

**LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES**

**BOARD MEETING**

**JUNE 7-8, 1990**

**WARREN POL**

**CHAIRMAN**

**BATON ROUGE, LOUISIANA**

**AGENDA**  
**LOUISIANA WILDLIFE AND FISHERIES COMMISSION**  
**BATON ROUGE, LOUISIANA**  
**JUNE 7-8, 1990**

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**MINUTES OF MEETING  
LOUISIANA WILDLIFE AND FISHERIES COMMISSION  
JUNE 7-8, 1990**

Chairman Warren Pol presiding:

Thursday, June 7, 1990

Don Hines  
Jimmy Jenkins  
Bert Jones  
Norman McCall  
Pete Vujnovich

Joe Palmisano was absent.

Secretary Van Sickle was also present.

Chairman Warren Pol presiding:

Friday, June 8, 1990

Don Hines  
Jimmy Jenkins  
Bert Jones  
Norman McCall  
Pete Vujnovich

Joe Palmisano was absent.

Secretary Van Sickle was also present.

At Thursday's meeting a motion was made by Mr. Jenkins to accept the Minutes of the May 3-4, 1990 Commission Meeting. The motion was seconded by Mr. Jones and passed unanimously.

At Thursday's meeting Mr. Hugh Bateman went over the Recommendations for the 1990-91 Hunting Seasons on Resident Game. Recommended hunting seasons and bag limits were given for Quail, Rabbit, Squirrel, Deer and Turkey along with Wildlife Management Areas recommendations. The Game Division staff had four minor changes for recommendations to the Commission to be incorporated into the final rule. These changes were: 1) page 18 - simple wording change to clarify the use of muzzleloader shotguns and archery for taking turkey; 2) page 28 - a squirrel season with dogs on Big Lake Wildlife Management Area; 3) page 29 - a squirrel season with dogs on Bouef Wildlife Management Areas; 4) page 36 - set a time frame and limit for recreational/commercial crawfishing on the Pomme de Terre Wildlife Management Area in Avoyelles Parish. Mr. Bateman also brought to the attention of the Commission that

there was pending legislation that would affect the seasons in two ways. Senate Bill 1148 would prohibit the opening of a resident game season on a gubernatorial or congressional election day. October 6th of this year, which is part of the hunting seasons package, would represent a conflict with this bill if it passes the legislature. Mr. Bateman suggested to the Commissioners that they might consider moving away from the October 6th date at this time or wait and see what the bill does. If the bill passes it will be state law and the change will have to be made. Mr. Bateman stated that one consideration would be moving the season back to the previous weekend in September. For further consideration of the bill as it reads Mr. Bateman would have to yield to the department's legal counsel for clarification as he is still not sure that it has been cleared beyond a doubt that the Commission and the department has the authority to recommend new seasons that are outside of the broad perimeters that were set by the legislature. It is believed there was a Senate bill that passed last year which gives this authority and if so the opening date on squirrel, rabbit and archery seasons could be moved back to September 29th which is the previous Saturday from October 6th stated Mr. Bateman. If there is a problem then the October 1st opening that use to be law, prior to the bill that was passed last year, would leave the option of going to a Friday opening which would address the legislation that would prevent the opening of a hunting season on a Saturday and would simply move it to October 5th. This will be the Commission's decision explained Mr. Bateman.

Chairman Pol advised that after the Public Hearing the Commission would do the final ratification Friday on the seasons which will allow time for this issue to be discussed. Mr. Pol's personal opinion, whether the bill passes or not, is that it would be a good idea to move the date.

Mr. Bateman went on to explain HB 848 which, if amended and passes, would fix the current deer area boundaries in regard to still hunting and dog hunting and would also fix the minimum number of days for dog hunting in Area I to forty (40) and twenty-six (26) in Area II. The results of this bill would take the authority away from the department and Commission in being able to move the seasons around, changes in still hunting area boundaries or dog hunting area boundaries, and also moving the number of days up and down explained Mr. Bateman. If this bill passes in its present form and as it would be amended, it is Mr. Bateman's judgment that in the future it would require a bill from a legislator every time a boundary or a season was changed. Mr. Bateman informed the Commissioners that the department has had several meetings with both sides to try and work out something and hopes it can be resolved.

Upon conclusion of Mr. Bateman's briefing Chairman Pol called for questions from the Commissioners. There being none Chairman Pol called for the Public Hearing on the 1990-91 Hunting Seasons which

started at approximately 2:30 p.m. and ended at approximately 5:15 p.m. on Thursday, June 7, 1990. The two main issues discussed were the deer season and the turkey season. There were approximately twenty-four people that addressed the Commission. The complete contents of the public hearing were recorded and will be maintained at the Louisiana Department of Wildlife and Fisheries, Baton Rouge, Louisiana.

Chairman Pol called for a motion to adjourn the June 7th Commission meeting. A motion was made by Mr. Jenkins for adjournment and seconded by Mr. Vujnovich. The meeting will reconvene Friday, June 8th at 9 a.m. at the LA Department of Wildlife and Fisheries, Baton Rouge, Louisiana.

At Friday's meeting the resolution and the Ratification of the Final Rule Pertaining to the 1990-91 Hunting Seasons on Resident Game was brought before the Commission by Mr. Hugh Bateman.

Mr. Bateman first responded to a comment made by Mr. Kenny Morgan at yesterday's Public Hearing in regard to the Game Division staff and himself. Mr. Bateman commented that he interpreted Mr. Morgan's comments to imply that the seasons set for turkey hunting somehow benefited, or were set, so that people working for the department could take opportunities for themselves to go hunting. Mr. Bateman stated that he wanted it to go on the record that this has never happened and informed the Commission that he knows of no incidents in his division or in another division, for that matter, where this has ever been done. The second item Mr. Bateman responded to was the reference made by several different people at yesterday's meeting in regard to what the biologists recommended last year on deer season dates, and clarified that options were given rather than a single recommendation. Mr. Jenkins pointed out that one of the reasons for options is because there is more input than just totally what a person or his staff has to say, otherwise the Commission does not need to have the public meetings. There was a lot of time, money, and effort expended making statewide surveys which have nothing to do with the biology but has something to do with what the people in the state want. This survey showed 80 percent wanting a certain way. Mr. Jenkins thinks the option that was chosen reflects, to a very small degree, what the survey wanted done. This is not pure biology but this is why there were options and why something other than maybe the main recommendation from a biological viewpoint was chosen commented Mr. Jenkins.

Mr. Bateman commented that he agreed with Mr. Jenkins and pointed out for the record that every statement made at the public meetings was recorded by Game Division employees who provided the Commissioners with a complete record of these and the department is very much aware of who was at those meetings, and the statements that were made. These things were taken into consideration in the development of the recommendation and it is certainly the Commission's prerogative and responsibility to look at the

recommendations that come to them from every division in the department and change them. The department has no problem with this but the emphasis yesterday was that an agreement could not be reached on a single recommendation or that there was some misconception on how it was delivered stated Mr. Bateman.

Secretary Van Sickle stated that the record should also reflect that it was very clear to everyone attending the hunting seasons meeting in March that the staff recommendation was number one and the options that were presented were within the biological realm.

Mr. Jones commented that he has known Kenny Morgan for a long time and he does not think the point that was made by Mr. Morgan was to imply that the biologists set a season so that they could go hunting and that what he was trying to point out was the mobilization of the hunters moving to the open turkey seasons.

Chairman Pol asked Mr. Bateman to read the hunting season dates for the 1990-91 seasons. Mr. Bateman presented the dates and the four proposed changes to the Commission and presented the rule for ratification. Chairman Pol called for discussion. There being none Chairman Pol called for motion on the ratification of the final rule on hunting seasons with proposed changes. Mr. Jones made a motion to ratify the rule for the 1990-91 hunting seasons regulations as read by Mr. Bateman. The motion was seconded by Mr. Jenkins.

Dr. Hines made a motion to amend the final rule pertaining to the 1990-91 hunting season to reflect that the turkey hunting season in Area B, March 23rd to April 28th, be changed to March 16th to April 21st. The motion was seconded by Mr. Vujnovich. Dr. Hines advised that after hearing some lengthy testimony by many people which included such wildlife management experts as Mr. Dick Yancey, Dr. John Newsom and department biologists he feels that the uniformity of hunting seasons in Area B can be achieved without any significant adverse biological impact on the resource if the Commission goes with a March 16th rather than a March 23rd opening date for the entire Area B. Dr. Hines realizes that there are different terrains in this area but to subdivide Area B into several zones would create more problems than it would solve. Dr. Hines strongly believes that the duties of the Commission and the department is not only to preserve and perpetuate the resources of this state but also to provide the maximum recreational and commercial benefit and opportunities for the people of the State of Louisiana without adversely affecting the renewable resources. It is clear to Dr. Hines that there is a strong feeling by the majority of the landowners and the hunters, so forth, in Area B that a March 16th opening date would be more preferable to them than a March 23rd opening date. Dr. Hines strongly urged the Commission to accommodate these individuals who have a long and honorable record of conservation and resource management that has benefited the wildlife in this state. Dr. Hines also requested

that District Supervisors Kerney Sonnier and Dave Moreland closely monitor the effects of a March 16th versus a March 23rd opening date and report to the Commission at its April or May 1991 meeting in order that the setting of the 1992 turkey season may be done with current and factual data thus avoiding the controversy that the Commission has had at this June meeting. Dr. Hines also asked the Commission and department to consider going back to the traditional opening dates that have been in the past and read from the 1987-88 Hunting Seasons Pamphlet (page 1) which said, "Hunters plan you vacation now. The Louisiana Wildlife and Fisheries Commission has scheduled opening dates for the 1988-89 resident game seasons to accommodate hunters who want to schedule vacations in advance of the hunting season. The length of the seasons may vary from year to year but opening date will remain as follows until further notice. Examples: Squirrel and Rabbit first Saturday in October; Quail Thanksgiving Day; Deer Archery Season October 1st; Deer Gun Season, Still Hunting Areas 1 and 5 the Saturday before Thanksgiving, Still Hunting Areas 2,3, and 4 the Saturday occurring 19 days before Thanksgiving; Dog Hunting and all Areas opened for dogs the first Saturday in December." Dr. Hines pointed out that if correct research and development is implemented that this will shut down the rumor and controversy mill. Second it will not only give the hunters time to plan their vacations and activities but will also give members of the department time to plan for the opening dates of these seasons. A small benefit would be if there was a bad opening date it takes the blame away from the Commission and the department and puts it on Mother Nature. Dr. Hines strongly urged the Commission to consider this and work towards this for next year and in the future.

Chairman Pol advised that there has been a amendment to change the turkey season dates in Area B made by Dr. Hines and seconded by Mr. Vujnovich and called for vote on amendment by raising hands. Two voted for the amendment (Hines and Vujnovich). Three voted against the amendment (Jenkins, Jones, and McCall). The motion failed. Chairman Pol then called for a vote on the original motion as made by Mr. Jones and seconded by Mr. Jenkins. Three voted for the original motion (Jenkins, Jones and McCall). Two voted against (Hines and Vujnovich). The motion passed. Chairman Pol advised that the ratification of the final rule pertaining to the 1990-91 hunting season on resident game is as per the summary of 1990-91 the Hunting Regulations Seasons Committee.

Mr. Jones stated that he appreciated what Dr. Hines said and he agrees that there is a need to work towards more uniformity. This was done in the beginning of all the turkey conflict where areas were combined into one. The seven days will not make that much difference but it is on the conservative side to help the resource and will not take any opportunities away from any from any hunter pointed out Mr. Jones.

(The full text of the resolution

is made a part of the record)

LOUISIANA WILDLIFE AND FISHERIES COMMISSION  
LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES  
June 8, 1990

RESOLUTION

WHEREAS, it is the constitutional responsibility of the Louisiana Wildlife and Fisheries Commission to establish hunting seasons for resident game birds and quadrupeds, and

WHEREAS, authority to establish seasons, bag limits, possession limits and other rules and regulations for the hunting, taking and possession of any species of wild game birds or quadrupeds is vested in the Commission by R. S 56:115, and

WHEREAS, this action will provide for the protection and conservation of these natural resources and allow for recreational opportunities for sport hunting on both public and private lands, and

WHEREAS, the Commission and Department staff have jointly reviewed and considered all available biological information and requests from sportsmen of the state, now

THEREFORE BE IT RESOLVED, that the attached rules, regulations, season dates, and bag limits affecting sport hunting or resident game species are hereby ratified by the Louisiana Wildlife and Fisheries Commission.

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

RULE  
WILDLIFE AND FISHERIES COMMISSION  
DEPARTMENT OF WILDLIFE AND FISHERIES

In accordance with the Notice of Intent published in the April, 1990 Louisiana Register, the Louisiana Wildlife and Fisheries Commission, at its regular monthly meeting in June hereby adopts regulation on open hunting season dates, bag limit, methods of taking, and rules and regulations on Department operated wildlife management areas for the period of October 1, 1990-May 15, 1991. Authority to establish regulation is vested in the Commission by Section 115 of Title 56 of the Louisiana Revised Statutes of 1950. A synopsis of season dates is attached and made part of this rule.

For those interested, a more detailed copy of the rules and regulations is available upon request to Hugh Bateman,

Administrator, Game Division, Box 98000, Baton Rouge, LA 70898-9000.

CITATION: None - Changes annually

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

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission L.R. 16: (June, 1990).

Warren Pol  
Chairman

SUMMARY OF 1990-91  
HUNTING SEASON REGULATIONS

Quail: Nov. 22-Feb. 28 - Daily Bag Limit 10, Possession 20

Rabbit: Oct. 6-Feb. 28 - Daily Bag Limit 8, Possession 16

Squirrel: Oct. 6-Jan 27 - Daily Bag Limit 8, Possession 16

Deer: One Per day, 6 per season

Area 1 - 60 days

16 days still hunting only	Nov. 10-25
7 days still hunting only	Dec. 1-7 (Muzzleloader)
37 days with or without dogs	Dec. 8-Jan. 13

Area 2 - 60 days

28 days still hunting only	Nov. 3-30
7 days still hunting only	Dec. 1-7 (Muzzleloader)
25 days with or without dogs	Dec. 8-Jan. 1

Area 3 - 60 days

28 days still hunting only	Nov. 3-30
7 days still hunting only	Dec. 1-7 (Muzzleloader)
25 days still hunting only	Dec. 8-Jan. 1

Area 4 - 46 days

9 days still hunting only	Nov. 17-25
7 days still hunting only	Dec. 1-7 (Muzzleloader)
30 days still hunting only	Dec. 8-Jan. 6

Area 5 - 16 days

9 days still hunting only	Nov. 17-25
7 days still hunting only	Dec. 1-7 (Muzzleloader)

Turkey - One per day, 3 per season

Area A - 30 days.	March 30-April 28
Area B - 37 days.	March 23-April 28
Area C - 9 days.	April 20-April 28
Area D - 16 days.	April 13-April 28

At Friday's meeting a resolution and the Ratification of the Final Rule on Reef Fish, Daily Take, Possession and Size Limits was brought before the Commission by Dr. Jerry Clark.

Dr. Clark advised that a Notice of Intent had previously been published and had gone through the comment period. The legislature did not have an oversight hearing on this rule and the department has received no public comments. The reason there may not have been any comments is that this fishery takes place outside of state waters and this rule is basically bringing Louisiana into compliance with what the Federal government has done in federal waters. There are very few of these fish caught in state waters advised Dr. Clark but by adopting this rule Louisiana makes it possible for the Federal government to enforce their rules and people will not be able to claim that they caught these fish in state waters. Dr. Clark pointed out that there was one change between the Notice of Intent and the Final Rule. In the first paragraph of the rule the last part of the paragraph that starts "The Louisiana Wildlife and Fisheries Commission....." the proposed rule says "within and without Louisiana territorial waters" and when it was published as a Notice of Intent it was only "Louisiana waters". Dr. Clark commented that this language is being adopted by Louisiana for all rules (within and without) and it means that a person caught with one of these fish in violation of the state rule will not be able to say he caught it in Alabama or in the EEZ. Louisiana is adopting this kind of language for all fisheries and it is the same language being adopted by all the states in the Gulf to deal with this issue. This is a technical change and legal counsel has advised that there is no problem in making this change concluded Dr. Clark.

Mr. Jenkins made a motion to ratify the reef fish daily take, possession and size limits that was published in the Notice of Intent and as corrected by Dr. Clark. The motion was seconded by Mr. McCall and passed unanimously.

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

#### RESOLUTION

##### RATIFICATION OF BAG LIMITS AND SIZE LIMITS FOR REEF FISH

WHEREAS, reef fish are managed under the federal Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico, and

WHEREAS, recent stock assessments by the National Marine Fisheries Service have indicated that the reef fish resource in the Gulf of Mexico are in need of additional protection, and

WHEREAS, this fishery management plan establishes bag limits and size limits for reef fish taken in the federal waters of the Gulf of Mexico, and

WHEREAS, the Gulf of Mexico Fishery Management Councils have requested that the Gulf States adopt reef fish regulations compatible with those contained in the federal fishery management plan, and

WHEREAS, the Louisiana Wildlife and Fisheries Commission at its March meeting expressed its intent to adopt reef fish regulations compatible with those contained in the federal fishery management plan, and

WHEREAS, on April 20, 1990 a Notice of Intent was published in the Louisiana Register advising the Wildlife and Fisheries Commission's intent to adopt reef fish regulations compatible with those contained in the federal fishery management plan, and

THEREFORE BE IT RESOLVED, by the Louisiana Wildlife and Fisheries Commission that pursuant to the authority granted by Section 326.1 and 326.3 of Title 56 of the Louisiana Revised Statutes, the Louisiana Wildlife and Fisheries Commission hereby establishes bag limits and size limits for reef fish consistent with those scheduled to be implemented under the Federal Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico.

BE IT FURTHER RESOLVED, that the complete contents of the proposed rule establishing bag limits and size limits for reef fish is attached to and made a part of the resolution.

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

#### RULE

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

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

Chapter 3. Saltwater Sport and Commercial Fishing

Section 335. Daily Take, Possession and Size Limits Set by Commission

The Louisiana Wildlife and Fisheries Commission does hereby adopt the following rules and regulations regarding the harvest of

snapper, grouper, sea basses, jewfish, and amberjack within and without Louisiana's territorial waters:

<u>Species</u>	<u>Recreational Bag Limits</u>
Red Snapper	7 fish per person per day
Queen, mutton, schoolmaster, blackfin, cubera, gray, dog, mahogany, silk, yellowtail snappers, and wenchman	10 fish per person per day (in aggregate)
All groupers	5 fish per person per day (in aggregate)
Greater amberjack	3 fish per person per day

All persons who do not possess a permit issued by the National Marine Fisheries Service under the Federal Fishery Management Plan for the Gulf of Mexico Reef Fish resources are limited to the recreational bag limit.

A person subject to a bag limit may not possess during a single day, regardless of the number of trips or the duration of a trip, any reef fish in excess of the bag limits.

For charter vessels and headboats as defined in Federal Regulations 50 CFR Part 641 as amended by FR Vol. 55, No. 14, there will be an allowance for up to two daily bag limits on multi-day trips provided the vessel has two licensed operators aboard as required by the U.S Coast Guard for trips of over 12 hours, and each passenger is issued and has in possession a receipt issued on behalf of the vessel that verifies the length of the trip.

<u>Species</u>	<u>Minimum Size Limits</u>
Red Snapper	13 inches total length
Gray, mutton and yellowtail snapper	12 inches total length
Lane and vermillion snapper	8 inches total length
Red, gag, black, yellowfin and nassau grouper	20 inches total length
Jewfish	50 inches total length



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

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

The shrimp season in Louisiana's offshore territorial waters seaward of the inside-outside shrimp line as described in R.S. 56:495 will open at 6:00 a.m., Monday, March 12, 1990, and remain open until further notice. The Secretary of the Department shall have the authority to close this season should conditions warrant.

From March 1, 1990 to the opening of the 1990 spring inshore shrimp season, the Secretary of the Department of Wildlife and Fisheries shall have the authority to open and close special seasons in the inshore waters for the harvest of shrimp should this harvest be feasible without the destruction of small brown shrimp.

**CITATION NOTE:** None - Changes annually.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 56:495, and R.S. 56:497.

**HISTORICAL NOTE:** Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 16: (June, 1990)

Warren Pol  
Chairman

At Friday's meeting Ratification of the Final Rule on Free Fishing Days was brought before the Commission by Mr. Wade Byrd.

Mr. Byrd stated that the notice of intent for free fishing days was approved at the April meeting which set the days for June 9-10, 1990 and asked the Commission for ratification of the rule.

Mr. Jones made a motion that the Commission ratify the rule on free fishing days. The motion was seconded by Mr. Vujnovich and passed unanimously.

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

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

In accordance with Act 301 of the 1987 Louisiana Legislature, the Louisiana Wildlife and Fisheries Commission has declared June

9 and 10, 1990 as Free Recreational Fishing Days in Louisiana to coincide with National Fishing Week June 4-10, 1990. On the two above mentioned free fishing days, residents and non-residents may exercise the privilege of a licensed recreational fisherman without purchase of any otherwise necessary recreational fishing license.

CITATION: None - Changes annually.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:302.2.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 16: (June, 1990).

Warren Pol  
Chairman

At this point during the meeting Mr. Bateman informed the Commission that the Resolution Pertaining to Ratifying the Rule on the Hunting Seasons to be read and preceded to do so. Mr. Jenkins stated that just for the record the Commission should move for ratification of the rule by resolution as read by Mr. Bateman and so moved. This was seconded by Mr. McCall and passed with Dr. Hines opposing.

At Friday's meeting a Report on Opening Day(s) Shrimp Activity was presented to the Commission by Mr. Phil Bowman.

Mr. Bowman reported that the Commission had voted at the May meeting to open Zones 1 and 2 on May 12th and Zone 3 on May 23rd and did authorize the Secretary of the department some discretion in delaying the season if it was felt, after some additional sampling, it was necessary to do so. This was the case and the Secretary was presented with a staff recommendation that the season in Zone 1 be delayed until May 21st as a result of some additional recruitment. This was ultimately accomplished leaving only Zone 2 opening on May 12th which happened to be a Saturday and a Mother's Day weekend. The season did open and the department had a number of people on the ground that day checking boat trailers, on the water looking at the effort that was being expended and Mr. Bowman was personally in an airplane flying the coast both along the beach and across the upper estuary. The weather conditions on that day were not ideal for shrimping nor for people being on the water. There was a 25-35 mph wind, the bays were extremely rough and the tide was exceptionally high advised Mr. Bowman. Most of the recreational fishermen caught their 100 pounds and were back at the dock by 9-10 a.m. A lot of the commercial boats and day skiffs had quite respectable catches and usually filled up most of their capacity and back by mid-afternoon. The ice boats that returned two or three days later confirmed that there was a respectable opening in Zone 2. The effort expended in Zone 2 which was observed both from the air and ground was not as great as was anticipated and in fact was below what has been seen in the last

couple of years. There was only one concentration of boats and this was in the western portion of Lake Pelto with most of the boats being a large commercial type. The recreational and day skiffs boats were scattered out all over the place primarily as a result of where the shrimp were stated Mr. Bowman. The opening of Zone 1 was on May 21st and there was a large number of boats. The effort did appear to be somewhat higher for the opening than in Zone 2. There was a large number of boats east of Lake Borgne in the Biloxi Marsh which started from up around Bay Boudreaux and extended all the way down to the MRGO. In addition to this, south of the MRGP there were one or two bays where there was a fair number of boats. The catches for this area were considered good and better than has been seen for the past couple of years. Most of the recreational fishermen did quite well as did the commercial fishermen. The opening of Zone 3 was on May 23rd. There were some weather problems early in the morning which made Calcasieu Lake quite rough but by late afternoon the lake had calmed down. There were fair catches reported and Mr. Bowman believes better than what has been observed in the lake in the past couple of years. Recreational fishermen were still averaging around 75-100 pounds and the commercial catches were classified as fair to good in many instances. Strictly speaking from a production standpoint, Mr. Bowman advised that in the Gulf the offshore trawlers are doing well and there has been some good catches. Since the opening of the seasons in the three zones, production has continued and with the full moon the catches are starting to pickup again. Mr. Bowman thinks right now, without seeing any hard numbers as to what the actual landings well have been, it can be said that the season is off to a reasonably good start and probably better than what has been seen in the last couple of years concluded Mr. Bowman.

Chairman Pol thanked Mr. Bowman for his report and asked him as far as he knew there were no problems with the opening of Zone 2 on a Saturday. Mr. Bowman stated that there were no problems observed this year with that particular opening except the whether. Mr. Pol stated that when the postponement of Zone 1 was decided there was a poll made of the Commission which gave the authority to postpone the season and asked Mr. Bowman why was the opening postponed. Mr. Bowman answered that at the May Commission meeting the department was presenting catch efforts in Area 1 of 87 and 70 in Area 2. The following week what was seen was the catch efforts in Area 1 go from 70 to 121 and the catch efforts in Area 2 go from 70 to 144. This indicated that there were some additional recruitment of smaller shrimp in the area. When the sizes were observed, the size progression that is normally projected was not evident by the shrimp that were seen stated Mr. Bowman so therefore the department was looking at increase recruitment and the size was not progressing which pushed back the time to meet the management criteria. Based on this information the recommendation to delay the season was made. Mr. Pol asked Mr. Bowman if he felt like the Commission and department had made the right decision. Mr. Bowman stated yes he did. Mr. Pol asked if there were any questions.

Mr. Vujnovich stated that he had quite a few phone calls on the shrimp season and on Monday and Tuesday he was out in the area of Barataria Bay. Most of the boats out in the bay were double riggers and everybody was catching shrimp. As far as Mr. Vujnovich knows there was no criticism. The season was opened on a Saturday and everybody seemed satisfied.

At Friday's meeting Colonel Winton Vidrine presented the Monthly Law Enforcement Report to the Commission.

Colonel Vidrine reported the following cases made in the month of May.

Region I, Minden - 189  
Region II, Monroe - 109  
Region III, Alexandria - 168  
Region IV, Ferriday - 78  
Region V, Lake Charles - 289  
Region VI, Opelousas - 296  
Region VII, Baton Rouge - 354  
Region VIII, New Orleans - 376  
Region IX, Gray - 282

The Oyster Strike Force made 102 cases and confiscated quite a few oysters and red snappers. The Offshore Boats made 124 cases with 85 trawling in closed season and confiscated 50,103 pounds of shrimps. The shrimp were sold for \$47,399 which goes directly into the Conservation Fund. There is an Enforcement plane, 185 Cessna, stationed in the New Iberia area and the new pilot is on board. This past month he was involved in issuing 51 citations from the float plane. There was a total of 2,367 cases for the month of May with the Wildlife Specialists making 130 cases. Colonel Vidrine stated that there has been high water in the Morganza area and the Enforcement Division appreciates the cooperation they are receiving in that area from the Wildlife Specialist of the Game Division.

Chairman Pol asked if there were any questions. Mr. Jenkins asked Mr. McInnis for an Update on the District Attorney's Disposition Reports.

Mr. McInnis reported that in the last month three more district attorney's reports have been picked up and the department has been working very closely with the district attorneys with legislation that will help the department's program as well as the district attorney's program. There is a bill in the legislature that would address people who do not show up in court once they have been cited. Under this bill, the court will issue an affidavit to the Department of Motor Vehicles to pull driver's licenses. A notation will be made that the license cannot be renewed or if they are stopped for a license check it will show up on the computer that the person has an outstanding court case. This will enable the

D.A.'s to get the people that are avoiding them into court. A second item that is being pursued, with the support of the D.A.'s, is a system whereby an attempt is being made to decriminalize the Class 1 violations and make them administrative penalties with a follow up that if people do not pay their administrative penalty they will be turned over to the courts. This will enable the department to generate additional revenue and take away some of the headaches from the D.A.'s by making their reporting easier. Also it will give the D.A.'s more time and not crowd the court docket with minor violations. The department is anticipated going to a six month report (biannual) rather than a quarterly report which is a request from the D.A.'s Association because it takes more than three months to take a case from the time it is written through the system advised Mr. McInnis. The next report should go out shortly and the department will be asking for the six month period from September through April.

Mr. Jenkins asked when the system would be finalized and start distribution. Mr. McInnis answered that historically the department has not had a 100 percent response from the entire state D.A.'s and at this point it has been narrowed down to those who are going to comply and those who are not. This information is available at this time advised Mr. McInnis.

Secretary Van Sickle asked what percentage and how many of the D.A.'s have responded to the department's request for reports on disposition? Mr. McInnis stated that as he recalls in his last report he told the Commission all but twelve had replied at that time and since three have replied additionally since then this would bring it down to nine out of the entire state that have not. Secretary Van Sickle asked how many districts were there? Mr. McInnis stated that he would have to check this. Mr. McInnis stated that Plaquemines Parish is doing a very good job. Chairman Pol asked who was the biggest populace parish that was not in compliance? Mr. McInnis stated that if he would have to guess it would probably be St. Bernard Parish. Secretary Van Sickle asked if Mr. McInnis had contacted the D.A.'s that have not reported and made them aware that they were delinquent in not reporting to the department? Mr. McInnis stated that he has contacted them repeatedly but has not contacted anyone in the last sixty days. Secretary Van Sickle asked when the next time would be that the D.A.'s offices will be getting a list of the cases that the department made and make a report? Mr. McInnis stated that he hopes to have this out by the end of June if not the first part of July. Secretary Van Sickle asked how long were the D.A.'s going to have to respond to the request before the department considers final tabulations and release them to the public? Mr. McInnis answered that on a biannual system the department will give them a quarter to respond to the six month report which will probably be this September. Mr. McInnis stated that he will give a formal report at the next Commission meeting as to who is outstanding and he will personally contact those offices.

At Friday's meeting Secretary Van Sickle stated that the Oyster Task Force had asked to be placed on the agenda but were not in attendance due to a mixup in what month they were to come. It was decided that they could address the Commission at the July meeting to be held in Baton Rouge. Secretary Van Sickle asked Phil Bowman and Karen Foote to make sure that the Oyster Task Force were informed that they could be on the agenda in July.

At Friday's meeting Secretary Van Sickle presented the Secretary's Report to the Commission.

Secretary Van Sickle informed the Commissioners that the first thing she would like to discuss is the way the department sets its deer season framework. It has come to the point where the department needs to look at different ways to get public involvement in the process for setting deer season. In Oregon they have a process with Elk season where they have workshops with the different user groups that have conflicting interest. In Mississippi they have facilitated workshops between user groups to resolve fisheries issues and issues in upland game. Mr. Wade Byrd has put together a draft proposal that would describe how the department would go about having facilitators work with the people who still hunt and the people who hunt with the aid of dogs to come up with some compromises that would be acceptable to both user groups. Basically what the department would like to do is exactly along the lines that Dr. Hines suggested and that is to give more predictability for the hunters in the way the Commission will set the deer season and not have to go through having to have 3,000 people come to the public hearings afraid of losing their right to hunt with dogs or to still hunt. There are a lot of fears that could be laid to rest if the department would structure the public input process in a different way. Secretary Van Sickle stated that she would like to get the Commission's approval to start working with the Game Division staff and come up with basically a proposal to the Commission to develop a facilitation process for a five year deer hunting season framework that would be acceptable to the majority of both dog hunters and still hunters. The role of the department would strictly be that of a facilitator and it needs to be a neutral party. There will be no advocacy stance on anything other than biological issues and as was pointed out earlier the frameworks and options that were presented before were all biologically sound and the department will continue never to present anything that is not biologically sound stated Secretary Van Sickle. The other more social issues are the ones that everyone struggles with and the department and Commission are risking the right to work with hunters with the legislature intervening with House Bill 848. Secretary Van Sickle advised that she has spoken with Representative Alexander about this particular proposal and he said that if he had an indication that the Commission and department would be serious about implementing this facilitation process and coming up with some compromises such as

creating new zones he would be willing to discuss putting a time limit on the legislature regulating deer season. Representative Alexander indicated to Secretary Van Sickle yesterday that he would be willing to discuss making his bill effective for one year and with a direction or an amendment that would be placed on the bill directing the Commission to get together with the still hunters and the dog hunters and try to work out a deer season that would be more acceptable to both. Secretary Van Sickle asked for the feelings of the Commissioners on this. She would like to be able to report back that the Commission is interested in doing this differently and is willing to support the recommendations that would come out of such a facilitator process.

Mr. Jenkins asked Secretary Van Sickle that when she says support the recommendations is she saying that regardless of what the recommendations are she expects the Commission to support them? Secretary Van Sickle stated she thinks that if the biological recommendations are presented like they have always been there are all kinds of biological options within that biological framework that would be sound and by having the two user groups sit down this could work. Secretary Van Sickle advised that the President of the Still Hunters Association, the Dog Hunters Association and herself had met and independently they had come up with maps of some changes in zoning that are almost identical which shows some common ground. If the Commission and department just sit at public hearings and listens to 3,000 different individuals tell them the way to set the framework rather than coming to a process of people that are representing both sides Secretary Van Sickle thinks there will continue to be a lot of resentment between the hunters, the people that set the regulations and the legislature. Secretary Van Sickle stated that she is trying to propose a way that has worked for other big game seasons in other states and believes Louisiana can benefit from this particular process. This may not work and if it doesn't then the department and Commission will go back to doing things the way they have been done for the past 20 years commented Secretary Van Sickle.

Mr. Jenkins asked Secretary Van Sickle if she was essentially saying that she expects it to work like the usual task force? Secretary Van Sickle answered no because here there would be a facilitator that would be basically sitting down in a series of workshops and members would be six still hunters, six dog hunters, member of the House and Senate, and members of the Commission. Mr. Jenkins stated that the Commission has been lectured by certain members of the legislature for not discharging their duties properly by listening to task forces. Secretary Van Sickle commented that this would not be a task force, it is a structured way to deal with conflict resolution that has been successful with other species, such as elk, in other states. Dr. Hines stated that what he thinks what Mr. Jenkins is asking, and is a proper question, is will the ultimate decision still remain with the Commission regardless of the recommendations of this group.

Secretary Van Sickle stated that is right. Dr. Hines stated what the group will do is bring recommendations to the Commission for a five year hunting season proposal. This proposal will be discussed, debated, and then acted upon by the Commission. The groups decision will not be automatic. Secretary Van Sickle stated absolutely, the Commission cannot relegate their legislative authority to anyone and she is just proposing a way to work out some compromises between the two user groups because at this point everyone realizes that fighting among themselves is hurting the public opinion and the way the public looks at deer hunters in general. Dr. Hines stated that he thinks this is an excellent idea and that something of this magnitude should be studied and asked Secretary Van Sickle to give the Commission until next month to come up with some final recommendations on this proposal. Secretary Van Sickle advised that this is something that the department has not yet put a lot of thought into. This is something that Wade Byrd has come up with during the past few days as a result of all the controversy and Secretary Van Sickle appreciates all his initiative in this regard. Secretary Van Sickle stated that the Commission could have the time to review, revise and edit the proposal and asked Mr. Byrd if he had any suggestions. Mr. Byrd suggested that if any of the Commissioners had questions to contact him and they would talk individually about it. Dr. Hines asked that this be put on the agenda for next month's meeting. Everybody agreed to this and Secretary Van Sickle will have this item put on next month's agenda. Mr. Pol stated that he thinks it would be safe to tell Representative Alexander that the Commission is serious about the consideration of this proposal and also he would caution everyone to remember one thing and that is there are other seasons that have got to be taken into consideration besides deer and turkey because the Federal government regulates more or less the time frame for hunting ducks and dove. Mr. Pol does not agree with all the public meetings held around the state because he does not see where any input has been gained and thinks it has been a waste of time for both the hunters and the Commission. Secretary Van Sickle stated that there is a tremendous amount of time being spent trying to resolve, through a process that is obviously not working, a conflict through two user groups that are willing to sit down and work together but does not believe that the public hearings should be done away. Dr. Hies advised if this one conflict can be resolved probably a lot of constructive comments about other aspects of wildlife management will follow. Secretary Van Sickle advised that the department will proceed with developing some more detailed steps in this process and asked Mr. Byrd to particularly address how this would feed in to the Commission's regulatory authority.

Continuing on with her report Secretary Van Sickle informed the Commission that as Mr. McInnis pointed out there are two bills that are pending that the department is very excited about. One bill would transfer the Class 1 violations to the department for administrative processing which would generate right at a million

dollars next year for the Conservation Fund. Through the appropriation process the department has the authority to expand its staff in the Enforcement by 18 and would assign 2 new agents per region that would be funded under this particular Class 1 change. Also with the new money, uniform cleaning allowances can be given to everyone that is required to wear a uniform for the department advised Secretary Van Sickle. The bill pertaining to the suspension of driver's license submitted by the District Attorney's Association has not gotten off of the House floor but the department is very hopeful that it will pass.

Yesterday the Governor's Office approved the gift to the department of a helicopter (on floats) from the U.S. Fish and Wildlife Service advised Secretary Van Sickle. The helicopter is a used three man helicopter with the engine just being retrofitted and has two good years of life without any major repairs. The helicopter will be loaned to the department until the department decides it can no longer maintain it at which time it will be given back to the U.S. Fish and Wildlife Service. The helicopter will be used for enforcement purposes and the Law Enforcement Division has a pilot that is a National Guard Chopper Pilot who is located in New Orleans and will be able to fly the helicopter. The helicopter will have to go through the Federal Surplus procedure before the department will receive it but should be obtained before the waterfowl season.

Mr. McCall asked Secretary Van Sickle if it will be strictly used for enforcement? Secretary Van Sickle answered not necessarily but the intent and arrangement with the Fish and Wildlife Service is that enforcement is going to be its primary purpose.

Secretary Van Sickle informed the Commission that the department has been working with the State Lands Office on acquiring some management responsibilities for the lower Chandeleur Island chain (Breton Island, Grand Gosier Island, etc.) These islands belong to the Office of State Lands and when Roosevelt created the first national wildlife refuge it was the Chandeleur Island chain many years ago but Roosevelt did not include the lower islands. On June 18, 1990 Secretary Van Sickle along with the U.S. Fish and Wildlife and State Lands will be going to the Chandeleur Island chain to affect a transfer of management authority through the Office of State Lands to Wildlife and Fisheries to U.S. Fish and Wildlife Service. The U.S. Fish and Wildlife Service has a daily 24 hours presence on the Chandeleur Islands. Grand Gosier and Breton Islands have the largest colony of nesting terns on the North American Continent and as of now these islands are being leased out for campers which is very destructive. Secretary Van Sickle pointed out that pelicans also like to nest on these islands as opposed to the main island one reason being that the raccoons cannot get on the small islands because they are frequently over washed. There is a bill in the legislature that will require the Office of State Lands to do an inventory of all of their properties

and work with the department and the Nature Conservancy to identify where there might be unique ecological features and this kind of transfer can be done on any other states lands where it might be appropriate with State Lands concurrence stated Secretary Van Sickle.

The Fur and Refuge Division was involved in a bust of five fishermen on a sixty five foot trawler out of New Orleans near Southwest Pass at a place called the Mud Lumps. The U.S. Fish and Wildlife Service and people from the Fur and Refuge Division boarded the vessel and found down in the hole 200 eggs with 118 being Gull eggs and 80 were Brown Pelican eggs.

The Marsh Island alligator harvest started on May 1st and ended on May 7th and was a successful harvest. The department allowed 290 alligators to be harvested and made \$42,000. Another hunt is scheduled for July 11th and another 500-600 alligators will be allowed to be taken off the area.

The 100 count on white shrimp is now law Secretary Van Sickle informed the Commission. The Federal government did enact this and it is in the Federal Register. People will no longer be able to claim that they caught the shrimp in Federal waters if they are arrested at the dock for undersized shrimp. This should help with the law enforcement of shrimp and conserving the resource. This appeared on May 1st in the Federal Register as amendment 4 to the Gulf Council's Shrimp Management Plan. Secretary Van Sickle read the following from the Federal Register. "White shrimp harvested in the EEZ are subject to the minimum size landing and possession limits of Louisiana when possessed within the jurisdiction of that state whether there at a dealer, at a dock or on a boat."

Secretary Van Sickle advised that at the next Gulf Council meeting the recovery of the red snapper stock will be discussed. The Council will be meeting in June and July and red snapper and reef fish will be on the agenda at both meetings. There are some dismal results from the most recent stock assessment that indicate that further reduction in snapper harvest will be necessary in order to maintain those stocks. Secretary Van Sickle informed the Commission that probably later this summer they will be informed of some of the proposed changes regarding red snapper.

There was a special five day seed oyster season in Vermilion Bay which started on April 30th. This season was held jointly with the Health Department's supervision because these areas were closed because of the pollution problem. The season was not very successful in saving the resource because there were only four permits issued, the poor water quality and a lot of the oysters had died stated Secretary Van Sickle. Mr. Vujnovich stated that the season was fifteen days to late.

The Inland Fish Division has just completed the 1990 fish stocking operations. The total stocking of Florida bass was about 800,000 fish, hybrid striper bass 200,016, striped bass 600,090. The major water bodies receiving Florida bass were Toledo Bend, False River, Bayou Chico, Lake Concordia, Bussey Brake, Ft. Polk and 900 were put in the LSU Lake. The hybrid striped bass were stocked all over the state. The striped bass were stocked in the south part of the state in Vermilion River, lower Toledo, Calcasieu River, Mermentau River and Rockefeller Refuge.

The Spring Bayou project is proceeding well and about two-thirds complete. It should be completed roughly in three to four weeks Secretary Van Sickle advised Dr. Hines. When this project is completed Secretary Van Sickle asked Mr. Don Lee to be sure to contact Dr. Hines and go up there and meet with the sportsmen and let them know what to expect from the lake and also be sure that there is a lot of public awareness about the project.

Secretary Van Sickle informed the Commission that the work on the expansion and renovation of the Beechwood Fish Hatchery has started and around \$100,000 will be spend this year. The work has started to replace the drain lines to thirteen one acre ponds that do not adequately drain.

At Friday's meeting Secretary Van Sickle gave an Update on the Joint Commission Meeting in Texas.

The joint Commission meeting between Texas and Louisiana will be July 19-20, 1990 in Austin, Texas. The plan is to go over there on the afternoon of the 19th with a cookout in the evening. On the 20th the meeting will be held at the Texas department headquarters. Secretary Van Sickle advised that they needed to know how many people will be attending. At this time there will be only four Commission members attending: Mr. Warren Pol, Mr. Jimmy Jenkins, Dr. Donald Hines, and Mr. Norman McCall.

Secretary Van Sickle asked if anyone had anything they would like to bring up that would be of interest to the Commission. Mr. Pol clarified that the July Commission meeting will be held in Baton Rouge at the department headquarters on the 5th and 6th.

At Friday's meeting the DEQ Administrative Hearing Officer Findings were presented to the Commission by Secretary Van Sickle.

Secretary Van Sickle presented to the Commissioners the Results of the Administrative Hearing Officer's Report and his assessment of the shelldredging impacts. This material is not for action but strictly for the Commission's information. Secretary Van Sickle stated that several months ago it was decided to take a critical look at the impacts on the ecology of Lake Pontchartrain, not just water quality, before any future leasing activity, renewals, or modifications were decided. The department has received a proposal

from LSU to do this technical assessment and the contract will be let soon. This winter the department will be able to present to the Commission the results of the overall assessment of the impacts of shelldredging on the ecology of Lake Pontchartrain. The contractor will also have the report of the Hearing Officer's Findings on whether or not DEQ should award a water quality permit to the shelldredgers in the central coast and Lake Pontchartrain. There are hundreds of findings of fact and conclusions in this document pointed out Secretary Van Sickle and it would be very helpful if the Commissioners took a few moments to read through the document. The report was made by a Hearing Officer named Mr. Herman Robertson who is an attorney that sat and listened to three weeks of comments and technical testimony about DEQ's water quality discharge permits and whether or not they should be granted for shelldredging in the lake. DEQ now has to make a decision as to whether or not they are going to grant a permit for effluent discharges to the shelldredgers. Mr. Jenkins pointed out that in the back of the report there are some rebuttals of Mr. Robertson's findings and asked if this would change anything? Secretary Van Sickle stated no and this whole package is what the Assistant Secretary for Water Resources has at DEQ. Dr. Jerry Clark was successful in getting all of the background materials for the department and Commissioners and Secretary asked Dr. Clark to address the Commission.

Dr. Clark addressed the Commission and very briefly reported that Secretary Van Sickle requested a copy of the finding of facts of the Administrative Law Judges Report from DEQ and they sent over the first small section that each Commissioner has. Dr. Clark started going through this section and noticed that Appendix A was missing and requested it from DEQ which they sent. Upon reading Appendix A it was found to state all of the statements of fact and conclusions of law of what essentially is the Attorney General's office are adopted. Dr. Clark asked legal counsel to explain the statement and was told it meant that in addition to the findings of fact and the conclusions of law that is in the report copies of the Attorney General's findings of fact and conclusions of law would have to be obtained. Dr. Clark pointed out that there were three appendices so there are three sets of findings of fact and three sets of conclusions of law in addition to Mr. Robertson's needed because Mr. Robertson has picked and chosen from all three of the other findings of fact and conclusions of law that were submitted by interested parties. In order to fully understand what the law judge has done you have to read all four documents and pick and choose. To Dr. Clark's knowledge these are the only complete sets of findings of fact and conclusions of law there are in the state.

In regarding the next step in the process Secretary Van Sickle commented that DEQ now has to make the decision on whether or not they should grant the necessary permits to the shelldredgers. Mr. Don Puckett, Legal Counsel, drafted a letter for Secretary Van

Sickle's approval and signature to DEQ and it was sent to DEQ last week asking them to inform the department immediately when the decision is made because it does affect the department's shell dredging leases. The Commissioners will be notified as soon as the department is notified of DEQ's decision.

**At Friday's meeting Bettie Baker gave a Review of Income and Expenses of Oyster Program and Support Activity.**

Ms. Baker reported that she had been asked to do a presentation of where the department stood from a revenue and expenditure perspective relative to oyster industry, oyster management, etc. Ms. Baker explained the materials that were handed out to the Commissioners and others at the meeting. The first twelve or fifteen items are the specific types of licenses that are related to oyster activities and includes lease income, severance taxes, etc. This is a historical perspective, its actual for 87/88, 88/89 and ten months actual for this fiscal year which Ms. Baker then projected as a twelve month fiscal year. The department is looking at revenue ranging from essentially 1 million dollars to about 1.4 million dollars specifically related to oysters.

The oyster expenditure side of things was a little more difficult to come up advised Ms. Baker and explained how they were developed. These numbers were obtained from the cost center numbers that are related to oyster management and are inclusive of salaries, operating supplies, boats, cars, anything that goes to supporting these particular activities in that division. A method for allocating law enforcement cost back to oysters had to be derived and the most reasonable way it could be done, not a 100 percent accurate, was to look at oyster cases as percentage of total cases and allocate cost for the total division back on that pro rata share. The law enforcement numbers may somewhat understate actual law enforcement cost but it is a fair ball park based on citations written explained Ms. Baker. The administrative cost was developed based on actual salary dollars in each of these areas and then the federally adopted overhead rate, the indirect cost rate for electric utilities, accounting services, computer services, etc. was charged back to this section based on the specific salaries associated with those programs. Cost in the oyster management area ranged from 1.9 million dollars to a high of 3 millions over a three year period. Looking at this over the three year history it gives a shortfall in direct oyster management cost of 1.2 million dollars two years ago, 1.9 million dollars last year and projecting a shortfall of approximately five hundred thousand dollars this year.

Secretary Van Sickle asked how much was received from the Oyster Harvester's License? Coming in directly to Wildlife and Fisheries approximately \$165,000 answered Ms. Baker. The department gets 60 percent of the license fee and 40 percent goes to the Department of Health and Hospitals for water monitoring. Secretary Van Sickle

stated that the oyster industry helped the department get the Oyster Harvester's License passed to help balance the income with expenditures and the prediction of the \$600,000 income is way off. Mr. Jenkins asked Mr. Vujnovich what he thought the reason was for the income being so far off. Mr. Vujnovich stated that this was one of the worst years the Louisiana oyster industry has ever had and there are lot of people that did not buy a Harvester's License because there are no oysters out there. Ms. Baker stated that the oyster severance tax which is based on actual sacks landed at wholesale/retail dealers is right on target with where it has been for the last three years and the harvest rate is coming in at about the same amount of sacks of oysters for the year. Ms. Baker's comments on where the department stands with the Oyster Harvester's License is based on timing. The oyster season starts in October and the license came into effect on January 1 so in fact people could have harvested oysters in October, November and December without having had a license and may not have selected on January 1st to harvest oysters from January through April. Ms. Baker suspects this is a timing problem and this year will be more reflective of what the actual annual Harvester's License sales will be. Mr. Jenkins asked about oyster tags and its representation of the volume of business. The sacks of oysters have to be tagged and this is where the fee comes from but the tags may or may not represent the volume of business because somebody can buy a lot of tags and just keep them in inventory answered Ms. Baker. Mr. Jenkins asked if there was a way to count from year to year the actual oyster crop, pounds, or retail value of the oysters, etc. Secretary Van Sickle advised that National Marine Fisheries Services landings are provided to the state. Mr Vujnovich advised that the National Marine Fisheries Service no longer asks for the information and that the only report is the one to the department. Mr. Phil Bowman commented that the National Marine Fisheries Service collects oyster landings statistics and records it in pounds of meat each year. They even go so far as differentiating what comes off the private leases as opposed to what comes off the public reefs. The last three to four years there has been a gradual decline in the volume of oyster meats reported by National Marine Fisheries Service predominantly because of the environmental factors that have affected the oyster. The dockside value of the catch is reported just like it is for shrimp and all the other species stated Mr. Bowman but cannot recall the numbers. Mr. Jenkins stated that by just looking at this report there is a 3.5 million dollar deficit over the last three years with this year's projection of a half of million dollars and asked Ms. Baker if she thought this would turn around. Ms. Baker stated from a revenue perspective she does not anticipate significant shift one way or another. On the expenditure side, looking year to year, she does not anticipate any significant changes in those activities or operations. The new Oyster Strike Force is not reflected in this report because they were not operational when it was done. Mr. Vujnovich read from the law book a law pertaining to the shell dredging, funds collected and dedication to the establishment,

administration, maintenance and up keep of oyster seed grounds and reservations. Ms. Baker advised for this fiscal year the department is looking at about 2.2 million dollars coming in from shell revenue and last year it was more than that from the retroactive leases. This was not included in this analysis and it was specifically not included because the oystermen are not responsible for any of that income coming in and this was a direct income and expenditure analysis of costs associated with the oyster industry stated Ms. Baker.

The September Meeting Dates were set at Friday's meeting. The meeting will be held on September 6-7, 1990 in New Orleans, Louisiana at the Monteleone Hotel in conjunction with the International Association of Fish and Wildlife Agencies Conference which the department will be hosting. Secretary Van Sickle asked Mr. Wade Byrd to take care of obtaining accommodations and meeting room.

Mr. Vujnovich informed the Commission that on Wednesday, September 5th the Louisiana oyster season opens and this will give him an opportunity to report on the season. Mr. Vujnovich asked Secretary Van Sickle if she would give permission for the oyster boats to go check the state grounds (east side of the river, St. Bernard Parish and Plaquemines Parish) in the presence of the department sometimes in July. Secretary Van Sickle asked Mr. Vujnovich to call either her, Dr. Clark, Karen Foote or Phil Bowman when the date is decided upon and the department will arrange for the sampling and will go with him.

At Friday's meeting Mr. Don Puckett addressed the Commission and informed them that what he would like to bring before the Commission is an item concerning litigation entitled Sierra Club et. al. vs. Department of Wildlife and Fisheries et. al., No CA-8022. Mr. Puckett requested that this be discussed in an Executive Session which is subjected to two-thirds vote of the Commission. Mr. Jenkins made the motion that the Commission waive the rules for Executive Session. The motion was seconded by Mr. McCall and passed unanimously. At this time the Commission went into Executive Session.

Upon the return of the Commission at Friday's meeting Chairman Pol called for any public comments. There being no comments and no other business Mr. Jenkins made a motion for adjournment of the meeting. The motion was seconded by Mr. Vujnovich and passed unanimously.

  
Virginia Van Sickle  
Secretary

VVS:sb

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

In accordance with the Notice of Intent published in the April, 1990 Louisiana Register, the Louisiana Wildlife and Fisheries Commission, at its regular monthly meeting in June hereby adopts regulation on open hunting season dates, bag limit, methods of taking, and rules and regulation on Department operated wildlife management areas for the period October 1, 1990-May 15, 1991. Authority to establish regulation is vested in the Commission by Section 115 of Title 56 of the Louisiana Revised Statues of 1950. A synopsis of season dates is attached and made part of this rule.

For those interested, a more detailed copy of the rules and regulations is available upon request to Hugh A. Bateman, Administrator, Game Division, Box 98000, Baton Rouge, LA 70898-9000.

CITATION: None - changes annually  
AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115  
HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries,  
Wildlife and Fisheries Commission LR 16: ( June 1990 )

Warren Pol  
Chairman

**SUMMARY OF 1990-91  
HUNTING SEASON REGULATIONS**

Quail: Nov. 22-Feb. 28 - Daily Bag Limit 10, Possession 20  
Rabbit: Oct. 6-Feb. 28 - Daily Bag Limit 8, Possession 16  
Squirrel: Oct. 6-Jan. 27 - Daily Bag Limit 8, Possession 16  
Deer: One per day, 6 per season

**Area 1 - 60 days**

16 days still hunting only	Nov. 10-25
7 days still hunting only	Dec. 1-7 (Muzzleloader)
37 days with or without dogs	Dec. 8-Jan. 13

**Area 2 - 60 days**

28 days still hunting only	Nov. 3-30
7 days still hunting only	Dec. 1-7 (Muzzleloader)
25 days with or without dogs	Dec. 8-Jan. 1

**Area 3 - 60 days**

28 days still hunting only	Nov. 3-30
7 days still hunting only	Dec. 1-7 (Muzzleloader)
25 days still hunting only	Dec. 8-Jan. 1

**Area 4 - 46 days**

9 days still hunting only	Nov. 17-25
7 days still hunting only	Dec. 1-Dec. 7 (Muzzleloader)
30 days still hunting only	Dec. 8-Jan. 6

**Area 5 - 16 days**

9 days still hunting only	Nov. 17-25
7 days still hunting only	Dec. 1-7 (Muzzleloader)

**Turkey - One per day, 3 per season**

Area A - 30 days.	March 30-April 28
Area B - 37 days.	March 23-April 28
Area C - 9 days.	April 20-April 28
Area D - 16 days.	April 13-April 28

#4

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**Area 3 - 60 days**

28 days still hunting only	Nov. 3-30
7 days still hunting only	Dec. 1-7 (Muzzleloader)
25 days still hunting only	Dec. 8-Jan. 1

**Area 4 - 46 days**

9 days still hunting only	Nov. 17-25
7 days still hunting only	Dec. 1-Dec. 7 (Muzzleloader)
30 days still hunting only	Dec. 8-Jan. 6

**Area 5 - 16 days**

9 days still hunting only	Nov. 17-25
7 days still hunting only	Dec. 1-7 (Muzzleloader)

**Turkey - One per day, 3 per season**

Area A - 30 days.	March 30-April 28
Area B - 37 days.	March 23-April 28
Area C - 9 days.	April 20-April 28
Area D - 16 days.	April 13-April 28

RESOLUTION

Adopted by the Louisiana Wildlife and Fisheries Commission  
at its June 7 and 8, 1990 meeting in Baton Rouge, Louisiana

RATIFICATION OF BAG LIMITS AND SIZE LIMITS FOR REEF FISH

WHEREAS, reef fish are managed under the federal Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico, and

WHEREAS, recent stock assessments by the National Marine Fisheries Service have indicated that the reef fish resource in the Gulf of Mexico are in need of additional protection, and

WHEREAS, this fishery management plan establishes bag limits and size limits for reef fish taken in the federal waters of the Gulf of Mexico, and

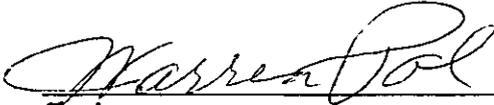
WHEREAS, the Gulf of Mexico Fishery Management Councils have requested that the Gulf States adopt reef fish regulations compatible with those contained in the federal fishery management plan, and

WHEREAS, the Louisiana Wildlife and Fisheries Commission at its March meeting expressed its intent to adopt reef fish regulations compatible with those contained in the federal fishery management plan, and

WHEREAS, on April 20, 1990 a Notice of Intent was published in the Louisiana Register advertising the Wildlife and Fisheries Commission's intent to adopt reef fish regulations compatible with those contained in the federal fishery management plan, and

THEREFORE BE IT RESOLVED, by the Louisiana Wildlife and Fisheries Commission that pursuant to the authority granted by Section 326.1 and 326.3 of Title 56 of the Louisiana Revised Statutes, the Louisiana Wildlife and Fisheries Commission hereby establishes bag limits and size limits for reef fish consistent with those scheduled to be implemented under the Federal Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico.

BE IT FURTHER RESOLVED, that the complete contents of the proposed rule establishing bag limits and size limits for reef fish is attached to and made a part of this resolution.

  
Chairman

  
Secretary

LOUISIANA WILDLIFE AND FISHERIES COMMISSION  
LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES  
June 8, 1990

RESOLUTION

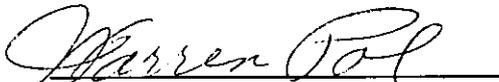
WHEREAS, it is the constitutional responsibility of the Louisiana Wildlife and Fisheries Commission to establish hunting seasons for resident game birds and quadrupeds, and

WHEREAS, authority to establish seasons, bag limits, possession limits and other rules and regulations for the hunting, taking and possession of any species of wild game birds or quadrupeds is vested in the Commission by R.S. 56:115, and

WHEREAS, this action will provide for the protection and conservation of these natural resources and allow for recreational opportunities for sport hunting on both public and private lands, and

WHEREAS, the Commission and Department staff have jointly reviewed and considered all available biological information and requests from sportsmen of the state, now

THEREFORE BE IT RESOLVED, that the attached rules, regulations, season dates, and bag limits affecting sport hunting of resident game species are hereby ratified by the Louisiana Wildlife and Fisheries Commission.

  
Warren Pol, Chairman  
La. Wildlife and Fisheries  
Commission

  
Virginia Van Sickle, Secretary  
La. Dept. of Wildlife and  
Fisheries

#4

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

In accordance with the Notice of Intent published in the April, 1990 Louisiana Register, the Louisiana Wildlife and Fisheries Commission, at its regular monthly meeting in June hereby adopts regulation on open hunting season dates, bag limit, methods of taking, and rules and regulation on Department operated wildlife management areas for the period October 1, 1990-May 15, 1991. Authority to establish regulation is vested in the Commission by Section 115 of Title 56 of the Louisiana Revised Statutes of 1950. A synopsis of season dates is attached and made part of this rule.

For those interested, a more detailed copy of the rules and regulations is available upon request to Hugh A. Bateman, Administrator, Game Division, Box 98000, Baton Rouge, LA 70898-9000.

CITATION: None - changes annually

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

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries,  
Wildlife and Fisheries Commission LR 16: ( June 1990 )

Warren Pol  
Chairman

**SUMMARY OF 1990-91  
HUNTING SEASON REGULATIONS**

Quail: Nov. 22-Feb. 28 - Daily Bag Limit 10, Possession 20  
Rabbit: Oct. 6-Feb. 28 - Daily Bag Limit 8, Possession 16  
Squirrel: Oct. 6-Jan. 27 - Daily Bag Limit 8, Possession 16  
Deer: One per day, 6 per season

**Area 1 - 60 days**

16 days still hunting only	Nov. 10-25
7 days still hunting only	Dec. 1-7 (Muzzleloader)
37 days with or without dogs	Dec. 8-Jan. 13

**Area 2 - 60 days**

28 days still hunting only	Nov. 3-30
7 days still hunting only	Dec. 1-7 (Muzzleloader)
25 days with or without dogs	Dec. 8-Jan. 1

**Area 3 - 60 days**

28 days still hunting only	Nov. 3-30
7 days still hunting only	Dec. 1-7 (Muzzleloader)
25 days still hunting only	Dec. 8-Jan. 1

**Area 4 - 46 days**

9 days still hunting only	Nov. 17-25
7 days still hunting only	Dec. 1-Dec. 7 (Muzzleloader)
30 days still hunting only	Dec. 8-Jan. 6

**Area 5 - 16 days**

9 days still hunting only	Nov. 17-25
7 days still hunting only	Dec. 1-7 (Muzzleloader)

**Turkey - One per day, 3 per season**

Area A - 30 days.	March 30-April 28
Area B - 37 days.	March 23-April 28
Area C - 9 days.	April 20-April 28
Area D - 16 days.	April 13-April 28

RULE

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

Title 76  
Wildlife and Fisheries

Part VII. Fish and Other Aquatic Life

Chapter 3. Saltwater Sport and Commercial Fishing

Section 335. Daily Take, Possession and Size Limits Set by Commission

The Louisiana Wildlife and Fisheries Commission does hereby adopt the following rules and regulations regarding the harvest of snapper, grouper, sea basses, jewfish, and amberjack within and without Louisiana's territorial waters:

<u>Species</u>	<u>Recreational Bag Limits</u>
Red snapper	7 fish per person per day
Queen, mutton, schoolmaster, blackfin, cubera, gray, dog, mahogany, silk, yellowtail snappers, and wenchman	10 fish per person per day (in aggregate)
All groupers	5 fish per person per day (in aggregate)
Greater amberjack	3 fish per person per day

All persons who do not possess a permit issued by the National Marine Fisheries Service under the Federal Fishery Management Plan for the Gulf of Mexico Reef Fish Resources are limited to the recreational bag limit.

A person subject to a bag limit may not possess during a single day, regardless of the number of trips or the duration of a trip, any reef fish in excess of the bag limits.

For charter vessels and headboats as defined in Federal Regulations 50 CFR Part 641 as amended by FR Vol. 55, No. 14, there will be an allowance for up to two daily bag limits on multi-day trips provided the vessel has two licensed operators aboard as required by the U.S. Coast Guard for trips of over 12 hours, and each passenger is issued and has in possession a receipt issued on behalf of the vessel that verifies the length of the trip.

<u>Species</u>	<u>Minimum Size Limits</u>
Red snapper	13 inches total length
Gray, mutton and yellowtail snapper	12 inches total length
Lane and vermillion snapper	8 inches total length
Red, gag, black, yellowfin and nassau grouper	20 inches total length
Jewfish	50 inches total length
Greater amberjack	28 inches fork length (recreational) 36 inches fork length (commercial)
Black seabass	8 inches total length

Federal regulations 50 CFR Part 641 as amended by FR Vol. 55, No. 14, defines charter vessels and headboats as follows:

Charter vessel means a vessel whose operator is licensed by the U.S. Coast Guard to carry six or fewer paying passengers and whose passengers fish for a fee. A charter vessel with a permit to fish on a commercial quota for reef fish is under charter when it carries a passenger who fishes for a fee, or when there are more than three persons aboard including operator and crew.

Headboat means a vessel whose operator is licensed by the U.S. Coast Guard to carry seven or more paying passengers and whose passengers fish for a fee. A headboat with a permit to fish on a commercial quota for reef fish is operating as a headboat when it carries a passenger who fishes for a fee, or when there are more than three persons aboard including operator and crew.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:326.1 and 326.3.  
HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 16: (            ).

RULE  
DEPARTMENT OF WILDLIFE AND FISHERIES  
WILDLIFE AND FISHERIES COMMISSION

The shrimp season in Louisiana's offshore Territorial waters seaward of the inside-outside shrimp line as described in R.S. 56:495 will open at 6:00 a.m., Monday, March 12, 1990, and remain open until further notice. The Secretary of the Department shall have the authority to close this season should conditions warrant.

From March 1, 1990 to the opening of the 1990 spring inshore shrimp season, the Secretary of the Department of Wildlife and Fisheries shall have the authority to open and close special seasons in the inshore waters for the harvest of shrimp should this harvest be feasible without the destruction of small brown shrimp.

CITATION NOTE: None - Changes annually  
AUTHORITY NOTE: Promulgated in accordance with R.S. 56:495, and R.S. 56:497  
HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 16 : ( June 1990 ).

*Wane Pal*  
~~Jimmy Jenkins~~  
~~Acting~~ Chairman

Statement to: La Wildlife and Fisheries Commission  
June 7, 1990 Hearing at Baton Rouge

From: Cecil Crawford  
1800 Brooks  
Ruston, LA 71270

I am speaking as an individual who is a turkey hunter and was a turkey hunter before it became such a popular sport. I am originally from Baton Rouge and have lived in several areas of the state. This has allowed me the opportunity to hunt numerous areas. I have also hunted our border states. As a forester; LSU graduate, 1968; I have worked in Arkansas, Texas and Mississippi, as well as the various ranges of Louisiana forest types. I am a member of the National Wild Turkey Federation and a board member of the North Central Chapter of the Louisiana Wild Turkey Federation.

I am concerned as to why Louisiana does not have turkey populations similar to Arkansas and Mississippi when there appears to be similar habitat. Every effort should be made to work together so we do not loose what little foothold we have gained in the past few years. More research needs to be done here in Louisiana in order to have more intensive and aggressive management of this resource. Seasons need to be set, not for hunter benefit which seems to have been the case in some instances, but to provide for the continuation and expansion of the flock across the state. We do not want seasons open too early or so long as to be detrimental to the primary objective of a vigorous and healthy flock. When we have a good flock, as has been done with deer herds' then, maybe,

Statement to: La Wildlife and Fisheries Commission  
June 7, 1990 Hearing at Baton Rouge  
Page 2

seasons could be more liberal. We do not need to regress to a number of different seasons throughout the state where hunters could hop-scotch around to various little concentrations of turkey populations. Something needs to be done about frequent and sustained disturbances of free running dogs. To better enhance our wild turkey resource we need to allow our biologists to do their research and studies, then listen to their recommendations, that is why we have them. Since this sport of turkey hunting is becoming ever more popular we need not only to enhance the opportunity of sighting these great birds, but to educate the public about them.

The wild turkey needs to be managed for stability, not just resource management for human happiness.

A handwritten signature in cursive script, reading "Craig Crawford". The signature is written in black ink and is positioned in the lower right quadrant of the page.

**RULE**

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

In accordance with ACT 301 of the 1987 Louisiana Legislature, the Louisiana Wildlife and Fisheries Commission has declared June 9 and 10, 1990 as Free Recreational Fishing Days in Louisiana to coincide with National Fishing Week June 4-10, 1990. On the two above mentioned free fishing days, residents and non-residents may exercise the privilege of a licensed recreational fisherman without purchase of any otherwise necessary recreational fishing license.

**CITATION:** None - Changes Annually  
**AUTHORITY NOTE:** Promulgated in accordance with R.S. 56:302.7  
**HISTORICAL NOTE:** Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 16: ( June 1990).

Warren Pol  
Chairman

June 5, 1990

Mr. Pol,

Senator Jumonville's secretary called and the Senator will be attending the Commission meeting Thursday and would like to address the Commissioners. His secretary inquired as to the time that the Senator might be able to speak which, of course, is your decision. Senator Jumonville may also be bringing some other Senators with him who may also wish to speak.

Sharyn

After hearing lengthly testimony yesterday by many people which included such experts in wildlife management as Dick Yancey, Dr. John Newsom and our department's biologists, I feel that we can achieve the uniformity of hunting seasons in this area (Area B) without any significant adverse biological impact on the resource, if we go with a March 17 opening date for the entire Area B instead of a March 23 opening date.

I realize that there are different <sup>terrain</sup> ~~geographical areas~~ within this district but to subdivide Area B into several zones would create more problems than it will solve.

I strongly believe that the duties of this Commission and Department are not only to protect and pertetuate the resources of this state but also to provide the maximal recreational and commercial opportunities for the citizens of the State of Louisiana without advrsely affecting our renewable resources.

It is clear to me that there is strong feeling by the majority of the landowners, hunters, etc. in Area B that a March 17 opening date would be more preferable to them than a March 23rd opening date. I strongly urge my fellow Commissioners to accommodate these individuals who have a long and honorable record of conservation and resource management that has benefitted wildlife in this state.

I would also request that District Kearney Sonnier and Dave Moreland closely monitor the effects and results of a March 17th vs. March 23rd opening date and report to this Commission at its May or June 1991 meeting in order that the setting of the 1992 turkey season may be done with current and factual data thus avoiding the controversy that we have experienced at this meeting.

# 1987-88 HUNTING SEASONS

The rules and regulations contained within this digest have been officially approved and adopted by the Louisiana Wildlife and Fisheries Commission under authority vested by Section 115 of Title 56 of the Louisiana Revised Statutes of 1950 and are considered to be in full force and effect in conjunction with all applicable statutory laws. The Secretary of the Louisiana Department of Wildlife and Fisheries has the authority to close or alter seasons in emergency situations in order to protect fish and wildlife resources.

## HUNTERS - PLAN YOUR VACATION NOW . . . . .

The Louisiana Wildlife and Fisheries Commission has scheduled opening dates for 1988-89 resident game seasons to accommodate hunters who want to schedule vacations in advance of the hunting seasons. The length of seasons may vary from year to year but opening days will remain as follows until further notice:

- Squirrel and Rabbit** - First Saturday in October
- Duck** - Thanksgiving Day
- Deer (Archery)** - October 1
- Deer (Gun)** - Still Hunting Areas 1 and 5, the Saturday before Thanksgiving;
- Still Hunting Areas 2, 3, and 4, the Saturday occurring 19 days before Thanksgiving.
- Dog Hunting** in all areas open for dogs, the first Saturday in December.

## RESIDENT GAME BIRDS AND ANIMALS

(Shooting hours - one-half hour before sunrise to one-half hour after sunset)

Also consult Regulation Pamphlet for seasons or specific regulations on W.M.A.'s or specific localities.



**QUAIL:** Nov. 26-Feb. 28. Daily bag limit 10, Possession 20.

**RABBIT:** Oct. 3-Feb. 28. Daily bag limit 8, Possession 16.

**SQUIRREL:** Oct. 3-Jan. 17. Daily bag limit 8, Possession 16.

**BEAR:** Nov. 7-15 with or without dogs. One per season. Taking cub bears is prohibited. That part of the Atchafalaya Floodway in portions of Iberville, St. Martin, Iberville, and Pointe Coupee. Bounded on the north by La. 10, and the east by East Atchafalaya Basin Protection Levee, on the south by I-10, and on the west by West Atchafalaya Basin Protection Levee. **CLOSED ON SHERBURNE WMA.**

**DEER:** One per day. 6 per season (See Schedule and map)

**ARCHERY SEASON:** Oct. 1-Jan. 20.

**TURKEY:** One per day. 3 per season (See Schedule and map)

**RACCOON AND OPOSSUM:** No closed season. Raccoon and opossum can be taken at night by one or more licensed hunters with one or more dogs and one .22 rimfire rifle. A licensed hunter may take raccoon or opossum with .22 rimfire or shotgun during daylight hours during the open squirrel season. Hunting from boats or motor vehicles under power is prohibited. No bag limit for nighttime or daytime raccoon or opossum hunting during the open trapping season. The re-

mainder of the year, the raccoon and opossum bag limit for daytime or nighttime is one per person per day or night. No one who hunts raccoons or opossums as prescribed above shall pelt or sell skins or carcasses of raccoons and opossums taken during the open trapping season unless he is the holder of a valid trappers license which shall be required in addition to his basic hunting license.

**CROWS AND BLACKBIRDS:** Considered crop depredators in Louisiana and may be taken year round during legal shooting hours: no limit.

**COMMERCIAL HUNTING PRESERVE:** Oct. 1-Apr. 30. Pen-raised birds only.

**INTENSIVE DEER MANAGEMENT UNITS:** Full season; The entire open deer season within each respective area. Cooperators failing to comply with specific requirements will be denied opportunity to participate the following year. Intensive deer management tags must be attached and locked to antlerless deer in a manner that it cannot be removed, before deer is moved from the site of the kill.

## HUNTING - GENERAL PROVISIONS

**TAKING GAME QUADRUPEDS OR BIRDS** from aircraft, automobiles or other moving vehicles is prohibited.

**MIGRATORY GAME BIRDS** - Baiting and live decoys are prohibited. Duck and goose hunters 16 years and older must have a signed federal waterfowl stamp available from any U. S. Post Office. Shotguns larger than 10 gauge or capable of holding more than three shells are prohibited. Plugs used in guns must be incapable of being removed without disassembling gun. No person shall kill or cripple any migratory game bird without making a reasonable effort to retrieve the bird and include it in the daily bag limit. Shooting waterfowl and other migratory game birds from a moving motorboat is prohibited. A craft under power, however, may be used to retrieve dead or crippled birds. See Migratory Game Bird Pamphlet for further information.

**METHODS OF TAKING RESIDENT GAME BIRDS AND QUADRUPEDS** - Use of a longbow (including compound bow) and arrow and a shotgun not larger than a 10 gauge fired from the shoulder without a rest shall be legal for taking all resident game birds and quadrupeds. Also, the use of a handgun, rifle, and falconry (special permit required) shall be legal for taking all game species except turkey.

Still hunting is defined as hunting without the use of dogs. Shotguns larger than 10 gauge or capable of holding more than three shells prohibited. Plugs used in shotguns must be incapable of being removed without disassembly.

Refer to game schedules contained within these regulations for specific restrictions on the use of firearms and other devices.

**UNREGULATED BIRDS** - Crows, red-winged blackbirds (rice birds), English sparrows, starlings, grackles and other species of blackbirds.

**ENDANGERED SPECIES** - Wolf, Florida panther (cougar), brown pelican, southern bald eagle, red-cockaded woodpecker, peregrine falcon, West Indian Manatee and the American ivory-billed woodpecker. Taking or harassment of any of these species is a violation of federal law.

**UNREGULATED QUADRUPEDS** - Holders of a legal hunting license may take coyotes and armadillos year round during legal daylight shooting hours. The running of coyotes with dogs is prohibited in all turkey hunting areas during the open turkey season.

**FOXES AND BOBCATS** are protected quadrupeds and may be taken only by licensed trappers during the trapping season. Remainder of the year "chase only" permitted by licensed hunters.

**ROLL CALL**  
June 7-8, 1990

	Thursday	Friday
Don Hines	<u>✓</u>	<u>✓</u>
Jimmy Jenkins	<u>✓</u>	<u>✓</u>
Bert Jones	<u>✓</u>	<u>✓</u>
Norman McCall	<u>✓</u>	<u>✓</u>
Joe Palmisano	<u>Absent</u>	<u>Absent</u>
d) Warren Pol	<u>✓</u>	<u>✓</u>
Peter Vujnovich	<u>✓</u>	<u>✓</u>

Mr. Chairman:

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

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

Get Resolution signed ✓  
Comm - New muss Oyster Task 2  
Facilitator - 3-year plan

AGENDA  
LOUISIANA WILDLIFE AND FISHERIES COMMISSION  
BATON ROUGE, LOUISIANA  
JUNE 7-8, 1990

- ✓1. Roll Call
- ✓2. Approval of Minutes of May 3-4, 1990 <sup>Jenkins</sup> <sub>Jones</sub>
- ✓3. Public Hearing on Proposed Hunting Season Framework
- ✓4. Ratification of Final Rule Pertaining to 1990-91 Hunting Seasons on Resident Game - Hugh Bateman
- ✓5. Ratification of Reef Fish, Daily Take, Possession and Size Limits - Jerry Clark
- ✓6. Ratification of Offshore Shrimp Opening - Phil Bowman
- ✓7. Report on Opening Day(s) Shrimp Activities - Phil Bowman
- ✓8. Ratification of Free Fishing Days - Johnthan Glasscock
- ✓9. Monthly Law Enforcement Report - Winton Vidrine
- ✓10. Oyster Task Force - Virginia Van Sickle
- ✓11. Secretary's Report to the Commission - Virginia Van Sickle
- ✓12. Sheldreding - DEQ Administrative Hearing Officer Findings - Virginia Van Sickle
13. A Review of Income and Expenses of Oyster Program and Support of Activity - Bettsie Baker
14. Set September Meeting Dates

OTHER BUSINESS:

PUBLIC COMMENTS:

# 6

RULE  
DEPARTMENT OF WILDLIFE AND FISHERIES  
WILDLIFE AND FISHERIES COMMISSION

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From March 1, 1990 to the opening of the 1990 spring inshore shrimp season, the Secretary of the Department of Wildlife and Fisheries shall have the authority to open and close special seasons in the inshore waters for the harvest of shrimp should this harvest be feasible without the destruction of small brown shrimp.

CITATION NOTE:	None - Changes annually
AUTHORITY NOTE:	Promulgated in accordance with R.S. 56:495, and R.S. 56:497
HISTORICAL NOTE:	Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 16 : ( June 1990 ).

Jimmy Jenkins  
Acting Chairman

RULE

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

Title 76  
Wildlife and Fisheries

Part VII. Fish and Other Aquatic Life

Chapter 3. Saltwater Sport and Commercial Fishing

Section 335. Daily Take, Possession and Size Limits Set by Commission

The Louisiana Wildlife and Fisheries Commission does hereby adopt the following rules and regulations regarding the harvest of snapper, grouper, sea basses, jewfish, and amberjack within and without Louisiana's territorial waters:

<u>Species</u>	<u>Recreational Bag Limits</u>
Red snapper	7 fish per person per day
Queen, mutton, schoolmaster, blackfin, cubera, gray, dog, mahogany, silk, yellowtail snappers, and wenchman	10 fish per person per day (in aggregate)
All groupers	5 fish per person per day (in aggregate)
Greater amberjack	3 fish per person per day

All persons who do not possess a permit issued by the National Marine Fisheries Service under the Federal Fishery Management Plan for the Gulf of Mexico Reef Fish Resources are limited to the recreational bag limit.

A person subject to a bag limit may not possess during a single day, regardless of the number of trips or the duration of a trip, any reef fish in excess of the bag limits.

For charter vessels and headboats as defined in Federal Regulations 50 CFR Part 641 as amended by FR Vol. 55, No. 14, there will be an allowance for up to two daily bag limits on multi-day trips provided the vessel has two licensed operators aboard as required by the U.S. Coast Guard for trips of over 12 hours, and each passenger is issued and has in possession a receipt issued on behalf of the vessel that verifies the length of the trip.

<u>Species</u>	<u>Minimum Size Limits</u>
Red snapper	13 inches total length
Gray, mutton and yellowtail snapper	12 inches total length
Lane and vermillion snapper	8 inches total length
Red, gag, black, yellowfin and nassau grouper	20 inches total length
Jewfish	50 inches total length
Greater amberjack	28 inches fork length (recreational) 36 inches fork length (commercial)
Black seabass	8 inches total length

Federal regulations 50 CFR Part 641 as amended by FR Vol. 55, No. 14, defines charter vessels and headboats as follows:

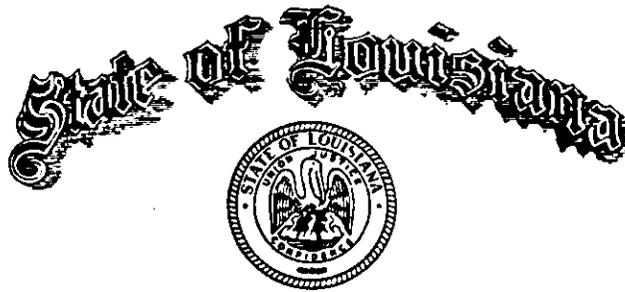
Charter vessel means a vessel whose operator is licensed by the U.S. Coast Guard to carry six or fewer paying passengers and whose passengers fish for a fee. A charter vessel with a permit to fish on a commercial quota for reef fish is under charter when it carries a passenger who fishes for a fee, or when there are more than three persons aboard including operator and crew.

Headboat means a vessel whose operator is licensed by the U.S. Coast Guard to carry seven or more paying passengers and whose passengers fish for a fee. A headboat with a permit to fish on a commercial quota for reef fish is operating as a headboat when it carries a passenger who fishes for a fee, or when there are more than three persons aboard including operator and crew.

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

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 16: ( ).

*File  
Commission*



VIRGINIA VAN SICKLE  
SECRETARY

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

BUDDY ROEMER  
GOVERNOR

May 25, 1990

Mr. George Douglass, Jr., President  
Pontchartrain Materials Corporation  
P.O. Box 8005  
Slip 4 - France Road  
New Orleans, LA 70182

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Dear Mr. Douglass:

As you are aware, the Fourth Circuit Court of Appeals on January 30, 1990 rendered a decision enjoining further dredging until the September, 1988 leases are determined to be in compliance with public bid laws. As you are also no doubt aware, today the Supreme Court denied your company's Application for Writs for a review of that decision. Accordingly, your company is hereby ordered to cease and decess all dredging pending further notification from this department or further action by a court which would allow dredging to proceed.

We have been advised by your representatives that you have suspended all of your dredging operations as of this afternoon. Your continued cooperation in this matter is and will be appreciated.

Sincerely,

A handwritten signature in cursive script that reads "Virginia Van Sickle".

Virginia Van Sickle

cc: John Peters

ENFORCEMENT DIVISION

MAY 1990 CASE REPORT

ENFORCEMENT CASE REPORT-MAY 1990

REGION I

TOTAL CASES-189

ENFORCEMENT-189

OTHER - 0

51-Boating

57-Angling W/O A License

69-Fish Without Resident Pole License

3-Use Gear W/O Recreational Gear License

2-Take Or Possess Undersize Commercial Fish

1-Hunt Squirrel C/S

1-Take Squirrel Illegal Methods

1-Poss. Squirrels C/S

1-Not Abiding By Rules And Regulations On WMA

1-Driving While Intoxicated

1-Other Than Wildlife And Fisheries

CONFISCATIONS:

1 small wire cage, 1 hoop net.

REGION 2

TOTAL CASES-109

ENFORCEMENT-109

OTHER - 0

18-Boating

22-Angling W/O A License

53-Fish Without Resident Pole License

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

1-Take Commercial Fish W/O Commercial Gear License

1-Hunt Squirrel C/S

1-Take Squirrel Illegal Methods

Page (2)

REGION 2 CONT'D.

- 2-Hunt Or Take Deer Or Bear C/S
- 3-Poss. Of Illegally Taken Deer Or Bear
- 1-Illegal Spotlighting From Public Road
- 6-Other Than Wildlife And Fisheries

CONFISCATIONS:

1 resident fishing license.

REGION 3

TOTAL CASES-168

ENFORCEMENT-158

OTHER - 10

- 60-Boating
- 60-Angling W/O A License
- 11-Fish Without Resident Pole License
  - 2-Use Gear W/O Recreational Gear License
  - 4-Take Game Fish Illegally
  - 2-Take Undersize Black Bass
  - 1-Not Abiding By Commission Rules And Regulations
  - 1-Fail To Have Commercial License In Possession
  - 3-Take Or Sell Commercial Fish Or Bait Species W/O Commercial License
  - 6-Take Commercial Fish W/O Commercial Gear License
  - 5-Use Illegal Mesh Nets
  - 3-Take Or Possess Undersize Commercial Fish
  - 2-Blocking Passage Of Fish
  - 1-Possess Firearm While Frogging
  - 2-Take Non-Game Quadrupeds C/S
  - 1-Resisting Arrest

Page (3)

REGION 3 CONT'D.

2-Criminal Trespass

1-Littering

1-Operate ATV Vehicle On Public Road

CONFISCATIONS:

2 outboard motors, 1-22 rifle, 800 feet of 2 1/2 inch gill net, 300 feet of 2 inch gill net, and 7 hoop nets.

REGION 4

TOTAL CASES-78

ENFORCEMENT-76

OTHER - 2

30-Boating

17-Angling W/O A License

19-Fish Without Resident Pole License

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

1-Take Commercial Fish W/O Commercial Gear License

1-Use Lead Nets In Other Than Overflow Regions

1-Sell And/Or Purchase Game Fish

2-Hunt Alligators At Night With Firearm

2-Taking Or Possessing Alligators Closed Season

2-Not Abiding By Rules And Regulations On WMA

1-Littering

CONFISCATIONS:

20 hoop nets with leads, 1-22 rifle, 1-14 foot aluminum boat, 1-20 HP Mariner motor, 1 boat trailer, 1-4 foot alligator hide, 1 bar fish, 1 set of scales.

Page (4)

REGION 5

TOTAL CASES-289

ENFORCEMENT-248

OTHER - 41

145-Boating

38-Angling W/O A License

2-Fish Without Resident Pole License

3-Take Game Fish Illegally

1-Take Undersize Black Bass

2-Fail To Have Commercial License In Possession

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

3-Take Commercial Fish W/O Commercial Gear License

4-Take Or Possess Commercial Fish Without A Vessel License

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

1-Transport W/O Required License

3-Take Or Possess Undersize Commercial Fish

1-Set Crab Traps In Nav. Channels Or Entrance To Streams

4-Allow Another To Use Commercial License

1-Fail To Have Commercial Fish Intact

8-Harvest Oysters Without Oyster Harvester License

1-Illegal Possession Of Wild Quadrapeds, Wild Birds Or Parts Thereof

26-Not Abiding By Rules And Regulations On WMA

1-Illegal Spotlighting From Public Road

24-Littering

1-Criminal Mischief

10-Other Than Wildlife And Fisheries

Page (5)

REGION 5 CONT'D.

CONFISCATIONS:

2,429 lbs. of snapper, 5921 lbs. shrimp, 14 boxes crabs, 294 dozen crabs, 36 logger head turtles, 15 lbs. of drum fillets, 2 canvasback ducks, 1-30 foot trawl, 1 red drum, 2 rod and reels, 1 oyster lugger, 2220 lbs. grass carp, 2 black bass.

REGION 6

TOTAL CASES-296

ENFORCEMENT-284

OTHER - 12

188-Boating

59-Angling W/O A License

15-Fish Without Resident Pole License

1-Use Gear W/O Recreational Gear License

1-Angling W/O Saltwater License

1-Take Game Fish Illegally

1-Fail To Have Commercial License In Possession

4-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 Without A Vessel License

3-Transport W/O Required License

1-Leave Nets Unattended

1-Blocking Passage Of Fish

1-Use More Than Four Trawls

1-Failure To Have Written Permission

1-Unlawfully Take Oysters Off A Private Lease

6-Harvest Oysters Without Oyster Harvester License

REGION 6 CONT'D.

1-Buying Or Selling Deer Or Meat

1-Not Abiding By Rules And Regulations On WMA

CONFISCATIONS:

NONE

REGION 7

TOTAL CASES-354

ENFORCEMENT-354

OTHER - 0

119-Boating

159-Angling W/O A License

49-Fish Without Resident Pole License

1-Use Gear W/O Recreational Gear License

1-Angling W/O A Saltwater License

1-Take Game Fish Illegally

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

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

1-Sell Minnows W/O Non. Res. Dealers License

2-Trawling in Lake Ponchartrain Sanctuary

3-Taking Or Possessing Alligators Closed Season

4-Theft Of State Property

3-Littering

1-Misrepresentation During Booking

2-Possession Of Stolen Property

2-Accessory To Illegal Possession Of Stolen Property

4-Aggravated Criminal Damage To Property

CONFISCATIONS:

1 cast net, 4-1200 foot Monofilament Gill Nets, 1-6 foot alligator.

REGION 8

TOTAL CASES-376

ENFORCEMENT-324

OTHER - 52

- 52-Boating
- 24-Angling W/O A License
- 2-Fish Without Resident Pole License
- 6-Use Gear W/O Recreational Gear License
- 9-Angling W/O Saltwater License
- 2-Take Or Possess Undersized Red Drum
- 2-Take Or Possess Undersized Spotted Sea Trout
- 1-Take Or Possess Undersized Black Drum
- 23-Fail To Have Commercial License In Possession
- 30-Take Or Sell Commercial Fish Or Bait Species W/O Commercial License
- 29-Take Commercial Fish W/O Commercial Gear License
- 29-Take Or Possess Commercial Fish Without A Vessel License
- 5-Sell And/Or Buy Fish W/O Wholesale/Retail Dealer's License
- 1-Fail To Maintain Records
- 3-Transport W/O Required License
- 5-Take Or Possess Undersize Commercial Fish
- 1-Buy Commercial Fish From Un-Lic. Fisherman
- 2-Blocking Passage Of Fish
- 1-Possess Crabs In Berry Stage
- 3-Allow Another To Use Commercial License
- 3-Fail To Mark Crab Containers

REGION 8 CONT'D.

- 3-Permit Unlicensed Person To Operate Commercial Vessel
- 3-Permit Unlicensed Person To Use Commercial Gear
- 1-Failure To Mark/Tag Nets
- 3-Possess Or Sell Undersized Crabs
- 65-Trawling In Closed Season (Inside Waters)
  - 1-Trawling Inside Waters W/Oversized Double Rigs
  - 7-Butterflying In Closed Season
  - 4-Take Shrimp Illegal Gear
  - 3-Use Oversize Butterfly Nets
  - 2-Rec. Fisherman Using Oversize Trawls
  - 3-Failure To Have Written Permission
  - 2-Unlawfully Take Oysters from State Water Bottoms
  - 6-Taking Oysters From Unapproved Area
  - 2-Unlawfully Take Oysters Off A Private Lease
  - 1-Use Undersized Dredge Without Permit
  - 5-Failure To Display Proper Number On Vessel
- 24-Harvest Oysters Without Oyster Harvester License
  - 1-Possession Of Live Alligators W/O Permit
  - 2-Resisting Arrest
  - 2-License Fraud
  - 1-Interfering With An Officer
  - 2-Not Abiding By Rules And Regulations On WMA

REGION 8 CONT'D.

CONFISCATIONS:

1 trailer and license for trailer, 3 ice chests, 1 shrimp bucket, 2 oyster dredges, 2 boats, 2 outboard motors, 3-8 foot trawls, 1-9 1/2 foot trawl, 2-45 foot trawls, 8-55 foot trawls, 8-50 foot trawls, 4-32 foot trawls, 3-16 foot trawls, 1-25 foot trawl, 1-30 foot trawl, 1-19 trawl, 1-trawl tail, 1-15 1/2 foot trawl, 3 sets of trawl boards, 6 12x16 butterfly nets, 1 6x5 foot butterfly nets, 2-15x11 foot butterfly nets, 6 licenses, 1 red drum, 15-1/2 lbs. black drum, 1 whole catfish;

seafood returned to water as follows:

2,703 lbs. of crabs, 13 boxes crabs-100 lb. per box, 20 lbs. shrimp, 60 1/2 sacks of oysters, 50 frogs, 26 sheephead, 1 alligator, 2 gaspergou, 1 flounder, 43 lbs. assorted fish, donated 130 lbs. of shrimp, 3 whole speckled trout,

sold the following:

54 lbs. crabs, 587 lbs. shrimp, 1 lb. pompano, 176 1/2 lbs. catfish, 56 lbs. garfish, 251 lbs. sheephead, 5,561 lbs. tuna, 15 1/2 lbs. black drum, 1,185 lbs. mullet, 108 lbs. shark, 85 lbs. dolphin, 61 lbs. flounder.

REGION 9

TOTAL CASES-282

ENFORCEMENT-269

OTHER -13

53-Boating

43-Angling W/O A License

12-Fish Without Resident Pole License

1-Use Gear W/O Recreational Gear License

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

4-Take Commercial Fish W/O Commercial Gear License

REGION 9 CONT'D.

- 3-Take Or Possess Commercial Fish Without A Vessel License
- 15-Sell And/Or Buy Fish W/O Wholesale/Retail Dealer's License
- 2-Fail To Maintain Records
- 1-Leave Nets Unattended
- 1-Possess O/L Of Red Drum Over 27"
- 12-Take Or Possess Undersize Commercial fish
- 20-Buy Commercial Fish From Un-Lic. Fisherman
- 1-Blocking Passage Of Fish
- 2-Fail To Mark Crab Containers
- 2-Tending Crab Traps Illegal Hours
- 2-Trawling In Closed Season
- 4-Trawling Inside Waters W/Oversized Double Rigs (Over 25 ')
- 6-Use Oversize Trawls
- 2-Use Oversize Test Trawls
- 33-Butterflying In Closed Season
- 2-Taking Oysters From Unapproved Area
- 2-Unlawfully Take Oysters Off A Private Lease
- 4-Trawling Or Seining On Oyster Lease
- 1-Possession Of Live Alligators W/O Permit
- 27-Not Abiding By Rules And Regulations On WMA
- 1-Littering
- 6-Other Than Wildlife And Fisheries
- 1-Criminal Mischief
- 2-Other Than Wildlife And Fisheries

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CONFISCATIONS:

22 boats, 1 alligator, 8 ice chest, 8 sacks of oysters, 21 crab traps, 100 lbs. crabs, 63 crates crabs, 18,002 lbs. shrimp, 1-25 h.p. outboard Johnson motor, 1-25 h.p. Yamaha motor, 1-115 h.p. Yamaha motor, 1-7 foot test trawl, 40 butterfly nets, 5 cast nets, 9 trawls.

OYSTER STRIKE FORCE

TOTAL CASES-102

42-Boating

2-Angling W/O A License

1-Angling W/O A Saltwater License

1-Fail To Have Commercial License In Possession

5-Take Commercial Fish W/O Commercial License

6-Take Commercial Fish W/O A Gear License

5-Take/Possess Commercial Fish W/O A Vessel License

7-Take/Possess Oysters W/O A Harvesters License

3-Failure To Have Written Permission

2-Take Oysters From State Water Bottoms

6-Take Oysters From Unapproved Area (Polluted)

3-Take Oysters Off Of Private Lease

1-Use Undersize Dredge W/O A Permit

2-Take Oysters Illegal Hours

1-Fail To Display Number On Vessel

9-Harvest Oysters W/O Oyster Harvesters License

1-Possession Of Live Alligators W/O A Permit

4-Littering

1-No Reef Fisheries Permit (Federal)

CONFISCATIONS:

54 sacks of oysters, 1481 lbs. shrimp, 2200 lbs. red snapper, 1 alligator, 3 flatboats, 3 outboard motors, 2 gill nets, 2 oyster dredges.

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S.W.E.P.

RIP TIDE AND DELTA TIDE

434 ENGINE HOURS

134 TOTAL BOATS CHECKED

TOTAL CASES-124

85-Trawling In Closed Season

8-Trawl Inside Waters With Double Rig Over 50 feet

19-No Commercial Gear License

2-No Running Lights

1-No Commercial Fishing License

2-Four Rigging In A Double Rig Zone

7-Using Oversize Trawl In Inside Waters

CONFISCATIONS:

50,103 lbs. shrimp sold for \$47,399.00 and 22 trawls.

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SUMMARY CASES ASSISTED BY ENFORCEMENT AIRCRAFT PILOT

15 were written for "Taking Oysters In Polluted Area"

30 were written for "Shrimping Inside waters In Closed Season"

1 Commercial Fishing For Red Snapper With No License

5 were written for culling oysters.

TOTAL CASES-51

TOTAL CASES ENFORCEMENT-2011

TOTAL CASES OTHER - 130

TOTAL CASES S.W.E.P. - 124

TOTAL CASES OSF - 102

GRAND TOTAL -2367



*File  
Commissariat*

VIRGINIA VAN SICKLE  
SECRETARY

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

BUDDY ROEMER  
GOVERNOR

May 25, 1990

Mr. H. Donovan Ross, President  
Dravo Basic Materials Company, Inc.  
P.O. Box 2150  
New Orleans, LA 70063

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Dear Mr. Ross:

As you are aware, the Fourth Circuit Court of Appeals on January 30, 1990 rendered a decision enjoining further dredging until the September, 1988 leases are determined to be in compliance with public bid laws. As you are also no doubt aware, today the Supreme Court denied your company's Application for Writs for a review of that decision. Accordingly, your company is hereby ordered to cease and desist all dredging pending further notification from this department or further action by a court which would allow dredging to proceed.

We have been advised by your representatives that you have suspended all of your dredging operations as of this afternoon. Your continued cooperation in this matter is and will be appreciated.

Sincerely,

*Virginia Van Sickle*  
Virginia Van Sickle

cc: James A. Burton

# September 1990

*Mists rising from the waters of Callamus Reservoir near Burnwell create mystic setting for early morning angler*

sunday	monday	tuesday	wednesday	thursday	friday	saturday
						1
2	3 LABOR DAY Battle of the Blue Water at Ash Hollow — 1855	4 State recreation areas open to hunting, except as posted	5 Crazy Horse killed at Fort Robinson — 1877	6	7	8
9	10	11	12	13	14	15
16	17	18	19 Oto and Missouri Indian Treaty signed at Fort Atkinson — 1825	20 ROSH HASHANAH	21 1st DAY OF FALL	22
23/30	24	25	26	27	28	29 YOM KIPPUR

## NEBRASKA Land Calendar of Color

Full Moon 4th  
  Last Quarter 10th  
  New Moon 18th  
  1st Quarter 26th

AUGUST							OCTOBER						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
	1	2	3	4			7	8	9	10	11	12	13
5	6	7	8	9	10	11	14	15	16	17	18	19	20
12	13	14	15	16	17	18	21	22	23	24	25	26	27
19	20	21	22	23	24	25	28	29	30	31			

AGENDA  
LOUISIANA WILDLIFE AND FISHERIES COMMISSION  
BATON ROUGE, LOUISIANA  
JUNE 7-8, 1990

1. Roll Call
2. Approval of Minutes of May 3-4, 1990
3. Public Hearing on Proposed Hunting Season Framework
4. Ratification of Final Rule Pertaining to 1990-91  
Hunting Seasons on Resident Game - Hugh Bateman
5. Ratification of Reef Fish, Daily Take, Possession and  
Size Limits - Jerry Clark
6. Ratification of Offshore Shrimp Opening - Phil Bowman
7. Report on Opening Day(s) Shrimp Activities - Phil Bowman
8. Ratification of Free Fishing Days - Johnthan Glasscock
9. Monthly Law Enforcement Report - Winton Vidrine
10. *Review of Income & Expenses of Oyster Div. & Support of Activity*  
Oyster Task Force - Virginia Van Sickle ~~Virginia Van Sickle~~ *Bettie Baker*
11. Secretary's Report to the Commission - Virginia Van  
Sickle
12. Sheldreding - DEQ Administrative Hearing Officer  
Findings - Virginia Van Sickle
13. Set September Meeting Dates

OTHER BUSINESS:

PUBLIC COMMENTS:

For WJ

Date 5-30 Time 8 A

### WHILE YOU WERE OUT

Mr. Bettis

From \_\_\_\_\_

Phone No. \_\_\_\_\_

Area Code

Number

Extension

TELEPHONED		URGENT	
PLEASE CALL		WANTS TO SEE YOU	
WILL CALL AGAIN		CAME TO SEE YOU	

RETURNED YOUR CALL

Message She said Mr. Pol

would like to add to

the agenda "The Role

of the Commission vs.

the Secretary"

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Operator

May, 31 1990

APPROVED

VUS

AGENDA FOR COMMISSION MEETING

The next regular public board meeting as set by the Commission will be at 2:00 p.m. on Thursday, June 7th, 1990, at the Wildlife and Fisheries Building, 2000 Quail Drive, Baton Rouge, Louisiana.

On Friday, June 8th, 1990, the meeting will be continued at the same location at 9:00 a.m.

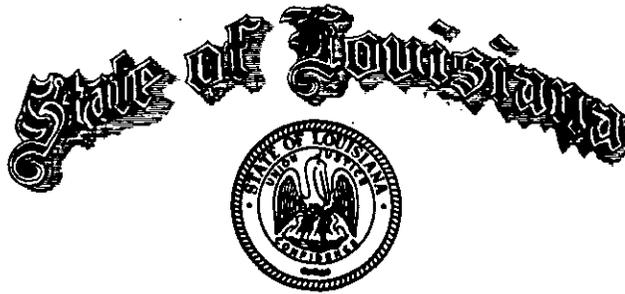
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5. Ratification of Reef Fish, Daily Take, Possession and Size Limits
6. Ratification of Offshore Shrimp Opening
7. Report on Opening Day(s) Shrimp Activities
8. Ratification of Free Fishing Days
9. Monthly Law Enforcement Report
10. Oyster Task Force
11. Secretary's Report to the Commission
12. Shelledredging - DEQ Administrative Hearing Officer Findings
13. Set September Meeting Dates

OTHER BUSINESS:

PUBLIC COMMENTS:

Role of Commission and ~~Secretary~~  
Secretary



VIRGINIA VAN SICKLE  
SECRETARY

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

BUDDY ROEMER  
GOVERNOR

May, 29 1990

M E M O R A N D U M

TO: Chairman and Members' of Commission  
FROM: Virginia Van Sickle *VVS*  
RE: June Board Meeting

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HUGH BATEMAN

2. Public Hearing on Proposed Hunting Season Framework
3. Ratification of Final Rule Pertaining to 1990-91 Hunting Seasons on Resident Game

JERRY CLARK

4. Ratification of Reef Fish, Daily Take, Possession and Size Limits
5. Ratification of Offshore Shrimp Opening
6. Report on Opening Day(s) Shrimp Activities

BOB DENNIE

7. Ratification of Free Fishing Days

WINTON VIDRINE

8. Monthly Law Enforcement Report

VIRGINIA VAN SICKLE

9. Oyster Task Force
10. Secretary's Report to the Commission
11. Shelledredging - DEQ Administrative Hearing Officer Findings

OTHER BUSINESS:

12. Set September Meeting Dates

PUBLIC COMMENT:

C: Don Puckett  
Kell McInnis  
Bettsie Baker  
Jerry Clark  
Wade Byrd  
John Medica  
Division Chiefs



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HUGH BATEMAN

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3. Ratification of ~~Notice of Intent~~ Pertaining to 1990-91 Hunting Seasons on Resident Game <sup>Final Rule</sup>

JERRY CLARK

3. Ratification of Reef Fish, Daily Take, Possession and Size Limits
4. Ratification of ~~Offshore~~ Shrimp Opening
- ~~5. Report on Opening Day(s) Shrimp Activities~~
6. Report on Opening Day(s) Shrimp Activities

BOB DENNIE

7. Ratification of Free Fishing Days

Page 2  
May 29, 1990

WINTON VIDRINE

8. Monthly Law Enforcement Report

VIRGINIA VAN SICKLE

9. Oyster Task Force
10. Secretary's Report to the Commission
11. Sheldredging - DEQ Administrative Hearing Offices  
Finding

OTHER BUSINESS:

12. Set September Meeting Dates

PUBLIC COMMENT:

C: Don Puckett  
Kell McInnis  
Bettsie Baker  
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Wade Byrd  
John Medica  
Division Chiefs

DRAFT

May, 29 1990

DRAFT

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5. Black Drum Quota
6. Report on Opening Day(s) Shrimp Activities

BOB DENNIE

7. Ratification of Free Fishing Days

WINTON VIDRINE

8. Monthly Law Enforcement Report

VIRGINIA VAN SICKLE

9. Oyster Task Force
10. Secretary's Report to the Commission

OTHER BUSINESS:

11. Set September Meeting Dates

*Shell dredging - DEQ Adm. Hearing  
officers findings*

PUBLIC COMMENT:

C: Don Puckett  
Kell McInnis  
Bettsie Baker  
Jerry Clark  
Wade Byrd  
John Medica  
Division Chiefs



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BUDDY ROEMER  
GOVERNOR

May 29, 1990

M E M O R A N D U M

TO: Virginia Van Sickle, Secretary  
FROM: Sharyn Bateman  
RE: Ratification of Rules at June Commission Meeting

There will be four (4) rules that will be coming up for ratification at the June 8, 1990 Commission meeting. These rules are:

1. Free Fishing Days, June 9-10, 1990.
2. Shrimp Season, LA Offshore Territorial Waters.
3. 1990-91 Hunting Seasons, Resident Game Birds and Game Quadrupeds.
4. Reef Fish Bag Limits and Size Limits.

If these rules are to be published in the June State Register they will have to be at the Register's office by 12 Noon on June 8th.

There was some question to these rules being ratified at the June meeting because of the time frame. (See attached memo to Don Puckett). After discussing this with Don he sees no problem with ratifying these at the June meeting.

OK - VVS

May 14, 1990

TO: Don Puckett

FROM: Sharyn Bateman

RE: Ratifications of Rules - June Commission Meeting

We have several rules coming up for ratification possibly in June. The notices of intent were published in the April Register. The APA indicates that 50 days must elapse before any action can be taken on the rule. There seems to be different interpretations of this. From the time these notices were printed in the April Register it will be 50 days on June 8 which is also the last days of the June Commission meeting. My question is can these rules be ratified since June 8th will be the 50th day and in the APA the word elapse is used?

Dave Morrison was in my office last week asking about the 50 days. As you know the hunting seasons will be coming up for ratification and since there are two groups that do not agree with the seasons Dave wants to be sure that the APA is followed to the "T" because of possible lawsuits. I called Nancy and she thinks that the 50 days is from the publication of the notice of intent until it is published in the register thus this would mean that the Commission can act on it whenever they wanted. If you will recall Wade Adams had a different opinion and that was that 50 days must elapse from the publication of the notice of intent to the ratification by the Commission. In the Handbook (Blue) Deadline Calendar counting from March 20 through May 5th (Step 8) Commission action is only 47 days. Also the State Registers' interpretation of the APA on the 50 days is not quite clear. There are four (4) rules that will be affected by this. These are:

1990-91 Hunting Seasons  
Free Fishing Day  
Shrimp Season, LA Offshore Territorial Waters  
Reef Fish Bag and Size Limits

The rule for Free Fishing Day and Reef Fish Bag and Size Limits went to the Oversight Committee and as far as I know there has been no calling of a hearing. Their forty (40) day deadline will be May 29. Any help would be appreciated.



VIRGINIA VAN SICKLE  
SECRETARY

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FROM: Sharyn Bateman

RE: Ratifications of Rules - June Commission Meeting

We have several rules coming up for ratification possibly in June. The notices of intent were published in the April Register. The APA indicates that 50 days must elapse before any action can be taken on the rule. There seems to be different interpretations of this. From the time these notices were printed in the April Register it will be 50 days on June 8 which is also the last days of the June Commission meeting. My question is can these rules be ratified since June 8th will be the 50th day and in the APA the word elapse is used?

Dave Morrison was in my office last week asking about the 50 days. As you know the hunting seasons will be coming up for ratification and since there are two groups that do not agree with the seasons Dave wants to be sure that the APA is followed to the "T" because of possible lawsuits. I called Nancy and she thinks that the 50 days is from the publication of the notice of intent until it is published in the register thus this would mean that the Commission can act on it whenever they wanted. If you will recall Wade Adams had a different opinion and that was that 50 days must elapse from the publication of the notice of intent to the ratification by the Commission. In the Handbook (Blue) Deadline Calendar counting from March 20 through May 5th (Step 8) Commission action is only 47 days. Also the State Registers' interpretation of the APA on the 50 days is not quite clear. There are four (4) rules that will be affected by this. These are:

- 1990-91 Hunting Seasons
- Free Fishing Day
- Shrimp Season, LA Offshore Territorial Waters
- Reef Fish Bag and Size Limits

The rule for Free Fishing Day and Reef Fish Bag and Size Limits went to the Oversight Committee and as far as I know there has been no calling of a hearing. Their forty (40) day deadline will be May 29. Any help would be appreciated.

May Com meeting

Virginia Van Sickle

Oyster Sub Force

?

Winton



VIRGINIA VAN SICKLE  
SECRETARY

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

BUDDY ROEMER  
GOVERNOR

May 7, 1990

M E M O R A N D U M

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

FROM: Virginia Van Sickle *VVS*

RE: Commission Meeting Agenda - June 7-8, 1990

Please write on the bottom of this memo and return to Sharyn Bateman by Wednesday, May 23rd, any agenda items your Office may have for the June 7-8 1990, Commission meeting to be held in Baton Rouge, LA, Louisiana Department of Wildlife and Fisheries, 2000 Quail Drive. If you do not have anything for the agenda, please return memo and indicate this on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

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

Thank you for your cooperation!

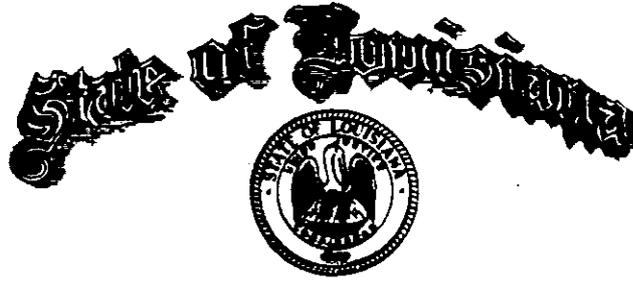
VVS/sb

C: Don Puckett  
Bob Dennie

*Enforcement  
Case Report  
W.V.*

*5-4-90*

*Jessy Sharon*



**RECEIVED**  
LA. DEPARTMENT OF  
WILDLIFE & FISHERIES

MAY - 3 1990

ASSISTANT SECRETARY  
OFFICE OF FISHERIES

**VIRGINIA VAN SICKLE**  
SECRETARY

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

**BUDDY ROEMER**  
GOVERNOR

May 7, 1990

**M E M O R A N D U M**

**TO:** Deputy Secretary, Assistant Secretary Office of Fisheries, Undersecretary and Office of Wildlife Chiefs  
**FROM:** Virginia Van Sickle *VVS*  
**RE:** Commission Meeting Agenda - June 7-8, 1990

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Thank you for your cooperation!

VVS/sb

**C:** Don Puckett  
Bob Dennie

*I have no agenda items for the June 7-8 Commission meeting.*

*Sincerely,  
Buddy Roemer*



~~5-7-90  
for Phil, her, Claude, John -  
Please get me  
agenda items by  
May 21.  
Kam~~

VIRGINIA VAN SICKLE  
SECRETARY

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

BUDDY ROEMER  
GOVERNOR

May 7, 1990

MEMORANDUM

TO: Deputy Secretary, Assistant Secretary Office of Fisheries, Undersecretary and Office of Wildlife Chiefs  
FROM: Virginia Van Sickle *VVS*  
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Thank you for your cooperation!

5-21-90

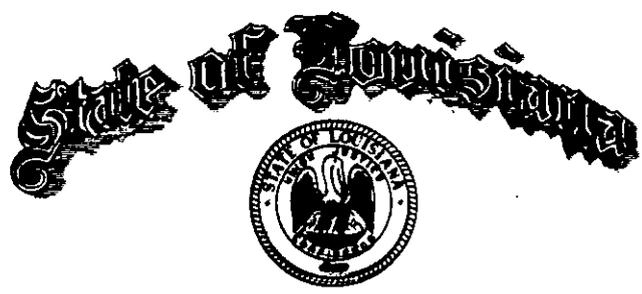
*Jenny*

VVS/sb

C: Don Puckett  
Bob Dennie

1. Ratification of reef fish (John is preparing info)
2. Ratification of offshore shrimp opening (Phil is preparing info)
3. Black drum quota
4. Repeat opening day(s) shrimp activities - Phil
5. Mr. Phil had requested sanctuary discussion at May meeting, has it been rescheduled? -

*Butch*



VIRGINIA VAN SICKLE  
SECRETARY

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PHONE (504) 765-2800

BUDDY ROEMER  
GOVERNOR

May 7, 1990

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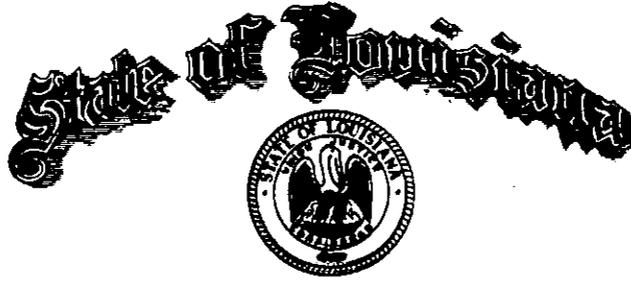
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Thank you for your cooperation!

*1990-91 Hunting Seasons*  
*VVS/sb*

*1) Ratification of Notice of Intent Pertaining to Resident Game H. Bateman*

C: Don Puckett  
Bob Dennie



*brh*  
**RECEIVED**

**MAY 9**

**INFORMATION &  
EDUCATION DIV.**

**VIRGINIA VAN SICKLE  
SECRETARY**

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

**BUDDY ROEMER  
GOVERNOR**

May 7, 1990

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Thank you for your cooperation!

VVS/sb

**C: Don Puckett  
Bob Dennie**

*5/10 Jonathan ~~is~~ Free Fishing Days  
5/11 NO. B.D.*

*Blue*



DEPARTMENT OF WILDLIFE AND FISHERIES  
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PHONE (504) 765-2800

BUDDY ROEMER  
GOVERNOR

VIRGINIA VAN SICKLE  
SECRETARY

May 7, 1990 ← *Don't faint!!*

M E M O R A N D U M

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

Thank you for your cooperation!

*Nothing - Blue*

VVS/sb

C: Don Puckett  
Bob Dennie

RECEIVED  
Habitat Conservation Div.

MAY - 3 1990



*Sharon Bateman*

**RECEIVED**  
LA. DEPARTMENT OF  
WILDLIFE & FISHERIES

MAY - 3 1990

ASSISTANT SECRETARY  
OFFICE OF FISHERIES

**VIRGINIA VAN SICKLE**  
SECRETARY

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POST OFFICE BOX 96000  
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**BUDDY ROEMER**  
GOVERNOR

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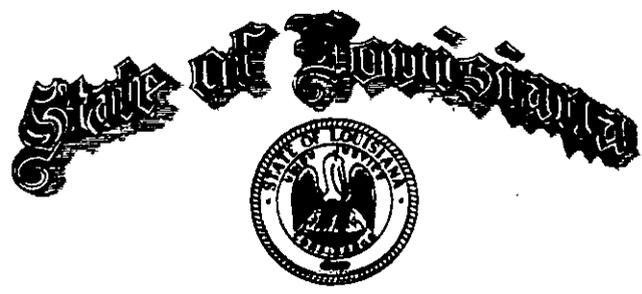
**C:** Don Puckett  
Bob Dennie

*No agenda items from Coastal Investigation Section*

*Barry Powell*

*5/11/90*

*Battani*



VIRGINIA VAN SICKLE  
SECRETARY

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BUDDY ROEMER  
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VVS/sb

C: Don Puckett  
Bob Dennie

*nm*  
*Battani*

*John M.*



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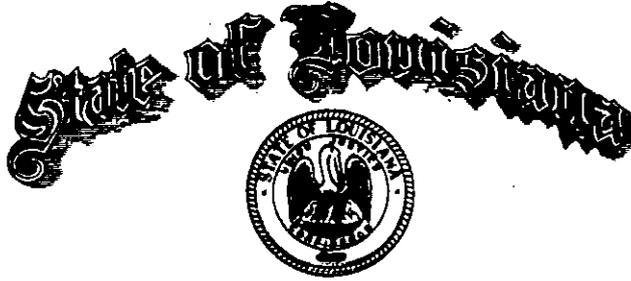
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VVS/sb

C: Don Puckett  
Bob Dennie

*Nothing to add to agenda*  
*John Medina*



VIRGINIA VAN SICKLE  
SECRETARY

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VVS/sb

C: Don Puckett  
Bob Dennie

RESOLUTION

Adopted by the Louisiana Wildlife and Fisheries Commission  
at its June 7 and 8, 1990 meeting in Baton Rouge, Louisiana

RATIFICATION OF BAG LIMITS AND SIZE LIMITS FOR REEF FISH

WHEREAS, reef fish are managed under the federal Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico, and

WHEREAS, recent stock assessments by the National Marine Fisheries Service have indicated that the reef fish resource in the Gulf of Mexico are in need of additional protection, and

WHEREAS, this fishery management plan establishes bag limits and size limits for reef fish taken in the federal waters of the Gulf of Mexico, and

WHEREAS, the Gulf of Mexico Fishery Management Councils have requested that the Gulf States adopt reef fish regulations compatible with those contained in the federal fishery management plan, and

WHEREAS, the Louisiana Wildlife and Fisheries Commission at its March meeting expressed its intent to adopt reef fish regulations compatible with those contained in the federal fishery management plan, and

WHEREAS, on April 20, 1990 a Notice of Intent was published in the Louisiana Register advertising the Wildlife and Fisheries Commission's intent to adopt reef fish regulations compatible with those contained in the federal fishery management plan, and

THEREFORE BE IT RESOLVED, by the Louisiana Wildlife and Fisheries Commission that pursuant to the authority granted by Section 326.1 and 326.3 of Title 56 of the Louisiana Revised Statutes, the Louisiana Wildlife and Fisheries Commission hereby establishes bag limits and size limits for reef fish consistent with those scheduled to be implemented under the Federal Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico.

BE IT FURTHER RESOLVED, that the complete contents of the proposed rule establishing bag limits and size limits for reef fish is attached to and made a part of this resolution.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary

RESOLUTION

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Chairman

\_\_\_\_\_  
Secretary

LOUISIANA WILDLIFE AND FISHERIES COMMISSION  
LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES  
June 8, 1990

RESOLUTION

WHEREAS, it is the constitutional responsibility of the Louisiana Wildlife and Fisheries Commission to establish hunting seasons for resident game birds and quadrupeds, and

WHEREAS, authority to establish seasons, bag limits, possession limits and other rules and regulations for the hunting, taking and possession of any species of wild game birds or quadrupeds is vested in the Commission by R.S. 56:115, and

WHEREAS, this action will provide for the protection and conservation of these natural resources and allow for recreational opportunities for sport hunting on both public and private lands, and

WHEREAS, the Commission and Department staff have jointly reviewed and considered all available biological information and requests from sportsmen of the state, now

THEREFORE BE IT RESOLVED, that the attached rules, regulations, season dates, and bag limits affecting sport hunting of resident game species are hereby ratified by the Louisiana Wildlife and Fisheries Commission.

\_\_\_\_\_  
Warren Pol, Chairman  
La. Wildlife and Fisheries  
Commission

\_\_\_\_\_  
Virginia Van Sickle, Secretary  
La. Dept. of Wildlife and  
Fisheries

LOUISIANA WILDLIFE AND FISHERIES COMMISSION  
LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES  
June 8, 1990

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Warren Pol, Chairman  
La. Wildlife and Fisheries  
Commission

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Virginia Van Sickle, Secretary  
La. Dept. of Wildlife and  
Fisheries

#4

LOUISIANA WILDLIFE AND FISHERIES COMMISSION  
LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES  
June 8, 1990

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Warren Pol, Chairman  
La. Wildlife and Fisheries  
Commission

---

Virginia Van Sickle, Secretary  
La. Dept. of Wildlife and  
Fisheries

# 6

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

The shrimp season in Louisiana's offshore Territorial waters seaward of the inside-outside shrimp line as described in R.S. 56:495 will open at 6:00 a.m., Monday, March 12, 1990, and remain open until further notice. The Secretary of the Department shall have the authority to close this season should conditions warrant.

From March 1, 1990 to the opening of the 1990 spring inshore shrimp season, the Secretary of the Department of Wildlife and Fisheries shall have the authority to open and close special seasons in the inshore waters for the harvest of shrimp should this harvest be feasible without the destruction of small brown shrimp.

CITATION NOTE:	None - Changes annually
AUTHORITY NOTE:	Promulgated in accordance with R.S. 56:495, and R.S. 56:497
HISTORICAL NOTE:	Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 16 : ( June 1990 ).

Jimmy Jenkins  
Acting Chairman

**RULE**

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

In accordance with ACT 301 of the 1987 Louisiana Legislature, the Louisiana Wildlife and Fisheries Commission has declared June 9 and 10, 1990 as Free Recreational Fishing Days in Louisiana to coincide with National Fishing Week June 4-10, 1990. On the two above mentioned free fishing days, residents and non-residents may exercise the privilege of a licensed recreational fisherman without purchase of any otherwise necessary recreational fishing license.

CITATION: None - Changes Annually  
AUTHORITY NOTE: Promulgated in accordance with R.S. 56:302.7  
HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 16: ( June 1990).

Warren Pol  
Chairman

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WILDLIFE AND FISHERIES COMMISSION**

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**CITATION:** None - Changes Annually  
**AUTHORITY NOTE:** Promulgated in accordance with R.S. 56:302.7  
**HISTORICAL NOTE:** Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 16: ( June 1990).

**Warren Pol  
Chairman**

MINUTES OF MEETING  
LOUISIANA WILDLIFE AND FISHERIES COMMISSION  
JUNE 7-8, 1990

Chairman Warren Pol presiding:

Thursday, June 7, 1990

Don Hines  
Jimmy Jenkins  
Bert Jones  
Norman McCall  
Pete Vujnovich

Joe Palmisano was absent.

Secretary Van Sickle was also present.

Chairman Warren Pol presiding:

Friday, June 8, 1990

Don Hines  
Jimmy Jenkins  
Bert Jones  
Norman McCall  
Pete Vujnovich

Joe Palmisano was absent.

Secretary Van Sickle was also present.

At Thursday's meeting a motion was made by Mr. Jenkins to accept the **Minutes of the May 3-4, 1990 Commission Meeting**. The motion was seconded by Mr. Jones and passed unanimously.

At Thursday's meeting Mr. Hugh Bateman went over the recommendations for the 1990-91 Hunting Seasons on Resident Game. Recommended hunting seasons and bag limits were given for Quail, Rabbit, Squirrel, Deer and Turkey along with Wildlife Management Areas recommendations. The Game Division staff had four minor changes for recommendations to the Commission to be incorporated

into the final rule. These changes were: 1) page 18 - simple wording change to clarify the use of muzzleloader shotguns and archery for taking turkey; 2) page 28 - a squirrel season with dogs on Big Lake Wildlife Management Area; 3) page 29 - a squirrel season with dogs on Bouef Wildlife Management Areas; 4) page 36 - set a time frame and limit for recreational/commercial crawfishing on the Pomme de Terre Wildlife Management Area in Avoyelles Parish. Mr. Bateman also brought to the attention of the Commission that there was pending legislation that would affect the seasons in two ways. Senate Bill 1148 would prohibit the opening of a resident game season on a gubernatorial or congressional election day. October 6th of this year, which is part of the hunting seasons package, would represent a conflict with this bill if it passes the legislature. Mr. Bateman suggested to the Commissioners that they might consider moving away from the October 6th date at this time or wait and see what the bill does. If the bill passes it will be state law and the change will have to be made. Mr. Bateman stated that one consideration would be moving the season back to the previous weekend in September. For further consideration of the bill as it reads Mr. Bateman would have to yield to the department's legal counsel for clarification as he is still not sure that it has been cleared beyond a doubt that the Commission and the department has the authority to recommend new seasons that are outside of the broad perimeters that were set by the legislature. It is believed there was a Senate bill that passed last year which gives this authority and if so the opening date on

*Gubernatorial*

squirrel, rabbit and archery seasons could be moved back to September 29th which is the previous Saturday from October 6th stated Mr. Bateman. If there is a problem then the October 1st opening that use to be law, prior to the bill that was passed last year, would leave the option of going to a Friday opening which would address the legislation that would prevent the opening of a hunting season on a Saturday and would simply move it to October 5th. This will be the Commission's decision explained Mr. Bateman.

Chairman Pol advised that after the Public Hearing the Commission would do the final ratification Friday on the seasons which will allow time for this issue to be discussed. Mr. Pol's personal opinion, whether the bill passes or not, is that it would be a good idea to move the date.

Mr. Bateman went on to explain HB 848 which, if amended and passes, would fix the current deer area boundaries in regard to still hunting and dog hunting and would also fix the minimum number of days for dog hunting in Area I to forty (40) and twenty-six (26) in Area II. The results of this bill would take the authority away from the department and Commission in being able to move the seasons around, changes in still hunting area boundaries or dog hunting area boundaries, and also moving the number of days up and down explained Mr. Bateman. If this bill passes in its present form and as it would be amended, it is Mr. Bateman's judgment that in the future it would require a bill from a legislator everytime

Towards

a boundary or a season was changed. Mr. Bateman informed the Commissioners that the department has had several meetings with both sides to try and work out something and hopes it can be resolved.

Upon conclusion of Mr. Bateman's briefing Chairman Pol called for questions from the Commissioners. There being none Chairman Pol called for the **Public Hearing on the 1990-91 Hunting Seasons** which started at approximately 2:30 p.m. and ended at approximately 5:15 p.m. on Thursday, June 7, 1990. The two main issues discussed were the deer season and the turkey season. There were approximately twenty-four people that addressed the Commission. The complete contents of the public hearing were recorded and will be maintained at the Louisiana Department of Wildlife and Fisheries, Baton Rouge, Louisiana.

Chairman Pol called for a motion to adjourn the June 7th Commission meeting. A motion was made by Mr. Jenkins for adjournment and seconded by Mr. Vujnovich. The meeting will reconvene Friday, June 8th at 9 a.m. at the LA Department of Wildlife and Fisheries, Baton Rouge, Louisiana.

At Friday's meeting the resolution and the **Ratification of the Final Rule Pertaining to the 1990-91 Hunting Seasons on Resident Game** was brought before the Commission by Mr. Hugh Bateman.

Mr. Bateman first responded to a comment made by Mr. Kenny Morgan at yesterday's Public Hearing in regard to the Game Division staff and himself. Mr. Bateman commented that he interpreted Mr. Morgan's comments to imply that the seasons set for turkey hunting somehow benefited, or were set, so that people working for the department could take opportunities for themselves to go hunting. Mr. Bateman stated that he wanted it to go on the record that this has never happened and informed the Commission that he knows of no incidents in his division or in another division, for that matter, where this has ever been done. The second item Mr. Bateman responded to was the reference made by several different people at yesterday's meeting in regard to what the biologists recommended last year on deer season dates, and clarified that options ~~be~~ given rather than a single recommendation. Mr. Jenkins pointed out that one of the reasons for options is because there is more input than just totally what a person or his staff has to say, otherwise the Commission does not need to have the public meetings. There was a lot of time, money, and efforts making statewide surveys which have nothing to do with the biology but has something to do with what the people in the state wants. This survey showed 80 percent wanting a certain way. Mr. Jenkins thinks the option that was chosen reflects, to a very small degree, what the survey wanted done. This is not pure biology but this is why there were options and why something other was chosen than maybe the main recommendation from a biological viewpoint commented Mr. Jenkins.

*expanded*

*were*

Mr. Bateman commented that he agreed with Mr. Jenkins and pointed out for the record that every statement made at the public meetings was recorded by Game Division employees who provided the Commissioners with a complete record of these and the department is very much aware of who was at those meetings, and the statements that were made. These things were taken into consideration in the development of the recommendation and it is certainly the Commission's prerogative and responsibility to look at the recommendations that come to them from every division in the department and change them. The department has no problem with this but the emphasis yesterday was that an agreement could not be reached on a single recommendation or that there was some misconception on how it was delivered stated Mr. Bateman.

Secretary Van Sickle stated that the record should also reflect that it was very clear to everyone attending the hunting seasons meeting in March that the staff recommendation was number one and the options that were presented were within the biological realm. <sup>↑</sup>

Mr. Jones commented that he has know Kenny Morgan for a long time and he does not think the point that was made by Mr. Morgan was to <sup>imply</sup> ~~emphasize~~ that the biologists set a season so that they could go hunting and that what he was trying to point out was the mobilization of the hunters moving to the open turkey seasons.

Chairman Pol asked Mr. Bateman to read the hunting season dates for

the 1990-91 seasons. Mr. Bateman presented the dates and the four proposed changes to the Commission and presented the rule for ratification. Chairman Pol called for discussion. There being none Chairman Pol called for motion on the ratification of the final rule on hunting seasons with proposed changes. Mr. Jones made a motion to ratify the rule for the 1990-91 hunting seasons regulations as read by Mr. Bateman. The motion was seconded by Mr. Jenkins.

Dr. Hines made a motion to amend the final rule pertaining to the 1990-91 hunting season to reflect that the turkey hunting season in Area B, March 23rd to April 28th, be changed to March 16th to April 21st. The motion was seconded by Mr. Vujnovich. Dr. Hines advised that after hearing some lengthy testimony by many people which included such wildlife management experts as Mr. Dick Yancey, Dr. John Newsom and department biologists he feels that the uniformity of hunting seasons in Area B can be achieved without any significant adverse biological impact on the resource if the Commission goes with a March 16th rather than a March 23rd opening date for the entire Area B. Dr. Hines realizes that there are different terrains in this area but to subdivide Area B into several zones would create more problems than it would solve. Dr. Hines strongly believes that the duties of the Commission and the department is not only to preserve and perpetuate the resources of this state but also to provide the maximum recreational and commercial benefit and opportunities for the people of the State

of Louisiana without adversely affecting the renewable resources. It is clear to Dr. Hines that there is a strong feeling by the majority of the landowners and the hunters, so forth, in Area B that a March 16th opening date would be more preferable to them than a March 23rd opening date. Dr. Hines strongly urged the Commission to accommodate these individuals who have a long and honorable record of conservation and resource management that has benefited the wildlife in this state. Dr. Hines also requested that District Supervisors Kerney Sonnier and Dave Moreland closely monitor the effects of a March 16th versus a March 23rd opening date and report to the Commission at its April or May 1991 meeting in order that the setting of the 1992 turkey season may be done with current and factual data thus avoiding the controversy that the Commission has had at this June meeting. Dr. Hines also asked the Commission and department to consider going back to the traditional opening dates that have been in the past and read from the 1987-88 Hunting Seasons Pamphlet (page 1) which said, "Hunters plan you vacation now. The Louisiana Wildlife and Fisheries Commission has scheduled opening dates for the 1988-89 resident game seasons to accommodate hunters who want to schedule vacations in advance of the hunting season. The length of the seasons may vary from year to year but opening date will remain as follows until further notice. Examples: Squirrel and Rabbit first Saturday in October; Quail Thanksgiving Day; Deer Archery Season October 1st; Deer Gun Season, Still Hunting Areas 1 and 5 the Saturday before Thanksgiving, Still Hunting Areas 2,3, and 4 the

Saturday occurring 19 days before Thanksgiving; Dog Hunting and all Areas opened for dogs the first Saturday in December." Dr. Hines pointed out that if correct research and development is implemented that this will shut down the rumor and controversy mill. Second it will not only give the hunters time to plan their vacations and activities but will also give members of the department time to plan for the opening dates of these seasons. A small benefit would be if there was a bad opening date it takes the blame away from the Commission and the department and puts it on mother nature. Dr. Hines strongly urged the Commission to consider this and work towards this for next year and in the future.

Chairman Pol advised that there has been a amendment to change the turkey season dates in Area B made by Dr. Hines and seconded by Mr. Vujnovich and called for vote on amendment by raising hands. Two voted for the amendment (Hines and Vujnovich). Three voted against the amendment (Jenkins, Jones, and McCall). The motion failed. Chairman Pol then called for a vote on the original motion as made by Mr. Jones and seconded by Mr. Jenkins. Three voted for the original motion (Jenkins, Jones and McCall). Two voted against (Hines and Vujnovich). The motion passed. Chairman Pol advised that the ratification of the final rule pertaining to the 1990-91 hunting season on resident game is as per the summary of 1990-91 the Hunting Regulations Seasons Committee.

Mr. Jones stated that he appreciated what Dr. Hines said and he

agrees that there is a need to work towards more uniformity. This was done in the beginning of all the turkey conflict where areas were combined into one. The seven days will not make that much difference but it is on the conservative side to help the resource and will not take any opportunities away from any from any hunter pointed out Mr. Jones.

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

LOUISIANA WILDLIFE AND FISHERIES COMMISSION  
LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES

June 8, 1990

RESOLUTION

WHEREAS, it is the constitutional responsibility of the Louisiana Wildlife and Fisheries Commission to establish hunting seasons for resident game birds and quadrupeds, and

WHEREAS, authority to establish seasons, bag limits, possession limits and other rules and regulations for the hunting, taking and possession of any species of wild game birds or quadrupeds is vested in the Commission by R. S 56:115, and

WHEREAS, this action will provide for the protection and

conservation of these natural resources and allow for recreational opportunities for sport hunting on both public and private lands, and

WHEREAS, the Commission and Department staff have jointly reviewed and considered all available biological information and requests from sportsmen of the state, now

THEREFORE BE IT RESOLVED, that the attached rules, regulations, season dates, and bag limits affecting sport hunting or resident game species are hereby ratified by the Louisiana Wildlife and Fisheries Commission.

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

RULE

WILDLIFE AND FISHERIES COMMISSION  
DEPARTMENT OF WILDLIFE AND FISHERIES

In accordance with the Notice of Intent published in the April, 1990 Louisiana Register, the Louisiana Wildlife and Fisheries Commission, at its regular monthly meeting in June hereby adopts regulation on open hunting season dates, bag limit, methods of taking, and rules and regulations on Department operated wildlife management areas for the period of October 1, 1990-May 15,

1991. Authority to establish regulation is vested in the Commission by Section 115 of Title 56 of the Louisiana Revised Statutes of 1950. A synopsis of season dates is attached and made part of this rule.

For those interested, a more detailed copy of the rules and regulations is available upon request to Hugh Bateman, Administrator, Game Division, Box 98000, Baton Rouge, LA 70898-9000.

CITATION: None - Changes annually

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

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission L.R. 16: (June, 1990).

Warren Pol

Chairman

#### SUMMARY OF 1990-91

#### HUNTING SEASON REGULATIONS

Quail: Nov. 22-Feb. 28 - Daily Bag Limit 10, Possession 20

Rabbit: Oct. 6-Feb. 28 - Daily Bag Limit 8, Possession 16

Squirrel: Oct. 6-Jan 27 - Daily Bag Limit 8, Possession 16

Deer: One Per day, 6 per season

Area 1 - 60 days

16 days still hunting only	Nov. 10-25
7 days still hunting only	Dec. 1-7 (Muzzleloader)
37 days with or without dogs	Dec. 8-Jan. 13

Area 2 - 60 days

28 days still hunting only	Nov. 3-30
7 days still hunting only	Dec. 1-7 (Muzzleloader)
25 days with or without dogs	Dec. 8-Jan. 1

Area 3 - 60 days

28 days still hunting only	Nov. 3-30
7 days still hunting only	Dec. 1-7 (Muzzleloader)
25 days still hunting only	Dec. 8-Jan. 1

Area 4 - 46 days

9 days still hunting only	Nov. 17-25
7 days still hunting only	Dec. 1-7 (Muzzleloader)
30 days still hunting only	Dec. 8-Jan. 6

Area 5 - 16 days

9 days still hunting only	Nov. 17-25
7 days still hunting only	Dec. 1-7 (Muzzleloader)

Turkey - One per day, 3 per season

Area A - 30 days. March 30-April 28  
Area B - 37 days. March 23-April 28  
Area C - 9 days. April 20-April 28  
Area D - 16 days. April 13-April 28

At Friday's meeting a resolution and the **Ratification of the Final Rule on Reef Fish, Daily Take, Possession and Size Limits** was brought before the Commission by Dr. Jerry Clark.

*had gone*  
~~Dr. Clark~~ advised that a Notice of Intent had previously been published and ~~has going~~ through the comment period. The legislature did not have an oversight hearing on this rule and the department has received no public comments. The reason there may not have been any comments is that this fishery takes place outside of state waters and this rule is basically bringing Louisiana into compliance with what the Federal government has done in federal waters. There are very few of these fish caught in state waters advised Dr. Clark but by adopting this rule Louisiana makes it possible for the Federal government to enforce their rules and people will not be able to claim that they caught these fish in state waters. Dr. Clark pointed out that there was one change between the Notice of Intent and the Final Rule. In the first paragraph of the rule the last part of the paragraph that starts "The Louisiana Wildlife and Fisheries Commission....." the proposed rule says "within and without Louisiana territorial

waters" and when it was published as a Notice of Intent it was only "Louisiana waters". Dr. Clark commented that this language is being adopted by Louisiana for all rules (within and without) and it means that a person caught with one of these fish in violation of the state rule will not be able to say he caught it in Alabama or in the EEZ. Louisiana is adopting this kind of language for all fisheries and it is the same language being adopted by all the states in the Gulf to deal with this issue. This is a technical change and legal counsel has advised that there is no problem in making this change concluded Dr. Clark.

Mr. Jenkins made a motion to ratify the reef fish daily take, possession and size limits that was published in the Notice of Intent and as corrected by Dr. Clark. The motion was seconded by Mr. McCall and passed unanimously.

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

#### RESOLUTION

##### RATIFICATION OF BAG LIMITS AND SIZE LIMITS FOR REEF FISH

WHEREAS, reef fish are managed under the federal Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico, and

WHEREAS, recent stock assessments by the National Marine Fisheries Service have indicated that the reef fish resource in the Gulf of Mexico are in need of additional protection, and

WHEREAS, this fishery management plan establishes bag limits and size limits for reef fish taken in the federal waters of the Gulf of Mexico, and

WHEREAS, the Gulf of Mexico Fishery Management Councils have requested that the Gulf States adopt reef fish regulations compatible with those contained in the federal fishery management plan, and

WHEREAS, the Louisiana Wildlife and Fisheries Commission at its March meeting expressed its intent to adopt reef fish regulations compatible with those contained in the federal fishery management plan, and

WHEREAS, on April 20, 1990 a Notice of Intent was published in the Louisiana Register advising the Wildlife and Fisheries Commission's intent to adopt reef fish regulations compatible with those contained in the federal fishery management plan, and

THEREFORE BE IT RESOLVED, by the Louisiana Wildlife and Fisheries

Commission that pursuant to the authority granted by Section 326.1 and 326.3 of Title 56 of the Louisiana Revised Statutes, the Louisiana Wildlife and Fisheries Commission hereby establishes bag limits and size limits for reef fish consistent with those scheduled to be implemented under the Federal Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico.

BE IT FURTHER RESOLVED, that the complete contents of the proposed rule establishing bag limits and size limits for reef fish is attached to and made a part of the resolution.

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

RULE

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

Title 76

Wildlife and Fisheries

Part VII. Fish and Other Aquatic Life

Chapter 3. Saltwater Sport and Commercial Fishing

Section 335. Daily Take, Possession and Size Limits Set by Commission

The Louisiana Wildlife and Fisheries Commission does hereby adopt the following rules and regulations regarding the harvest of snapper, grouper, sea basses, jewfish, and amberjack within and without Louisiana's territorial waters:

<u>Species</u>	<u>Recreational Bag Limits</u>
Red Snapper	7 fish per person per day
Queen, mutton, schoolmaster, blackfin, cubera, gray, dog, mahogany, silk, yellowtail snappers, and wenchman	10 fish per person per day (in aggregate)
All groupers	5 fish per person per day (in aggregate)
Greater amberjack	3 fish per person per day

All persons who do not possess a permit issued by the National Marine Fisheries Service under the Federal Fishery Management Plan for the Gulf of Mexico Reef Fish resources are limited to the recreational bag limit.

A person subject to a bag limit may not possess during a single day, regardless of the number of trips or the duration of a trip, any reef fish in excess of the bag limits.

For charter vessels and headboats as defined in Federal Regulations 50 CFR Part 641 as amended by FR Vol. 55, No. 14, there will be an allowance for up to two daily bag limits on multi-day trips provided the vessel has two licensed operators aboard as required by the U.S Coast Guard for trips of over 12 hours, and each passenger is issued and has in possession a receipt issued on behalf of the vessel that verifies the length of the trip.

<u>Species</u>	<u>Minimum Size Limits</u>
Red Snapper	13 inches total length
Gray, mutton and yellowtail snapper	12 inches total length
Lane and vermillion snapper	8 inches total length
Red, gag, black, yellowfin and nassau grouper	20 inches total length

Jewfish	50 inches total length
Greater amberjack	28 inches fork length (recreational) 36 inches forth length (commercial)
Black seabass	8 inches total length

Federal regulations 50 CFR Part 641 as amended by FR Vol. 55, No. 14, defines charter vessels and headboats as follows:

Charter vessel means a vessel whose operator is licensed by the U.S. Coast Guard to carry six or fewer paying passengers and whose passengers fish for a fee. A charter vessel with a permit to fish on a commercial quota for reef fish is under charter when it carries a passenger who fishes for a fee, or when there are more than three persons aboard including operator and crew.

Headboat means vessel whose operator is licensed by the U.S. Coast Guard to carry seven or more paying passengers and whose passengers fish for a fee. A headboat with a permit to fish on a commercial quota for reef fish is operating as a headboat when it carries a passenger who fishes for a fee, or when there are more than three persons aboard including operator and crew.

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

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 16: (June, 1990).

Warren Pol  
Chairman

At Friday's meeting **Ratification of the Final Rule on the Offshore Shrimp Opening** was brought before the Commission by Mr. Phil Bowman.

Mr. Bowman advised that the opening date for the Louisiana territorial waters offshore for shrimping was set in March by the Commission and this ratification is for getting this rule through the Administrative Procedure process. The season has been opened since March 12, 1990 and is continuing. Mr. Bowman asked the Commission to entertain a motion to ratify this particular rule and pointed out that there is a bill that is currently in the legislature, HB 1321, in which the department is attempting to streamline this process and remove some of the administrative hurdles that have to be crossed everytime a regular type shrimping season is set on a yearly basis.

A motion was made by Dr. Hines to ratify the rule on the offshore shrimp opening. The motion was seconded by Mr. Vujnovich and passed unanimously.

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

RULE

DEPARTMENT OF WILDLIFE AND FISHERIES

WILDLIFE AND FISHERIES COMMISSION

The shrimp season in Louisiana's offshore territorial waters seaward of the inside-outside shrimp line as described in R.S. 56:495 will open at 6:00 a.m., Monday, March 12, 1990, and remain open until further notice. The Secretary of the Department shall have the authority to close this season should conditions warrant.

From March 1, 1990 to the opening of the 1990 spring inshore shrimp season, the Secretary of the Department of Wildlife and Fisheries shall have the authority to open and close special seasons in the inshore waters for the harvest of shrimp should this harvest be feasible without the destruction of small brown shrimp.

CITATION NOTE: None - Changes annually.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:495, and R.S. 56:497.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 16: (June, 1990)

Warren Pol  
Chairman

At Friday's meeting **Ratification of the Final Rule on Free Fishing Days** was brought before the Commission by Mr. Wade Byrd.

Mr. Byrd stated that the notice of intent for free fishing days was approved at the April meeting which set the days for June 9-10, 1990 and asked the Commission for ratification of the rule.

Mr. Jones made a motion that the Commission ratify the rule on free fishing days. The motion was seconded by Mr. Vujnovich and passed unanimously.

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

RULE

DEPARTMENT OF WILDLIFE AND FISHERIES  
WILDLIFE AND FISHERIES COMMISSION

In accordance with Act 301 of the 1987 Louisiana Legislature, the Louisiana Wildlife and Fisheries Commission has declared June 9 and 10, 1990 as Free Recreational Fishing Days in Louisiana to coincide with National Fishing Week June 4-10, 1990. On the two above mentioned free fishing days, residents and non-residents may exercise the privilege of a licensed recreational fisherman without purchase of any otherwise necessary recreational fishing license.

CITATION: None - Changes annually.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:302.2.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 16: (June, 1990).

Warren Pol

Chairman

At this point during the meeting Mr. Bateman informed the Commission that the resolution that pertains to ratifying the rule on the hunting seasons needed to be read and preceded to do so. Mr. Jenkins stated that just for the record the Commission should move for ratification of the rule by resolution as read by Mr. Bateman and so moved. This was seconded by Mr. McCall and passed with Dr. Hines opposing.

At Friday's meeting a **Report on Opening Day(s) Shrimp Activity** was presented to the Commission by Mr. Phil Bowman.

Mr. Bowman reported that the Commission had voted at the May meeting to open Zones 1 and 2 on May 12th and Zone 3 on May 23rd and did authorize the Secretary of the department some discretion in delaying the season if it was felt, after some additional sampling, it was necessary to do so. This was the case and the Secretary was presented with a staff recommendation that the season in Zone 1 be delayed until May 21st as a result of some additional recruitment. This was ultimately accomplished leaving only Zone 2 opening on May 12th which happened to be a Saturday and a Mother's Day weekend. The season did open and the department had a number of people on the ground that day checking boat trailers, on the water looking at the effort that was being expended and Mr. Bowman was personally in an airplane flying the coast both along the beach and across the upper estuary. The weather conditions on that day were not ideal for shrimping nor for people being on the water. There was a 25-35 mph wind, the bays were extremely rough and the tide was exceptionally high advised Mr. Bowman. Most of the recreational fishermen caught their 100 pounds and were back at the dock by 9-10 a.m. A lot of the commercial boats and day skiffs had quite respectable catches and usually filled up most of their capacity and back by mid-afternoon. The ice boats that returned two or three days later confirmed that there was a respectable opening in Zone 2. The effort expended in Zone 2 which

was observed both from the air and ground was not as great as was anticipated and in fact was below ~~of~~ what has been seen in the last couple of years. There was only one concentration of boats and this was in the western portion of Lake Pelto with most of the boats being a large commercial type. The recreational and day skiffs boats were scattered out all over the place primarily as a result of where the shrimp were stated Mr. Bowman. The opening of Zone 1 was on May 21st and there was a large number of boats. The effort did appear to be somewhat higher for the opening than in Zone 2. There was a large number of boats east of Lake Borgne in the Biloxi Marsh which started from up around Bay Boudreaux and extended all the way down to the MRGO. In addition to this, south of the MRGP there were one or two bays where there was a fair number of boats. The catches for this area were considered good and better than has been seen for the past couple of years. Most of the recreational fishermen did quite well as did the commercial fishermen. The opening of Zone 3 was on May 23rd. There were some weather problems early in the morning which made Calcasieu Lake quite rough but by late afternoon the lake had calmed down. There were fair catches reported and Mr. Bowman believes better than what has been observed in the lake in the past couple of years. Recreational fishermen were still averaging around 75-100 pounds and the commercial catches were classified as fair to good in many instances. Strictly speaking from a production standpoint, Mr. Bowman advised that in the Gulf the offshore trawlers are doing well and there has been some good catches. Since the opening of

the seasons in the three zones, production has continued and with the full moon the catches are starting to pickup again. Mr. Bowman thinks right now, without seeing any hard numbers as to what the actual landings well have been, it can be said that the season is off to a reasonably good start and probably better than what has been seen in the last couple of years concluded Mr. Bowman.

Chairman Pol thanked Mr. Bowman for his report and asked him as far as he knew there were no problems with the opening of Zone 2 on a Saturday. Mr. Bowman stated that there were no problems observed this year with that particular opening except the whether. Mr. Pol stated that when the postponement of Zone 1 was decided there was a poll made of the Commission which gave the authority to postpone the season and asked Mr. Bowman why was the opening postponed. Mr. Bowman answered that at the May Commission meeting the department was presenting catch efforts in Area 1 of 87 and 70 in Area 2. The following week what was seen was the catch efforts in Area 1 go from 70 to 121 and the catch efforts in Area 2 go from 70 to 144. This indicated that there were some additional recruitment of smaller shrimp in the area. When the sizes were observed, the size progression that is normally projected was not evident by the shrimp that were seen stated Mr. Bowman so therefore the department was looking at increase recruitment and the size was not progressing which pushed back the time to meet the management criteria. Based on this information the recommendation to delay the season was made. Mr. Pol asked Mr. Bowman if he felt like the

Commission and department had made the right decision. Mr. Bowman stated yes he did. Mr. Pol asked if there were any questions.

Mr. Vujnovich stated that he had quite a few phone calls on the shrimp season and on Monday and Tuesday he was out in the area of Barataria Bay. Most of the boats out in the bay were double riggers and everybody was catching shrimp. As far as Mr. Vujnovich knows there was no criticism. The season was opened on a Saturday and everybody seemed satisfied.

At Friday's meeting Colonel Winton Vidrine presented the **Monthly Law Enforcement Report** to the Commission.

Colonel Vidrine reported the following cases made in the month of May.

Region I, Minden - 189  
Region II, Monroe - 109  
Region III, Alexandria - 168  
Region IV, Ferriday - 78  
Region V, Lake Charles - 289  
Region VI, Opelousas - 296  
Region VII, Baton Rouge - 354  
Region VIII, New Orleans - 376  
Region IX, Gray - 282

The Oyster Strike Force made 102 cases and confiscated quite a few oysters and red snappers. The Offshore Boats made 124 cases with 85 trawling in closed season and confiscated 50,103 pounds of shrimps. The shrimp were sold for \$47,399 which goes directly into the Conservation Fund. There is an Enforcement plane, 185 Cessna, stationed in the New Iberia area and the new pilot is on board. This past month he was involved in issuing 51 citations from the float plane. There was a total of 2,367 cases for the month of May with the Wildlife Specialists making 130 cases. Colonel Vidrine stated that there has been high water in the Morganza area and the Enforcement Division appreciates the cooperation they are receiving in that area from the Wildlife Specialist of the Game Division.

Chairman Pol asked if there were any questions. Mr. Jenkins asked Mr. McInnis for an **Update on the District Attorney's Disposition Reports.**

Under this bill,  
address  
Mr. McInnis reported that in the last month three more district attorney's reports have been picked up and the department has been working very closely with the district attorneys with legislation that will help the department's program as well as the district attorney's program. There is a bill in the legislature that would ~~mandate~~ people who do not show up in court once they have been cited. The court will issue an affidavit to the Department of Motor Vehicles to pull driver's licenses. A notation will be made that the license cannot be renewed or if they are stopped for a

13  
license check it will show up on the computer that the person has an outstanding court case. This will enable the D.A.'s to get the people that are avoiding them into court. A second item that is being pursued, with the support of the D.A., is a system whereby an attempt is being made to decriminalize the Class 1 violations and make them administrative penalties with a follow up that if people do not pay their administrative penalty they will be turned over to the courts. This will enable the department to generate additional revenue and take away some of the headaches from the D.A.'s by making their reporting easier. Also it will give the D.A.'s more time and not crowd the court docket with minor violations. The department is anticipated going to a six month report (biannual) rather than a quarterly report which is a request from the D.A's Association because it takes more than three months to take a case from the time it is written through the system advised Mr. McInnis. The next report should go out shortly and the department will be asking for the six month period from September through April.

Mr. Jenkins asked when the system would be finalized and start distribution. Mr. McInnis answered that historically the department has not had a 100 percent response from the entire state D.A.'s and at this point it has been narrowed down to those who are going to comply and those who are not. This information is available at this time advised Mr. McInnis.

Secretary Van Sickle asked what percentage and how many of the D.A.'s have responded to the department's request for reports on disposition? Mr. McInnis stated that as he recalls in his last report he told the Commission all but twelve had replied at that time and since three have <sup>replied</sup> applied additionally since then this would bring it down to nine out of the entire state that have not. Secretary Van Sickle asked how many districts were there? Mr. McInnis stated that he would have to check this. Mr. McInnis stated that Plaquemines Parish is doing a very good job. Chairman Pol asked who was the biggest populace parish that was not in compliance? Mr. McInnis stated that if he would have to guess it would probably be St. Bernard Parish. Secretary Van Sickle asked if Mr. McInnis had contacted the D.A.'s that have not reported and made them aware that they were delinquent in not reporting to the department? Mr. McInnis stated that he has contacted them repeatedly but has not contacted anyone in the last sixty days. Secretary Van Sickle asked when the next time would be that the D.A.'s offices will be getting a list of the cases that the department made and make a report? Mr. McInnis stated that he hopes to have this out by the end of June if not the first part of July. Secretary Van Sickle asked how long were the D.A.'s going to have to respond to the request before the department considers final tabulations and release them to the public? Mr. McInnis answered that on a biannual system the department ~~will give them~~ a quarter to respond to the six month <sup>report</sup> which will probably be this September. Mr. McInnis stated that he will give a formal report

at the next Commission meeting as to who is outstanding and he will personally contact those offices.

At Friday's meeting Secretary Van Sickle state that the **Oyster Task Force** had asked to be placed on the agenda but were not in attendance due to a mixup in what month they were to come. It was decided that they could address the Commission at the July meeting to be in held in Baton Rouge. Secretary Van Sickle asked Phil Bowman and Karen Foote to make sure that the Oyster Task Force were informed that they could be on the agenda in July.

At Friday's meeting Secretary Van Sickle presented **Report** to the Commission.

Wade -  
Task Force is  
not on agenda for  
July - so possibly  
for August?

Secretary Van Sickle informed the Commissioners thing she would like to discuss is the way the department sets its deer season framework. It has come to the point where the department needs to look at different ways to get public involvement in the process for setting deer season. In Oregon they have a process with Elk season where they have workshops with the different user groups that have conflicting interest. In Mississippi they have facilitated workshops between user groups to resolve fisheries issues and issues in upland game. Mr. Wade Byrd has put together a draft proposal that would describe how the department would go about having facilitators work with the people who still hunt and the people who hunt with the aid of dogs to come

up with some compromises that would be acceptable to both user groups. Basically what the department would like to do is exactly along the lines that Dr. Hines suggested and that is to give more predictability for the hunters in the way the Commission will set the deer season and not have to go through having to have 3,000 people come to the public hearings afraid of loosing their right to hunt with dogs or to still hunt. There are a lot of fears that could be laid to rest if the department would structure the public input process in a different way. Secretary Van Sickle stated that she would like to get the Commission's approval to start working with the Game Division staff and come up with basically a proposal to the Commission to develop a facilitation process for a five year deer hunting season framework that would be acceptable to the majority of both dog hunters and still hunters. The role of the department would strictly be that of a facilitator and it needs to be a neutral party. There will be no advocacy stance on anything other than biological issues and as was pointed out earlier the frameworks and options that were presented before were all biologically sound and the department will continue never to present anything that is not biologically sound stated Secretary Van Sickle. The other more social issues are the ones that everyone struggles with and the department and Commission are risking the right to work with hunters with the legislature intervening with House Bill 848. Secretary Van Sickle advised that she has spoken with Representative Alexander about this particular proposal and he said that if he had an indication that the

Commission and department would be serious about implementing this facilitation process and coming up with some compromises such as creating new zones he would be willing to discuss putting a time limit on the legislature regulating deer season. Representative Alexander indicated to Secretary Van Sickle yesterday that he would be willing to discuss making his bill effective for one year and with a direction or an amendment that would be placed on the bill directing the Commission to get together with the still hunters and the dog hunters and try to work out a deer season that would be more acceptable to both. Secretary Van Sickle asked for the feelings of the Commissioners on this. She would like to be able to report back that the Commission is interested in doing this differently and ~~are~~ are willing to support the recommendations that would come out of such a facilitator process.

Mr. Jenkins asked Secretary Van Sickle that when she says support the recommendations is she saying that regardless of what the recommendations are she expects the Commission to support them? Secretary Van Sickle stated she thinks that if the biological recommendations are presented like they have always been there are all kinds of biological options within that biological framework that would be sound and by having the two user groups sit down this could work. Secretary Van Sickle advised that the President of the Still Hunters Association, the Dog Hunters Association and herself had met and independently they had come up with maps of some changes in zoning that are almost identical which shows some common

ground. If the Commission and department just sit at public hearings and listens to 3,000 different individuals tell them the way to set the framework rather than coming to a process of people that are representing both sides Secretary Van Sickle think there will continue to be a lot of resentment between the hunters, the people that set the regulations and the legislature. Secretary Van Sickle stated that she is trying to propose a way that has worked for other big game seasons in other states and believes Louisiana can benefit from this particular process. This may not work and if it doesn't then the department and Commission will go back to doing things the way they have been done for the past 20 years commented Secretary Van Sickle.

Mr. Jenkins asked Secretary Van Sickle if she was essentially saying that she expects it to work like the usual task force? Secretary Van Sickle answered no because here there would be a facilitator that would be basically sitting down in a series of workshops and members would be six still hunters, six dog hunters, member of the House and Senate, and members of the Commission. Mr. Jenkins stated that the Commission has been lectured by certain members of the legislature for not discharging their duties properly by listening to task forces. Secretary Van Sickle commented that this would not be a task force, it is a structured way to deal with conflict resolution that has been successful with other species, such as elk, in other states. Dr. Hines stated that what he thinks what Mr. Jenkins is asking, and is a proper

question, is will the ultimate decision still remain with the Commission regardless of the recommendations of this group. Secretary Van Sickle stated that is right. Dr. Hines stated what the group will do is bring recommendations to the Commission for a five year hunting season proposal. This proposal will be discussed, debated, and then acted upon by the Commission. The groups decision will not be automatic. Secretary Van Sickle stated absolutely, the Commission cannot relegate their legislative authority to anyone and she is just proposing a way to work out some compromises between the two user groups because at this point everyone realizes that fighting among themselves is hurting the public opinion and the way the public looks at deer hunters in general. Dr. Hines stated that he thinks this is an excellent idea and that something of this magnitude should be studied and asked Secretary Van Sickle to give the Commission until next month to come up with some final recommendations on this proposal. Secretary Van Sickle advised that this is something that the department has not yet put a lot of thought into. This is something that Wade Byrd has come up with during the past few days as a result of all the controversy and Secretary Van Sickle appreciates all his initiative in this regard. Secretary Van Sickle stated that the Commission could have the time to review, revise and edit the proposal and asked Mr. Byrd if he had any suggestions. Mr. Byrd suggested that if any of the Commissioners had questions to contact him and they would talk individually about it. Dr. Hines asked that this be put on the agenda for next

month's meeting. Everybody agreed to this and Secretary Van Sickle will have this item put on next month's agenda. Mr. Pol stated that he thinks it would be safe to tell Representative Alexander that the Commission is serious about the consideration of this proposal and also he would caution everyone to remember one thing and that is there are other seasons that have got to be taken into consideration besides deer and turkey because the Federal government regulates more or less the time frame for hunting ducks and dove. Mr. Pol does not agree with all the public meetings held around the state because he does not see where any input has been gained and thinks it has been a waste of time for both the hunters and the Commission. Secretary Van Sickle stated that there is a tremendous amount of time being spent trying to resolve, through a process that is obviously not working, a conflict through two user groups that are willing to sit down and work together but does not believe that the public hearings should be done away. Dr. Hies advised if this one conflict can be resolved probably a lot of constructive comments about other aspects of wildlife management will follow. Secretary Van Sickle advised that the department will proceed with developing some more detailed steps in this process and asked Mr. Byrd to particularly address how this would feed in to the Commission's regulatory authority.

Continuing on with her report Secretary Van Sickle informed the Commission that as Mr. McInnis pointed out there are two bills that are pending that the department is very excited about. One bill

would transfer the Class 1 violations to the department for administrative processing which would generate right at a million dollars next year for the Conservation Fund. Through the appropriation process the department has the authority to expand its staff in the Enforcement by 18 and would assign 2 new agents per region that would be funded under this particular Class 1 change. Also with the new money, uniform cleaning allowances can be given to everyone that is required to wear a uniform for the department advised Secretary Van Sickle. The bill pertaining to the suspension of driver's license submitted by the District Attorney's Association has not gotten off of the House floor but the department is very hopeful that it ~~passes.~~

will  
pass.

Yesterday the Governor's Office approved the gift to the department of a helicopter (on floats) from the U.S. Fish and Wildlife Service. The helicopter is a used three man helicopter with the engine just being retrofitted and has two good years of life without any major repairs. The helicopter will be loaned to the department until the department decides it can no longer maintain it at which time it will be given back to the U.S. Fish and Wildlife Service. The helicopter will be used for enforcement purposes and the Law Enforcement Division has a pilot that is a National Guard Chopper Pilot who is located in New Orleans and will be able to fly the helicopter. The helicopter will have to go through the Federal Surplus procedure before the department will receive it but should be obtained before the waterfowl season.

Mr. McCall asked Secretary Van Sickle if it will be strictly used for enforcement? Secretary Van Sickle answered not necessarily but the intent and arrangement with the Fish and Wildlife Service is that enforcement is going to be its primary purpose.

Secretary Van Sickle informed the Commission that the department has been working with the State Land Office on acquiring some management responsibilities for the lower Chandeleur Island chain (Breton Island, Grand Gou<sup>sier</sup> ~~cher~~ <sup>Gosier</sup> Island, etc.) These islands belong to the Office of State Lands and when Roosevelt created the first national wildlife refuge it was the Chandeleur Island chain many years ago but Roosevelt did not include the lower islands. On June 18, 1990 Secretary Van Sickle along with the U.S. Fish and Wildlife and State Lands will be going to the Chandeleur Island chain to affect a transfer of management authority through the Office of State Lands to Wildlife and Fisheries to U.S. Fish and Wildlife Service. The U.S. Fish and Wildlife Service has a daily 24 hours presence on the Chandeleur Islands. Grand Gou<sup>sier</sup> ~~cher~~ and Breton Islands have the largest colony of nesting terns on the North American Continent and as of now these islands are being leased out for campers which is very destructive. Secretary Van Sickle pointed out that pelicans also like to nest on these islands as opposed to the main island <sup>one</sup> ~~the~~ reason being <sup>that</sup> the raccoons cannot get on the small islands because they are frequently over washed. There is a bill in the legislature that will require the Office of State Lands to do an inventory of all of their properties and work

with the department and the Nature Conservancy to identify where there might be unique ecological features and this kind of transfer can be done on any other states lands where it might be appropriate with State Lands concurrence stated Secretary Van Sickle.

The Fur and Refuge Division was involved in a bust of five fishermen on a sixty five foot trawler out of New Orleans near Southwest Pass at a place called the Mud Lumps. The U.S. Fish and Wildlife Service and people from the Fur and Refuge Division boarded the vessel and found down in the hole 200 eggs with 118 being Gull eggs and 80 were Brown Pelican eggs.

The Marsh Island alligator harvest started on May 1st and ended on May 7th and was a successful harvest. The department allowed 290 alligators to be harvested and made \$42,000. Another hunt is scheduled for July 11th and another 500-600 alligators will be allowed to be taken off the area.

The 100 count on white shrimp is now law Secretary Van Sickle informed the Commission. The Federal government did enact this and it is in the Federal Register. People will no longer be able to claim that they caught the shrimp in Federal waters if they are arrested at the dock for undersized shrimp. This should help with the law enforcement of shrimp and conserving the resource. This appeared on May 1st in the Federal Register as amendment 4 to the Gulf Council's Shrimp Management Plan. Secretary Van Sickle read

the following from the Federal Register. "White shrimp harvested in the EEZ are subject to the minimum size landing and possession limits of Louisiana when possessed ~~with~~ within the jurisdiction of that state whether there at a dealer, at a dock or on a boat."

Secretary Van Sickle advised that at the next Gulf Council meeting the recovery of the red snapper stock will be discussed. The Council will be meeting in June and July and red snapper and reef fish will be on the agenda at both meetings. There are some dismal results from the most recent stock assessment that indicate that further reduction in snapper harvest will be necessary in order to maintain those stocks. Secretary Van Sickle informed the Commission that probably later this summer they will be informed of some of the <sup>proposed</sup> changes regarding red snapper.

There was a special five day seed oyster season in Vermilion Bay which started on April 30th. This season was held jointly with the Health Department's supervision because these areas were closed because of the pollution problem. The season was not very successful in saving the resource because there were only four permits issued, the poor water quality and a lot of the oysters had died stated Secretary Van Sickle. Mr. Vujnovich stated that the season was fifteen days to late.

The Inland Fish Division has just completed the 1990 fish stocking operations. The total stocking of Florida bass was about 800,000

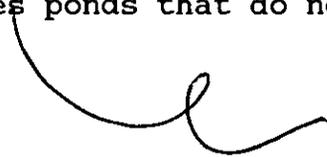
fish, hybrid striper bass 200,016, striped bass 600,090. The major water bodies receiving Florida bass were Toledo Bend, False River, Bayou Chico, Lake Concordia, Bussey Brake, Ft. Polk and 900 were put in the LSU Lake. The hybrid striped bass were stocked all over the state. The striped bass were stocked in the south part of the state in Vermilion River, lower Toledo, Calcasieu River, Mermentau River and Rockefeller Refuge.

The Spring Bayou project is proceeding well and about two-thirds complete. It should be completed roughly in three to four weeks Secretary Van Sickle advised Dr. Hines. When this project is completed Secretary Van Sickle asked Mr. Don Lee to be sure to contact Dr. Hines and go up there and meet with the sportsmen and let them know what to expect from the lake and also be sure that there is a lot of public awareness about the project.

Don



Secretary Van Sickle informed the Commission that the work on the expansion and renovation of the Beechwood Fish Hatchery has started and around \$100,000 will be spend this year. The work has started to replace the drain lines to thirteen one acres ponds that do not adequately drain.



At Friday's meeting Secretary Van Sickle gave an **Update on the Joint Commission Meeting in Texas.**

The joint Commission between Texas and Louisiana will be July 19-

20, 1990 in Austin, Texas. The plan is to go over there on the afternoon of the 19th with a cookout in the evening. On the 20th the meeting will be held at the Texas department headquarters. Secretary Van Sickle advised that they needed to know how many people will be attending. At this time there will be only four Commission members attending: Mr. Warren Pol, Mr. Jimmy Jenkins, Dr. Donald Hines, and Mr. Norman McCall.

Secretary Van Sickle asked if anyone had anything they would like to bring up that would be of interest to the Commission. Mr. Pol clarified that the July Commission meeting will be held in Baton Rouge at the department headquarters on the 5th and 6th.

At Friday's meeting the **DEQ Administrative Hearing Officer Findings** were presented to the Commission by Secretary Van Sickle.

Secretary Van Sickle presented to the Commissioners the Results of the Administrative Hearing Officer's Report and his assessment of the shelledredging impacts. This material is not for action but strictly for the Commission's information. Secretary Van Sickle stated that several months ago it was decided to take a critical look at the impacts on the ecology of Lake Pontchartrain, not just water quality, before any future leasing activity, renewals, or modifications were decided. The department has <sup>received</sup> ~~gotten~~ a proposal from LSU to do this technical assessment and the contract will be let soon. This <sup>winter</sup> ~~fall~~ the department will be able to present to the

Commission the results of the overall assessment of the impacts of shell dredging on the ecology of Lake Pontchartrain. The contractor will also have the report of the Hearing Officer's Findings on whether or not DEQ should award a water quality permit to the shell dredgers in the central coast and Lake Pontchartrain. There are hundreds of findings of fact and conclusions in this document pointed out Secretary Van Sickle and it would be very helpful if the Commissioners took a few moments to read through the document. The report was made by a Hearing Officer named Mr. Herman Robertson who is an attorney that sat and listened to three weeks of comments and technical testimony about DEQ's water quality discharge permits and whether or not they should be granted for shell dredging in the lake. Mr. Robertson pulls out the finding of facts that he accepted as expert testimony and they are presented to DEQ. DEQ now has to make a decision as to whether or not they are going to grant a permit for effluent discharges to the shell dredgers. Mr. Jenkins pointed out that in the back of the report there are some rebuttals of Mr. Robertson's findings and asked if this would change anything? Secretary Van Sickle stated no and this whole package is what the Assistant Secretary for Water Resources has at DEQ. Dr. Jerry Clark was successful in getting all of the background materials for the department and Commissioners and Secretary asked Dr. Clark to address the Commission.

Dr. Clark addressed the Commission and very briefly reported that Secretary Van Sickle requested a copy of the finding of facts of

the Administrative Law Judges Report from DEQ and they sent over the first small section that each Commissioner has. Dr. Clark started going through this section and noticed that Appendix A was missing and requested it from DEQ which they sent. Upon reading Appendix A it was found to state all of the statements of fact and conclusions of law of what essentially is the Attorney General's office are adopted. Dr. Clark asked legal counsel to explain the statement and was told it meant that in addition to the findings of fact and the conclusions of law that is in the report copies of the Attorney General's findings of fact and conclusions of law would have to be obtained. Dr. Clark pointed out that there were three appendices so there are three sets of findings of fact and three sets of conclusions of law in addition to Mr. Robertson's needed because Mr. Robertson has picked and chosen from all three of the other findings of fact and conclusions of law that were submitted by interested parties. In order to fully understand what the law judge has done you have to read all four documents and pick and choose. To Dr. Clark's knowledge these are the only complete sets of findings of fact and conclusions of law there are in the state.

In regarding the next step in the process Secretary Van Sickle commented that DEQ now has to make the decision on whether or not they should grant the necessary permits to the shelldredgers. Mr. Don Puckett, Legal Counsel, drafted a letter for Secretary Van Sickle's approval and signature to DEQ and it was sent to DEQ last

week asking them to inform the department immediately when the decision is made because it does affect the department's shell dredging leases. The Commissioners will be notified as soon as the department is notified of DEQ's decision.

At Friday's meeting Bettsie Baker gave a **Review of Income and Expenses of Oyster Program and Support Activity.**

Ms. Baker reported that she had been asked to do a presentation of where the department stood from a revenue and expenditure perspective relative to oyster industry, oyster management, etc. Ms. Baker explained the materials that were handed out to the Commissioners and others at the meeting. The first twelve or fifteen items are the specific types of licenses that are related to oyster activities and includes lease income, severance taxes, etc. This is a historical perspective, its actual for 87/88, 88/89 and ten months actual for this fiscal year which Ms. Baker then projected a twelve month fiscal year, ~~essentially to come up with numbers.~~ The department is looking at revenue ranging from essentially 1 million dollars to about 1.4 million dollars specifically related to oysters.

The oyster expenditure side of things was a little more difficult to come up advised Ms. Baker and explained how they were developed. These numbers were obtained from the cost center numbers that are related to oyster management and are inclusive of salaries,

operating supplies, boats, cars, anything (goes that) to supporting these particular activities in that division. A method for allocating law enforcement cost back to oysters had to be derived and the most reasonable way it could be done, not a 100 percent accurate, was to look at oyster cases as percentage of total cases and allocated cost for the total division back on that pro rata share. The law enforcement numbers may somewhat understate actual law enforcement cost but it is a fair ball park based on citations written explained Ms. Baker. The administrative cost was developed based on actual salary dollars in each of these areas and then the federally adopted overhead rate, the indirect cost rate for electric utilities, accounting services, computer services, etc. was charged back to this section based on the specific salaries associated with those programs. Cost in the oyster management area ranged from 1.9 million dollars to a high of 3 millions over a three year period. Looking at this over the three year history it gives a shortfall in direct oyster management cost of 1.2 million dollars two years ago, 1.9 million dollars last year and projecting a shortfall of approximately five hundred thousand dollars this year.

Secretary Van Sickle asked how much was received from the Oyster Harvester's License? Coming in directly to Wildlife and Fisheries approximately \$165,000 answered Ms. Baker. The department gets 60 percent of the license fee and 40 percent goes to the Department of Health and Hospitals for water monitoring. Secretary Van Sickle

stated that the oyster industry helped the department get the Oyster Harvester's License passed to help balance the income with expenditures and the prediction of the \$600,000 income is way off. Mr. Jenkins asked Mr. Vujnovich what he thought the reason was for the income being so far off. Mr. Vujnovich stated that this was one of the worst years the Louisiana oyster industry has ever had and there are lot of people that did not buy a Harvester's License because there are no oysters out there. Ms. Baker stated that the oyster severance tax which is based on actual sacks landed at wholesale/retail dealers is right on target with where it has been for the last three years and the harvest rate is coming in at about the same amount of sacks of oysters for the year. Ms. Baker's comments on where the department stands with the Oyster Harvester's License is based on timing. The oyster season starts in October and the license came into effect on January 1 so in fact people could have harvested oysters in October, November and December without having had a license and may not have selected on January 1st to harvest oysters from January through April. Ms. Baker suspects this is a timing problem and this year will be more reflective of what the actual annual Harvester's License sales will be. Mr. Jenkins asked about oyster tags and its representation of the volume of business. The sacks of oysters have to be tagged and this is where the fee comes from but the tags may or may not represent the volume of business because somebody can buy a lot of tags and just keep them in inventory answered Ms. Baker. Mr. Jenkins asked if there was a way to count from year to year the

actual oyster crop, pounds, or retail value of the oysters, etc. Secretary Van Sickle advised that National Marine Fisheries Services landings are provided to the state. Mr Vujnovich advised that the National Marine Fisheries Service no longer ask for the information and that the only report is the one to the department. Mr. Phil Bowman commented that the National Marine Fisheries Service collects oyster landings statistics and records it in pounds of meat each year. They even go so far as differentiating what comes off the private leases as opposed to what comes off the public reefs. The last three to four years there has been a gradual decline in the volume of oyster meats reported by National Marine Fisheries Service predominantly because of the environmental factors that have affected the oyster. The dockside value of the catch is reported just like it is for shrimp and all the other species stated Mr. Bowman but cannot recall the numbers. Mr. Jenkins stated that by just looking at this report there is a 3.5 million dollar deficit over the last three years with this year's projection of a half of million dollars and asked Ms. Baker if she thought this would turn around. Ms. Baker stated from a revenue perspective she does not anticipate significant shift one way or another. On the expenditure side, looking year to year, she does not anticipate any significant changes in those activities or operations. The new Oyster Strike Force is not reflected in this report because they were not operational when it was done. Mr. Vujnovich read from the law book a law pertaining to the sheldreding, funds collected and dedication to the establishment,

administration, maintenance and up keep of oyster seed grounds and reservations. Ms. Baker advised for this fiscal year the department is looking at about 2.2 million dollars coming in from shell revenue and last year it was more than that from the retroactive leases. This was not included in this analysis and it was specifically not included because the oystermen are not responsible for any of that income coming in and this was a direct income and expenditure analysis of costs associated with the oyster industry stated Ms. Baker.

The **September Meeting Dates** were set at Friday's meeting. The meeting will be held on September 6-7, 1990 in New Orleans, Louisiana at the Monteleone Hotel in conjunction with the International Association of Fish and Wildlife Agencies Conference which the department will be hosting. Secretary Van Sickle asked Mr. Wade Byrd to take care of obtaining accommodations and meeting room.

Mr. Vujnovich informed the Commission that on Wednesday, September 5th the Louisiana oyster season opens and this will give him an opportunity to report on the season. Mr. Vujnovich asked Secretary Van Sickle if she would give permission for the oyster boats to go check the state grounds (east side of the river, St. Bernard Parish and Plaquemines Parish) in the presence of the department sometimes in July. Secretary Van Sickle asked Mr. Vujnovich to call either her, Dr. Clark, Karen Foote or Phil Bowman when the date is decided

upon and the department will arrange for the sampling and will go with him.

At Friday's meeting Mr. Don Puckett addressed the Commission and informed them that what he would like to bring before the Commission is an item concerning litigation entitled **Sierra Club et. al. vs. Department of Wildlife and Fisheries et. al.**, No CA-8022. Mr. Puckett requested that this be discussed in an Executive Session which is subjected to two-thirds vote of the Commission. Mr. Jenkins made the motion that the Commission waive the rules for Executive Session. The motion was seconded by Mr. McCall and passed unanimously. At this time the Commission went into Executive Session.

Upon the return of the Commission at Friday's meeting Chairman Pol called for any public comments. There being no comments and no other business Mr. Jenkins made a motion for adjournment of the meeting. The motion was seconded by Mr. Vujnovich and passed unanimously.

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Virginia Van Sickle  
Secretary

VVS:sb

**OFFICE OF FISHERIES**  
Routing Slip

Out: 6-6-90  
Due: \_\_\_\_\_  
In: \_\_\_\_\_

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

Action:

- Please see me about this matter \_\_\_\_\_.
  - For your information.
  - Take appropriate action.
  - For review and/or approval.
  - Please look into this matter and prepare a written response for my or VVS signature and return a copy of your reply for filing.
- \_\_\_\_\_ within 72 hours  
\_\_\_\_\_ within 5 days

\_\_\_\_\_ Comments?

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Note: Items for Secretary's Commission report from Marine Fisheries + Research Division.

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Response:

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## 100 Count on White Shrimp Now a Possession Law

The Louisiana Legislature in 1984 passed a minimum size on white shrimp of 100 count (whole shrimp per pound). Enforcement of this statute was, however, severely hampered by the fact that there was no minimum count on shrimp in the Federal EEZ. The Department has been working with the Gulf of Mexico Fishery Management Council and the National Marine Fisheries Service for the past four years to amend the Council's Shrimp Management Plan and assist Louisiana in enforcement of its shrimp count law. On May 1, 1990 a portion of Amendment 4 to the Council's Shrimp Plan was published in the Federal Register. This rule, which took effect on May 31, 1990, provided "...white shrimp harvested in the EEZ are subject to the minimum size landing and possession limits of Louisiana when possessed within the jurisdiction of that state."

Recent Events in the Management of Red Snapper  
June 6, 1990

A stock assessment of the red snapper fishery indicated that the directed fishery would have to be closed by 1991 in order to achieve the Gulf of Mexico Fishery Management Council's (Council) objectives for the recovery of the red snapper stocks. This action hinged on the assumption that shrimp bycatch of juvenile red snapper could not be reduced by any significant amount. This bycatch is believed to be a major factor in the decline of red snapper stocks.

The Council subsequently decided that the reduction of shrimp bycatch should be addressed. In May a joint Shrimp-Reef Fish Advisory Panel (AP) of the Council met to develop potential alternatives to reduce red snapper bycatch in shrimp trawls and manage the directed fishery to accomplish the recovery of red snapper stocks by the year 2000. The effects of the recommendations of the joint AP were then evaluated by a group of population dynamics specialists, including representatives from NMFS, state agencies and universities. Later in June an economic workshop will be convened by NMFS to evaluate the economic impacts of the potential alternatives considered by the two other groups.

The actions of these groups may result in recommendations which could adversely impact the shrimp fishery in order to aid red snapper stocks.

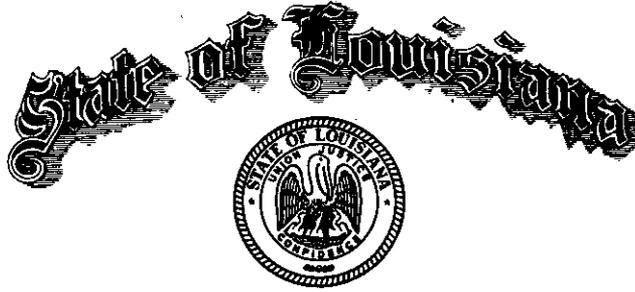
## Special Vermilion Bay Seed Oyster Season

Starting on April 30, 1990 a special five day seed oyster season was held in certain designated areas in Vermilion Bay. This special season was held jointly by the Department of Wildlife and Fisheries and the Department of Health and Hospitals for oyster fishermen interested in moving seed from polluted areas <sup>with excessive amount</sup> to special "flagged" areas on their leases <sup>in saltier water</sup> <sub>of fresh water</sub>.

A total of four permits were issued for the special seed oyster season with intentions of moving oysters to local leases only due to the heat, poor water conditions, and poor quality and condition of the oysters.

Three of the permit holders were contacted and reported a total of approximately 18,000 sacks of seed oysters were moved to their respective leases. One permit holder worked only one day; one worked three days; another worked all five. Each of the three permit holders later reported 90 - 100% mortality after the 14 day depuration period.

Although the operation was unfortunately unsuccessful in saving the resource, we established the procedures to have the Health Department issue permits without utilizing a much depleted Department of Wildlife and Fisheries manpower.



**VIRGINIA VAN SICKLE**  
SECRETARY

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

**BUDDY ROEMER**  
GOVERNOR

June 7, 1990

MEMORANDUM

TO: Dr. Jerry Clark, Assistant Secretary, Office of Fisheries  
FROM: Donald V. Lee, Assistant Chief, Inland Fish Division  
SUBJECT: Items for Secretary's Report to Commission

Attached are items submitted to the Secretary for possible inclusion into her report to the Louisiana Wildlife and Fisheries Commission. These are items above and beyond the routine operation of the Division which may be of interest to the Commission.

  
\_\_\_\_\_  
Donald V. Lee

DVL:sch

cc: Virginia Van Sickle

Attachment

**RECEIVED**  
LA. DEPARTMENT OF  
WILDLIFE & FISHERIES

JUN - 7 1990

ASSISTANT SECRETARY  
OFFICE OF FISHERIES

The Inland Fish Division has almost completed the 1990 fish stocking operations with a total of 1,738,711 fingerlings distributed. The totals according to species were:

Florida Bass	831,847
Hybrid Striped Bass	216,132
Striped Bass	690,732

Specific stocking locations are as follows:

FLORIDA BASS STOCKED AS OF 5-31-90

Toledo Bend Lake	99,000
False River	301,097
Bayou Chicot	160,324
Lake Concordia	109,500
Bussey Brake	156,151
Fort Polk	4,875
LSU	<u>900</u>
TOTAL	831,847

HYBRID STRIPED BASS STOCKED AS OF 5-31-90

Bayou Bartholomew	15,000
Bayou DeSiard	26,368
Bayou Concordia	5,000
Bayou St. John	10,000
Lake Bruin	15,000
False River	28,800
Cane River	51,000
Bundicks Lake	23,364
Lake Louie	15,500
Bayou Macon Cut-Off I	3,000
Bayou Macon Cut-Off II	1,500
Bayou Macon Cut-Off III	1,500
Bayou Courtableau	<u>20,100</u>
TOTAL	216,132

STRIPED BASS STOCKED AS OF 5-31-90

Vermillion River	50,107
Tangipahoa River	13,667
Tchefuncte River	13,667
Pearl River	13,667
Toledo Bend	385,980
Calcasieu River	103,681
Mermentau River	98,024
Rockefeller Refuge	<u>11,939</u>
TOTAL	690,732

## SPRING BAYOU HABITAT IMPROVEMENT PROJECT

The Spring Bayou habitat improvement project will provide quality habitat for freshwater fish when the complex is being drawn down for management purposes. The Inland Fish Division recommends periodic drawdowns to improve water quality, increase spawning success, thin out overcrowded forage fish and reduce nuisance aquatic vegetation. Drawdowns at Spring Bayou will be necessary in the future.

The Spring Bayou project consists of dredging a channel in the complex approximately 3 miles long, 10 feet deep and 30 feet wide. The project started the first week of April and is about two-thirds complete. Without delays, the project will be completed in 3-4 weeks.

The total project cost is \$300,000 of which \$225,000 is federal funds (Wallop-Breaux) and \$75,000 is conservation funds. This is \$50,000 over the original estimated cost.

## BEECHWOOD FISH HATCHERY RENOVATION AND EXPANSION PROJECT

Design work has begun on the first phase of the Beechwood renovation and expansion project. This phase consists of replacing the drain line to 13 one-acre ponds. The present drain lines do not adequately drain the ponds in a timely manner. The cost of the project is approximately \$100,000.

## AQUATIC PLANT RESEARCH AND CONTROL SECTION

In July 1989 hydrilla was found in Caney Lake, a new 5000 acres reservoir located in Jackson Parish. Shortly thereafter, the Aquatic Plant Research and Control Section undertook an eradication plan consisting of three separate herbicide treatments. Recent surveys indicate a reoccurrence of hydrilla in all areas treated and other locations. It is projected that without control all waters 20-30 feet in depth in this new reservoir will have a severe hydrilla infestation. Once established, hydrilla becomes the dominant plant and out competes all native and exotic species found in Louisiana waters. In a final attempt to eradicate hydrilla from Caney Lake, the section plans the application of a new and more effective herbicide (SONAR) within two weeks.

Recent field observations and public complaints indicate a significant increase in water hyacinth infestations in many areas of the state as compared to recent years. It is likely that this increase can be attributed to the onset of warm weather conditions since the late December freeze as well as continued high water levels in many areas.

In addition to routine hyacinth control activities, Aquatic Plant Section personnel are also involved in statewide fisheries federal aid projects and maintenance of department-owned boat ramp facilities.

DEPARTMENT OF WILDLIFE AND FISHERIES  
REVENUE RELATED TO OYSTERS

TYPE	FY 1987-88	FY 1988-89	10 MONTH ACTUAL 1989-90	12 MONTH PROJECTION FY 1989-90
Oyster Bedding Leases	\$ 639,999	\$ 670,332	\$ 664,928	\$ 664,928
Oyster Transfer of Leases	3,500	4,265	3,900	3,900
Oyster Severance Tax	27,167	27,519	27,890	27,890
Res Comm Oyster Tong Lic	18,215	13,995	10,385	13,500
Res Comm Oyster Dredge Lic	36,925	38,780	32,310	34,000
NR Oyster Dredge Lic	19,030	28,400	6,705	20,000
Res Comm Oyster Harvester Lic	N/A	N/A	139,460	150,000
NR Comm Oyster Harvest Lic	N/A	N/A	13,825	15,000
Res Rec Oyster Tong Lic	600	460	220	500
NR Rec Oyster Tong Lic	20	20	0	0
Res Rec Oyster Harvest Lic	N/A	N/A	20	20
NR Rec Oyster Harvest Lic	N/A	N/A	0	0
Oyster Tags	134,458	123,839	85,994	125,000
Oyster Plats (MAPS)	15,776	15,658	11,272	15,675
Oyster Survey Fees	<u>233,363</u>	<u>127,279</u>	<u>255,044</u>	<u>306,053</u>
<b>TOTAL</b>	<b><u>\$1,129,053</u></b>	<b><u>\$1,050,547</u></b>	<b><u>\$1,251,953</u></b>	<b><u>\$1,376,466</u></b>

OYSTER EXPENDITURES

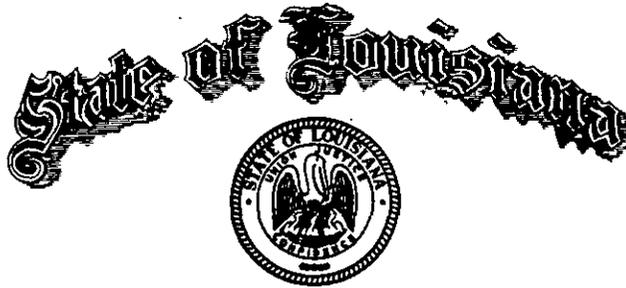
	FY 1987-88	FY 1988-89	10 MONTH ACTUAL 1989-90	12 MONTH PROJECTION FY 1989-90
TOTAL MARINE	\$1,198,214	\$2,061,568	\$ 887,970	\$1,065,564
TOTAL LAW ENFORCEMENT	\$ 718,400	\$ 510,840	\$ 394,170	\$ 473,000
ADMIN, MANAGEMENT AND FINANCE SUPPORT	\$ 422,430	\$ 415,923	\$ 263,404	\$ 316,084
<b>TOTAL OYSTER COST</b>	<b><u>\$2,339,044</u></b>	<b><u>\$2,988,331</u></b>	<b><u>\$1,545,544</u></b>	<b><u>\$1,854,648</u></b>

\* Oyster camps open through 1/1/89  
Shell plant cost included of \$713,000

\*\* 10 months actual, camps shut down

\*\*\* 12 months projected, camps shutdown

	FY 1987-88	FY 1988-89	10 MONTH ACTUAL 1989-90	12 MONTH PROJECTION FY 1989-90
Revenue	\$1,129,053	\$1,050,547	\$1,251,953	\$1,376,466
Expenditures	<u>\$2,339,072</u>	<u>\$2,988,331</u>	<u>\$1,545,544</u>	<u>\$1,854,648</u>
Subsidy from other sources	<u>(\$1,210,019)</u>	<u>(\$1,937,784)</u>	<u>(\$ 293,591)</u>	<u>(\$ 478,182)</u>



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BUDDY ROEMER  
GOVERNOR

May 29, 1990

M E M O R A N D U M

TO: Virginia Van Sickle, Secretary  
FROM: Sharyn Bateman  
RE: Ratification of Rules at June Commission Meeting

There will be four (4) rules that will be coming up for ratification at the June 8, 1990 Commission meeting. These rules are:

1. Free Fishing Days, June 9-10, 1990.
2. Shrimp Season, LA Offshore Territorial Waters.
3. 1990-91 Hunting Seasons, Resident Game Birds and Game Quadrapeds.
4. Reef Fish Bag Limits and Size Limits.

If these rules are to be published in the June State Register they will have to be at the Register's office by 12 Noon on June 8th.

There was some question to these rules being ratified at the June meeting because of the time frame. (See attached memo to Don Puckett). After discussing this with Don he sees no problem with ratifying these at the June meeting.

May 14, 1990

TO: Don Puckett

FROM: Sharyn Bateman

RE: Ratifications of Rules - June Commission Meeting

We have several rules coming up for ratification possibly in June. The notices of intent were published in the April Register. The APA indicates that 50 days must elapse before any action can be taken on the rule. There seems to be different interpretations of this. From the time these notices were printed in the April Register it will be 50 days on June 8 which is also the last days of the June Commission meeting. My question is can these rules be ratified since June 8th will be the 50th day and in the APA the word elapse is used?

Dave Morrison was in my office last week asking about the 50 days. As you know the hunting seasons will be coming up for ratification and since there are two groups that do not agree with the seasons Dave wants to be sure that the APA is followed to the "T" because of possible lawsuits. I called Nancy and she thinks that the 50 days is from the publication of the notice of intent until it is published in the register thus this would mean that the Commission can act on it whenever they wanted. If you will recall Wade Adams had a different opinion and that was that 50 days must elapse from the publication of the notice of intent to the ratification by the Commission. In the Handbook (Blue) Deadline Calendar counting from March 20 through May 5th (Step 8) Commission action is only 47 days. Also the State Registers' interpretation of the APA on the 50 days is not quite clear. There are four (4) rules that will be affected by this. These are:

- 1990-91 Hunting Seasons
- Free Fishing Day
- Shrimp Season, LA Offshore Territorial Waters
- Reef Fish Bag and Size Limits

The rule for Free Fishing Day and Reef Fish Bag and Size Limits went to the Oversight Committee and as far as I know there has been no calling of a hearing. Their forty (40) day deadline will be May 29. Any help would be appreciated.