildlife and Fisheries Commission Meeting. This meeting will be a combination shrimp public hearing and commission meeting. Please review this agreement and sign both copies so that we can confirm the reservation.

Upon your approval, please return the agreements to me. Thank you.

Susan

Susan Hawkins

sch

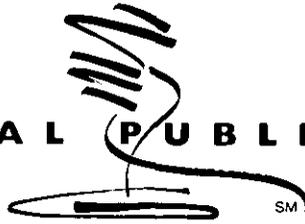
Attachments

RECEIVED

JAN 20 1993

OFFICE OF
MANAGEMENT & FINANCE

NATIONAL PUBLIC RADIO®



Mailed tapes of
May 6, 1993
shrimp +
Comm. Meeting
5/10/93-
sch

Dear Ms Hawkins,

4/28

As per our phone conversation I am sending you two blank cassettes for recording part of the proceedings of the May 6 meeting on shrimp fishing. As I mentioned I would like about an hour or so of the public comment and the announcement by the commission of the date when the in shore fishing season begins.

If you could please Federal Express the material to me I would greatly appreciate it. NPR's Fed-Ex number is 1157-67720.

This material will be used for a report on our program Weekend Edition about the shrimp industry in Louisiana.

Please send the tape to:

Peter Breslow
National Public Radio
2025 M St NW
Washington, DC 20036

If you have any questions please call me at 202-822-2279.

Thank you very much for your attention in this matter.

Sincerely,

A handwritten signature in cursive script that reads "Peter Breslow".

Peter Breslow
Producer Weekend Edition

REC'D

MAY 03 93

OFFICE OF WILDLIFE
ASSISTANT SECRETARY

"Celebrating 20 Years"