

LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES

BOARD MEETING

NOVEMBER 1-2, 1990

WARREN POL

CHAIRMAN

BATON ROUGE, LOUISIANA

AGENDA
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
BATON ROUGE, LOUISIANA
NOVEMBER 1-2, 1990

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MINUTES OF MEETING OF
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
NOVEMBER 1-2, 1990

Chairman Warren I. Pol presiding:

Thursday, November 1, 1990

Houston Foret
Don Hines
Jimmy Jenkins
Bert Jones
Norman McCall
Pete Vujnovich

Acting Secretary A. Kell McInnis III was also present.

Friday, November 2, 1990

Houston Foret
Don Hines
Jimmy Jenkins
Bert Jones
Norman McCall
Pete Vujnovich

Acting Secretary A. Kell McInnis III was also present.

At Thursday's meeting a motion was made by Mr. Jenkins and seconded by Mr. Foret to approve the **Minutes** of the October 5-6, 1990, Commission meeting. The motion passed unanimously.

At Thursday's meeting Chairman Pol announced that the judging for the **1991 Louisiana Duck Stamp** had taken place and asked Mr. Dave Morrison to address the Commission on this event. Mr. Morrison announced that the judging for the 1991 design of the duck stamp was held this morning. There were sixty four entries and thirteen semifinalist were picked. From the thirteen semifinalist three finalists were picked. The winner, Mr. Brett Smith from Kenner, Louisiana was introduced by Mr. Morrison. This was Mr. Smith's third year in the contest. Last year Mr. Smith took second place. Mr. Smith and Mr. Harshman, publisher of the stamp, will be meeting to work out the details for the 1991 program stated Mr. Morrison. Mr. Smith expressed his pleasure in winning the contest and explained that he has painted a picture that he hopes will sell more to the general public rather than just the duck stamp buyers. Mr. Jones congratulated Mr. Smith on this and asked him that as a Louisiana artist would he revel competition from outside of the state. Due to a new law the duck stamp competition is only open to people from Louisiana right now. Mr. Smith stated that personally he thinks in the long run by commissioning a piece the

state would get better sales and better products. The cutting edge of wildlife art is by no means in the southeastern part of the country, it is in the midwest and this is where most of the outside attention is focused explained Mr. Smith. Mr. Jones commented that he has competed in some arenas and was wondering how he would feel if he was restricted to only competing against people from his own state. Mr. Smith stated that if Mr. Jones is asking him what the competition is like in the state it is no where near what it is outside of the state. To get the big names you have to pay for them because they don't have to do it stated Mr. Smith. Chairman Pol commented that on behalf of the Commission they thank Mr. Smith and all the other people who competed in the contest and congratulated Mr. Smith. Mr. Morrison pointed out that the second place was taken by Mr. Mark Stringer from Shreveport and the third place went to Mr. Rick Hall from Lake Charles. Acting Secretary McInnis stated that Mr. Dave Morrison, Mr. Larry Soileau, Mr. Butch Bateman, and Mr. Robert Helm from the department did a great job putting this program together and they deserve commendations for their efforts.

At Thursday's meeting a discussion on the Attendance at Commission Meetings was held. Dr. Hines explained that he wanted to bring something to the attention of the Commission and asked the Secretary to possibly consider rescinding a request that was made in August. This is something in Dr. Hines' opinion that has the chance of causing a lot of problems down the road and maybe restricting fee exchange of information, etc. On the 24th of August this past year the former Secretary issued a memo to the Division Chiefs and Assistant Chiefs which stated that effective immediately for each Commission meeting they were to provide a list of names to the Secretary of employees that would be attending the Commission meeting and the agenda topics that they would be addressing no later than three days prior to the meeting. Also in no case shall an employee of the department attend a meeting of the Commission without prior written approval from the Secretary and no contact with the Commission shall be initiated concerning department business by any employee of the department without prior written approval from the Secretary. It is the responsibility of the Chiefs and Assistant Chiefs to ensure compliance with this policy. Dr. Hines advised that maybe the intention was well meant but he feels that by restricting the presence of employees at the meetings it would be possible that information available to the Commission and Secretary could be restricted, information presented could be slanted and it would be impossible to get additional information. It is Dr. Hines's opinion that they should have free access to information and he sees a lot more wrong than good in the memorandum. Dr. Hines presented as a request to Acting Secretary McInnis that this memorandum be rescinded.

Chairman Pol stated that what Dr. Hines was saying was certainly well founded and asked Acting Secretary McInnis how he felt about this. Acting Secretary stated that Dr. Hines and he have had the

opportunity to discuss this earlier in the week and he feels that there may have been some confusion about what the intent of the memorandum was. This memo is in no way intended to restrict any access and is simply intended to inform the Secretary and supervisors of who will be attending the meetings. Acting Secretary McInnis stated that he appreciated Dr. Hines' comments and that a somewhat similar problem occurred with a previously issued memo dealing with free access in speaking with legislators. There was no intention of restricting access to the legislators and the memo asked the employees if they had a problem with policy please address it to the department before they take it outside of the department. The memo of August is very similar and if there is an issue that is coming up before the Commission, the Secretary deserves to have some kind of lead notice and have the opportunity to speak with the employee(s) to find out what the internal feelings are before they are brought to the Commission. This memo is not to restrict but to simply keep the Secretary properly informed explained Acting Secretary McInnis.

Chairman Pol asked if this memo restricted the people who were heads of the divisions, etc. from talking to Commission members. Acting Secretary McInnis stated not at all and explained that the memo request that they not initiate. Chairman Pol asked how can they talk to the Commissioners if they don't initiate?

Mr. Jones stated that he does not live in Baton Rouge but lives out in the field and is somewhat remote to this. Mr. Jones explained that he was not in disagreement with Acting Secretary McInnis but as perceived in the field, just by Mr. Jones' conversation to field personnel, there essentially is a gag order to talk to any Commissioner or certainly be in attendance at a Commission meeting. If there is anything that needs to be done, the channels of communication need to be opened and a new definition is needed. Mr. Jones stated that essentially he was operating under a gag order in north Louisiana and believes it is more important that participation at a Commission meeting be encouraged so that a more diversified base can be obtained to base decisions on. Mr. Jones encouraged Acting Secretary McInnis to issue a letter to employees giving his telephone number and address in north Louisiana and stating that they may be free to call at anytime. Mr. Jones stated that he understands what the original intent was for but he is under a gag order in north Louisiana and it is not good.

Dr. Hines stated that if you divide the memo into two parts, that the first part, directing that the Secretary be informed of who will be attending the meetings and for what reason is not necessarily bad. But, he said, the next part dealing with employees attending the meetings without prior written approval and no contact with the Commissioners concerning department business by any employee with prior approval bothers him. Dr. Hines stated that he was not advocating breaking the chain of command but was

a little bit upset that an employee is not allowed to attend a Commission meeting.

Acting Secretary McInnis advised that he certainly realizes that there may be some confusion with the language that was used and he will review the memo and attempt to do his best to clarify the intent of the order. Chairman Pol stated that he would appreciate it that by the December meeting that a new nomenclature be utilized and advise the Commission of this. Acting Secretary McInnis stated that he would be happy to copy the Commissioners.

At Thursday's meeting Mr. Norman McCall brought before the Commission a possible **Change in the Special Canada Goose Season**. Mr. McCall advised that he has had numerous phone calls, letters and personal contact from many people in Cameron Parish, Vermilion Parish, Jeff Davis Parish and Calcasieu Parish in regards to the Canada goose season. Mr. McCall explained that several years ago a group of Canada geese were placed on the refuge at Rockefeller and allowed to live and multiply. About two years ago the geese were no longer fed at Rockefeller and they migrated to some degree away from the refuge in search for food. They started living and staying, in some cases, on private property and other areas. Last year there were forty to fifty of these geese in Mr. McCall's rye grass patch behind his house. The geese stayed there most of the winter and were tame enough that they would come into the backyard, front yard and even the carport one day advised Mr. McCall. The people that live in the area have gotten attached to the birds which number about two thousand. The birds are being fed and taken care of by these people and they enjoy the birds in general. The new proposed nine-day Canada goose season takes in the area that these birds are now living in. These birds are very tame and it would not take much of a sportsman to hunt these birds pointed out Mr. McCall. Mr. McCall informed the Commissioners that there were people attending the meeting today who would like to address this issue and see if something could be worked out to protect these birds for the next three years. Mr. McCall went on to explained one proposal for protecting the birds. This proposal was to move the line from Highway 82 up to the Intracoastal Canal. Most of these birds do not travel north of the canal, they stay south of the canal and are confined to a very small area. Mr. McCall thinks it would be a great thing if these birds could be protected and he explained that north of the canal and into the area that is allotted for goose hunting is where most of the wild Canada geese and other geese will come this year and that there is plenty of area for the nine day experimental season without hunting these tame birds.

Chairman Pol advised that before this is opened up for discussion from the floor that he would like to ask Mr. Butch Bateman how the department felt about this. Mr. Bateman informed the Commissioners that the department started working on this special Canada goose season several years ago by gathering information from the field,

monitoring the geese, deciding the best approach and going through several steps with the U.S. Fish and Wildlife Service in deliberating on what format the season would be allowed under. It has been about thirty years since Louisiana has had a Canada goose season in Louisiana. There has been an increase in migrant Canada geese in southwest Louisiana and this is what is at the root of establishing this season. The department has had a number of requests from hunters over the last several years to consider doing this and the requests received covered pretty much all areas of the state advised Mr. Bateman. Most of the requests were centered in and around the rice production area in southwest Louisiana which is the traditional goose hunting areas along the Intracoastal Canal. As the department proceeded to develop the season they had to sit down with the Fish and Wildlife Service and work out the details and what the Commissioners has before them and what they acted on several meetings ago was the format that is now in place with the boundaries and zones advised Mr. Bateman. The department did take into consideration that there were local flocks of resident Canada geese scattered around the southwest Louisiana area and other areas of the state. Mr. Bateman pointed out that this season was structured in such a manner and zoned in such a way that every individual who participates will have to send the department a request for a permit to hunt. This is the most restrictive waterfowl season that has ever been set in Louisiana in terms of having a actual list of names of everybody who will participate in this special season. No person can legally participate in this nine day hunt unless they write to the department and obtain a permit. These people are allowed to hunt only in the zoned area pointed out Mr. Bateman. Serious consideration for the local flocks of geese was taken by the department but because of the very restrictive nature of the season the department wanted to allow as much recreational opportunity as possible. The zone was made as big as possible to cover both sides of the Intracoastal Canal and Highway 82 was used because during the hunting season a lot of the geese stay south of Highway 82 that are attached to the Rockefeller Refuge. The department does understand the circumstances that Mr. McCall just outlined. The department's recommendation at this time would be not to change the circumstances of the season. The season will be monitored over the next three to four years by the Fish and Wildlife Service and department and all hunters will have to turn in a harvest card that says where he hunted and how many geese were taken. The department fully intends to make any changes if anything happens that would endanger or provide concern for the local flocks of geese advised Mr. Bateman.

Chairman Pol asked about some figures that Mr. Morrison had mentioned to him that might be used as to how many of these geese would possibly be taken this season. Mr. Bateman stated that as of today a total of about 150 permits have been issued statewide. Most of these permits are issued in southwest Louisiana and obtained by people who have commercial clubs or who have rice field leases and the department does not anticipate the number of permits

issued to pass a thousand. Mr. Bateman advised that he very seriously doubts that five hundred will be surpassed. Most of these permits are not going to be in the area where the local flocks of Canada geese are but with one exception and that being the Lake Arthur area where there will be some hunting both sides of Lake Arthur. Mr. Bateman advised that with that particular flock he has talked with Mr. Ostelet personally over the phone and explained the circumstances of the season, especially as it applied to limiting access to the number of people. Mr. Bateman stated that his guess would be less than a thousand birds will be taken during the season. This will be the first year of a several year experiment with every aspect being monitored so if there is any need or concern for protecting the isolated flocks the department can do it.

Dr. Hines asked that in the area of concern, if it is found out that there is some abuse or extra kill, will the department be free next year to limit that area. Mr. Bateman answered yes and that would be a year by year decision. These are the reasons why the department wants to monitor the season so closely. Right now the department has two students under contract who are working with Mr. Robert Helm on a daily bases to actually look at birds in that area. This special season will actually be a focus to try and see what is happening and get a better understanding of where these birds are, how many there are, what their distribution is and what the impact of this very short, one bird a day, nine-day season will have on the resource.

Chairman Pol asked Colonel Vidrine if this proposed change would be a problem as far as the enforcement of the new restrictive line since it was already printed in the pamphlet. Colonel Vidrine advised that once lines are established and permits issued it would cause a problem by changing them. It also would give people who are caught violating the law a way out. Violators would have a defense since the pamphlets were printed stating that this area was open. Mr. McCall asked that from a legal aspect was there any way of getting this amended with it still being legal. Colonel Vidrine stated that Mr. McCall would have to ask one of the lawyers about this; he is sure it is possible but it would still cause a problem.

Mr. Landrum advised that if Mr. McCall is asking if the Commission has the legal authority to do this they can by emergency rule and it would have to be because public health, safety or welfare necessitated that it be declared an emergency. Mr. Landrum stated that he thinks what Colonel Vidrine was to point out was the issue of notice. Even if you sent a letter to all of the people that have permits you will have people that did not receive the letter, say they did not get the letter, etc. which will cause a prosecution problem because the pamphlet with the map in it has been promulgated.

Chairman Pol asked for any more comments from the Commissioners and asked Mr. McCall if he had anything else to say. Mr. McCall stated no he did not have anything else to say other than if it cannot be done this year he would hope that this discussion would lay the ground work for doing it next year. Chairman Pol called for comments from the floor.

Mr. Glen Alexander, Assistant District Attorney, Cameron Parish, soon to be District Attorney on January 1, 1991, addressed the Commission. Wildlife and Fisheries is taken very seriously in Cameron Parish stated Mr. Alexander. About a month ago Mr. Alexander had a meeting with the Health Department and a group of Wildlife and Fisheries agents in Cameron. The discussion was about the opening and closing of the oyster season because of pollution and getting the word out. The oystermen always seem to get the word and the District Attorney's office always manages to prosecute effectively whenever the Commission or the department have seen fit to close any of those seasons. Getting the word out on closing the area to hunting and prosecuting violations does not seem to be a real problem for Mr. Alexander. Mr. Alexander went on to explain the situation with the Canada geese in that area and how the people feel about them. Mr. Alexander advised that he also raises Canada geese and started with one goose about ten years ago. Right now he has about thirty or so geese that stay at his place and in the back marsh behind his home these geese have grown, developed, and raised their young. In the winter he has about a hundred birds that come in. These birds are not wild yet but they are becoming wild. Mr. Alexander does not believe that these birds are at the stage yet where they will survive with an open season. The reason for this belief is because people are chomping at the bit to get a Canada goose for whatever reason. The people know where to go to get a Canada goose and this is where they are going to go, straight for Cameron Parish. The birds are there and easy to get to advised Mr. Alexander. Another thing that Mr. Alexander pointed out was that the geese were a tourist attraction for their area. Mr. Alexander stated that he believes that the mechanics are available for the Commission to exclude the concerned area from hunting and urged the Commissioners to seriously consider this proposal.

Mr. Jenkins asked Mr. Alexander what was his long range thinking about this problem. Mr. Alexander answered that in the coming years as the geese become acclimated to the wild and marsh a hunting season would be appropriate. By opening the season this year it would put a damper on the incentive of anybody trying to develop these flocks just by knowing that anybody could drive up behind their property and shoot one. Mr. Jenkins asked Mr. Alexander if he thought it would take one year or two years before a season could be set on these geese. Mr. Alexander stated that he did not have any idea but at this time it is not appropriate. Mr. Jones asked Mr. Alexander if he was going to stop feeding his geese so they could go wild. Mr. Alexander answered no sir he will

continue to feed his geese and explained the reason that they go wild was because there are too many geese on the small pond located on his property and there is not enough suitable habitat. The old geese run the young geese off and the fact that they are fed is not going to keep all of them there. Chairman Pol asked Mr. Alexander if this proposed change was made for this year was he proposing that this be permanent or next year open it up as it is now. Mr. Alexander answered that he would think not next year and he would not think permanent but this would be something that would be left up to the biologists and the people in the know. Chairman Pol stated that this program has been initiated since 1964 and the department has been feeding these geese for a number of years until very recently. The department feels like it has come to the point where these geese could be harvestable and are now being asked not to do it. Mr. Alexander stated that the difference is that just in the last two years the department has stopped domesticating the geese by feeding them. They were protected and well fed at Rockefeller Refuge all these years and there was no real need for the geese to move out of the area until just the last two years when the feeding stopped pointed out Mr. Alexander. Mr. McCall asked Mr. Alexander if he had said that he thought the mechanics were there to do this legally. Mr. Alexander answered yes sir and explained that when the District Attorney's office gets ready to prosecute somebody they have to send someone or call Baton Rouge to get a copy of the news letter or whatever else is sent out to notify the public that a season has been opened or closed. The mechanics have always been there for all of these seasons and they have never had this problems before. It has never been a problem in getting word to whoever may be a possible utilizer of the natural resource or violator of the law and Mr. Alexander does not believe it will be a problem in this case.

Mr. Ted Joanen, LA Department of Wildlife and Fisheries, Head of Captive Promulgation Program at Rockefeller since 1968 address the Commission. Mr. Joanen gave a brief history of the program. When the program was started there were two basic simple objectives; one was to initiate a non-migratory flock of birds in southwest Louisiana, and two was if there was a surplus then later, on if possible, the flock could add some additional hunting opportunity. The captive flock at Rockefeller was simply started by bringing in a group of birds, keeping them in pens and releasing the young. All geese move as a family unit, the young will not migrate without the parent. As long as the parents are wing-clipped or penned the young will show no signs of migratory tendencies. Over the years a captive non-migratory flock of Canada geese was started. The young are now all flying and they have since reached sexual maturity which takes three years. To speed up growth of the flock, the first group of eggs laid by the female was collected and incubated while the second clutch of eggs were incubated by the female. This speeded up the number of birds being produced at Rockefeller. Looking at this in detail it was realized that the care that was given to the birds was doing something to the

behavior of the birds, it was no longer a wild bird, it was very much a domesticated bird advised Mr. Joanen. There was also a number of predator control programs going on around the captive flocks to keep the coons and coyotes off of them. As the flock grew the younger birds were being pushed out and colonizing satellite flocks from Pecan Island all the way to Creole. In 1989 with some economic problems experienced by the department the feeding program and artificial incubation program was stopped. Since that time the birds have moved off the refuge. Generally speaking all of the birds (1,500 birds) found south of the Intracoastal Canal today have now moved out and about five hundred additional birds that had established the little satellite flocks throughout the southern part of the parish were either a result of the captive program from Rockefeller, established from flocks started from birds taken from the Rockefeller flock or like Mr. Alexander 's birds that were purchased individually stated Mr. Joanen. The Canada geese found south of the Intracoastal Canal are domesticated hand-reared birds and lack the weariness of wild birds and as a result would not really make a good game bird. Shooting one of these birds would be like shooting fish in a barrel as they have no fear of man. The Canada geese south of the Intracoastal Canal should remain protected simply because it has only been a year to two years that these birds have really been out on their own advised Mr. Joanen and he feels that these birds should be afforded the protection until it is determined that the geese are going to go on their own. The geese will tell us this by either increasing or fading out with predation that they have to contend with in southwest Louisiana. The Canada geese north of the Intracoastal Canal are the true migratory birds advised Mr. Joanen. This is the bird that has the weariness, would make a trophy bird and provide the utmost in hunting opportunity. There is a clear line separating this domesticated bird from the wild bird and that is the Intracoastal Canal pointed out Mr. Joanen. Mr. Joanen stated that it has taken twenty eight to thirty years to reopen the Canada goose season in Louisiana but he feels more time is needed for the captive reared birds because they have only been on their own for a few years. The birds do not go back to Rockefeller when the shooting starts because they are not being fed anymore and have instead distributed themselves all along the southern part of the parish on the ridges of Little Pecan, Grand Chenier, North Island all the way to Creole. By zoning this area out it would protect that this population of wild geese . Time should be given to the birds to become established in sufficient numbers to support a limited harvest concluded Mr. Joanen.

Chairman Pol asked Mr. Joanen how long was he proposing and advised that in the area that is being discussed that possibly thirty five to forty percent of the people that hunt ducks in Louisiana hunt in that area. Mr. Joanen stated that there are only about fifteen hundred domestic birds in that area and this is to few to even hunt south of the Intracoastal Canal. The department can monitor the flock for several years, see if they increase or decrease then come

back before the Commission and make a biological recommendation advised Mr. Joanen. Chairman Pol asked Mr. Joanen if what he is saying is that the migratory geese that may be up in the rice fields won't migrate down into this particular area. Mr. Joanen answered yes sir, the wild Canada geese rarely comes south of the Intracoastal Canal, which is a pretty good demarkation line. There are a few areas south of the Intracoastal Canal around the White Lake area where the demarkation line could possibly be the Old Schooner Bayou, White Lake and Grand Lake on up to Lake Arthur. This line is very obvious and easy to enforce and could definitely separate the majority of the wild birds from the domesticated birds explained Mr. Joanen.

Mr. Jones stated that he was not sure why the department got into this project and asked Mr. Joanen if it was nature's way that the Canada goose originally propagated in the marshes of south Louisiana. Mr. Joanen answered no sir.

Dr. Hines stated that one good point has been brought up today and that is next year before the public hearings on the hunting seasons, recommendations from this department will be made and then the public can discuss them. This is the third time in two meetings that people have come before the Commission and asked that something be changed that has been discussed in the public hearings and discussed in the meetings before seasons were set. Individuals are now coming before the Commission after the season pamphlets are published and asking that changes be made. Dr. Hines thinks that next year as the Commission makes their recommendations for the hunting seasons known to the public that it should be widely publicized so that this kind of input can be received prior to making final decisions rather than after final decision. Changing the rules and regulations puts the Commission in a difficult situation once these rules and regulations have been decided upon and printed. The department needs to try and get the information out to the public even if a pamphlet has to be printed with PROPOSED REGULATIONS stamped across it so it cannot be used later on as a defense for violators suggested Dr. Hines.

Mr. Jenkins commented that he agrees with Dr. Hines and stated that it concerns him that today the Commission is getting two separate recommendations from the department and this does not make sense. Mr. Jenkins asked Mr. Bateman if he agreed with what Mr. Joanen said about migratory geese south of the Intracoastal Canal? Mr. Bateman answered that there are some migratory geese that go south of the Intracoastal Canal and there are some of the Rockefeller birds resident flocks that go north of the Intracoastal Canal. Mr. Jenkins asked if it was fair to say that most of the migratory birds are north and most of the pets are south. Mr. Bateman stated that most of the migratory birds are north and most of the pets are south. The resident flocks were taken into consideration when setting the season advised Mr. Bateman and the department would like to make as much recreational opportunity available. Mr.

Bateman commented that he does not have any problem with telling the Commission that he does not think these local flocks are going to be jeopardized in any way. Every acre in Cameron Parish is private property and all leased. If this was a public hunting operation and if there were large numbers of people hunting for thirty to forty days Mr. Bateman stated that he would have the same concerns that have been presented to the Commissioners by individuals wanting to change the line. Mr. Bateman stated that his recommendation is to leave the season the way it is. The situation will be monitored and if there are problems they can be adjusted next year. Decisions should be made on before hand information and agreements rather than after the fact, arguments and debates commented Mr. Bateman.

Chairman Pol called for any other comments from the floor. Mr. Rick Ostelet, Lake Arthur, LA, addressed the Commission. Mr. Ostelet stated that he was not a lawyer nor was he a biologist but from the citizens in and around Lake Arthur who enjoy the local flock it was understood years ago that this Commission or at least people involved in the wildlife wanted to raise a native flock of Canada geese, a non-migratory flock of which there are now two hundred at Lake Arthur. The people enjoy them in and around Lake Arthur and feel like these birds would be like a sitting chicken to shoot. Mr. Ostelet commented that he did not know why the department wanted a native flock but the people of Lake Arthur feel like the birds are going to stay in and around the area and they would like the Commission, if they see fit, to protect the areas where the native birds are located. In the future Mr. Ostelet stated that he could not tell the Commission how to work this out because in their flock some come and go but it is very few. The majority of the birds remain in the area. The local DU Chapter in Lake Arthur currently has the funds in hand and are purchasing another thirty to fifty birds to add to the flock. There are signs up in Lake Arthur to watch out for the birds when they cross the streets, they graze on the lake front and in the park, and come and go in a four or five mile stretch in upper and lower Lake Arthur. Mr. Ostelet asked the Commission that if they could see fit the people of Lake Arthur would like to have the native flock protected. Mr. Ostelet pointed out that he did not think a large majority of the birds migrate with the wild flock but during the winter some wild birds come in but in turn most of them leave. Most of the birds, second, third and fourth generations, pretty much stay around Lake Arthur. These areas and the Cameron Parish areas below the Intracoastal Canal are the ones that they would like to see protected concluded Mr. Ostelet.

Representative Jimmy Martin representing Jeff Davis Parish addressed the Commission. Representative Martin stated that they are concerned about the Lake Arthur area from Highway 14 to the narrows south of Lake Arthur and knows that hunting is a great sport as he participates in it. The geese are a three hundred and sixty five day tourist attraction for many of the people that come

to the area. Lake Arthur is trying to develop some tourist attraction with the geese and Representative Martin thinks this is worth something. If hunting would be prohibited in the Lake Arthur area it would serve the Commission and the people well pointed out Representative Martin; but not necessarily prohibit people from hunting on private property but just in the lake area where the geese are. This would help the Lake Arthur area a lot and Representative Martin would appreciate the Commission's consideration on this issue. Chairman Pol commented that the Legislature directs the Commission to go by biological decisions and this is what has to be done as it is a legislative mandate. Representative Martin stated that he realizes that but feels that the economics of the community should be considered also.

Chairman Pol asked if there were any further questions or any further discussion from the floor. There being none Chairman Pol asked Mr. McCall if he would want to give the Commission time to think about this over night or would he like to make a motion now.

Mr. McCall stated that he would like to make a motion now as he sees no point in waiting until tomorrow. Mr. McCall stated that he would like to make a motion that the boundary lines be changed to the Intracoastal City and hopefully by doing so, save the flock of birds. Dr. Hines and Mr. Jenkins suggestions were excellent pointed out Mr. McCall but does nothing to protect the birds for this coming year and this is his concern right now. Mr. McCall motioned that the boundary lines be changed from north of Highway 82 to the Intracoastal Canal as shown on the map. Chairman Pol asked Mr. McCall to restate the motion. Mr. McCall stated that the original southern boundary, as he understands it, is Highway 82 from the Texas line to Abbeville and what is being proposed now is from Abbeville to the Intracoastal Canal, follow the Intracoastal Canal to where it intersects Highway 27, south to the Texas line. Chairman Pol asked for a second to the motion. The motion was seconded by Mr. Jenkins who commented that if the motion passes he would hope that maybe a permanent solution can be reached in the future for the sake of the domestic flock and for the people that want to hunt. Chairman Pol called for vote. The motion passed with four for and two against.

Mr. Mike Landrum, Attorney, advised Chairman Pol that to do this they were going to have declare an emergency and do it by emergency rule for it to be effected. The boundary cannot be changed without an emergency rule. Chairman Pol asked what procedure would the Commission have to take. Mr. Landrum stated that the Commission would have to declare an emergency and let Mr. Bateman take it from there with an emergency rule. Chairman Pol asked Mr. McCall to amend his motion that this be an emergency motion. Mr. McCall amended his motion to make it an emergency motion. Mr. Jenkins seconded the motion. The vote stands as before. After a short discussion on whether or not there might be a challenge on the amended motion Mr. Landrum stated that he stands by what he said

before and that the only effective way to do this today is by emergency rule. Mr. Bateman has expressed some concern about the legal description of the line and Chairman Pol directed that this be written up as an emergency rule and the Commission act on it tomorrow with the same vote.

At Friday's meeting Mr. Butch Bateman reported that in regards to yesterday's action by the Commission a declaration of emergency and a resolution has been prepared that changes the previously published boundaries for the Canada goose season during the nine day period. Both the Acting Secretary McInnis and Commission member Mr. McCall have reviewed this and agreed that it describes the area that was of interest to the gentleman who came and requested the change yesterday advised Mr. Bateman. The one hundred and fifty people who have been permitted will have to be contacted and the Conservation magazine was stopped just in time from getting the map printed. There will probably be a few people who will want a refund of their money because their lease will fall in this closed area. Mr. Bateman asked the Commission that once they consider an item for approval regarding hunting regulations please do not come back and change things. Changes should be done prior to coming to the Commission for approval. This confuses the public about what is being done and the added protection by this change is going to take out about one third of the previous hunting area stated Mr. Bateman. Mr. Bateman urged the Commission that he as a member of the staff that comes to the Commission with regulations to please try to work against making changes after action has been taken; but if there is a real need to make changes, then do it. This really creates problems. Mr. Bateman presented the resolution. Chairman Pol called for a motion to accept the resolution and declaration of emergency. Mr. McCall made a motion to accept the resolution/declaration of emergency. Mr. Jenkins seconded the motion. The motion passed with four for and with Dr. Hines and Mr. Jones abstaining.

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

RESOLUTION

Louisiana Wildlife and Fisheries Commission
Louisiana Department of Wildlife and Fisheries
November 2, 1990

THE FOLLOWING WAS ADOPTED BY THE LOUISIANA WILDLIFE AND FISHERIES COMMISSION AT ITS REGULAR MEETING HELD IN BATON ROUGE, NOVEMBER 2, 1990.

WHEREAS, the Louisiana Wildlife and Fisheries Commission has established regulations for an Experimental Canada Goose Season; and

WHEREAS, it has been determined that a portion of the area open for this experimental Canada Goose Season has resident, non-migrant Canada Geese, and

WHEREAS, the Louisiana Wildlife and Fisheries Commission has received public comment expressing concern that any hunting of these resident, non-migrant geese may have an adverse impact on these resident flocks, now

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

Warren I. Pol
Chairman

A. Kell McInnis III
Acting Secretary

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

DECLARATION OF EMERGENCY
Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

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

The Experimental Canada Goose Season Hunting Zone Boundary shall be redescribed as follows:

Easterly from the Texas line along Hwy. 12 to Ragley; then easterly along U.S. 190 from Ragley to its junction with I-49 near Opelousas; then south along I-49 to its junction with Hwy. 167 near Lafayette; then south along Hwy. 167 from Lafayette to its junction with Hwy. 82 at Abbeville; then south and west along Hwy. 82 to the Intracoastal Waterway at Forked Island; then westerly along the Intracoastal Waterway from Forked Island to the juncture of the Intracoastal Waterway the Calcasieu Ship Channel; then south along the west side of the Calcasieu Ship Channel to Hwy. 82 at Cameron, then westerly along

82 to the Texas state line. All lands lying within these boundaries shall be open for the Experimental Canada Goose Season EXCEPT all open water of Lake Arthur and the Mermentau River from the Hwy. 14 bridge southward.

This declaration of emergency is necessary because the Louisiana Wildlife and Fisheries Commission has determined that resident flocks of non-migratory Canada Geese may be adversely impacted if the existing zone is not redescribed. This restriction in hunting area will reduce the potential loss of resident, non-migratory Canada Geese which are considered to be domesticated but valuable to the local economy.

Warren I. Pol
Chairman

Mr. Tommy Prickett, at Thursday's meeting, presented a **Resolution and Emergency Declaration on the Alligator Season**. Mr. Prickett informed the Commissioners that again they come before them because of the Administrative Procedure Act. In July the Commission took emergency action to put into place rules and regulations to regulate the alligator industry both the wild harvest of alligators and the alligator farming program, the sale of alligator hides, parts and meat. This emergency rule expires today but prior to permanently implementing the rule the Commission needs to adopt another set of emergency regulations which will last through a period of 120 days and in December the department will come back before the Commission for ratification of the permanent rule which will affix permanently these regulations.

A motion was made by Mr. Jones for approval of the resolution for emergency declaration on the alligator season. The motion was seconded by Mr. Jenkins and passed unanimously.

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

EMERGENCY RESOLUTION
LOUISIANA WILDLIFE AND FISHERIES COMMISSION

1990-91 ALLIGATOR REGULATIONS AND SEASON

WHEREAS, The Louisiana Department of Wildlife and Fisheries has the authority under State and Federal Statute to establish an alligator season; and

WHEREAS, The alligator population in Louisiana has been determined by biologists of the Department to be capable of sustaining an annual harvest of surplus animals; and

WHEREAS, The removal of the surplus animals is considered to be a wise use of this natural resource of the State of Louisiana;

THEREFORE, BE IT RESOLVED, That the Louisiana Wildlife and Fisheries Commission does hereby adopt the emergency regulations for administering all aspects of the 1990 alligator season which are attached and made part of this resolution.

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

A. Kell McInnis III
Acting Secretary

Warren I. Pol
Chairman

November 1, 1990

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

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries

Wildlife and Fisheries Commission

ALLIGATOR SEASON REGULATIONS

In accordance with the emergency provisions of R.S. 49:953(b), the Administrative Procedures Act, R.S. 49:967 which allows the Wildlife and Fisheries Commission to use emergency procedures to set the alligator season, and R.S. 56:260, and action by the Commission on July 6, 1990, the alligator season is hereby established in accordance with the following regulations:

A. Purpose.

These regulations are to govern the taking, possession, selling, raising and propagation of alligators statewide, both in the wild and in captivity. They are enacted to prevent depletion or waste, while enhancing utilization of this renewable resource. These regulations are based upon scientific study and population monitoring and are consistent with federal requirements to qualify alligators and alligator parts from Louisiana for international export under the Convention on International Trade in Endangered Species of wild fauna and flora. Alligators in Louisiana are not endangered but their similarity in appearance to endangered crocodylian species requires controls on commerce to minimize illegal trafficking of these species and to regulate and maintain the wild population of alligators. These regulations provide rules to enhance alligator farming operations; establish the methods of alligator harvest; establish minimum facility requirements for alligator farming; regulate commerce in alligators, eggs and parts; streamline necessary reporting requirements; and, establish a regulated nuisance alligator control program.

B. Definitions.

The following words and phrases for purposes of these regulations shall have the meaning ascribed to them in this section, unless the context wherein the particular word or phrase is used clearly indicates a different meaning:

1. Alligator - American alligator (Alligator mississippiensis).

2. Alligator Egg Collection Permit - A permit issued by the Department allowing for the collection of alligator eggs on designated properties described as part of the permit. The permit will be signed by the Secretary or his designee, the permittee and the landowner/land manager.

3. Alligator Farm - An enclosed area, constructed so as to prevent the ingress and egress of alligators from surrounding public or private lands or waters and meeting other specifications and requirements set by the Department, where alligators are bred, propagated, or raised as a commercial enterprise under controlled conditions.

4. Alligator Farmer - A properly licensed person who raises alligators under controlled conditions which prohibit free movement of the animals onto and off of the farm or controlled area, and who may harvest alligators under the supervision of the Department. An alligator farmer must possess a valid nongame quadruped breeder's license.

5. Alligator Hunter - A properly licensed resident or nonresident person who takes wild alligators.

6. Alligator Part - Any part of the carcass of an alligator, except hides tagged pursuant to all applicable laws and regulations including the laws and regulations of the United States Government, the State of Louisiana and the Louisiana Wildlife and Fisheries Commission.

7. Alligator Parts Dealer - Any properly licensed person who deals in alligator parts and who:

(a) Buys from an alligator hunter, another parts dealer, or an alligator farmer for the purpose of resale; or

(b) Manufactures within the state alligator parts into a finished product; or

(c) Purchases, cans, processes, or distributes alligator meat for wholesale or retail.

8. Alligator Parts Retailer - Any properly licensed person selling canned alligator parts or purchasing alligator parts from an alligator parts dealer, and each restaurant selling prepared alligator meat for human consumption.

9. Alligator Parts Tag - An official tag issued by the Department that is attached to all unprocessed alligator parts upon transfer by an alligator hunter, an alligator parts dealer, or alligator farmer.

10. Alligator Shipping Label - A serially numbered label issued by the Department required on each container of alligators or alligator eggs being shipped or transported out of the state.

11. Bona Fide Resident (1) - Any person who has resided in the state of Louisiana continuously during the twelve months immediately prior to the date on which he applies for any license and who has manifested his intent to remain in this state by establishing Louisiana as his legal domicile, as demonstrated with all of the following, as applicable:

(a) If registered to vote, he is registered to vote in Louisiana.

(b) If licensed to drive a motor vehicle, he is in possession of a Louisiana driver's license.

(c) If owning a motor vehicle located within Louisiana, he is in possession of a Louisiana registration for that vehicle.

(d) If earning an income, he has filed a Louisiana state income tax return and has complied with state income tax laws and regulations.

(2) As to a corporation or other legal entity, a resident shall be any which is incorporated or otherwise organized under and subject to the laws of Louisiana, and as to which the principal place of business and more than fifty percent of the officers, partners, or employees are domiciled in Louisiana.

12. Closed Season - That period of time of a calendar year not specifically included in the open season.

13. Commission - The Louisiana Wildlife and Fisheries Commission.

14. Common Carrier - Any agency or person transporting passengers or property of any description for hire.

15. Confiscation - The exercise of a right under the police power wherein property is seized and held pending court order if the seized material is nonperishable, or disposed of without judicial intervention if perishable.

16. Consumer - Restaurants and other places where alligator, fish, shrimp, or other aquatic life is prepared for human consumption; or any person using alligator, fish, shrimp, or other aquatic life for bait or personal consumption.

17. Department - The Louisiana Department of Wildlife and Fisheries.

18. Designated Collection Agent - Anyone who is permitted by the Department to assist an alligator egg collection permittee during alligator egg collection.

19. Fur Buyer - Anyone who buys raw furs or skins from fur trappers, alligator hunters, fur buyers, or fur dealers and who sells to another fur buyer or fur dealer within the confines of the state or to a nonresident fur dealer licensed by the State of Louisiana in interstate commerce, or who acts as an agent of another fur buyer or fur dealer in this state in such purchase or sale. Fur buyers are divided into two classes, resident and nonresident. Resident fur buyers are those who are bona fide residents of this state. All others are nonresident fur buyers.

20. Fur Dealer - Anyone who deals in raw furs and skins and who:

(a) Buys from a fur trapper, alligator hunter, or alligator farmer, either directly or indirectly, and ships or exports from this state, either directly or indirectly, the raw furs and skins so bought; or

(b) Buys from a fur buyer or other fur dealer and exports from this state the raw furs and skins so bought; or

(c) Buys from a fur trapper, alligator hunter, alligator farmer, fur buyer, or other dealer and sells such raw furs and skins for manufacturing into a finished product in this state; or

(d) Manufactures such furs and skins into a finished product in this state, buying directly from a fur trapper, alligator hunter, alligator farmer, fur buyer, or fur dealer; or

(e) Transports raw furs or skins into this state for the purpose of sale within the state. Fur dealers are divided into two classes, resident and nonresident. Resident fur dealers are those who are bona fide residents of this state. All others are nonresident fur dealers.

21. Hatchling - A young of the year alligator which is less than twenty three (23) inches in length.

22. Hide - (See "Pelt").

23. Hook - Any curved or bent device attached to a line or pole for the purpose of taking alligators.

24. Hunt - In different tenses, attempting to take.

25. Incubator - An apparatus designed and used for the primary purpose of incubating alligator eggs.

26. Land Manager - Any authorized person who represents the landowner.

27. Landowner - Any person who owns land which the Department has designated as alligator habitat.

28. Licensee - Any resident or nonresident lawful holder of an effective license duly issued under the authority of the Department.

29. Nongame Quadruped - Alligators, beavers, bobcats, coyotes, gray foxes, minks, muskrats, nutrias, opossums, otters, raccoons, red foxes, skunks, and other wild quadrupeds valuable for their furs or skins.

30. Nongame Quadruped Breeder - A person properly licensed to engage in the business of raising, exhibiting and selling nongame quadrupeds on alligator or fur farms.
31. Nongame Quadruped Exhibitor - A person properly licensed to engage in the business of raising and/or exhibiting nongame quadrupeds.
32. Nonresident - Any person who is not a bona fide resident as that term is defined by R.S. 56:8(12).
33. Nuisance Alligator - A specific (particular) alligator that poses a threat to human life or property.
34. Nuisance Alligator Hunter - A licensed alligator hunter who is contracted or otherwise selected by the Department to remove designated nuisance alligators.
35. Open Season - That period of time set by the Louisiana Wildlife and Fisheries Commission, during which wild alligators or their eggs may be lawfully taken.
36. Out Of State Shipping Tag - An official, serially numbered tag, yellow in color, issued by the Department required on each shipment of alligator hides shipped out of state.
37. Part - For purposes of this section, a part is a division of a subsection.
38. Pelt - The skin or hide of a quadruped.
39. Pelting - Removing the skin and/or fur of a quadruped in such a manner as to render it marketable.
40. Person - Includes any individual person, association, corporation, partnership, or other legal entity recognized by law.
41. Pole Hunting - The act of taking an alligator from a den with a pole or snagging device of any type and includes using such devices to induce an alligator to move from a den prior to taking.
42. Possess - In its different tenses, the act of having in possession or control, keeping, detaining, restraining, or holding as owner, or as agent, bailee, or custodian for another.
43. Processed Alligator Part - Any part (and its resulting products) that has been removed from a legally taken alligator, treated to prevent decomposition, and packaged;

provided that the meat is not processed until packaged and marked with required labeling as described in Subsection L of these regulations.

44. Propagation - The holding of live alligators for production of offspring.

45. Raising - The production of alligators under controlled environmental conditions or in outside facilities.

46. Rearing - (See "Raising").

47. Resident - (See "Bona Fide Resident").

48. Secretary - The secretary of the Louisiana Department of Wildlife and Fisheries.

49. Skin - (See "Pelt").

50. Take - In its different tenses, the attempt or act of hooking, pursuing, netting, capturing, snaring, trapping, shooting, hunting, wounding, or killing by any means or device.

51. Transport - In its different tenses, the act of shipping, attempting to ship, receiving or delivering for shipment, transporting, conveying, carrying, or exporting by air, land, or water, or by any means whatsoever.

52. Wildlife - All species of wild vertebrates.

53. Wildlife Management Area - Any area set aside, maintained, and supervised by the Department for the purpose of managing and harvesting wild birds, wild quadrupeds, fish and other aquatic life under controlled conditions to afford maximum public hunting and fishing opportunity.

54. Wildlife Refuge - Any area set aside and designated by the Department as a refuge on which wild birds and animals are protected. Control of certain forms of wildlife may be conducted by the Department.

C. General Rules.

1. No person shall take, possess, purchase or sell alligators, alligator eggs, alligators parts, or goods manufactured from alligators, except as provided in these regulations and LA. R.S. Title 56.

2. Each alligator, alligator egg, or alligator part taken or possessed in violation of these regulations shall constitute a separate offense.

3. Hides of alligators harvested in Louisiana shall be tagged in accordance with provisions of these regulations and deviation from those requirements shall be a violation and subject hides to confiscation. Violation of this part is a class 7A violation as described in Title 56.

4. Pole Hunting is prohibited. Violation of this part is a class 2 violation as described in Title 56.

5. An alligator hunter must possess on his or her person one or more current alligator hide tags while taking alligators provided that only one licensed hunter needs to possess current hide tags among a group of licensed hunters who are physically present in the same location and are conducting a joint hunting operation. Violation of this part is a class 2 violation as described in Title 56.

6. No person shall release any alligator from any taking device for any purpose without first dispatching and tagging the alligator. Violation of this part is a class 2 violation as described in Title 56.

7. Collection of alligator hatchlings from the wild is strictly prohibited. Taking or collection of any wild alligator illegally is strictly prohibited. Violation of this part shall constitute a Class 7A violation for each alligator taken as described in Title 56. All alligators taken in violation of this part shall be confiscated and in addition to all other penalties provided herein, all alligator licenses of any type held by the offender(s) shall be revoked for a period of three (3) calendar years and no alligators shall be raised or propagated on the offender's facilities for a period of three (3) calendar years.

8. The shipment of alligator eggs out of state is prohibited except where special scientific permits have been obtained in advance from the Department and specify all such shipments. Violation of this part is a class 2 violation as described in Title 56.

9. Transportation of alligator(s) into this state without prior written approval of the Department is strictly prohibited. Violation of this part is a class 7A violation as described in Title 56.

10. It is unlawful to ship alligator eggs into the State of Louisiana unless they are to be used for Department sponsored scientific studies and these shipments shall have prior written Department approval. Violation of this part is a class 7A violation as described in Title 56.

11. The shipment of live alligators or alligator eggs out of the United States is strictly prohibited unless they are used for Department sponsored scientific studies with an accompanying authorization signed by the Secretary. Violation of this part is a class 7A violation as described in Title 56.

12. There is levied a severance tax of twenty-five cents on all skins or hides taken from any alligator, within the state, payable to the state through the Department by the alligator hunter or alligator farmer taking his own catch out of state, or by the dealer. Violation of this part is a class 2 violation as described in Title 56.

D. Licenses, Permits and Fees.

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

- (a) \$25 for a resident alligator hunter's license;
- (b) \$150 for a nonresident alligator hunter's license;
- (c) \$25 for a resident fur buyer's license;
- (d) \$100 for a nonresident fur buyer's license;
- (e) \$150 for a resident fur dealer's license (\$500 deposit required);
- (f) \$300 for a nonresident fur dealer's license (\$1,000 deposit required);
- (g) \$10 for a nongame quadruped exhibitor's license;
- (h) \$25 for a nongame quadruped breeder's license;
- (i) \$50 for a alligator parts dealer license;
- (j) \$5 for a alligator parts retailer license;
- (k) \$4 for each alligator hide tag;
- (l) \$4 for each whole alligator leaving the state as alligator shipping label fee;
- (m) \$0.25 severance tax for each alligator hide taken from within the state;
- (n) \$25 for a Designated Agent Collection Permit.

2. No person may take, attempt to take, or possess a wild alligator in this state during the open season for taking wild alligators unless he or she has acquired and possesses an alligator hunter's license. An alligator hunter must have in possession a valid alligator hunter license to take or sell alligators, their skins, or parts. Violation of this part is a class 2 violation as described in Title 56.

3. No resident or nonresident fur buyer shall ship furs, alligators, alligator skins, alligator eggs, or alligator parts out of state. Violation of this part is a class 2 violation as described in Title 56.

4. Every resident fur dealer, alligator hunter, alligator parts dealer, alligator farmer, nonresident fur dealer, or nonresident alligator hunter shall not ship or take raw

alligator skins, alligators, or alligator parts out of state without first complying with provision of these regulations. Violation of this part is a class 2 violation as described in Title 56.

5. No person may engage in the business of raising and/or exhibiting alligators unless he or she has acquired and possesses a valid nongame quadruped exhibitor license. Violation of this part is a class 3 violation as described in title 56.

6. No person may engage in the business of raising, breeding, propagating, exhibiting and selling alligators alive or selling their parts, and killing and transporting them and selling their skins and carcasses unless he or she has acquired and possesses a valid nongame quadruped breeder license and complies with Subsections N and O of these regulations. Violation of this part is a class 3 violation as described in Title 56.

7. No person shall engage in the business of buying and selling alligator parts unless he or she has acquired and possesses a valid alligator parts dealer license. Violation of this part is a class 2 violation as described in Title 56.

8. Each retailer selling canned alligator parts or purchasing alligator parts, and each restaurant selling prepared alligator meat for human consumption shall secure from the department an alligator parts retailer license prior to commencing business. Violation of this part is a class 2 violation as described in Title 56.

9. No person shall remove and possess alligator eggs from wild nests unless he or she has acquired and possesses a valid nongame game quadruped breeder license or a valid Designated Collection Agent Permit and also has in his possession a valid alligator egg collection permit. Egg collection permits will only be issued to those persons who demonstrate competency in egg collection and handling, have necessary equipment accessible and comply with all Department requirements as described in Subsection N of these regulations. Violation of this part is a class 7A violation as described in Title 56.

10. No person shall ship or transport alligators out of the state without first applying for and receiving an alligator shipping label which shall be affixed to each container of alligators and is properly completed and validated by Department personnel. Violation of this part is a class 2 violation as described in Title 56.

11. Every alligator hunter or alligator farmer shipping or transporting his own catch of alligator skins out of state is liable for the severance tax thereon, and shall apply for an official out of state shipping tag to be attached to the shipment and shall pay the severance tax prior to shipment. Violation of this part is a class 2 violation as described in Title 56.

12. Valid holders of alligator hunter license, nongame quadruped breeder license, fur dealers license and alligator parts dealer license must comply with federal licensing and permit requirements to engage in interstate and international commerce involving alligators, alligator hides and parts. Violation of this part is a class 2 violation as described in Title 56.

E. Wild Harvest Methods.

1. Alligators taken from the wild may be removed from hook and line, and other legal capture devices which may be used, only during daylight hours, between official sunrise and official sunset. Violation of this part is a class 7A violation as described in Title 56.

2. There are no size restrictions on wild alligators taken during the general open season. A Department issued permit is required to sell alligators or their skins which are less than four (4) feet in length. Violation of this part is a class 7A violation as described in Title 56.

3. Legal methods for taking alligators in the wild are as follows:

- (a) Hook and line;
- (b) Long (including compound) bow and barbed arrow; and
- (c) Firearms.

Violation of this part is a class 7A violation as described in Title 56.

4. Hooks and arrows may be used only when a line of at least 300-pound test is securely attached to the hook or head of the arrow in such a manner to prevent separation from the hook or head until the carcass is retrieved. The other end of the line must be attached to a stationary or floating object capable of maintaining the line above water when an alligator is attached. Violation of this part is a class 7A violation as described in Title 56.

5. Alligator hunters shall inspect their hooks and lines and remove captured alligators daily. Alligators shall not be cut loose from hooks and lines for the purpose of selecting

larger alligators. All hooks and lines shall be removed when an alligator hunter's quota is reached. Violation of this part is a class 7A violation as described in Title 56.

6. Baited hooks and lines may be set no more than 24 hours prior to the general open season and shall be removed no later than sunset of the last day of the open season. Violation of this part is a class 7A violation as described in Title 56.

7. No person possessing alligator hide tags issued for privately-owned land or water may take alligators on adjacent publicly-owned water unless the taking device is anchored to privately-owned land or the person is on privately-owned land when the taking occurs, provided that any alligator captured on a legal taking device that is anchored to privately-owned land or held by a person on privately-owned land may be dispatched from a floating craft on public water. Violation of this part is a class 7A violation as described in Title 56.

8. A person possessing alligator hide tags for publicly-owned areas may take alligators by legal means from a floating craft on public water for which the tags are issued.

F. Alligator Hide Tag Procurement and Tagging Requirements.

1. Alligator hide tags may be obtained as follows and only to properly licensed alligator hunters and nongame quadruped breeders:

2. Landowners, Land Managers and Hunters - upon application to the Department on forms provided for tag issuance. Applications for alligator tag allotments will be taken annually beginning August 1 and ending 10 days after the season opens.

(a) Maximum tag issuance to individual landowners, land managers, or their hunters shall be determined solely by the Department. Landowners, land managers, or their hunters shall certify total acreage owned or represented on a form prescribed by the Department at the time of application. The location and acreage of the property must be provided which includes parish, township, range and section delineation figures.

(b) Land managers and hunters must present a notarized document from the landowner verifying their selection to represent that landowner and the total acreage represented to obtain hide tags.

(c) Payment for all alligator tags shall be received by the Department prior to issuance. Numbered alligator

hide tags shall only be issued in the name of the license holder and are nontransferable. A refund will be issued for all unused alligator tags which are returned within the required time frame designated in these regulations.

Violation of parts 1 and 2 of this Subsection are class 2 violations as described in Title 56.

3. Alligator farmers - upon request to the Department at any time at least two weeks prior to scheduled harvesting, subject to verification of available stock by Department personnel. Violation of this part is a class 2 violation as described in Title 56.

4. If an alligator hunter is cited for hunting alligators out of season, at night, or on property other than that for which hide tags were issued, all unused hide tags and alligators in possession shall be confiscated and the violator's alligator hunting license shall be revoked. Violation of this part is a class 7A violation as described in Title 56.

5. Special instructions will be issued to the holders of alligator hunting licenses immediately prior to the annual open season describing detailed methods regarding the skinning of alligators. Alligator farmers shall adhere to the annual skinning requirements when skinning farm raised alligators. Alligators not skinned in compliance with the established specific requirements shall be considered illegal and shall be confiscated by the Department.

6. It shall be a violation for any alligator hunter, alligator farmer, fur buyer, or fur dealer who knowingly attempts to sell an alligator hide that was not skinned in accordance with the established specific requirements. Violation of this part is a class 7A violation as described in Title 56.

7. A hide tag shall be attached in the last six (6) inches of an alligator's tail immediately upon possession by an alligator hunter. The tag shall be attached in accordance with instructions issued by the Department. Alligator farmers may wait until farm raised alligators are skinned prior to tagging. Live or dead farm raised alligators may be transported with their accompanying tags from a licensed alligator farm to a licensed processing facility, however, each shipment shall be accompanied with the exact number of alligator hide tags. Violation of this part is a class 7A violation as described in Title 56.

G. Open Season, Open Areas, and Bag Limits.

1. Open seasons are as follows:

(a) The general open season for taking alligators in the wild shall run for a 30 day period beginning on September 1, 1990 through September 30, 1990. The Secretary shall be authorized to close, extend or reopen the season as biologically justifiable.

(b) Nuisance control hunters may take nuisance alligators at any time as prescribed by the Department.

(c) Farm raised alligators may be taken at any time following the issuance of hide tags by the Department.

(d) The open season for collection of alligator eggs from the wild shall be from May 15 through September 15 of each calendar year.

Violation of this part is a class 7A violation as described in Title 56.

2. The open areas are as follows:

(a) For the general open season, those areas designated by the technical staff of the Department as alligator habitat and which can sustain an alligator harvest.

(b) The Department may select public lakes and lands for an experimental alligator hunting program. The harvest will be controlled by a tag allotment for each lake as determined by Department personnel. Applicants for public lake hunting must be 16 years of age or older. Applications must be received at least 10 days prior to the season opening date. A public drawing will be held to select hunters. An alligator hunter can receive tags for and hunt on only one public lake per season. The tag quota for each lake and hunter will be established by the technical staff of the Department. Alligator tags issued on public lakes and lands are nontransferable.

(c) Wild alligators in the remainder of the state may be taken only under provisions as prescribed by the Department.

Violation of this part is a class 7A violation as described in Title 56.

3. The daily and season bag limit is equal to the number of valid alligator hide tags that a licensed alligator hunter possesses. Violation of this part is a class 7A violation as described in Title 56.

4. Non resident alligator hunters may only take three (3) alligator during the open season. Violation of this part is a class 4 violation as described in Title 56.

5. Harvest rates will be calculated annually by Department personnel based on biological data. Alligator hide tag allotments will be established prior to issuance of alligator hunting licenses.

H. Possession.

1. No person shall possess alligators or alligator hides in Louisiana without valid official tags properly attached. Failure to properly tag an alligator or hide shall result in confiscation of both the alligator or hide and tag. Violation of this part is a class 7A violation as described in Title 56.

2. Alligator farmers may request hide tags or shipping labels from the Department to be used on farm-raised alligators that have died unexpectedly and may hold those alligators in freezers until receipt of the requested hide tags or shipping labels. These alligators may be held in freezers for a maximum of 60 days prior to disposal. All alligators 24 inches and greater in length that die unexpectedly must be properly skinned and tagged with an alligator hide tag. Violation of this part is a class 7A violation as described in Title 56.

3. No person other than a licensed alligator hunter, licensed alligator farmer, licensed fur buyer or licensed fur dealer may possess a tagged or labeled alligator, a tagged raw or salted hide of an alligator at any time, provided that legally documented tagged or labeled alligators or tagged hides may be possessed without license while in transit, or during processing for tanning or taxidermy. Violation of this part is a class 7A violation as described in Title 56.

4. No person other than a licensed alligator farmer or licensed non game quadruped exhibitor may possess live alligators at any time other than by a permit issued by the Department upon request for use in displays and educational purposes, and by holders of valid Department issued permits for scientific purposes. Live, farm raised alligators and their alligator hide tags may be held for processing by a properly licensed alligator skinning facility without a license or permit. Violation of this part is a class 7A violation as described in Title 56.

5. No person other than a licensed alligator farmer or licensed non game quadruped exhibitor may possess alligator eggs at any time other than Department permitted Designated Collection Agents assisting a licensed and permitted alligator

farmer during wild egg collection, or a holder of a valid Department issued permit for scientific purposes. Any alligators hatched from scientific permits issued by the Department will be returned to the wild under Departmental supervision following completion of the research project. Violation of this part is a class 7A violation as described in Title 56.

I. Importation, Exportation, Purchase, and Sale.

1. Alligators, alligator hides (raw or salted), or parts of alligators, may be brought into the state only if the alligators, alligator hides or parts of alligators were lawfully taken in another state or country and the person, firm or corporation bringing the alligators, alligator hides (raw or salted), or alligator parts into the state has obtained written permission from the Department. Violation of this part is a class 7A violation as described in Title 56.

2. All alligators, alligator hides (raw or salted), or parts of alligators possessed, sold, purchased, exported, imported, or brought into the state from another state shall be accompanied by documented evidence that they were lawfully taken. Documented evidence shall consist of, but not be limited to:

(a) A resource user license or permit number allowing the taking of alligators and tags or other identification required by the state or country of origin shall be firmly attached to the alligator, alligator hide, or parts of alligators; and

(b) A tag or label is affixed to the outside of any package or container of alligators, alligator hides, or alligator parts that specifies type of contents, indicates quantity contained, and lists applicable license or permit numbers.

Violation of this part is a class 7A violation as described in Title 56.

3. Purchases of alligators, alligator hides and alligator parts are restricted as follows:

(a) A licensed alligator hunter may not purchase alligators or alligator hides from anyone.

(b) A licensed fur buyer may purchase alligator hides from an Louisiana licensed alligator hunter, licensed

alligator farmer, licensed fur dealer, or another fur buyer within the confines of the state.

(c) A licensed fur dealer may purchase alligator hides from a licensed alligator hunter, licensed alligator farmer, fur buyer or another fur dealer.

(d) A licensed alligator farmer may purchase live alligators only from another licensed alligator farmer or the Department.

(e) An alligator farmer may purchase alligator eggs only from another alligator farmer, a landowner/land manager (with an approved Department alligator egg collection permit), or the Department.

(f) A licensed alligator parts dealer may purchase alligator parts from an licensed alligator hunter, alligator farmer, another alligator parts dealer, or the Department.

(g) A licensed parts retailer may purchase canned alligator parts or alligator parts from an alligator parts dealer.

(h) A restaurant may purchase alligator meat to sell prepared for human consumption with a alligator parts retailer license.

Violation of this part is a class 2 violation as described in Title 56.

4. Sales of alligators and alligator parts are restricted as follows:

(a) A licensed alligator hunter may sell alligators, alligator hides, or alligator parts taken by the licensee during the general open season to anyone who may legally purchase.

(b) A licensed alligator farmer may sell alligators, alligator eggs, alligator hides, or alligator parts to anyone who may legally purchase. The sale of alligator eggs or live alligators shall only occur following the issuance of an Alligator Transfer Authorization Permit issued by the Department. Application for the permit shall be made at least 2 weeks prior to the transfer.

(c) A licensed fur buyer may sell alligator hides to a fur dealer or another fur buyer within the confines of the state.

(d) A licensed fur dealer may sell alligator hides to anyone who may legally purchase.

(e) A licensed alligator parts dealer may sell alligator parts to anyone.

(f) A licensed alligator parts retailer may sell canned alligator parts, processed alligator parts, or alligator meat to anyone.

(g) A restaurant possessing an alligator parts retailer license may sell alligator meat prepared for human consumption to anyone.

Violation of this part is a class 3 violation as described in Title 56.

5. Legally tagged and documented alligators, alligator hides, and parts of alligators taken in Louisiana may be shipped out of state or exported by alligator hunters, alligator farmers, fur dealers and alligator parts dealers subject to Subsection K of these regulations (relating to Report Requirements) provided that no live alligators or eggs originating in Louisiana may be exported outside of the United States without specific Department authorization and the concurrence of the United States Fish and Wildlife Service, to be used only for scientific purposes. Violation of this part is a class 3 violation as described in Title 56.

6. A special permit is required of anyone who sells alligator eggs, live alligators under four (4) feet in length, or skins of alligators under four (4) feet in length. Violation of this part is a class 7A violation as described in Title 56.

J. Nuisance Alligator Control.

1. Nuisance alligator hunters will be selected by the Department and may be based upon recommendations received from the local governing body. Applicants with prior alligator hunting violations will be rejected.

2. Nuisance alligator hunters shall purchase a valid alligator hunter license and are bound by all laws, rules and regulations governing alligator hunting with the exception that nuisance alligators may be taken at anytime. Violation of this part is a class 2 violation as described in Title 56.

3. Nuisance alligator complaints will be verified by Department personnel prior to being approved for removal. Violation of this part is a class 2 violation as described in Title 56.

4. Tags will be issued to nuisance alligator hunters for immediate attachment to alligators when taken. Nuisance alligator hunters will make every attempt possible to catch nuisance alligators and relocate to natural habitat selected by the Department. It is unlawful for any nuisance alligator captured alive to be sold or otherwise disposed of on an alligator farm. Alligators and alligator parts taken and tagged under these provisions may be retained and sold by the nuisance alligator hunter as any other legally taken wild alligator or alligator part. Violation of this part is a class 7A violation as described in Title 56.

5. Nuisance alligator hunters may take alligators by any means prescribed by the Department. Failure to comply with Departmental instructions may result in immediate termination of the individual's participation in the nuisance alligator program. Violation of this part is a class 2 violation as described in Title 56.

K. Report Requirements.

1. Report forms provided by the Department must be completed and filed with the Department by all persons who have been issued an alligator hunter's license, fur buyer's license, fur dealer's license, nongame quadruped exhibitor's license, nongame quadruped breeder's license, alligator parts dealer's license, or alligator egg collection permit in accordance with this Subsection. Reports shall include but not be limited to the information specified in this Subsection.

2. Alligator hunters receiving hide tags from the Department are responsible for disposition of all issued tags and must:

(a) Complete an official alligator parts transaction form furnished by the Department for each alligator part transaction. These forms shall be submitted to the Department within 30 days following the close of the season and thereafter at 60-day intervals until all parts are sold.

(b) Complete an official lost tag form, furnished by the Department for any hide tags lost or stolen. These forms shall be submitted to the Department within 15 days following the close of the season. Lost or stolen tags will not be replaced.

(c) All unused tags must be returned to the Department within 15 days following the close of the season. Violation of this requirement shall result in no license or alligator tags being issued to the violator for a period of one year.

(d) The Department must be notified within 15 days following the close of the season, of any alligator hides not sold to a fur buyer or fur dealer on official forms provided by the Department.

(e) Each licensed alligator hunter selling alligator parts to a person or a restaurant shall provide that person with a bill of sale for each transaction.

(f) All records of transactions involving alligator parts of alligator hunters shall be available for inspection by the Department.

Violation of this part is a class 2 violation as described in Title 56.

3. A nuisance alligator hunter shall comply with the same report requirements as an alligator hunter and complete any other reports required by the Department. Violation of this requirement shall result in immediate termination of nuisance alligator hunter status. Violation of this part is a class 2 violation as described in Title 56.

4. Alligator farmers receiving hide tags from the Department are responsible for disposition of all issued tags and must:

(a) Complete an official alligator parts transaction form, furnished by the Department for each alligator part transaction. These forms shall be submitted to the Department within 30 days following the last day of the year that issued tags are valid and thereafter at 60-day intervals until all parts are sold. Violation of this part is a class 2 violation as described in Title 56.

(b) Complete an official lost tag form, furnished by the Department for any hide tags lost or stolen. These forms shall be submitted to the Department within 15 days following the last day of the year that issued tags are valid. Lost or stolen tags will not be replaced. Violation of this part is a class 2 violation as described in Title 56.

(c) All unused hide tags must be returned to the Department within 15 days following the last day of the year that issued tags are valid. Violation of this requirement shall result in the revocation of the nongame quadruped breeder's license. Violation of this part is a class 2 violation as described in Title 56.

(d) The Department must be notified within 15 days following the last day of the year that issued tags are valid of any alligator hide not sold to a fur buyer or fur dealer on official forms provided by the Department. Violation of this part is a class 2 violation as described in Title 56.

(e) Each alligator farmer shall report annually, no later than December 31, on an official form provided by the Department, all activities that have occurred on the farm for the past year including but not limited to the number of live alligators as of that date, separated by sizes, the number of eggs collected and hatched, the purchase and sale of alligators for the past year and the numbers of alligators lost. Failure to complete this form properly and completely will result in non renewal of the nongame quadruped breeder's license. Violation of this part is a class 3 violation as described in Title 56.

(f) Each licensed alligator farmer selling alligator parts to a person or a restaurant shall furnish that person with a bill of sale for each transaction. Violation of this part is a class 2 violation.

5. Fur buyers and fur dealers engaged in the business of buying and selling alligator hides must keep within the state a complete record on forms provided by the Department, all purchases and sales made of alligator hides as described in Title 56, and;

(a) Every buyer or dealer having undressed alligator hides in his possession after the close of each open season shall file with the Department within 60 days or prior to shipping out of state, a complete report, on forms provided by the Department, a detailed description of alligator hides then owned or held in possession as owner or agent.

Violation of this part is a class 3 violation as described in Title 56.

6. Fur dealers engaged in the business of buying and selling alligator hides must maintain complete records of alligator hides purchased inside and outside the state as described in Title 56. Failure to maintain complete records and to pay the required severance tax subjects any dealer to the full penalties provided and the immediate revocation of his license by the Department. No license shall be issued to a dealer who has not paid the tax for the preceding year. Violation of this part is a class 2 violation as described in Title 56.

7. Alligator parts dealers purchasing alligator parts, shall complete an official alligator parts purchase form for each purchase. Alligator parts dealers selling alligator parts, shall complete an official alligator parts sale form for each sale. These forms shall be furnished by the Department and shall be submitted to the Department within 30 days following the close of the open season and at 60-day intervals until final disposition of all wild parts. These forms shall be submitted annually for all farm raised alligator parts, and;

(a) Alligator parts dealers shall furnish a bill of sale to anyone purchasing alligator parts.

(b) The records of transactions involving alligator parts shall be available for inspection by the Department and shall be maintained complete for a period of one year following any transaction.

Violation of this part is a class 2 violation as described in Title 56.

8. Any alligator parts retailer or restaurant purchasing alligator parts shall maintain a bill of sale for each purchase for a period of six months after such purchase and these records shall be available for inspection by the Department. Violation of this part is a class 2 violation as described in Title 56.

L. Alligator Meat.

1. Alligator meat from lawfully taken alligators can only be sold according to state and federal laws, Louisiana Department of Health and Hospitals regulations and Louisiana Wildlife and Fisheries Commission regulations. Violation of this part is a class 2 violation as described in Title 56.

2. Alligator meat processed in the State of Louisiana and sold for human consumption must be processed in a licensed facility approved by the Louisiana Department of Health and Hospitals and the facility must display a valid permit issued by that agency. Violation of this part is a class 2 violation as described in Title 56.

3. Alligator carcasses being shipped whole shall be tagged with an alligator parts tag properly identifying the carcasses and shall remain on the carcasses until the processing makes identification impossible. Violation of this part is a class 3 violation as described in Title 56.

4. Alligator hunters and alligator farmers involved in alligator parts transactions with individual consumers shall properly tag all alligator parts and the parts tag shall

remain attached until final disposition. Violation of this part is a class 3 violation as described in Title 56.

5. All alligator meat processed for sale must be packaged in suitable containers which identifies the contents as alligator meat, is marked with a valid Department license number and comply with all state and federal packaging and labeling requirements. Violation of this part is a class 3 violation as described in Title 56.

6. All alligator meat shipped into the state and being offered for sale must meet all of Louisiana's health, processing, packaging and labeling requirements. Violation of this part is a class 3 violation as described in Title 56.

M. Disposal of Alligators by the Department.

1. The Department may sell alligators, alligator eggs or parts of alligators taken for any purpose deemed necessary for proper management of the species pursuant to Title 56.

2. The Department may dispose of alligators, alligator eggs, or parts of alligators by donation or lending to a scientific institution or other institutions that the Department deems have need for such alligators, however these institutions cannot sell or barter these animals and must be returned to the Department at the conclusion of the program or need.

3. Confiscated alligator hides and parts may be destroyed by the Department pending the outcome of the criminal trial.

4. Confiscated live alligator eggs or alligators will be cared for by the Department and released in suitable alligator habitat when and where they can survive. All costs incurred by the Department in the maintenance of these eggs and animals in captivity shall be the responsibility of the offender and restitution shall be made to the Department.

N. Alligator Egg Collection.

1. Alligator egg collection permits are a three party permit between the Department, the permittee and a landowner/manager who owns or leases alligator nesting habitat determined by Department biologists to be capable of producing alligator eggs. The numbers of eggs to be collected will be based upon biological management criteria and will be determined annually by technical staff of the Department. The Department only estimates the numbers of eggs available and assumes no responsibility or offers no guarantee that those numbers of eggs will be available. Alligator egg collection permits may be obtained upon application to the Department on forms provided by the Department. The annual deadline for

submitting applications for Alligator Egg Collection Permits is June 1. This program is experimental and may be changed at any time based on biological data to insure for proper management of the wild alligator population.

2. Alligator egg collection permits may be issued by the Department provided:

(a) Permittee is a properly licensed alligator farmer and meets all applicable requirements in Subsection O of these regulations (Alligator Farm Facility Requirements).

(b) All land documentation required on the alligator egg collection permit has been presented to the Department.

(c) Department biologists determine the properties described on the permit application are indeed alligator nesting habitat and can sustain alligator egg collections.

(d) Applicant has obtained all legal and necessary signatures from landowners/land managers.

Violation of this part is a class 7A violation as described in Title 56.

3. It is unlawful for an alligator farmer or a permitted Designated Collection Agent to collect eggs from properties other than those described in the alligator egg collection permit. Violation of this part is a class 7A violation as described in Title 56.

4. An alligator farmer or designated collection agent in the act of collecting or possessing alligator eggs must possess on his or her person a copy of the fully executed alligator egg collection permit. The designated collection agent must also possess a valid designated collection agent permit. Violation of this part is a class 7A violation as described in Title 56.

5. Collection of wild alligator eggs can only be made after contacting the appropriate Department Enforcement Agent no less than 24 hours prior to each collection trip. Violation of this part is a class 7A violation as described in Title 56.

6. Alligator eggs can only be collected from the wild from official sunrise to official sunset and only during the established alligator egg collection season. Violation of this part is a class 7A violation as described in Title 56.

7. Alligator eggs collected from the wild must be collected and transported in a manner which insures the greatest survival of viable eggs as determined by Department biologists. Violation of this part is a class 7A violation as described in Title 56.

8. Each clutch of alligator eggs collected should be maintained as a separate entity from time of collection through incubation and hatching.

9. Failure to hatch at least 70% of viable alligator eggs collected from the wild shall be considered a waste of Louisiana's natural resources. All alligator egg collection permits shall be revoked and no new permits issued should an alligator farmer be found to waste the resources of this state for two consecutive years.

10. Alligator egg collection permits shall be revoked and no new permits issued to alligator farmers who fail to average a minimum hatchling survival rate of 85% for two consecutive years.

11. The alligator egg collection permittee and the landowner are responsible for returning the percentage of live alligators to the wild described on the alligator egg collection permit. This requirement is nontransferable. Minimum return rates will be based upon the state average hatching success which is 78%. Each alligator shall be returned to the original egg collection area. Each alligator shall be a minimum of 48" in size and the returned sex ratio should contain at least 50% females. The Department shall be responsible for supervising the required return of these alligators. Releases back to the wild will only occur between April 15 and September 15 of each calendar year. Should an alligator egg collection permittee be unable to release the required number of alligators to the wild from his own stock, he shall be required to purchase additional alligators from another farmer to meet compliance with the alligator egg collection permit and these regulations, as supervised by the Department. Department sanctioned participants in ongoing studies involving survivability and return rates are exempt from these requirements during the period of the study. Violation of this part is a class 7A violation as described in Title 56.

12. The percentage of 48" alligators to be returned to the wild shall be selected from the healthiest of all alligators of that year class. Abnormal or deformed alligators are not acceptable for release into the wild. It is unlawful for alligators that are to be returned to the wild to be transported out of state. Violation of this part is a class 7A violation as described in Title 56.

O. Alligator Farm Facility Requirements.

1. All first time applicants for a nongame quadruped breeder's or exhibitor's license who will house alligators on their premises shall show compliance of the following minimum facilities as applicable to their particular operation during a required facility examination by Department personnel prior to license issuance:

(a) Secured premises with adequate barriers to prevent escape of enclosed alligators and entry by alligators from outside the farm and to deter theft of alligators.

(b) Source of clean, fresh water which shall be adequate to ensure for proper care of all alligator stock and facilities. This requirement shall be determined by Department personnel.

(c) Provisions for both dry area and pooled water within the secured area adequate for the numbers of alligators to be housed on the premises. This requirement will be determined by Department personnel.

(d) Provision for winter protection, either through adequate denning space or an enclosed, controlled-temperature environment of a design acceptable to the Department.

(e) All controlled-temperature alligator sheds shall be of a design acceptable to the Department. Each shed shall be capable of maintaining a minimum constant temperature of 80 degrees fahrenheit. Minimum space requirements for alligators housed in the shed shall be:

(i) One square foot of space shall be required for each alligator less than 24" in length.

(ii) Three square feet of space shall be required for each alligator measuring 25" to 48" in length.

(iii) One additional square foot of space shall be required for each additional 6 inches of alligator length for alligators above four feet in length.

(f) All alligator egg incubators shall be of a design acceptable to the Department. Each incubator shall maintain a water and air temperature of 85 to 91 degrees fahrenheit during the egg incubation.

(g) Applicant must be in compliance with all laws and regulations pertaining to zoning, construction, health

and environmental standards and must possess any and all applicable permits and licenses.

(h) All alligator facilities should be constructed in a suitable location so as to minimize contact with people.

2. Following initial issuance of applicable license, all applicable facility requirements shall be adhered to and Department personnel have the authority to inspect any and all of the facilities at any time. Failure to adhere to the requirements shall be a violation of these rules and violators will be given 60 days to correct the problem. Failure to comply shall result in confiscation of all animals and/or closure of all facilities. Violation of this part is a class 7A violation as described in Title 56.

3. All alligator farmers possessing alligator eggs outside an alligator nest should house these eggs in identifiable original clutch groups in an incubator providing constant temperature and humidity conditions. All incubators used to incubate alligator eggs shall be of a design to allow for maximum temperature control and conform to Department requirements to allow for the maximum hatching success. Violation of this part is a class 7A violation as described in Title 56.

4. All alligator farmers possessing alligator hatchlings shall house hatchlings in controlled environmental chambers capable of maintaining a minimum temperature of 80 degrees fahrenheit year round and containing dry and wet areas of sufficient surface area to permit all alligators to completely submerge in water and completely exit from water and orient in any direction, without touching the sides of the chambers. All alligators 48" or less in length shall be housed in environmental chambers unless a special permit is issued by the Department to move them to outside growth areas. Violation of this part is a class 7A violation as described in Title 56.

5. Alligator farmers shall house alligators of different lengths into at least three groups, providing separation for all alligators less than two feet in length, two to four feet in length, and over four feet in length. Land and water areas sufficient for complete submersion or complete exit from water shall be provided for each group of alligators held. Violation of this part is a class 7A violation as described in Title 56.

6. Nesting activity of captive alligators shall be recorded with weekly accounts of nests constructed, eggs collected,

number of viable eggs set and hatching success. Violation of this part is a class 3 violation as described in Title 56.

7. Complete written records shall be maintained by the license holder and shall be submitted to the Department on a standardized annual report form provided by the Department, which shall be provided as part of the annual license renewal. These reports must be submitted no later than December 31 of each year. Violation of this part is a class 3 violation as described in Title 56.

8. All facilities, alligator stock, and records are subject to examination by Department personnel prior to permitting and thereafter during farm operation. Violation of this part is a class 7A violation as described in Title 56.

9. It shall be unlawful for alligator eggs or alligators to be moved from a licensed premises without approval of the Department. Violation of this part is a class 7A violation as described in Title 56.

P. Exceptions.

1. These regulations do not require licenses, labels, or permits for consumers who purchase or possess goods processed or manufactured from alligators which have been legally taken or raised, provided that such goods are used by the consumer and are not sold or bartered in conjunction with a wholesale or retail business activity.

2. The Department or an authorized representative of the Department may take by any means and possess alligators or parts of alligators while in the performance of official duties.

3. These regulations shall not prohibit a person from killing an alligator in immediate defense of his or her life or the lives of others. Alligators killed under this provision must be reported to the Department within 24 hours. Violation of this part is a class 2 violation as described in Title 56.

4. These regulations do not require a state license or permit of persons who deal in finished alligator leather products.

Q. Penalty for Violation.

1. In order to facilitate greater control over alligator trafficking, the Louisiana Department of Wildlife and Fisheries finds that public welfare imperatively requires emergency action when the provisions of these regulations are violated.

2. If citations are issued for a violation of these regulations, all licenses and tags belonging to or in the possession of the cited party shall be suspended until such time as the said party appears before Department officials for purposes of reviewing the citations issued. The Secretary, after reviewing the proceedings may reinstate or revoke the suspension. The alleged violator may lose all rights and privileges to participate in this program if found guilty by criminal or civil process.

3. The Department shall have the authority to confiscate any alligators or alligator eggs from any person or facility that is not caring for the alligators or alligator eggs in a humane manner. Inhumane treatment of alligators or alligator eggs consists but is not limited to conditions which could have an adverse effect upon the alligators or alligator eggs such as sanitary conditions, temperature control, feeding, or overcrowding. The confiscated alligators and alligator eggs shall be disposed of as the Department deems necessary. Inhumane treatment of alligators or alligator eggs is a class 7A violation as described in Title 56.

4. In addition to all penalties set forth herein, violators may be subject to criminal prosecution under provisions of the Louisiana Revised Statutes, particularly Titles 14 and 56 and under Federal law.

5. In addition to all other penalties provided by these rules and by statute, violation of any part of these regulations may result in the suspension and/or revocation of any or all alligator licenses held by the violator and, as further penalty, for serious, repeat, or multiple violations, the Department shall have the right to deny a violator any and all licenses relating to alligators for a period not to exceed three (3) years.

This is to certify that the above and foregoing is a true copy of the excerpt of the meeting of the Louisiana Wildlife and Fisheries Commission held in Baton Rouge, Louisiana on July 5, 1990.

Warren Pol
Chairman

At Thursday's meeting a Discussion and Setting Closing Dates for the Fall Inshore and Offshore Shrimp Seasons was presented by Mr. Phil Bowman. Mr. Bowman addressed the Commission and presented information on the shrimp season. The latest information that is available is from the report of the National Marine Fisheries Service which gives the landings for the month of September, the

state landings for the time period of January through September and comparison to what has been going on in the other states as well as how it relates to the last five years. In the January through September time period there were 52.6 million pounds of shrimp, heads off weight, landed in Louisiana. This is a mixture of browns, whites, pinks and seabobs. The same trend that has been seen in Louisiana in the past years has held throughout the Gulf pointed out Mr. Bowman. Mr. Bowman brought the Commission up-to-date on what has been going on relative to shrimp management as far as planning goes and the Shrimp Task Force. The department is working with the task force and LSU in the development of a shrimp management plan for Louisiana. It is anticipated that this plan will not be finished until late 1991 or early 1992, therefore, the task force, as well as the department, felt like discussions were needed on some developments, some interim management recommendations, or interim criteria on how to close the fall inshore season and later on reopen the offshore waters. The task force came up with two recommendations that will point the department in the direction that is felt it should be moving toward. In talking about management of shrimp in the fall inshore season and in the offshore waters particularly in the winter time the task force felt like the department should focus in on white shrimp and that the management practices in these area should be directed toward the enhancement of the white shrimp crop. Additionally, while there was no formal vote taken on this, but by consensus everyone felt that they would like to begin to move towards harvesting a larger white shrimp. In a number of discussions on brown shrimp it was felt that there were ample quantities of some of the small shrimp available and there was also ample quantities of small shrimp available with the seabobs. However, when the white shrimp was discussed, which does demand a slightly higher price than brown shrimp during certain times of the year, it was felt they would like to begin to move toward harvesting a larger shrimp. In addition to discussions with the task force, the staff has begun to look at and discuss how the department should go about managing the fall season and the offshore closure. The department does have some flexibility now, that is relatively new, and has had it for the last two years. Historically, the department has not had any flexibility in how to open and close the fall season nor have they had any flexibility in what to do with the offshore waters. A lot of people are familiar with the management of brown shrimp and some of the things that affect brown shrimp. However, white shrimp is a totally different creature advised Mr. Bowman. Most of the research done since the early 1960's has been directed for brown shrimp. The National Marine Fisheries Service has been the focal point for a lot of the research and they view the white shrimp as a state resource since most of the white shrimp are harvested inside the state waters or inside grid one or the five fathom grid as it is called. Therefore, it was only natural that the National Marine Fisheries Service should look to the shrimp that is primarily in the federal waters which is the brown shrimp. Most of the state's

research efforts were piggy backed on to the research efforts of the National Marine Fisheries Service so most of Louisiana's research has been directed toward brown shrimp. A great number of things were learned about brown shrimp but while doing so a great deal of information has been collected on white shrimp advised Mr. Bowman. A lot of this information is beginning to be analyzed to see what makes this particular resource tick. The white shrimp is a different shrimp and the recruitment patterns are significantly different from the brown shrimp. The recruitment pattern for the white shrimp is just the opposite from a brown shrimp's pattern. When the recruitments first start coming in you have a very stable environment because it is during the middle of the summer with warm waters and generally salty explained Mr. Bowman. Progressing through the season and continuing to get the recruitments you start moving toward unstable environmental conditions such as the passage of cool fronts, fall rains, etc. When the department starts looking at setting the season for brown shrimp in the spring most of the recruitments have been seen. Virtually all the shrimp that recruit to the estuary during the spring and summer are sitting in the marsh and it makes it easy to go in and sample that particular population, gather trends on growth rate and project the population through time to see when it reaches a desirable size. When the department opens the season in August for white shrimp only the first couple of waves of recruits have been seen. Recruits will continue throughout much of the season all the way up into November of some years. In addition to this there are some unstable environmental conditions and the fact that this particular shrimp is more of a schooling shrimp makes some of the sampling regimes somewhat more difficult. How does the department go about understanding when to close the season or when not to close the season, particularly in the fall, stated Mr. Bowman. Mr. Bowman explained how the growth of both the brown and white shrimp is very temperature sensitive and the part the water temperature plays in growth. If there are shrimp that are small in size around the first week in December with the water temperature below the twenty degree threshold there will not be a whole lot of growth. There are some problems starting to occur with the shrimp count in the central part of the coast which is called Coastal Study Areas Five and Six. Area five is the western Terrebonne Parish area and area six is the Vermilion Bay area. Mr. Bowman advised the Commission that the department's recommendation for when to close the fall inshore and offshore season in Louisiana this year would be that in Zone 2, both inshore and offshore, close on December 1, 1990. In the western part of the state it is recommended that the season close on December 21, 1990. The reason for the difference is that there are still shrimp that are fairly large in size that are still in the marsh management areas and if they do have the opportunity to move out they will become available to the fishermen explained Mr. Bowman. In Zone 1, both inshore and offshore, it is recommended to close on December 31, 1990, the reason being is that there is a lake fishery (Lake Pontchartrain, Borgne, Mississippi Sound and Breton Sound) that extends with some rather large shrimp

from sixteen-twenty to ten-fifteen being taken in the area in the latter part of December. Mr. Bowman presented another recommendation on the seabob fishery. Virtually ninety seven percent of the seabobs (shrimp) taken in the Gulf are taken in Louisiana waters and virtually ninety seven percent of those are taken in the near offshore waters off of the beach out to about five fathoms. This particular fishery is an important fishery and it is recommended that a special seabob season (see emergency declaration) extend throughout coastal Louisiana until January 31 and it be illegal to possess more than fifteen percent white shrimp mixed in with the seabobs during the special season. Mr. Bowman asked the Commissioners if they had any questions.

Mr. Foret pointed out that he sees no reason to set a date right now for Zone 2 because they are still catching 36-40 and 40-50 in that area and by December 1 there is a possibility that they will still have some. On the coast line boats are still coming in with 26-20 count shrimp. Mr. Foret stated that he has never seen any shrimp over a hundred count on outside of the beaches but did see some in Caillou Bay or in the Shell Key area. As far as on the beach Mr. Foret sees no reasons for closing the beach as recommended. Mr. Foret stated that he was told that in Vermilion Bay the shrimp are running about 110-120 count. Mr. Foret commented that it should be mandatory not to pull any webbing smaller than a inch and a half and this would solve a lot of problems. If the legal size was an inch and a half in Vermilion Bay right now they probably would be catching 60-70, 70-80 count.

Mr. Bowman advised that relative to the mesh size this is one of the items on the agenda for the task force, there has been some discussions about this by the task force and they are on the verge of recommending that the department go to a larger mesh size for the fall season. This will be a major topic of discussion when they meet next week commented Mr. Bowman.

Mr. McCall asked if there was any provisions on what was proposed on the seabob season as far as January 31 closure and that if the seabob were running in great numbers could anything be done for a short extension. Mr. Bowman stated that this could be written into the resolution and that there were provisions that ask that the Secretary of the department be allowed to close the seasons before the recommended dates if there are enforcement problems and also a provision in the resolution that asks that the Secretary be allowed to set a special pink shrimp or a special white shrimp season if there is a need. This could be incorporated into the resolution. Mr. McCall commented that there have been times in late, late January going into early February where there were still large amounts of seabobs being caught and he would hate to lose that opportunity if it existed.

Chairman Pol asked Mr. Bowman if he was asking that the resolution including the declaration of emergency be acted upon today. Mr.

Bowman stated if it was the pleasure of the Commission and read the resolution. Mr. Foret reiterated that December 1 was too early for closing the beach in Zone 2 and would like to have this changed. Dr. Hines stated that maybe this could be changed to December 21 or 31 and then let the Secretary monitor it closely and make a recommendation later. Mr. Foret suggested to put Zone 2 just like Zone 3 and recommended everything should read December 31 and still have the option to close it anytime the shrimp is undersized. Mr. Bowman suggested that the resolution be modified to leave that particular section open and still close the other part of the area as stated in the resolution. After a short discussion on this issue Chairman Pol asked Mr. Bowman to make the changes and advised that it would be acted upon tomorrow.

Mr. Andy Valence, Mayor of Grand Isle, LA, asked if the offshore season was going to be closed on the 31st. Chairman Pol asked Mr. Bowman to explain this again. Mr. Bowman stated that the inside waters were going to close on December 1; the offshore in the area from Southwest Pass to over and around Coon Point will remain open until December 31. There will be a definite geographic boundary tomorrow advised Mr. Bowman. Mr. Valence asked to address the Commission. Mr. Valence stated that he had with him Mr. David Comadale, member of the Town Council, and a commercial shrimper in the area. Mr. Valence stated that they are respectively requesting that the inside waters parallel to the same parameters that was just announced in the Gulf waters remain open. At the present time the population of the shrimp is about 40-50 count. Mr. Valence asked Mr. Comadale to say a few words on behalf of the inside waters staying open. Mr. David Comadale addressed the Commission. Mr. Comadale advised that he is a commercial fisherman and works Barataria Bay where he said the shrimp are running 40-50. Mr. Comadale is representing the fishermen and the main concern right now is the offshore waters and they cannot see how the offshore waters can be closed with the December date. The last time Mr. Comadale fished in the Gulf the shrimp ran 26-30 and he cannot see, as of today, why a date has to be set to close the inside waters. Mr. Comadale stated that he is not in favor of closing the outside waters at all. Mr. Vujnovich asked Mr. Comadale what part of Barataria Bay did he fish. Grand Lake answered Mr. Comadale. Mr. Vujnovich advised that he was in Grand Lake a couple of days ago and talked with a few of the shrimpers and the count was 100 and 200. Mr. Comadale stated not in Grand Lake. Mr. Vujnovich stated that he was around St. Mary's Point. Mr. Comadale advised that he shrimps all around there at night and would be glad to go out anytime Mr. Vujnovich wanted to. Mr. Comadale stated again that he cannot see closing the Gulf in his area. Mr. Valence stated that they agreed with much of the data that Mr. Bowman had just presented and what is happening in the field with the commercial fishermen. They also agree that some leeway be given based on the effects of the weather conditions. Mr. Valence respectively requested that the outside waters be kept open until it is shown

by direct biological data that it should be closed and that the inside waters be opened until the 31st.

Chairman Pol asked Dr. Clark to address this item. Dr. Clark commented that the thing he wants to talk about is not about this point or that point about what is being done today but about "the" point and "the" point is what Mr. Bowman talked about. This state has to decide what it wants to do with its shrimp fishery and the task force has said that they would like to target for larger white shrimp in general. Maybe it is unfair to say the task force because it makes it sound like there is some over whelming body in the world that has ultimate knowledge and this is not what is being said stated Dr. Clark. The larger white shrimp is a goal that Dr. Clark would support also. If an attempt is made to move this state to larger white shrimp then things like closing seasons when there are "good shrimp to be had" are going to have to be done. In this state because of its water temperatures there are good shrimp to be had almost every month, but as long as the season is opened the not so good shrimp are being harvested. Dr. Clark stated that he remembers a controversy that the department and Commission got into last time when the season was opened and closed at the wrong time. The department and Commission took a terrible beating and were told they were ruining that fishery. Dr. Clark stated that what he is saying today is that this is the issue and the second part of the issue and the thing that is going to make it hard is what was heard today at this meeting by a gentleman saying that he is a shrimper and he is trying to make a living and if the fishery is closed then he cannot shrimp and his income goes down. As long as the fishery is in the bad condition that it is, and the people making as little money as there are right now in this state, the Commission is caught between a rock and a hard place because the situation cannot be made better without making it worst in the short run and this is the issue commented Dr. Clark. What the Commission does today and what they do with this closure or this opening is like an opening blow of the larger battle that is going to be fought over the next year or year and a half. If a goal is going to be set and the Commission and department are going to try and reach that goal, things will have to be done that people will object to greatly because in the short run it is going to hurt them greatly advised Dr. Clark. Concluding, Dr. Clark stated that he did not want to pass up that point because they always end up arguing about details and forget what "the" issue is.

Mr. Foret asked Dr. Clark who is to say that these little juvenile shrimp that are going out into the Gulf right now will return to Louisiana next spring. Last year, two days before Christmas and the freeze, Mr. Foret stated that he was unloading boats with fifteen thousand pounds of shrimp. After the freeze the boats went out and they were catching dead shrimp. The freeze killed the shrimp just like it killed the fish. Who benefited by this. Mr. Foret does not think this is the time of the year to make big shrimp, if you want to make big shrimp, make big shrimp during the summer when the shrimp are growing, don't gamble on the weather.

Dr. Clark stated that if these kinds of choices cannot be made now in the fall then there won't be the big white shrimp in the spring that the people are looking for also. Dr. Clark agreed that Mr. Foret was absolutely right and it is a question the scientists are working on right now and that is are the white shrimp that are saved in the fall going to give us a pay back in the spring. The answer to this is unknown. Mr. Foret stated that Texas gets the leftover from Louisiana, they do not raise those shrimp. Louisiana is raising those shrimp for Texas. Why raise shrimp for another state. Dr. Clark commented that there are several studies about shrimp migration and most of the studies, not all of them, indicate that shrimp that move offshore whether they are from Louisiana or Texas move very little. Shrimp coming out of Calcasieu make it into Texas. Shrimp coming off the middle of the Louisiana coast, very few of those ever make it to Texas. Dr. Clark advised that he has to go with the science. Mr. Foret stated that they have been known to be wrong.

Chairman Pol advised that it was the decision of the Commission to ask Mr. Bowman to modify the resolution as agreed and to take action tomorrow.

At Friday's meeting Chairman Pol asked Mr. Bowman to read the modified resolution on the shrimp season. Mr. Bowman explained that what the Commissioners have before them is the resolution relative to the closing dates for the fall inshore/offshore shrimp season. This is a complicated resolution because the changes that were made involved moving the closing date of the offshore shrimp in that section of offshore Zone 2 which was pretty much the eastern half. A point has been selected, that is published in the law, in the inside, outside line, which is between Whiskey Pass and Caillou Boca on the outside chain of barrier islands. This would be an excellent point from the enforcement standpoint in so much that it would not allow any of the boats inside that last embayment called Calliou Bay. The other change was the provision that the Secretary could provide for a special seabob season in addition to the one provided for in the resolution if the technical data indicates that there are sufficient quantities to warrant such an action. Chairman Pol asked Mr. Foret if this was pretty much in agreement with what they discussed yesterday. Mr. Foret stated that it was. Mr. Bowman read the resolution and advised that this will be affective by a declaration of emergency which will be submitted to the state register. Chairman Pol asked if there was anybody in the audience that would like to comment. There being none Chairman Pol entertained a motion that this resolution be accepted. A motion was made by Mr. McCall and seconded by Mr. Vujnovich. The motion passed unanimously.

Mr. Jenkins asked Mr. Bowman about the cargo lot not containing more than fifteen percent of white shrimp, etc. and wanted to know if this was by volume, weight, etc. Mr. Bowman stated that it was by weight.

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

RESOLUTION
Wildlife and Fisheries commission
November 2, 1990
Baton Rouge, Louisiana

WHEREAS, R.S. 56:497 provides the open shrimp seasons for all or part of the state water shall be fixed by the Commission, and

WHEREAS, R.S. 56:497 provides the Commission shall have the authority to set special shrimp seasons for all or part of the state waters, and

WHEREAS, in the inshore areas of coastal Louisiana water temperatures have now dropped below 20 degree centigrade which has slowed the growth rate for white shrimp in inshore and near shore waters, and

WHEREAS the shrimp size in Zone 2 and Zone 3 inshore waters has decreased and is not either at or less than 100 count (whole shrimp per pound), the legal minimum size for white shrimp, and

WHEREAS, for the emigrating white shrimp there is little size difference between near shore outside waters and inshore waters, and

WHEREAS, the seabob fishery is a significant contributor to the overall Louisiana shrimp fishery during the late fall and early winter months, now

THEREFORE BE IT RESOLVED, the fall inshore shrimp season in that portion of Louisiana's inshore waters as defined in R.S. 56:495 from South Pass of the Mississippi River to the Mississippi state line and the fall shrimp season in Louisiana's offshore territorial waters from the USC & GS Station Gap at latitude 29° 02'18" N. longitude 90° 49' 56" W then east to the Mississippi state line will close at 12:01 a.m. December 31, 1990; except that in the area of Louisiana offshore territorial waters from Bayou Fontanelle (Empire Ship Channel) west to Caminada Pass seaward of 3 miles from the beach, the season will remain open, and

BE IT FURTHER RESOLVED, the fall inshore shrimp season in that portion of Louisiana's inshore waters as defined in R.S. 56:495 from South Pass of the Mississippi River to the

wester shore of Vermilion Bay and southwest Pass at Marsh Island and the fall shrimp season in that portion of Louisiana's offshore territorial waters from USC and GS Station Gap at latitude 29° 01' 18" N. longitude 90° 49' 56" then west to the western shore of Southwest Pass at Marsh Island will close at 12:01 a.m. December 1, 1990, and

BE IT FURTHER RESOLVED, the fall inshore shrimp season in that portion of Louisiana's inshore waters as defined in R.S. 56:495 from the western shore of Vermilion Bay and Southwest Pass at Marsh Island to the Texas state line and that portion of Louisiana's offshore territorial waters from the western shore of Southwest Pass at Marsh Island to the Texas state line will close at 12:01 a.m. December 21, 1990, and

BE IT FURTHER RESOLVED, a special directed seabob season is established to begin in that portion of Louisiana's offshore territorial waters from USC and GS Station Gap at latitude 29° 01' 18" N. longitude 90° 49' 56" W. then east to the Mississippi state line at 12:01 a.m. December 31, 1990 and run through 1201. January 31, 1991 and in that portion of Louisiana's offshore waters from USC and GS Station Gap at latitude 29° 02' 18" N. longitude 90° 49' 56" then west to the western shore of Southwest Pass at Marsh Island at 12:01 a.m. December 1, 1990 and run through January 31, 1991 and in that portion of Louisiana's offshore territorial waters from the western shore Southwest Pass at Marsh Island to the Texas state line at 12:01 a.m. December 21, 1990 and run through 12:01 a.m. January 31, 1991. During the special directed seabob season it shall be illegal to take or possess more than 15% white shrimp in any cargo lot of seabobs, or possess more than 15% white shrimp while fishing in Louisiana, and

BE IT FURTHER RESOLVED, the Secretary of the Department of Wildlife and Fisheries is authorized to close the fall inshore shrimp season, the offshore shrimp season and/or the special seabob season if enforcement problems arise or if biological data indicates the need to do so, and

BE IT FURTHER RESOLVED, the Secretary of the Department of Wildlife and Fisheries is authorized to set special pink shrimp seasons, special white shrimp seasons or special seabob seasons if technical data indicates sufficient quantities of marketable shrimp are available.

Warren I Pol
Chairman

A. Kell McInnis III
Acting Secretary

At Thursday's meeting an Update on Spotted Seatrout Sampling Results was given by Mr. Claude Boudreaux. Graphs and charts were presented along with Mr. Boudreaux's report. Mr. Boudreaux stated that he understood this was the third month that this report has been given to the Commission so the Commissioners have probably been through the basics. The results of this sampling are mostly just one more month of data than that presented at the previous month meeting. Distributions of spotted seatrout in the Marine Fisheries Finfish Sampling program were analyzed on salinity. Sample stations were divided among low salinity, medium salinity and high salinity areas. Results were presented for 1" bar gill nets and 1 1/2" bar gill nets. Results concluded that the salinity in 1990 at the low salinity station area was lower than those seen at the station in 1986-89. Catch per effort of spotted seatrout were likewise lower. The same situation prevailed at the medium salinity stations. However, catch per effort of spotted seatrout at the high salinity station areas were equal to or above those seen in recent years. This was interpreted to suggest that spotted seatrout had not move into the lower salinity areas but had congregated at the higher salinity areas down below the coast. Mr. Boudreaux presented additional new information from the Federal government's Marine Fisheries Recreational Survey. This information indicated that the catch per effort of recreational fin fishermen in July and August was very close to the 1980-89 ten year average catch per effort.

Chairman Pol asked if the Commissioners had any questions. Mr. Jenkins asked about the last chart shown and if it showed that the month of August was almost on average. Mr. Boudreaux stated yes sir. Mr. Jenkins stated that he was flabbergasted and that he could not ask any more questions. Chairman Pol asked Mr. Jenkins why he was flabbergasted. Mr. Jenkins stated that he cannot understand this; that everybody he has talked to is telling him the fishing is bad, etc. and we sit here today and say that everything is normal. Dr. Clark stated that everything is not normal and what is being discussed is that in the low salinity areas and mid salinity areas the fish are not in the numbers that they would normally be in those areas. According to the National Marine Fisheries Service if you average all the recreational fishing effort for spotted seatrout that takes place in Louisiana over these months this is the results that they are getting pointed out Dr. Clark. Mr. McCall asked where the high salinity areas were. Dr. Clark stated that the ten sites that are identified statistically by this analysis are all virtually on the beach or in the lower portions of all the major bay systems that were sampled. Most of those areas are in the central part of the coast stated Dr. Clark. Dr. Hines asked about the reporting from the commercial catches from September 1 to present and if they were

tracking this line more or less or were they below average. Dr. Clark asked Mr. John Roussel to address this. Mr. Roussel stated that the best estimate of commercial harvest in September is about seventy thousand pounds but he is not sure this is a index because in the last five years they have ranged anywhere from twenty thousand pounds for September up to about one hundred and sixty thousand pounds. Mr. McCall asked if there was a test station around Calcasieu Pass or in Calcasieu Lake and what were they showing, high spots or low spots. Mr. Roussel stated that they have six stations in Calcasieu Lake and would have to go back and look at the data set to answer this. There has been some sporadic high catches in Calcasieu Lake but have not been consistent. Mr. Jones commented that the department needed to make an reevaluation of its testing system for fish. Mr. Jones further stated that whatever it is that is being done is not very representative of what the world thinks right now. Dr. Clark stated that he does not see this necessarily as a problem. The world that is fishing in those areas where the department is fishing, the low salinity and intermediate areas, is not catching fish. This makes sense because the department data indicates this also. It was noted by Mr. Boudreaux that there is only one testing program and this is a generalized program for testing of all species of fish and they do not test for just one certain species. This is all the department can afford. Mr. McCall asked that if the speckled trout are not specifically tested in the samples, are samples taken of redfish or any other fish at the same station. Mr. Boudreaux answered yes sir. Chairman Pol commented that there are a lot of little trout but there are not any big trout. Dr. Clark stated that this is what the nets also say. Chairman Pol asked what can they do about it. Dr. Clark pointed out that two years after the last bad freeze there was a record fishery. Chairman Pol stated that this also leads him to believe that the fish were severely damaged by the freeze which nobody has every said was true. Dr. Clark stated that the recreational fishermen of this state have been damaged by that freeze. Chairman Pol thanked Dr. Clark for his statement. Dr. Clark pointed out that if the Commissioners would go back to the news release that the department put out within two weeks of the freeze this was said. Chairman Pol asked Dr. Clark to sum this up, and if he recommended that anything be changed at the present time. Dr. Clark commented that the only recommendations that he can give to the Commission would be illegal because they do not have the authority to do what he would recommend. Chairman Pol stated that he would like to hear it even though they do not have the authority - what would Dr. Clark recommend if the Commission did have the authority. Dr. Clark believes that not only because of the freeze but because of some of the other things that have been seen, information received from Richard Condrey, and some of the things that are known to be true about the fish and the way it grows, etc. that the size should be increased at which it is harvested. Dr. Clark thinks that because of the freeze he would be at this time recommending at least an interim reduction in the bag limit and perhaps a reduction in the commercial quota just to be on the side

of conservation. The department cannot do any of this and the Commission cannot do any of this. Chairman Pol stated that he wanted everybody to be advised that the legislature and also the GCCA sponsored the bill to take this authority away from the Commission and called for further questions of Dr. Clark.

Mr. Jesse Fontenot, Morgan City, addressed the Commission and commented that he was confused over the reports and graphs that have been presented at this meeting and past meetings and what he is seeing at this meeting is that it looks like more speckled trout are being caught by commercial fishermen and very few are being caught by sportsmen. Mr. Fontenot feels like Mr. Roussel should bring the reports to the meetings so that when he is asked a question he can answer it. Mr. Fontenot advised that the concerned conservationists support Dr. Clark.

Dr. Clark advised that the department would be happy to provide any information that Mr. Fontenot would like to see of the data sets and obviously there is no way everything can be carried to every meeting. If there are specific requests the department will meet them advised Dr. Clark.

Mr. Henry Mouton, Lafayette, addressed the Commission and stated that he grew up fishing in Vermilion Bay. In 1986 Mr. Mouton fished about forty days in the fall and the average catch was about sixty seven trout a day by 9:30-10:00 in the morning. A couple of weeks ago twenty boats fishing with three people per boat averaged for two days a total of sixty trout with about thirty having to be released. Mr. Mouton advised that he had just talked with some people today, after lunch, that fished yesterday and today with conditions being perfect, and out of nine boats there were eight trout that were caught. There are no fish in Vermilion Bay stated Mr. Mouton.

Mr. Jenkins stated that from what has been presented at this meeting supposedly the fish are in the high salinity areas which are from the beach out and asked Mr. Mouton if he fished the beach out. Mr. Mouton answered that they have been fishing in the pass which is anywhere from thirty to a hundred and something feet deep and they are catching some redfish and some redfish in the reef but in the area through the passes where there are a couple of reefs at about forty foot deep they are not catching any trout. Mr. Jenkins asked if Mr. Mouton and his friends went offshore in that area. Mr. Mouton advised that a friend of his made a trip out there and covered from Eugene Island, Block 47, somewhere a little west of Fresh Water Bayou. He started fishing at 6:30 a.m. and quit at 7:00 p.m. for a grand total of four trout with the furthest point offshore being 28.2 miles off the Southwest Pass sea buoy in water up to thirty eight feet deep.

Chairman Pol advised that the next item, **Black Bass Management Plan**, will be taken up at Friday's meeting. There have been

requests that this issue be taken up on Friday and Chairman Pol asked that the Commissioners review the plan tonight with action being taken tomorrow. Dr. Clark asked if he could make one request on this issue. Dr. Clark advised that attending the meeting is almost the entire Inland Fisheries Staff who have been a part of the process of creating the document. These people asked to be here today because they wanted the Commission to know that the Inland Fisheries staff supports the plan and they would like to see it passed. Dr. Hines asked if they were going to be able to attend the meeting tomorrow. Dr. Clark stated that he did not know and this is why he wanted to do what he was doing. Chairman Pol stated that the reason for delay was to allow anybody that wanted to come and talk about this plan to come tomorrow in case any opposition develops. This is the only reason for the postponement. Chairman Pol commented that he knows the staff has worked very hard on this plan and the Commission appreciates what they have done.

Dr. Jerry Clark gave an informational report on the **Commercial King Mackerel Closure, Groupers and Oysters** at Thursday's meeting. Dr. Clark informed the Commission that he would like to add the shallow water groupers (another federal action) and oysters to this report. The federal quota for king mackerel has been met. The department has received a letter from the federal government asking that the season be closed on the king mackerel which the department is in the process of doing. Also the federal government has notified the department that the shallow water grouper quota has been met and has requested that this fishery be closed which the department is in the process of doing. The shallow water groupers are all groupers except the yellowedge, misty, warsaw and snowy. The department has been monitoring the oyster season the last couple of days and has found something east of the river that is quite discouraging. Eight boats were boarded and in the first three boats boarded the department found eighty percent shell on board. These boats were fishing the public grounds, not for oysters, but for shell to take to their leases. Five more boats were boarded and only one of these boats really had seed but did have about four percent shell with the rest of the boats having in excess of thirty percent shell. The department is looking at a closure of the bedding grounds east of the river but would like to leave it open for sacking oysters. This should be able to be done safely because there is a minimum requirement that no more than a certain percentage of shell can be obtained when sacking oyster. This percentage is relatively low. Dr. Clark pointed out that there are no rules on bedding and a hundred percent of shell can be taken but if this is going on the department wants to stop it. The bedding grounds east of the river will probably be closing soon advised Dr. Clark. In Vermilion Bay there has been a good spat set. The department would like to protect this spat set for future seeding and sacking purposes and is looking at closing this area probably around November 12, 1990. When the oysters get to seed size after the first of the year the department will probably reopen this area. Dr. Clark stated that he was very upset to think that the

oysters beds of Louisiana are being used for shell dredging. Mr. Vujnovich added that he has had about fifty people ask him to see if the season could be closed because of some fishermen destroying the natural reefs. Something needs to be done because if this keeps on going like it is going now there will be no future on the seed grounds stated Mr. Vujnovich and asked for a complete closure where the oysters are under three inches.

At Thursday's meeting Colonel Winton Vidrine gave the **Monthly Law Enforcement Report**. Colonel Vidrine reported the following cases for October:

Region I, Minden - 60 cases (55 Enforcement, 5 Other)
Region II, Monroe - 42 cases (Enforcement)
Region III, Alexandria - 79 cases (52 Enforcement, 27 Other)
Region IV, Ferriday - 40 cases (31 Enforcement, 9 Other)
Region V, Lake Charles - 212 cases (196 Enforcement, 16 Other)
Region VI, Opelousas - 110 cases (93 Enforcement, 10 Other)
Region VII, Baton Rouge - 146 cases (133 Enforcement, 13 Other)
Region VIII, New Orleans - 168 cases (Enforcement)
Region IX, Gray - 200 cases (178 Enforcement, 22 Other)

There were forty citations issued by SWEP for October and confiscated gill nets and trawls, 2,224 pounds of shrimp and sold them for \$4,094. The Oyster Strike Force issued fifty citations and confiscated five hundred and thirty sacks of oysters, one boat, one motor, one dredge, red drum and 6,770 pounds of shrimp. The total number of cases for October was 1,140.

Fourteen Wildlife and Fisheries Enforcement Cadets graduated from the State Police Academy (POST) this morning advised Colonel Vidrine. Starting Monday they will be going to Intoximeter School for a week. In-service training will last for seven weeks and the Rockefeller facilities and Grand Terre facilities will be used for housing and offshore training for saltwater patrol. Two of the Law Enforcement Agents were lent to the U.S. Fish and Wildlife Service and went with five federal agents from Louisiana to Ohio and Michigan. They worked ten days and were involved in writing and issuing a total of sixty citations with the majority of the citations being for taking over the limits of ducks. A news release was sent out, statewide, to notify the public that the department was going to be doing some road checks (game checks) throughout the state. They will be checking on untagged deer meat, sex identification and over limits.

Chairman Pol advised that Mr. Mark Hilzan, along with four or five other phone calls, had contacted him and told him that this past weekend at Breton Island the netters came in and completely netted out Breton Sound. Mr. Hilzan has asked Chairman Pol to ask Colonel Vidrine about this and how many enforcement people are out there. Colonel Vidrine stated that he did not know where the boats were this past weekend but would find out and get back to the

Commission. Chairman Pol advised that he was going to ask Mr. Hilzan to contact Colonel Vidrine because they were upset since this is a sanctuary.

Mr. Jenkins asked about the Cessna spotter plane that was confiscated and if the department would be able to keep it. Colonel Vidrine stated that it was suppose to come up in court and the word he has received from the judge was that he told the violators to be ready to come to court and keep the plane fueled because it might be turned over to the department.

Chairman Pol advised that he had a call from some people out-of-state and the question presented was does a person over sixty years old from out-of-state that comes into Louisiana to hunt need a Louisiana license and a Louisiana duck stamp. According to the way it is written in the pamphlet all you have to have is a federal duck stamp. Mr. Landrum stated that the statute says no person between the ages of sixteen and sixty shall hunt migratory waterfowl in this state unless he has purchased and possess a duck stamp. This came up at Oak Grove when hunters from Chicago were coming to Louisiana to hunt and they asked about the duck stamp. This is very important that this gets straightened out stated Chairman Pol because they sell twenty to twenty-five thousand dollars worth of licenses during the year at Oak Grove and if the stamp is not required then they won't have to be purchased. The way it is written in the pamphlet and the way Mr. Don Puckett reads it is that a man over sixty years of age from out-of-state does not have to have a Louisiana license or a Louisiana duck stamp stated Chairman Pol. This needs to be corrected. Chairman Pol stated that he understands that the only place this does not apply is to Texas. Acting Secretary McInnis advised that there is a specific reference to Texas and the age of sixty five but was not certain as to how it interacts at this time. Chairman Pol asked that this be check out. Acting Secretary McInnis asked that this get clarified for tomorrow's meeting. Colonel Vidrine stated that he was almost sure that a person from out-of-state has to buy a Louisiana license and the exceptions are only for the residents of Louisiana for licenses purposes. On the Louisiana duck stamp Colonel Vidrine thinks a non-resident can hunt in Louisiana without purchasing a stamp if he is over sixty years of age. Chairman Pol asked that this be clarified and let the Commission know. Chairman Pol asked that a letter also be send to him on this.

At Friday's meeting Chairman Pol advised that this morning Mr. Don Puckett, Attorney, issued a Ruling on Over Sixty Years of Age. It has been determined that anybody over sixty years of age hunting in Louisiana from out-of-state will have to have a state license but will not have to have a state duck stamp and asked Mr. Mike Cook, State Times-Morning Advocate, if he would give a little press coverage on this. Dr. Hines stated that the department needs to try and get legislation this year to correct the duck stamp part. Chairman Pol commented the department tried to do this last year

but the legislature would not even talk about it. Acting Secretary McInnis added that there was a statute passed this past session that was introduced by Senator Mike Foster that addressed this particular issue and what he did was he removed the mandate that hunters sixty and over had to buy a state duck stamp and in doing so a non-resident and a resident would be treated the same.

Chairman Pol at Thursday's meeting stated that he wanted again to apologize to the staff who worked so hard on the Bass Plan and the only reason for postponing this item until Friday was that adequate time has to be given everybody that is in opposition to this plan so that they have the opportunity to address it. The Commission has to wait until Friday to vote on this advised Chairman Pol.

Dr. Clark explained that it is not the staff right now that is the issue but he does appreciate Chairman Pol's kind words about the staff and advised that there are members of the public who have attended this meeting today and wish to say something about the plan. If this is put off until tomorrow these people may or may not be able to come stated Dr. Clark.

Chairman Pol advised that the Commission will hear the people who want to address the bass plan and explained that it is the responsibility of the chair when something is going to be heard on the agenda. Dr. Clark stated that he appreciates that.

Ms. Stacey Forester, manager of a major bass tournament for the last three years, addressed the Commission. Ms. Forester stated that she was one of the persons upset but feels that the opposition has had as much time to attend the meeting as she did. Ms. Forester thanked the Commission, the Louisiana Wildlife and Fisheries and the Black Bass Management Committee and stated that with this plan she knows that the fishermen were listened to. Ms. Forester advised that not only does she run the bass tournaments but she has begun to fish. In a tournament on False River last month a big bass was caught and Ms. Forester stated that she has had more enjoyment knowing that this bass came out of False River. With this plan she knows now that she has the opportunity to catch a big bass. Ms. Forester stated that with the permit part of the plan she has a question and that is in the plan it states that certain bass tournaments have permits and due to the size of the bass tournaments (400 people) and club tournament (27-30 people) that she coordinates she needs to know which one would have to qualify to get a permit for False River. The major tournaments or the local tournament and if so what does she have to do as tournament director to comply with the plan. Dr. Clark stated that the bill that was passed during this year's legislative session says that any tournament that wishes to be exempt from any of the rules, especially with respect to length limits (proposed slot limit in the plan) needs to apply for a permit. Anybody can have any kind of tournament anywhere they want without a permit as long as they just abide by the rules. The permit is for anyone who

wants to be exempted from the rules and they would just apply for it through the department advised Dr. Clark.

Mr. Nat Bankston, Register of Voters, East Baton Rouge Parish, addressed the Commission. Mr. Bankston is also a tournament director and was the director of the tournament at which the ten pound, thirteen ounce bass was caught in False River. Mr. Bankston pointed out that in their tournament circuit over the past two years the pay back to the fishermen in cash and prizes was around three hundred thousand dollars. Mr. Bankston commended the Wildlife and Fisheries and the Commission for a job well done and advised that catch and release is practiced at the major tournaments held in Louisiana. There are tanks that give air and oxygen to the fish, catch and release formula are put into the tanks and on the average there were only two fish per tournament lost stated Mr. Bankston. Tournament dates have been changed to coincide basically with what Wildlife and Fisheries studies have said and that is to have tournaments in colder weather because the fish survive better when they are caught and released back into the colder water. Mr. Bankston pointed out that on page 13 of the plan "The Economics of the Fishery" and based on the 1985 National Survey, of hunting and wildlife related recreation, there was an estimated 291 million dollars and 12.6 million man days of fishing for black bass in Louisiana. In comparison with other agricultural crops in the state of Louisiana only cash sales generated by soy beans and cotton in 1988 were somewhat higher while such sales for all other agricultural industries including cattle, sugar, rice were individually less than the fishing industry. In the circuit that Mr. Bankston was director, everytime a man put his boat in the water he was putting twenty five/thirty thousand dollars in the water and this is just his equipment. When the fishermen go to a community such as Morgan City they put money into the economy of that town. Mr. Bankston stated that he likes to keep the economics in the state of Louisiana and based on the 1985 study it shows that it was further estimated that thirty seven percent of the population of Louisianans sixteen years of age or older fished or hunted, while twenty one percent fished only, thirteen percent fished and hunted. Approximately ninety six percent of the fishermen in Louisiana fished only in Louisiana. The estimated total cost expenditures by these fishermen was five hundred and ninety eight million dollars. Mr. Bankston stated that we talk about diversity in Louisiana, let's don't depend on oil and gas so much, you are sitting on a gold mind with this. Most of the people on the major circuits do not have any objection to a slot limit. Mr. Bankston advised that the state needs to look at what can be done down the road and the economic impact of this could be far greater than what it looks like on the surface. Mr. Bankston stated that he appreciated the Commissioners for affording him and Ms. Forester the opportunity to address them on this item and commended Mr. Tim Morrison and Mr. Bennie Fontenot with whom he has worked very closely. Mr. Bankston asked the Commission to please give this plan serious consideration.

Mr. Wilson J. "Tibby" Thibodeaux, representing the Baton Rouge Sportsmen's League and himself, addressed the Commission. The Baton Rouge Sportsmen's League is against having False River as a trophy lake. The League has been conducting family type rodeos for thirty something years and Mr. Thibodeaux has weighted fish at all of them. The kids and ladies that catch fish, no matter what size, want to keep it. So does Mr. Thibodeaux. If the Commission really wants to do something to help bass in False River a sewer system needs to be put around it because if it is not cleaned up twenty years from now there won't be any fish due to the pollution. Mr. Thibodeaux further added that in his opinion regulations are needed for speed zones in False River and thanked the Commission for the opportunity to address this item.

Chairman Pol asked if there was anybody else who wanted to talk for or against this item and that final action would be taken tomorrow.

There being no other comments Chairman Pol called for a motion for adjournment. Mr. Jenkins made a motion that the Thursday, November 1, 1990, Commission meeting be adjourned and continue at 9 a.m in the morning. The motion was seconded by Dr. Hines and passed unanimously.

A Notice of Intent on the Louisiana Black Bass Management Plan and Proposed Regulations was presented at Friday's meeting by Dr. Jerry Clark. Dr. Clark reported that he was happy to present the plan to the Commission and what needed to be done today is to start the process of bringing this plan to reality in Louisiana. This will start with a Notice of Intent and around one hundred and fifty days from now the Commission will be acting on a final rule advised Dr. Clark. This notice will be published in the Louisiana Register and will be out for public comment. Dr. Clark gave a brief update on how this plan came about. More than a year ago the staff got together and began the process of putting together a plan. A previous version of this was published and widely distributed. There were five public hearings scattered throughout the state. Comments went from wildly supportive to just as wildly against. If a mistake was made, which the department probably did, the mistake was that in the first plan the bass fishermen were not given a choice. After the public hearings the staff met for a series of other meetings and took into account the most appropriate parts of the public comment and changed the plan in a set of significant ways. A plan was developed that was no longer radical and would begin the process of catching Louisiana up to states that have been managing bass in similar fashion for more than a decade. The only requirement currently on black bass fishermen in Louisiana is that they take no more than fifteen fish a day. There are no minimum size limits, no other special regulations, and you can have thirty bass in your possession. This plan, which is a compromise plan, will begin the process of bringing Louisiana up to what Dr. Clark thinks is a state of the art in the nation on bass.

Chairman Pol asked if any of the Commissioner had any questions for Dr. Clark. Mr. Jones stated that one concern he has is on the enforcement of the limit when it comes to fillets and cleaning in the boat; how can this be enforced. Dr. Clark advised that the department proposed legislation this year to have a freshwater "heads and tails intact" bill. This bill did not move. The Commission has authority, if they wish, to also attempt to make that rule and would have to go through legislative oversight. Dr. Clark supports the heads and tails intact and would like to continue to keep dealing with the issue. If the Commission decides to deal with this Dr. Clark hopes that it would be done as a separate notice of intent so that there would be two things to take to Oversight and if they voted negatively on one and positively on the other they would not all sink or swim together. The legislative history on this is an important point stated Dr Clark.

Chairman Pol asked if there were any other questions from the Commission. There being none Chairman Pol called for questions and comments from the floor.

Mr. Teddy Harger addressed the Commission on False River. Mr. Harger advised that he has fished False River for fifty years and what has happened this year was the worst that he has ever seen. There was the largest fish kill in False River in fifty years and Mr. Harger thinks this was caused by things that the Commission controls and lets happen and things that cannot be controlled. The department has killed some grass in False River and Mr. Harger understands from this morning that evidence of grass carp is being found which could be drastic in False River. When the grass is killed the oxygen is depleted. Mr. Harger stated that he has seen everything dead but gar. In addition the runoff of agricultural land has been permitted and is now silting up the north end and other areas throughout the lake. If this keeps on happening every time a farmer plows he is going to have runoff into the lake. The Formosia plant is going up and you can have industrial waste pointed out Mr. Harger. The things that the Commission and department are saying that are needed for bass are not going to be there unless these events can be controlled. Mr. Harger stated that he would like to see a limit of ten on the bass and goes along with the slot limit. Also Mr. Harger suggested that the tournament circuits do not have their tournaments during July and August because this kills the fish. Concluding, Mr. Harger stated that there is no grass on False River right now. This has either been caused by the chemical that the Wildlife and Fisheries puts into the river to kill the grass or by the grass carp.

Chairman Pol asked if there was anybody else who would like to address this issue. There being none Chairman Pol called on Dr. Clark. Dr. Clark advised that all the Commission needed to do now was to adopt the notice of intent on the black bass. Dr. Hines made a motion that the notice of intent be adopted on the Black

Bass Plan, Daily Take and Size Limits that has been submitted to the Commission. The motion was seconded by Mr. Jones and passed unanimously.

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

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

TITLE 76
WILDLIFE AND FISHERIES

PART VII. FISH AND OTHER AQUATIC LIFE

CHAPTER I. FRESHWATER SPORT AND COMMERCIAL FISHING

SECTION 123. CHICOT LAKE BLACK BASS HARVEST RESTRICTION

Repealed

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:325(C).
HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 14:364 (June 1988), Amended L.R. 16:38 (January 1990), Repealed L.R. 17: (1991), Repromulgated in S. 149 of this Chapter.

SECTION 149. BLACK BASS REGULATIONS-DAILY TAKE AND SIZE LIMITS

The Louisiana Wildlife and Fisheries Commission hereby advertises its intent to establish a statewide daily take (creel limit) of 8 fish for black bass (Micropterus spp.). The possession limit shall be the same as the daily take on water and twice the daily take off water.

In addition, the Commission establishes special size and daily take regulations for black bass on the following waterbodies:

Concordia Lake (Concordia Parish) and False River (Pointe Coupee' Parish):

Size Limit: 15 inch - 19 inch slot
Daily Take: 8 fish - of which no more than 2 fish may exceed 19 inches maximum total length.*

Possession Limit: On Water - Same as daily take
Off Water - Twice the daily take

A 15 - 19 inch slot limit means that it is illegal to keep or possess a black bass whose maximum total length is between 15 inches and 19 inches, both measurements inclusive.

Lake Bartholomew (Morehouse and Ouachita Parishes), Black Bayou Lake (Bossier Parish), Caney Creek Lake (Jackson Parish), Chicot Lake (Evangeline Parish), Cross Lake (Caddo Parish), Lake Rodemacher (Rapides Parish) and Vernon Lake (Vernon Parish):

Size Limit: 14 - 17 inch slot
Daily Take: 8 fish - of which no more than 4 fish may exceed 17 inches maximum total length.

Possession Limit: On Water - Same as daily take
Off Water - Twice the daily take

A 14 - 17 inch slot means that it is illegal to keep or possess a black bass whose maximum total length is between 14 inches and 17 inches, both measurements inclusive.

This rule becomes effective April 1, 1991.

* Maximum total length - The distance in a straight line from the tip of the snout to the most posterior point of the depressed caudal fin as measured with mouth closed on a flat surface.

Interested persons may submit written comments on the proposed rule to the following address before January 15, 1991: Bennie J. Fontenot, Jr., Administrator, Inland Fish Division, Louisiana Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000.

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

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 14:364 (June 1988), Amended L.R. 16:38 (January 1990), Repealed L.R. 17: (1991), Repromulgated L.R. 17: (1991).

Warren Pol
Chairman

At Friday's meeting a Resolution and Notice of Intent on an Amendment to the Joint Louisiana/Texas Black Bass Reciprocal Agreement in Toledo Bend and Caddo Lake was presented by Dr. Jerry

Clark. Dr. Clark reported that this had to do with the cooperative nature of managing fisheries on the Texas/Louisiana boarder. This is done through a reciprocal agreement with Texas. When this plan was first brought forward Louisiana had not met with Texas and the plan was silent on what was going to be done in the Texas boarder waters. Since the department has been at this for a year there has been time to meet with Texas and over a series of lengthy but friendly negotiations a good balance has been achieved. The department is recommending action on Toledo Bend Reservoir and Caddo Lake that the minimum size for black bass be set at fourteen inches and the bag limit of eight fish. Also they are recommending that the minimum size be fourteen inches and the bag limit of five fish on the waters below Toledo Bend on the Sabine River through Sabine Lake to the ocean. The fourteen and five is the Texas current statewide rules. Right now Toledo Bend and Caddo have had two good years of recruitment for bass. These bass are now just approaching the fourteen inch size limit. This population of bass can carry the lake for the next several years. Louisiana and Texas would like to protect those bass. If these bass make it through this system, the department will be coming back to the Commission, anywhere from a year to two years, and proposing the slot limit that Louisiana currently has for some of its lakes for Toledo Bend. All of this will go through the APA procedure and the department is looking at an implementation date of April 1, 1991. In order to protect those groups of fish in Toledo Bend and Caddo Lake the fishing season there starts a little before that date. Texas has asked Louisiana to try and implement this a month earlier for the Toledo Bend and Caddo Lake. The resolution will authorize the Secretary to take emergency action to implement these rules on February 1, 1991, and the department will come back to the Commission for final action on April 1, 1991. Chairman Pol asked for questions, comments from the Commission and the floor. There being none Chairman Pol called for a motion to accept the resolution/notice of intent on the Toledo Bend reciprocal agreement. A motion was made by Mr. Jenkins for adoption and seconded by Mr. McCall. The motion passed unanimously

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

LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES
LOUISIANA WILDLIFE AND FISHERIES COMMISSION

RESOLUTION

WHEREAS, Toledo Bend Reservoir, Caddo Lake, the Sabine River and Sabine Lake constitute boundary waters between the States of Louisiana and Texas;

WHEREAS, these waterbodies contribute heavily to the freshwater recreational black bass fishery of both the States of Louisiana and Texas;

WHEREAS, conflicting freshwater sport fishing regulations imposed on these waterbodies by both states has resulted in confusion and even antagonism among fishermen angling in these waterbodies;

WHEREAS, joint Louisiana/Texas fisheries data indicate, particularly at Toledo Bend Reservoir, that several extremely large year classes of black bass ranging in length from seven to fourteen inches total length, with a particularly numerous mode at twelve inches, comprise the bulk of the black bass population;

WHEREAS, anticipated intensive harvest of numerous twelve and thirteen inch black bass in late winter and in the spring of 1991 could severely reduce numbers of these fish in the population of Toledo Bend Reservoir and Caddo Lake;

WHEREAS, if protected immediately, existing large year classes of black bass will lose susceptibility to capture until they measure fourteen inches in total length and will begin to provide quality black bass fishing for Toledo Bend Reservoir and Caddo Lake.

THEREFORE BE IT RESOLVED, the Louisiana Wildlife and Fisheries Commission hereby amends the Joint Louisiana/Texas Toledo Bend and Caddo Lake Sportfishing Reciprocal Agreement, dated September 1, 1988, to establish a daily creel limit (daily take) for black bass (Micropterus spp.) at eight fish and a minimum total length limit of fourteen inches in Toledo Bend Reservoir and Caddo Lake. The daily creel limit for black bass is set at 5 fish and the minimum total length limit is set at fourteen inches for black bass on the Sabine River from a point immediately south of the Toledo Bend Dam to the Gulf of Mexico. Said revised regulations become effective Monday, April 1, 1991.

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

authorizes and delegates to the Secretary the authority to promulgate the above regulations as an Emergency Declaration.

A. Kell McInnis III
Secretary

Warren I. Pol
Chairman

November 2, 1990

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

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

TITLE 76
WILDLIFE AND FISHERIES

PART VII. FISH AND OTHER AQUATIC LIFE

CHAPTER I. FRESHWATER SPORT AND COMMERCIAL FISHING

SECTION 110. TOLEDO BEND RECIPROCAL AGREEMENT

The Louisiana Wildlife and Fisheries Commission hereby advertises its intent to amend the Joint Louisiana\Texas Toledo Bend and Caddo Lake Sportfishing Reciprocal Agreement, dated September 1, 1988.

The daily creel limit, (daily take), for black bass (Micropterus spp.) is set at 8 fish and the minimum total length is set at 14 inches in Toledo Bend Reservoir and Caddo Lake.

The daily creel limit for black bass is set at 5 fish and the minimum total length is set at 14 inches for black bass on the Sabine River from a point immediately south of the Toledo Bend Dam to the Gulf of Mexico. Said revised regulations become effective Monday, April 1, 1991.

Interested persons may submit written comments on the proposed rule to the following address before December 31, 1990: Bennie J. Fontenot, Jr., Administrator, Inland Fish Division, Louisiana Department of Wildlife and Fisheries, P. O. Box 98000, Baton Rouge, LA 70898-9000.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6 (25) (a), 325 (c), 326.3, 673.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission L.R. 14:548 (August 1988), Amended L.R. 17: (1991).

Warren Pol
Chairman

Shell Dredging - Lower Central Coast was brought before the Commission at Friday's meeting by Ms. Bettsie Baker and Mr. Don Puckett. Mr. Puckett advised that a letter had been received from the officers of the Louisiana Materials Company relatively to dredging in the central coast. The present lease was executed in September 1988 and will expire in September of 1991. Louisiana Materials has pointed out that the deadline for the lease is coming up and fundamentally has posed the question to the Commission as to whether or not the Commission intends to release these areas when the lease expires. This is a question for the Commission to address which is something that will be deliberated in the coming months. Louisiana Materials has also asked what areas would be up for re-lease and in line with this they have made a request to separate the present large tract into smaller tracts the point being that this would make a greater case for competition and free enterprise if there were more tracts to bid upon, basically objecting to the fact that one company was able to obtain the entire lease for this area. They have also raised the question concerning geological and geophysical evaluation. Mr. Puckett stated that with regard to the last point as to whether the area should be split into smaller tracts it is his view that the Commission's goal, if it does seek to re-lease that area, is to seek the highest possible royalty that it can. The determining factor for whether or not the area should or should not be split into smaller tracts should be based upon what would or would not enhance the department's ability to get a higher royalty. The issue that Louisiana Materials raised with regard to competition and free enterprise was in fact a part of the consent judgment that was entered into in June, however, Mr. Puckett still sees this as being secondary to the higher royalty if those two are in conflict. They may or may not be in conflict and at some point when the Commission is ready to take this matter up Mr. Puckett advised that he was going to defer to Undersecretary Bettsie Baker and perhaps to Mr. Barney Barrett with regard to the distribution of shell in this area and whether it would be appropriate to break it into smaller tracts and what the effect would be. With regard to the geological and geophysical evaluations again this is something that Mr. Puckett would have to defer to technical staff, Mr. Barrett, or other persons perhaps from outside of the agency to let the department know what the physical distributions of the shells are.

Louisiana Materials has asked for records provided by Dravo with regard to the geological and geophysical information. Mr. Puckett's response to this is basically that this information should be treated perhaps in the same way that the Mineral Board treats geological and geophysical information from oil and gas companies. This may be priority information and not subjected to the public records act. The consent judgment that was entered into in June of this year wherein the present leases were affirmed to be valid deleted a portion of Atchafalaya Bay and Four League Bay. It established a henceforward royalty of 1/8 minimum f.o.b. the dredge. It did state the perspective leases must provide geological and geophysical information and it did contain the competition and free enterprise provision in it. It also provided that the Mineral Board must now approve the format of the lease and countersign the leases once the Commission approves them. Mr. Puckett asked if there were any questions for the Commissioners or the representatives from Dravo or Louisiana Materials.

Chairman Pol asked if it has been the recommendation of the department that they begin to talk about the leases of this property. Mr. Puckett stated that he feels like with the leases expiring in September the formal process should begin no later than February. This will be a little earlier than was started last time. There is nothing to prevent the awarding of the lease a month or two in advance of the expiration date. Mr. Puckett advised that it would be prudent to perhaps begin in January or February with the first steps.

Mr. Jenkins asked Mr. Puckett if what he is saying is that these people would like to know basically today if the Commission intends to lease whatever areas are available to lease and if this is a point of interest Mr. Jenkins does not see anything wrong today in making a statement to that affect. Mr. Puckett advised that this was their most fundamental question. Mr. Jenkins made a motion and moved that it was the intent of the Commission to engage in releasing whatever areas are available to re-lease to the state just as a basic statement so that people would know where the Commission is headed. The motion was seconded Dr. Hines and he asked the department to proceed with getting information available to the Commission at the earliest possible date so that they can enter into a negotiation. The motion passed unanimously.

Chairman Pol asked Ms. Bettsie Baker if she was ready to talk about the shell mitigation. Ms. Baker advised that Mr. Puckett could address that question. Mr. Puckett stated that the shell mitigation process was still under negotiation and it may be better to save this for a later meeting. Mr. Puckett advised that he will be keeping the Commission abreast of this issue.

Chairman Pol asked if anymore from Dravo or Louisiana Materials would like to comment.

Mr. Jim Burton, Attorney, Dravo addressed the Commission. Mr. Burton just wanted to reiterate that as the current operator they share the concerns and appreciate the motion that was passed this morning. Mr. Burton stated that he also wanted just to reiterate Mr. Puckett's statement with regard to the mitigation and the off sight restoration issue. Dravo is in very serious negotiations and there are both some technical problems and legal problems as to the amount of shell and the placement of the shell. People are going out and looking at the project and good progress is being made on this advised Mr. Burton. Chairman Pol stated to Mr. Burton that the Commission would ask Dravo not to negotiate very long because they would like to get some of these areas taken care of.

At Friday's meeting Chairman Pol called for a motion to take the Adopt a Pothole Program up under Other Business. Dr. Hines made a motion to do so. The motion was seconded by Mr. Jenkins and passed unanimously.

At Friday's meeting under Other Business Mr. Lloyd Abadie, Outdoor Writer, Crowley, presented the Adopt a "Pothole" program. Mr. Abadie stated that he appears before the Commission on behalf of the ducks and represents sportsmen of Louisiana and fellow members in the Louisiana Outdoors Writers Association. The purpose of this presentation is to acquaint the Commission with a program, Adopt a Pothole, which is being sponsored by the Louisiana Outdoors Writers Association. Mr. Abadie at this point during the meeting presented a video on the program. Upon completion of the video Chairman Pol called for questions and asked Mr. Abadie what position is he requesting the Commission to take on this program. Mr. Abadie stated that he was planning to come to that and just wanted to know if there were any questions pertaining to the video and that this program was in Canada and not in the United States. Two years ago Mr. Dennis Anderson wrote a series of articles about duck poaching in Louisiana and gained great prominence because of this and in fact his article was a Pulitzer Prize contender advised Mr. Abadie. So far this program has received national attention and in the Chicago area alone close to eleven thousand dollars has already been raised. This program has gotten some publicity; John Husser, Outdoor Editor for the Chicago Tribune, had a large article this past Sunday, Mike Cook, Baton Rouge, has reported on it. In the packets given to the Commissioners there are other articles that have appeared in Louisiana. Mr. Abadie explained that nothing has been done in Louisiana because they wanted to give the Commission the opportunity to be the first to support this program. In the packets that were given to the Commissioners there is a sample of a sign that will be placed on the gate of the farmer that owns the pothole. Ninety to ninety five percent of the ducks are raised on private land and this is a way of recognizing the farmer. Also in the packets there is a copy of the law that covers the authority of the Commission to make recommendations as to where money will be spent along with a list of contribution that have been made by the department for the past thirteen years to Ducks

Unlimited pointed out Mr. Abadie. Mr. Abadie stated that it was not his purpose to discredit Ducks Unlimited and over the years he has contributed much time, effort and money towards that organization and its success. He now feels, along with the members of the Louisiana Outdoors Writers Association, that it is time that some other organization be given a chance to spend some of the money that Louisiana has been sending to Canada to Ducks Unlimited over the years. Mr. Abadie stated that he would like for the Commission to consider making a donation to the North American Wildlife Foundation marked for the Adopt a Pothole Program and asked if there were any other questions.

Chairman Pol asked Acting Secretary McInnis to clear up the item about overpayment. Acting Secretary McInnis advised that it was his understanding that it was brought to the department's attention that there was an overpayment based on the ten percent license sales. Taking a look at all the license sales that were made in the state of Louisiana the intent that was preceded was that the basic resident licenses and not the big game licenses would be used as the basis for the ten percent. Somewhere during the course of the time frame involved some overpayments were made in that the ten percent was calculated on the entire license sales and not just the basic resident sales. Since that time Secretary McInnis, Mr. Butch Bateman and others have been in contact with the Duck Unlimited organization and an agreeable method by which these funds will be contributed through the North American Waterfowl Plan and credited to the Louisiana Department of Wildlife and Fisheries has been worked out so that this overpayment will be recouped over a time frame. Mr. Abadie asked Acting Secretary McInnis, for the record, to tell what has been proposed and how the money is going to be recovered. Acting Secretary McInnis asked Ms. Baker to give the specifics to Mr. Abadie. Ms. Baker clarified how the problem was generated and explained that when the initial legislation went into place regarding the Ducks Unlimited payment the department only had one kind of hunting license. Over the years as new kinds of licenses came into play it became very confusing as to which ones the ten percent would be applied to and which not. More particularly the problems came in the years where combination licenses were sold. There were two-way combination licenses and four-way combination licenses and Ducks Unlimited was paid based on the total value of the combination licenses and not on the pro rata share specifically related to the basic hunting license. The department has gone back and re-tabulated what the appropriate payments should have been for this entire period of time and an agreement has been worked out with Ducks Unlimited whereby on an annual basis Louisiana pays them less than what the contractual obligations are suppose to be. This year the payment was to have been two hundred and forty six thousand dollars and a payment of two hundred thousand dollars was made reducing the amount of overpayment by forty six thousand dollars. Next year the department will come up with a comparable amount and the next year should be back down to ground zero stated Ms. Baker. Dr. Hines

asked if the ten percent was voluntary or statutory. Ms. Baker advised that it is in the law book and as she appreciates it Louisiana can either make a payment to Ducks Unlimited of ten percent of the hunting licenses value or if the department wished to spend the money they have the right to do this as well. Over the historical period of time the department has selected to work with Ducks Unlimited rather than to live up to that commitment entirely. Dr. Hines asked where did the hundred thousand dollars that Louisiana paid to the North American Waterfowl Plan come from. Mr. Baker advised that it is the same source, Louisiana pays Ducks Unlimited and they have in turn gone back and reimbursed the North American Waterfowl Plan on an agreed amount of money. At the Commission meeting held at Rockefeller last year amendments to the Ducks Unlimited contribution were made and there would be a maximum of three hundred thousand dollars if three million dollars worth of licenses were sold. The department would not give Ducks Unlimited the excess but instead pay them a fixed fee of three hundred thousand dollars of which they would pay back to the North American Waterfowl Plan one hundred thousand dollars. If less license than three million dollars were sold Ducks Unlimited would get a flat amount of two hundred thousand and the balance would go back to the North American. Dr. Hines asked about the sale of the state duck stamp, what is being done with the money and would any of that money be available if the Commission so choose for projects such as this. Ms. Baker answered that the state duck stamp money is set aside for wetlands improvement, habitat acquisitions for particular wetlands in the state of Louisiana. Dr. Hines stated that he thought the Pothole Program was a worthy project but was not sure if the Commission is in the position to give Mr. Abadie an answer today. Ms. Baker stated that she thought the state has some problems about sending money outside of the country and this would be one problem with trying to adopt this program from a state perspective.

Mr. Butch Bateman added that Dr. Hines' questions are legit and he would recommend to the Commission that the department look at the Adopt a Pothole Program, contact some people and find out exactly how it is going to function, who is going to administer the program, what technical people are going to do what things and come back and make a recommendation to the Commission. This is a relatively new program and just getting started. The department recently heard about it through some press releases. Mr. Bateman stated that the money that is sent from Ducks Unlimited to the North American in Canada is reimbursed to the state. Last year when the contribution of one hundred thousand dollars was made to the North American Plan the money came back to the state and is now in the bank drawing interest and will be spent on the first or second land acquisition project that is on line now specifically for waterfowl and work in Louisiana. The department historically has worked very closely with Ducks Unlimited and has an important part to play. Several of the Commissioners

in the past have gone to Canada and looked at the work up there. The Prairie Care, Manitoba Help Program and the North American Waterfowl Management Program are all programs that are in place in Canada doing exactly what Mr. Abadie's program does but these programs are being done by the providence in Canada in conjunction with Ducks Unlimited, U.S. Fish and Wildlife Service and the North American Waterfowl Management Plan. Mr. Bateman stated that the point of telling the Commissioners this is that this program Mr. Abadie has described and being promoted by the Outdoor Writers has merit and does what they described in the video but is right on line with what these other programs are trying to do. Mr. Bateman urged the Commission to let the department take a very close look at what Mr. Abadie has proposed and come back at perhaps the next Commission meeting and give the Commission a set of recommendations based on what can be found out as to whether the Commission would want to take money from the Ducks Unlimited contribution rather than supporting the programs that are currently in force and functioning in Canada to do these exact things.

Chairman Pol advised that the Commission would like a recommendation and also time to consider this proposal. Mr. Bateman stated that he would recommend this and commented that one of the features of the program that has raised a lot of controversy among the professional waterfowl managers in North America has been the placement of pen-reared birds on wild habitat with the idea that in some way this is going to restore wild duck populations. Mr. Bateman advised that he could produce two or three resolutions passed by the Mississippi Flyway Council which is made up of fourteen states against this practice. Mr. Bateman stated that he just wanted to make sure that the Commission understood this and the concept of saving the potholes, saving the habitat, the basic problems that are described in the program are exactly correct, however, Mr. Bateman himself has taken a very strong position in opposition to suggesting to people that the habitat or the duck problems can be corrected by raising ducks in pens and putting them out in the wild and there is no support for this in the management community anywhere in the United States as far as Mr. Bateman knows. The Delta Research Station has made this a part of their program and Mr. Bateman recommended that Louisiana does not get involved in supporting this aspect of the program.

Mr. Jenkins requested from Mr. Bateman a copy of the law that states the Commission's options on spending the money, how much money it is, where it goes, etc. since the department was going to take a look at this matter and further stated that it is very vague what they can do and what they are suppose to be doing. Mr. Bateman explained that the law is ten percent of the basic license sales and would get a copy of the law for Mr. Jenkins.

Chairman Pol asked if there were any other questions that the Commission would like to ask Mr. Abadie. Mr. Jenkins asked Mr. Abadie about the price of adopting a pothole and if it was per

year. Mr. Abadie answered no sir it was per pothole. Mr. Jenkins stated then it is forever and ever. Mr. Abadie stated it is \$100 per pothole each year and what they are trying to do is pay the farmer the profits he would make on that land that he is converting to agriculture and ruining a pothole. Mr. Jenkins stated that he understood this and his question was is it \$100 per year. Mr. Abadie answered yes sir. Mr. Jenkins commented that if you were going to be a sponsor you would put up a \$100 this year and if you wanted to do the same thing next year you would continue to do so. Mr. Abadie stated that you could do that, you can pass it on to your children, members of your family, or anybody else and it will still bear your name but you do still have to keep on paying. It is a wonderful memorial to anyone advised Mr. Abadie. Mr. Jenkins commented that the land is worth \$250 an acre but you are going to rent a pothole for \$100 a year. Mr. Abadie stated yes sir but remember that the pothole covers three times the acreage of water in upland cover. Mr. Jenkins asked if you rent one acre of a pothole you are getting three acres. Mr. Abadie advised that you would be getting four acres. Mr. Jenkins stated so it works out to about \$25 an acre which makes a little more sense. Mr. Jenkins stated that the next question he has pertains to the predators killing ninety percent of the hatch and wanted to know if anybody was doing anything to address this problem. Mr. Abadie advised that Mr. Bateman would probably know more about what is being done. Mr. Bateman explained that the predators are one of the key features that are causing problems and the video that Mr. Abadie showed explained very clearly why this is a problem with the limited vegetation. All of the programs that were described to the Commissioners (Prairie Care, North American Waterfowl Management Plan, etc.) are addressing predator problems on a more specific basis in terms of putting electric fences around upland habitat and trying to determine how effective this can be advised Mr. Bateman. This is very expensive on a per acre basis and what is trying to be demonstrated is by controlling predators and by having this necessary three acres of uplands versus one acre of water is really the solution to the predator problem, getting enough grass around the water areas where the birds can simply hide. There is ongoing research and this is one of the key features of the programs. One of the differences that Mr. Bateman sees developing in terms of the program that Mr. Abadie is outlining and the other programs, is the DU programs are in place in terms of a longer commitment over time in terms of easements with farmers over bigger sections of land rather than taking one pothole at a time. The money that Louisiana sends to Ducks Unlimited is used for outright acquisitions of property that involve the farming community in a cooperative effort to pool water and vegetation, the whole environmental complex that raises ducks. This is a long term investment and a permanent situation which is very important.

Dr. Hines stated that he thinks it is a step in the right directions and thinks the Commission and department should look at this. If there is a way it can be supported he would be in favor

of it but does not want to diminish the support to Ducks Unlimited because of the very worthwhile projects up in Canada. Mr. Jones stated that Ducks Unlimited is very well established and the Adopt a Pothole Program may very well be a great idea and concept but as Mr. Bateman has pointed out there are a couple of points of keen interest of possible mismanagement in their approach to the waterfowl. Mr. Jones stated that before he would even want to consider this that a indepth study should be done of where the dollars would go, the long range plan and concept and what it is the plan will do as opposed to just adopt a pothole. Mr. Jones thinks it might be better to adopt a pothole and instead of getting four for a year, buy one and have it for a lifetime. Mr. Jones stated that he certainly thinks this group should be investigated, how they spend their money, and the way they are going to do it before he would ever entertain the idea of sending the money. Mr. Jones advised that he is not saying bad things about the program but they need to come forward and tell before sending them dollars.

Mr. Abadie pointed out that there is a law that prohibits the Canadian farmer from selling any of that portion of his property. It has to be on a yearly rental basis or lease basis. The reason it is suggested that you adopt for three years is it is hoped by that time the ducks will have recovered to a certain extent. A hen duck selects where she will nest and she goes back to the area where she was raised and learned to fly. Mr. Abadie asked Chairman Pol if there is to be any discussions on this program they would like to have somebody present for the discussions so that the Commission will not get a one sided situation. Chairman Pol assured Mr. Abadie that whatever recommendations the department brings back to the Commission that he will certainly have an opportunity to discuss them and have an input. Mr. Abadie asked if he will have the opportunity to look at them before hand or just on the day that he arrives at the meeting. Chairman Pol stated that he does not know exactly how Acting Secretary McInnis wants to handle this but he is sure that when the recommendations are being made that they will talk with Mr. Abadie before the final recommendations. Chairman Pol advised Mr. Abadie that he will have the opportunity to discuss this before the Commission adopts anything. Mr. Abadie thanked the Commissioners for their time and stated that he looks forward to their contribution.

Chairman Pol asked Ms. Bettsie Baker about the status of the New Orleans Building that is for sale. Ms. Baker advised that they have been working with Facility Planning to get bids on the asbestos demolition. The contractor came back with an exorbitant fee to remove the asbestos. Ms. Baker has requested that another individual bid on this. This package will be submitted on Monday with a revised asbestos demolition removal price. They wanted to charge the department somewhere in the neighborhood of two hundred thousand dollars to remove the asbestos from the building advised Ms. Baker and commented this was prohibitive and therefore out of prudence she requested a second bid. If this does not seem to pan

out the department will go back with the originals. The new bid should be submitted in the very near future. A for sale sign was put up on the piece of property advised Ms. Baker and she has had a significant number of phone calls from people interested in the building. In delaying the sale and putting up this public notice on the property the department has generated a significant amount of interest which will be to its benefit stated Ms. Baker. Ms. Baker advised that she will be happy to update the Commission in December and hopefully will at that time will be under contract and the demolition work will be taking place. Once there is a firm date on this the property will be re-advertised and the department will go forward with the sale of the property stated Ms. Baker.

Chairman Pol advised that both he and Mr. Jenkins have had a call and a letter from Dr. Richard Condrey which was in relation to a **Spanish Louisiana Territorial Map** that is in Baton Rouge and is for sale. The map is currently at Taylor Clark's Gallery on Government Street. Dr. Condrey goes on to say in his letter that this is a very important map and he is asking for help in securing the map. Taylor Clark's Gallery has it right now under a hold proposition. Chairman Pol stated that he thinks this is something that is good and does not want to hold Dr. Condrey up to long. Acting Secretary McInnis was asked by Chairman Pol if he would look at this and see what can be done, the price is \$2,750. The map deals with the wetlands as they were back in the 1700's, there were only a hundred copies made and the plates have been destroyed advised Chairman Pol. Chairman Pol asked Acting Secretary McInnis again to please see what can be done and that he and Mr. Jenkins and other members of the board would be happy to contribute something to the sale.

At Friday's meeting Acting Secretary A. Kell McInnis III gave the **Acting Secretary's Report to the Commission**. Acting Secretary McInnis reported that Colonel Winton Vidrine of the Law Enforcement Section indicated that there was a graduation yesterday. One of the biggest problems with keeping people in the field is turnover. Quite simply there is a great deal of demand put on the people especially in the coastal zone and when they get a better offer for more money and less work they will leave. These people have to be replaced stated Acting Secretary McInnis. At the graduation yesterday there were seventeen cadets who started the class and fourteen graduated. The new recruits will begin the field sobriety training this coming week and then go into in-service training where they will get out in the field. These people will disburse and go out into Regions 3, 4, 5, 6, 8, and 9. These are all existing vacancies and positions that needed filling immediately. In mid-January the department anticipates another class to begin at State Police and expects to have twelve to fourteen in that class, again mostly vacancies, but the department will have the opportunity to start looking at those positions that were given to them by the legislature last year and should have a better grip on the financial situation of the Class 1 monies being generated. The department hopes to begin in the January class with filling some

of these positions. Colonel Vidrine also pointed out that for the third year the department cooperated with the Fish and Wildlife Service in sending agents north and they in turn send people to Louisiana. Acting Secretary McInnis stated that Mr. Abadie mentioned Mr. Anderson's article and suggested perhaps Mr. Abadie would like to write an article based on the information that was received from Michigan and Ohio. Colonel Vidrine would be happy to share that information on over bagging with him advised Acting Secretary McInnis. Also in the line of cooperation with the Fish and Wildlife Service the paperwork for the Bell 47 helicopter that was formally used by the Fish and Wildlife Service out of their Slidell office has gone through the process and it has been transferred to the department for enforcement use in Louisiana. The helicopter is currently in Slidell and Acting Secretary McInnis spoke yesterday with the Senior Agent-In-Charge of Louisiana and they are going to make sure that it is ready to travel. It is hoped that it will be in Baton Rouge in the next week to ten days and should be available prior to the hunting season. There is also a great deal of parts that are coming with the helicopter pointed out Acting Secretary McInnis.

Acting Secretary McInnis announced that when Mr. Johnnie Tarver moved over to the Habitat Division, which is one of the most rapidly growing areas in the United States, and after consideration of a number of candidates, Mr. Tommy Prickett, formally with the Game Division, was chosen as the Chief of Fur and Refuge Division. Mr. Prickett has jumped in and got on the ground running and with cooperation of the Commission and his staff he will provide them excellent administrative leadership stated Acting Secretary McInnis. Mr. Prickett stated that he looks forward to working with the Commission, Acting Secretary McInnis and the staff of the Fur and Refuge Division in the coming years. Acting Secretary McInnis commented that Louisiana's marshlands capabilities probably exceed anyone else's in the nation and predominance of that expertise is located in the Fur and Refuge Division and some of it in the Habitat Division. It is expected that marsh management will be the next new frontier for the department to get involved in and will work it in coordination with the Fisheries Division, Game Division, etc. so that management will be done for all the wildlife. The Price Lake Project at Rockefeller was dedicated a few weeks ago and very well attended pointed out Acting Secretary McInnis. This project is a seven thousand acre impoundment that will allow water control for management of all types of wildlife.

The first round of youth hunts has been completed on the wildlife management areas. The hunts went very well and very safe. This is a desirable thing and it will take grandparents and parents to exposed the children to what wildlife management is all about. These youth hunts provide the opportunity to get out there when nobody else is suppose to be in the woods and give the kids a safe opportunity to get started. The only problems that occur are from the adults and not the children. This hunt was in Zone 2 and in

Zone 1 there will be another round of youth hunts this week. The success rate was one in ten to fifteen of the youths taking a deer reported Acting Secretary McInnis.

The Kisatchie Forest Area where the department has done a great deal of modification in an effort with the Forest Service to get the deer herds back on line will open this weekend advised Acting Secretary McInnis. This will be monitored in cooperation with the Forest Service and the department.

At the dedication at Rockefeller Acting Secretary McInnis advised that he had an opportunity to see a great number of ducks and geese. The cold fronts are bringing the birds in on a regular basis and there are a number of them down in southwest Louisiana.

The teal season that Louisiana has had has been done away with to date. The department hopes this is not a dead issue and there has been some discussion of bringing this season back whether it is on a limited basis or experimental basis. The farmers that do get their crops out of their fields are encourage to put water on the ground as early as possible. Many of the birds come down during late September or early October and most of the farmers do not start pumping water until a week to ten days before the big duck season.

There was a lot of hard work put into the Black Bass Plan by the staff which has been submitted to the Commission and approved. The department hopes this plans proves to be as beneficial as anticipated stated Acting Secretary McInnis.

Last week Acting Secretary McInnis attended the Southeastern Association of Fish and Wildlife Agencies conference in Richmond, Virginia. There were a series of technical meetings attended by Acting Secretary McInnis and staff where good information was exchanged. Acting Secretary McInnis pointed out that the fox/coyote presentation presented at a previous Commission meeting where certain importations of fox/coyote were prohibited was recognized and adopted by the Southeastern, as a whole, following the Commission's lead. Also on the issue of released birds for the augmentation of the wild population was condemned as ineffective by not only the International at their meeting in New Orleans but also the Southeastern Association at their meeting in Richmond. One of the most important items at the Southeastern was the recognition of the problems that fish and wildlife managers are running into with the increased efforts by the anti-hunting sentiment population to get involved on multiple levels. Last year the states of Maryland and California were actually challenged in court with the statistical information available for the setting of their seasons and California almost did not have a hunting season this year stated Acting Secretary McInnis. Dr. Jim Timmerman, Director, South Carolina, has scheduled a workshop and invited conservation oriented hunting groups throughout the state

of South Carolina. This workshop is to be held on November 15, 1990. Mr. Pete Bondatelli, Director, California and Colonel Robert Brantly, Director, Florida, will be the main speakers. Dr. Timmerman asked Acting Secretary McInnis, if possible, to please try to attend and participate in the meeting and if the scheduling will allow it Acting Secretary McInnis will try. If Acting Secretary McInnis is not able to attend someone else will attend as this is a very important meeting and is an issue that the Commission may want to take a closer look and utilize the resources available to get prepared for this type of attack.

There will be a Gulf Council Meeting in Tampa, Florida which Dr. Clark will be attending representing the department. Acting Secretary McInnis hopes to spend some time with Dr. Clark and get to know some of the people on the council.

Acting Secretary McInnis pointed out that traditionally at the May Commission meeting a public hearing in New Orleans is held on the shrimp season. If it meets with the approval of the Commissioners the necessary arrangements to secure UNO or another suitable site will be made for the meeting in New Orleans in the first part of May. Chairman Pol advised Acting Secretary McInnis to proceed with the arrangements.

In conjunction with the Black Bass Plan that was just submitted to the Commission earlier Acting Secretary McInnis advised that the department also has a declaration of emergency prepared to bring before the Commission which Major Charlie Clark will be presenting.

Mr. Jones commented that he would like to see the Commissioners delivered a packet, if at all possible, instead of just an agenda at least three days before the meeting so that they can study the agenda and issues that are being brought before the Commission. Mr. Jones stated that he knows there are times when this could not be done but such things as law enforcement it might be nice to have the report prior to coming to the meetings. Most of these items are pretty much routine and it would just mean D-day would be Monday morning instead of Thursday morning.

Acting Secretary McInnis stated that this is a very good point and he pointed out that he received his agenda for the Southeastern meeting the morning he arrived which made it very difficult for him to be prepared for the discussions that were to take place. This is an excellent idea and Acting Secretary McInnis will work with the staff to try to get the packages prepared timely. There will be situations when the Commission meets on the first and second of the month that reports, such as law enforcement, will not make the deadline. The department can have some draft formats of that type of information for the Commission advised Acting Secretary McInnis. Mr. Jones explained that the issues of action are what he would like to have in hand before taking action so that he can have the

best opportunity to search information to figure out what are the right things to do.

Chairman Pol asked Major Charlie Clark to explain the Declaration of Emergency and Resolution on Black Bass (Leaving of Head and Tail On) that he was presenting to the Commission. Major Clark advised that the Enforcement Division is currently undergoing severe problems with the variation of limits and size on black bass in Louisiana. Toledo Bend is one of the better examples of this where your limit is ten and size is twelve. There is a problem in that people are filleting the fish on the water and also a problem down in Venice where people are filleting bass and calling them trout. Once the fish are fillet there is no way to positively identify the fish. The only way to identify the fish would be to leave the heads and tails on and this is what is being asked today. Major Clark believes this will help in the success of the black bass program. Mr. Jones made a motion that the rules be suspended and this item be taken up under other business. The motion was seconded by Dr. Hines and passed unanimously. Chairman Pol called for a motion to act on the declaration of emergency and resolution. Dr. Hines moved that the resolution/declaration of emergency be adopted requiring the head and caudal fin of all black bass to be intact. The motion was seconded by Mr. Vujnovich and passed unanimously.

Dr. Clark stated that he has a comment before the Commission takes a vote on this. Chairman Pol advised that they have voted but asked Dr. Clark to go ahead. Dr. Clark advised that this is a large problem and this action will help but pointed out that if he was on the water, catching bass and has a seventeen inch bass he is going to fillet it and when the agent comes up he is going to say it was a crappie. Short of doing electra-floretics when you go into the court room on a case like this there will be a problem. Mr. Landrum advised that the remedy that Dr. Clark just suggested is that the rule apply to all freshwater game fish and that way any freshwater game fish cannot be fillet out in the water. It has got to be brought to the bank. Dr. Hines asked if this was an emergency that this be done today or can it be done next month. Dr. Clark stated that the earliest the black bass plan could take effect would be February 1, 1991. Dr. Hines suggested that they wait and fine tune the resolution/declaration of emergency. The vote was rescinded and Chairman Pol directed that the resolution and declaration of emergency be rewritten and that the divisions involved work together with Mr. Landrum and Mr. Puckett to make it completely legal. This item will be taken up at a later date.

At Friday's meeting the Dates for the January 1991 Meeting were discussed. Chairman Pol advised that the December Commission meeting has been changed from New Orleans to Baton Rouge. The December meeting will be on the 6th and 7th. After a discussion on the dates of the January meeting and the possibility of meeting on an earlier day in the week Chairman Pol asked the Commissioners to consider this and the dates be picked for the January meeting at the December meeting. Mr. Jenkins commented that his schedule

is such that he needs to keep it like it is and suggested that it be kept just like it is. Chairman Pol suggested to give everybody a chance to think about this that they wait and bring it up at the next Commission meeting at which time they will decide to meet on a different day or leave it as is.

Chairman Pol announced that as everyone know the Commission now bids goodbye to one of its members who has been a fine member and that is Dr. Hines. Chairman Pol asked Dr. Hines if he wanted to say a few words.

Dr. Hines made the following address: "I just want to tell all of you it has been a privilege, a pleasure and an honor I guess for me to serve on this Commission over the past nearly six years. I certainly have enjoyed my association with all of you on the Commission and the members of the staff, all the friendships that I have made and our associations and I hope that continues. I know that the state of Louisiana probably spends a lot of money needlessly but I think the money they spend in Wildlife and Fisheries is well spent. I have been extremely impressed with the dedication and the professionalism of all the employees of this department and I think the department is in good hands and I know that you are going to go forward. I know that there are some major obstacles that you have to overcome in the coming months and years ahead but I feel confident that you will handle this successfully. I guess, you know there are some exciting things too with the land acquisition, the fish hatchery and all of that and I am sure that the crisis in the Persian Gulf and increased oil production and maybe in some way might be of some benefit to this department not only from a monetary standpoint but it might take people off of their boats and put them back on oil rigs and reduce the pressure on the fisheries that way and unemployed people, who are frustrated and depressed at home, get them back to work and it might cut down a lot of our game violations. People out of work and desperate really don't follow rules very well and once again if we can get them back working I think things will get better for our game and fishery management. Maybe a blessing in disguise is that we have learned how to live with a thirty two million dollar budget so if we ever get a forty million dollar budget again maybe we can manage it better than we did in the past. But I am going to continue my involvement with Wildlife and Fisheries, I guess some aspects pleasant and some unpleasant. I am listed on a few suits so I guess I might be back here then but also I am on the deer task force and the land acquisition task force and hopefully you know I will be around for that. Plus a continued interest in all of the things that you all are doing, I am sure that we will run across each other from time to time. Like I said last night you know when you enjoy doing things time passes fast and it seems like just yesterday it was January 1984 and I came here to first of all to find out about seabobs and other things and I guess it is fitting that we end on seabobs today but it has been a great pleasure and a very enlightening experience for me and I want to thank all of

you who I have worked with and worked with me and helped me on different little projects that we asked you to help with and thanks again."

Chairman Pol stated that Dr. Hines will be missed and announced that the last item on the agenda is the Election of the LDWF Commission Chairman and Vice Chairman for 1991. Chairman Pol announced that the Chair will entertain nominations. Mr. Bert Jones nominated Mr. Jimmy Jenkins as Chair and Mr. Norman McCall as Vice-Chair. Dr. Hines stated that he would like to second the nomination as his last official act. Chairman Pol called for further nominations, there being none Chairman Pol called for a vote. The motion passed unanimously. Chairman Pol stated that he is turning the Chair over to good hands and is sure that Mr. Jenkins will do a great job.

There being no other business to be taken up by the Commission or from the floor Chairman Pol called for a motion to adjourn the November 1990 Commission meeting. A motion was made by Mr. Vujnovich and seconded by Mr Jenkins. The motion passed unanimously.



A. Kell McInnis III
Acting Secretary

AKM:sb

AGENDA
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
BATON ROUGE, LOUISIANA
NOVEMBER 1-2, 1990

1. Roll Call (Page #1 machine A)
2. Approval of Minutes of October 5-6, 1990 (Page #1 machine A # 18)
3. Commission Meeting Attendance - Don Hines
Dave Morrison - Duck Stamp (Page #1 machine A - #30)
 (Page #1 machine A, #143)
4. Proposed Change in Special Canada Goose Season - Norman McCall (Page #2 machine B, #8)
 (Page #2, machine B, #289 - Rick Ancelet) (Page #2 machine B #219, Ry. J. Monty)
5. Declaration of Emergency - Alligator Regulations - Tommy Prickett (Page #2, machine B, #439)
6. Discussion and Setting Closing Dates for Fall Inshore and Offshore Shrimp Seasons - Phil Bowman (Page #2, machine B, #467)
 (Page #3, machine A, #349 major of Fred Dale) (Page #3, machine A, #5)
7. Update on Spotted Seatrout Sampling Results - Claude Boudreaux (Page #3, machine A, #470) (Page #4, machine B, #334, Mr. Fullnot)
 (Page #4, machine B, #5) (Page #4, machine B, #338, Mr. Henry)
8. Notice of Intent - Louisiana Black Bass Management Plan and Proposed Regulations - Jerry Clark (Page #5, machine A, #109)
 (Page #5, machine A, #5) (Page #5, #171, Nat Bankston) (Page #5, machine A, #109) (Page #5, machine A, #109)
9. Notice of Intent - Amendment to Joint Louisiana/Texas Black Bass Reciprocal Agreement in Toledo Bend and Caddo Lake - Jerry Clark (Page #5 machine A, #505)
10. Commercial King Mackerel Closure (Informational)
 (Page #4, machine B, #451 Jerry Clark)
11. Shell Dredging - Lower Central Coast - Bettie Baker and Don Puckett (Page #5, machine A, #530 Don Puckett)
 (Page #6, machine B #37 Jim Beutner)
12. Law Enforcement Monthly Report - Winton Vidrine
 (Page #4, machine B #522)
13. Acting Secretary's Report to the Commission - Kell McInnis Page #7, machine A, #205

Machine A
 Page #5, #288
 J. Thibodeaux

OTHER BUSINESS: Charlie Clark Page #7, machine A, #486

14. Adopt a "Pothole" - Lloyd Abadie
 (Page #6, machine B, #270) (Page #6 machine B #512 Bettie Baker) (Page #7, machine A #7)
15. Election of LDWF Commission Chairman and Vice Chairman
16. Set Meeting Dates and Locations for December 1990 and January 1991 Page #7, machine A, #543
 10/11

PUBLIC COMMENTS:

Friday
 #6 (Page 6, machine B #1 Phil Bowman)

Item #8 Friday
 (Page #5 machine A #318 Jerry Clark)

N.C. Bldg Page #7, machine #133 Bettie Baker

(Page #5, machine A, #422 Teddy Daugh) Ltr to Richard C. Page #7, machine #175

RESOLUTION
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES
November 2, 1990

THE FOLLOWING WAS ADOPTED BY THE LOUISIANA WILDLIFE AND FISHERIES COMMISSION AT ITS REGULAR MEETING HELD IN BATON ROUGE, NOVEMBER 2, 1990.

WHEREAS, the Louisiana Wildlife and Fisheries Commission has established regulations for an Experimental Canada Goose Season; and

WHEREAS, it has been determined that a portion of the area open for this experimental Canada Goose Season has resident, non-migrant Canada Geese, and

WHEREAS, the Louisiana Wildlife and Fisheries Commission has received public comment expressing concern that any hunting of these resident, non-migrant geese may have an adverse impact on these resident flocks, now

THEREFORE BE IT RESOLVED, that Louisiana Wildlife and Fisheries Commission does hereby redescribe the Experimental Canada Goose Season hunting zone to read as indicated on the attached Declaration of Emergency.

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



Warren Pol, Chairman
La. Wildlife and Fisheries
Commission



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

LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES
LOUISIANA WILDLIFE AND FISHERIES COMMISSION

RESOLUTION

WHEREAS, Toledo Bend Reservoir, Caddo Lake, the Sabine River and Sabine Lake constitute boundary waters between the States of Louisiana and Texas;

WHEREAS, these waterbodies contribute heavily to the freshwater recreational black bass fishery of both the States of Louisiana and Texas;

WHEREAS, conflicting freshwater sport fishing regulations imposed on these waterbodies by both states has resulted in confusion and even antagonism among fishermen angling in these waterbodies;

WHEREAS, joint Louisiana/Texas fisheries data indicate, particularly at Toledo Bend Reservoir, that several extremely large year classes of black bass ranging in length from seven to fourteen inches total length, with a particularly numerous mode at twelve inches, comprise the bulk of the black bass population;

WHEREAS, anticipated intensive harvest of numerous twelve and thirteen inch black bass in late winter and in the spring of 1991 could severely reduce numbers of these fish in the population of Toledo Bend Reservoir and Caddo Lake;

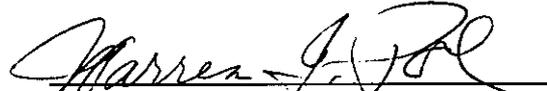
WHEREAS, if protected immediately, existing large year classes of black bass will lose susceptibility to capture until they measure fourteen inches in total length and will begin to provide quality black bass fishing for Toledo Bend Reservoir and Caddo Lake.

THEREFORE BE IT RESOLVED, the Louisiana Wildlife and Fisheries Commission hereby amends the Joint Louisiana/Texas Toledo Bend and Caddo Lake Sportfishing Reciprocal Agreement, dated September 1, 1988, to establish a daily creel limit (daily take) for black bass (Micropterus spp.) at eight fish and a minimum total length limit of fourteen inches in Toledo Bend Reservoir and Caddo Lake. The daily creel limit for black bass is set at 5 fish and the minimum total length limit is set at fourteen inches for black bass on the Sabine River from a point immediately south of the Toledo Bend Dam to the Gulf of Mexico. Said revised regulations become effective Monday, April 1, 1991.

BE IT FURTHER RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby authorize and delegate to the Secretary of the Department of Wildlife and Fisheries, the authority to take any and all necessary steps on behalf of the Commission to promulgate and effectuate this notice of intent and the final rule, including but not limited to the filing of the Fiscal and Economical Impact Statements, the filing of the Notice of Intent and preparation of reports and correspondence to other agencies of government. The Commission further authorizes and delegates to the Secretary the authority to promulgate the above regulations as an Emergency Declaration.



A. Kell McInnis III
Acting Secretary



Warren I. Pol
Chairman

November 2, 1990

RESOLUTION
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES
November 2, 1990

THE FOLLOWING WAS ADOPTED BY THE LOUISIANA WILDLIFE AND FISHERIES COMMISSION AT ITS REGULAR MEETING HELD IN BATON ROUGE, NOVEMBER 2, 1990.

WHEREAS, the Louisiana Wildlife and Fisheries Commission has established regulations for an Experimental Canada Goose Season; and

WHEREAS, it has been determined that a portion of the area open for this experimental Canada Goose Season has resident, non-migrant Canada Geese, and

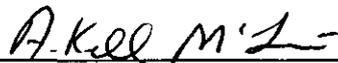
WHEREAS, the Louisiana Wildlife and Fisheries Commission has received public comment expressing concern that any hunting of these resident, non-migrant geese may have an adverse impact on these resident flocks, now

THEREFORE BE IT RESOLVED, that Louisiana Wildlife and Fisheries Commission does hereby redescribe the Experimental Canada Goose Season hunting zone to read as indicated on the attached Declaration of Emergency.

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



Warren Pol, Chairman
La. Wildlife and Fisheries
Commission



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

EMERGENCY RESOLUTION
LOUISIANA WILDLIFE AND FISHERIES COMMISSION

1990-91 ALLIGATOR REGULATIONS AND SEASON

WHEREAS, The Louisiana Department of Wildlife and Fisheries has the authority under State and Federal Statute to establish an alligator season; and

WHEREAS, The alligator population in Louisiana has been determined by biologists of the Department to be capable of sustaining an annual harvest of surplus animals; and

WHEREAS, The removal of the surplus animals is considered to be a wise use of this natural resource of the State of Louisiana;

THEREFORE, BE IT RESOLVED, That the Louisiana Wildlife and Fisheries Commission does hereby adopt the emergency regulations for administering all aspects of the 1990 alligator season which are attached and made part of this resolution.

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



A. Kell McInnis III
Acting Secretary



Warren I. Pol
Chairman

November 1, 1990

RESOLUTION

Wildlife and Fisheries Commission

November 1, 1990

Baton Rouge, Louisiana

WHEREAS, R.S. 56:497 provides the open shrimp seasons for all or part or the state waters shall be fixed by the Commission, and

WHEREAS, R.S. 56:497 provides the Commission shall have the authority to set special shrimp seasons for all or part of the state waters and,

WHEREAS, in the inshore areas of coastal Louisiana water temperatures have now dropped below 20 degrees centigrade which has slowed the growth rate for white shrimp in inshore and near shore waters and,

WHEREAS, the shrimp size in Zone 2 and Zone 3 inshore waters has decreased and is now either at or less than 100 count (whole shrimp per pound), the legal minimum size for white shrimp and,

WHEREAS, for the emigrating white shrimp there is little size difference between near shore outside waters and inshore waters and,

WHEREAS, the seabob fishery is a significant contributor to the overall Louisiana shrimp fishery during the late fall and early winter months, now

THEREFORE BE IT RESOLVED, the fall inshore shrimp season in that portion of Louisiana's inshore waters as defined in R.S. 56:495 from South Pass of the Mississippi River to the Mississippi state line and the ^{Fall} shrimp season in Louisiana's offshore territorial waters from the USC & GS Station Gap at latitude 29° 02' 18" N. longitude 90° 49' 56" W. then east to the Mississippi state line will close at 12:01 a.m. December 31, 1990; except that in the area of Louisiana's offshore territorial waters from Bayou Fontanelle (Empire Ship Channel) ~~west~~ ^{west} to Caminada Pass seaward of 3 miles from the beach, the season will remain open, and

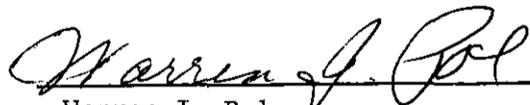
BE IT FURTHER RESOLVED, the fall inshore shrimp season in that portion of Louisiana's inshore waters as defined in R.S. 56:495 from South Pass of the Mississippi River to the western shore of Vermillion Bay and Southwest Pass at Marsh Island and the fall shrimp season in that portion of Louisiana's offshore territorial waters from USC and GS Station Gap at latitude 29° 02' 18" N. longitude 90° 49' 56" W. then west to the western shore of Southwest Pass at Marsh Island will close at 12:01 a.m. December 1, 1990, and

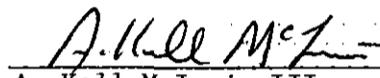
BE IT FURTHER RESOLVED, the fall inshore shrimp season in that portion of Louisiana's inshore waters as defined in R.S. 56:495 from the western shore of Vermillion Bay and Southwest Pass at Marsh Island to the Texas state line and that portion of Louisiana's offshore territorial waters from the western shore of Southwest Pass at Marsh Island to the Texas state line will close at 12:01 a.m. December 21, 1990, and

BE IT FURTHER RESOLVED, A special directed seabob season is established to begin in that portion of Louisiana's offshore territorial waters from USC and GS Station Gap at latitude 29° 02' 18" N. longitude 90° 49' 56" W. then east to the Mississippi state line at 12:01 a.m. December 31, 1990 and run through 12:01 a.m. January 31, 1991 and in that portion of Louisiana's offshore waters from USC and GS Station Gap at latitude 29° 02' 18" N. longitude 90° 49' 56" W. then west to the western shore of Southwest Pass at Marsh Island at 12:01 a.m. December 1, 1990 and run through 12:01 a.m. January 31, 1991 and in that portion of Louisiana's offshore territorial waters from the western shore of Southwest Pass at Marsh Island to the Texas state line at 12:01 a.m. December 21, 1990 and run through 12:01 a.m. January 31, 1991. During the special directed seabob season it shall be illegal to take or possess more than 15% white shrimp in any cargo lot of seabobs, or possess more than 15% white shrimp while fishing in Louisiana, and

BE IT FURTHER RESOLVED, the Secretary of the Department is authorized to close the fall inshore shrimp season, the offshore shrimp season and/or the special seabob season if enforcement problems arise or if biological data indicates the need to do so, and .

BE IT FURTHER RESOLVED, the Secretary of the Department is authorized to set special pink shrimp seasons, special white shrimp seasons or special seabob seasons if technical data indicates sufficient quantities of marketable shrimp are available.


Warren I. Pol
Chairman


A. Kell McInnis III
Acting Secretary

AGENDA
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
BATON ROUGE, LOUISIANA
NOVEMBER 1-2, 1990

- Thursday*
✓ 1. Roll Call
- Thursday*
✓ 2. Approval of Minutes of October 5-6, 1990
- Thursday*
✓ 3. Commission Meeting Attendance - Don Hines
- Thursday/Friday*
✓ 4. Proposed Change in Special Canada Goose Season - Norman McCall
- Thursday*
✓ 5. Declaration of Emergency - Alligator Regulations - Tommy Prickett
- Thursday/Friday*
✓ 6. Discussion and Setting Closing Dates for Fall Inshore and Offshore Shrimp Seasons - Phil Bowman
- Thursday*
✓ 7. Update on Spotted Seatrout Sampling Results - Claude Boudreaux
- Thursday - noon*
Friday
Thursday
8. Notice of Intent - Louisiana Black Bass Management Plan and Proposed Regulations - Jerry Clark
- Friday*
9. ✓ Notice of Intent - Amendment to Joint Louisiana/Texas Black Bass Reciprocal Agreement in Toledo Bend and Caddo Lake - Jerry Clark
- Thursday*
10. Commercial King Mackerel Closure (Informational) - *Clark*
- Friday*
11. Shell Dredging - Lower Central Coast - Bettie Baker and Don Puckett
- Thursday*
12. Law Enforcement Monthly Report - Winton Vidrine
- Friday*
13. Acting Secretary's Report to the Commission - Kell McInnis
- OTHER BUSINESS:
- Friday*
14. Adopt a "Pothole" - Lloyd Abadie
- fr* 15. Election of LDWF Commission Chairman and Vice Chairman
- fr* 16. Set Meeting Dates and Locations for December 1990 and January 1991

PUBLIC COMMENTS:

COMMISSION MEETING
ROLL CALL
November 1-2, 1990
Baton Rouge, LA

	Thursday	Friday
Jimmy Jenkins (Chairman)	<u>✓</u>	<u>✓</u>
Houston Foret	<u>✓</u>	<u>✓</u>
Don Hines	<u>✓</u>	<u>✓</u>
Bert Jones	<u>✓</u>	<u>✓</u>
Norman McCall	<u>✓</u>	<u>✓</u>
Warren Pol (Chairman)	<u>✓</u>	<u>✓</u>
Peter Vujnovich	<u>✓</u>	<u>✓</u>

Mr. Chairman:

(Thursday)

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

(Friday)

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

#3

EMERGENCY RESOLUTION
LOUISIANA WILDLIFE AND FISHERIES COMMISSION

1990-91 ALLIGATOR REGULATIONS AND SEASON

WHEREAS, The Louisiana Department of Wildlife and Fisheries has the authority under State and Federal Statute to establish an alligator season; and

WHEREAS, The alligator population in Louisiana has been determined by biologists of the Department to be capable of sustaining an annual harvest of surplus animals; and

WHEREAS, The removal of the surplus animals is considered to be a wise use of this natural resource of the State of Louisiana;

THEREFORE, BE IT RESOLVED, That the Louisiana Wildlife and Fisheries Commission does hereby adopt the emergency regulations for administering all aspects of the 1990 alligator season which are attached and made part of this resolution.

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

A. Kell McInnis III
Acting Secretary

Warren I. Pol
Chairman

November 1, 1990

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries

Wildlife and Fisheries Commission

ALLIGATOR SEASON REGULATIONS

In accordance with the emergency provisions of R.S. 49:953(b), the Administrative Procedures Act, R.S. 49:967 which allows the Wildlife and Fisheries Commission to use emergency procedures to set the alligator season, and R.S. 56:260, and action by the Commission on July 6, 1990, the alligator season is hereby established in accordance with the following regulations:

A. Purpose.

These regulations are to govern the taking, possession, selling, raising and propagation of alligators statewide, both in the wild and in captivity. They are enacted to prevent depletion or waste, while enhancing utilization of this renewable resource. These regulations are based upon scientific study and population monitoring and are consistent with federal requirements to qualify alligators and alligator parts from Louisiana for international export under the Convention on International Trade in Endangered Species of wild fauna and flora. Alligators in Louisiana are not endangered but their similarity in appearance to endangered crocodilian species requires controls on commerce to minimize illegal trafficking of these species and to regulate and maintain the wild population of alligators. These regulations provide rules to enhance alligator farming operations; establish the methods of alligator harvest; establish minimum facility requirements for alligator farming; regulate commerce in alligators, eggs and parts; streamline necessary reporting requirements; and, establish a regulated nuisance alligator control program.

B. Definitions.

The following words and phrases for purposes of these regulations shall have the meaning ascribed to them in this section, unless the context wherein the particular word or phrase is used clearly indicates a different meaning:

1. Alligator - American alligator (Alligator mississippiensis).
2. Alligator Egg Collection Permit - A permit issued by the Department allowing for the collection of alligator eggs on designated properties described as part of the permit. The permit will be signed by the Secretary or his designee, the permittee and the landowner/land manager.
3. Alligator Farm - An enclosed area, constructed so as to

prevent the ingress and egress of alligators from surrounding public or private lands or waters and meeting other specifications and requirements set by the Department, where alligators are bred, propagated, or raised as a commercial enterprise under controlled conditions.

4. Alligator Farmer - A properly licensed person who raises alligators under controlled conditions which prohibit free movement of the animals onto and off of the farm or controlled area, and who may harvest alligators under the supervision of the Department. An alligator farmer must possess a valid nongame quadruped breeder's license.

5. Alligator Hunter - A properly licensed resident or nonresident person who takes wild alligators.

6. Alligator Part - Any part of the carcass of an alligator, except hides tagged pursuant to all applicable laws and regulations including the laws and regulations of the United States Government, the State of Louisiana and the Louisiana Wildlife and Fisheries Commission.

7. Alligator Parts Dealer - Any properly licensed person who deals in alligator parts and who:

(a) Buys from an alligator hunter, another parts dealer, or an alligator farmer for the purpose of resale; or

(b) Manufactures within the state alligator parts into a finished product; or

(c) Purchases, cans, processes, or distributes alligator meat for wholesale or retail.

8. Alligator Parts Retailer - Any properly licensed person selling canned alligator parts or purchasing alligator parts from an alligator parts dealer, and each restaurant selling prepared alligator meat for human consumption.

9. Alligator Parts Tag - An official tag issued by the Department that is attached to all unprocessed alligator parts upon transfer by an alligator hunter, an alligator parts dealer, or alligator farmer.

10. Alligator Shipping Label - A serially numbered label issued by the Department required on each container of alligators or alligator eggs being shipped or transported out of the state.

11. Bona Fide Resident (1) - Any person who has resided in the state of Louisiana continuously during the twelve months immediately prior to the date on which he applies for any

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

(a) If registered to vote, he is registered to vote in Louisiana.

(b) If licensed to drive a motor vehicle, he is in possession of a Louisiana driver's license.

(c) If owning a motor vehicle located within Louisiana, he is in possession of a Louisiana registration for that vehicle.

(d) If earning an income, he has filed a Louisiana state income tax return and has complied with state income tax laws and regulations.

(2) As to a corporation or other legal entity, a resident shall be any which is incorporated or otherwise organized under and subject to the laws of Louisiana, and as to which the principal place of business and more than fifty percent of the officers, partners, or employees are domiciled in Louisiana.

12. Closed Season - That period of time of a calendar year not specifically included in the open season.

13. Commission - The Louisiana Wildlife and Fisheries Commission.

14. Common Carrier - Any agency or person transporting passengers or property of any description for hire.

15. Confiscation - The exercise of a right under the police power wherein property is seized and held pending court order if the seized material is nonperishable, or disposed of without judicial intervention if perishable.

16. Consumer - Restaurants and other places where alligator, fish, shrimp, or other aquatic life is prepared for human consumption; or any person using alligator, fish, shrimp, or other aquatic life for bait or personal consumption.

17. Department - The Louisiana Department of Wildlife and Fisheries.

18. Designated Collection Agent - Anyone who is permitted by the Department to assist an alligator egg collection permittee during alligator egg collection.

19. Fur Buyer - Anyone who buys raw furs or skins from fur

trappers, alligator hunters, fur buyers, or fur dealers and who sells to another fur buyer or fur dealer within the confines of the state or to a nonresident fur dealer licensed by the State of Louisiana in interstate commerce, or who acts as an agent of another fur buyer or fur dealer in this state in such purchase or sale. Fur buyers are divided into two classes, resident and nonresident. Resident fur buyers are those who are bona fide residents of this state. All others are nonresident fur buyers.

20. Fur Dealer - Anyone who deals in raw furs and skins and who:

(a) Buys from a fur trapper, alligator hunter, or alligator farmer, either directly or indirectly, and ships or exports from this state, either directly or indirectly, the raw furs and skins so bought; or

(b) Buys from a fur buyer or other fur dealer and exports from this state the raw furs and skins so bought; or

(c) Buys from a fur trapper, alligator hunter, alligator farmer, fur buyer, or other dealer and sells such raw furs and skins for manufacturing into a finished product in this state; or

(d) Manufactures such furs and skins into a finished product in this state, buying directly from a fur trapper, alligator hunter, alligator farmer, fur buyer, or fur dealer; or

(e) Transports raw furs or skins into this state for the purpose of sale within the state. Fur dealers are divided into two classes, resident and nonresident. Resident fur dealers are those who are bona fide residents of this state. All others are nonresident fur dealers.

21. Hatchling - A young of the year alligator which is less than twenty three (23) inches in length.

22. Hide - (See "Pelt").

23. Hook - Any curved or bent device attached to a line or pole for the purpose of taking alligators.

24. Hunt - In different tenses, attempting to take.

25. Incubator - An apparatus designed and used for the primary purpose of incubating alligator eggs.

26. Land Manager - Any authorized person who represents the

landowner.

27. Landowner - Any person who owns land which the Department has designated as alligator habitat.

28. Licensee - Any resident or nonresident lawful holder of an effective license duly issued under the authority of the Department.

29. Nongame Quadruped - Alligators, beavers, bobcats, coyotes, gray foxes, minks, muskrats, nutrias, opossums, otters, raccoons, red foxes, skunks, and other wild quadrupeds valuable for their furs or skins.

30. Nongame Quadruped Breeder - A person properly licensed to engage in the business of raising, exhibiting and selling nongame quadrupeds on alligator or fur farms.

31. Nongame Quadruped Exhibitor - A person properly licensed to engage in the business of raising and/or exhibiting nongame quadrupeds.

32. Nonresident - Any person who is not a bona fide resident as that term is defined by R.S. 56:8(12).

33. Nuisance Alligator - A specific (particular) alligator that poses a threat to human life or property.

34. Nuisance Alligator Hunter - A licensed alligator hunter who is contracted or otherwise selected by the Department to remove designated nuisance alligators.

35. Open Season - That period of time set by the Louisiana Wildlife and Fisheries Commission, during which wild alligators or their eggs may be lawfully taken.

36. Out Of State Shipping Tag - An official, serially numbered tag, yellow in color, issued by the Department required on each shipment of alligator hides shipped out of state.

37. Part - For purposes of this section, a part is a division of a subsection.

38. Pelt - The skin or hide of a quadruped.

39. Pelting - Removing the skin and/or fur of a quadruped in such a manner as to render it marketable.

40. Person - Includes any individual person, association, corporation, partnership, or other legal entity recognized by law.

41. Pole Hunting - The act of taking an alligator from a den with a pole or snagging device of any type and includes using such devices to induce an alligator to move from a den prior to taking.

42. Possess - In its different tenses, the act of having in possession or control, keeping, detaining, restraining, or holding as owner, or as agent, bailee, or custodian for another.

43. Processed Alligator Part - Any part (and its resulting products) that has been removed from a legally taken alligator, treated to prevent decomposition, and packaged; provided that the meat is not processed until packaged and marked with required labeling as described in Subsection L of these regulations.

44. Propagation - The holding of live alligators for production of offspring.

45. Raising - The production of alligators under controlled environmental conditions or in outside facilities.

46. Rearing - (See "Raising").

47. Resident - (See "Bona Fide Resident").

48. Secretary - The secretary of the Louisiana Department of Wildlife and Fisheries.

49. Skin - (See "Pelt").

50. Take - In its different tenses, the attempt or act of hooking, pursuing, netting, capturing, snaring, trapping, shooting, hunting, wounding, or killing by any means or device.

51. Transport - In its different tenses, the act of shipping, attempting to ship, receiving or delivering for shipment, transporting, conveying, carrying, or exporting by air, land, or water, or by any means whatsoever.

52. Wildlife - All species of wild vertebrates.

53. Wildlife Management Area - Any area set aside, maintained, and supervised by the Department for the purpose of managing and harvesting wild birds, wild quadrupeds, fish and other aquatic life under controlled conditions to afford maximum public hunting and fishing opportunity.

54. Wildlife Refuge - Any area set aside and designated by

the Department as a refuge on which wild birds and animals are protected. Control of certain forms of wildlife may be conducted by the Department.

C. General Rules.

1. No person shall take, possess, purchase or sell alligators, alligator eggs, alligators parts, or goods manufactured from alligators, except as provided in these regulations and LA. R.S. Title 56.

2. Each alligator, alligator egg, or alligator part taken or possessed in violation of these regulations shall constitute a separate offense.

3. Hides of alligators harvested in Louisiana shall be tagged in accordance with provisions of these regulations and deviation from those requirements shall be a violation and subject hides to confiscation. Violation of this part is a class 7A violation as described in Title 56.

4. Pole Hunting is prohibited. Violation of this part is a class 2 violation as described in Title 56.

5. An alligator hunter must possess on his or her person one or more current alligator hide tags while taking alligators provided that only one licensed hunter needs to possess current hide tags among a group of licensed hunters who are physically present in the same location and are conducting a joint hunting operation. Violation of this part is a class 2 violation as described in Title 56.

6. No person shall release any alligator from any taking device for any purpose without first dispatching and tagging the alligator. Violation of this part is a class 2 violation as described in Title 56.

7. Collection of alligator hatchlings from the wild is strictly prohibited. Taking or collection of any wild alligator illegally is strictly prohibited. Violation of this part is shall constitute a Class 7A violation for each alligator taken as described in Title 56. All alligators taken in violation of this part shall be confiscated and in addition to all other penalties provided herein, all alligator licenses of any type held by the offender(s) shall be revoked for a period of three (3) calendar years and no alligators shall be raised or propagated on the offender's facilities for a period of three (3) calendar years.

8. The shipment of alligator eggs out of state is prohibited except where special scientific permits have been obtained in advance from the Department and specify all such shipments. Violation of this part is a class 2 violation as described in

Title 56.

9. Transportation of alligator(s) into this state without prior written approval of the Department is strictly prohibited. Violation of this part is a class 7A violation as described in Title 56.

10. It is unlawful to ship alligator eggs into the State of Louisiana unless they are to be used for Department sponsored scientific studies and these shipments shall have prior written Department approval. Violation of this part is a class 7A violation as described in Title 56.

11. The shipment of live alligators or alligator eggs out of the United States is strictly prohibited unless they are used for Department sponsored scientific studies with an accompanying authorization signed by the Secretary. Violation of this part is a class 7A violation as described in Title 56.

12. There is levied a severance tax of twenty-five cents on all skins or hides taken from any alligator, within the state, payable to the state through the Department by the alligator hunter or alligator farmer taking his own catch out of state, or by the dealer. Violation of this part is a class 2 violation as described in Title 56.

D. Licenses, Permits and Fees.

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

- (a) \$25 for a resident alligator hunter's license;
- (b) \$150 for a nonresident alligator hunter's license;
- (c) \$25 for a resident fur buyer's license;
- (d) \$100 for a nonresident fur buyer's license;
- (e) \$150 for a resident fur dealer's license (\$500 deposit required);
- (f) \$300 for a nonresident fur dealer's license (\$1,000 deposit required);
- (g) \$10 for a nongame quadruped exhibitor's license;
- (h) \$25 for a nongame quadruped breeder's license;
- (i) \$50 for a alligator parts dealer license;
- (j) \$5 for a alligator parts retailer license;
- (k) \$4 for each alligator hide tag;
- (l) \$4 for each whole alligator leaving the state as alligator shipping label fee;
- (m) \$0.25 severance tax for each alligator hide taken from within the state;
- (n) \$25 for a Designated Agent Collection Permit.

2. No person may take, attempt to take, or possess a wild alligator in this state during the open season for taking wild alligators unless he or she has acquired and possesses an

alligator hunter's license. An alligator hunter must have in possession a valid alligator hunter license to take or sell alligators, their skins, or parts. Violation of this part is a class 2 violation as described in Title 56.

3. No resident or nonresident fur buyer shall ship furs, alligators, alligator skins, alligator eggs, or alligator parts out of state. Violation of this part is a class 2 violation as described in Title 56.

4. Every resident fur dealer, alligator hunter, alligator parts dealer, alligator farmer, nonresident fur dealer, or nonresident alligator hunter shall not ship or take raw alligator skins, alligators, or alligator parts out of state without first complying with provision of these regulations. Violation of this part is a class 2 violation as described in Title 56.

5. No person may engage in the business of raising and/or exhibiting alligators unless he or she has acquired and possesses a valid nongame quadruped exhibitor license. Violation of this part is a class 3 violation as described in title 56.

6. No person may engage in the business of raising, breeding, propagating, exhibiting and selling alligators alive or selling their parts, and killing and transporting them and selling their skins and carcasses unless he or she has acquired and possesses a valid nongame quadruped breeder license and complies with Subsections N and O of these regulations. Violation of this part is a class 3 violation as described in Title 56.

7. No person shall engage in the business of buying and selling alligator parts unless he or she has acquired and possesses a valid alligator parts dealer license. Violation of this part is a class 2 violation as described in Title 56.

8. Each retailer selling canned alligator parts or purchasing alligator parts, and each restaurant selling prepared alligator meat for human consumption shall secure from the department an alligator parts retailer license prior to commencing business. Violation of this part is a class 2 violation as described in Title 56.

9. No person shall remove and possess alligator eggs from wild nests unless he or she has acquired and possesses a valid nongame game quadruped breeder license or a valid Designated Collection Agent Permit and also has in his possession a valid alligator egg collection permit. Egg collection permits will only be issued to those persons who demonstrate competency in egg collection and handling, have necessary

equipment accessible and comply with all Department requirements as described in Subsection N of these regulations. Violation of this part is a class 7A violation as described in Title 56.

10. No person shall ship or transport alligators out of the state without first applying for and receiving an alligator shipping label which shall be affixed to each container of alligators and is properly completed and validated by Department personnel. Violation of this part is a class 2 violation as described in Title 56.

11. Every alligator hunter or alligator farmer shipping or transporting his own catch of alligator skins out of state is liable for the severance tax thereon, and shall apply for an official out of state shipping tag to be attached to the shipment and shall pay the severance tax prior to shipment. Violation of this part is a class 2 violation as described in Title 56.

12. Valid holders of alligator hunter license, nongame quadruped breeder license, fur dealers license and alligator parts dealer license must comply with federal licensing and permit requirements to engage in interstate and international commerce involving alligators, alligator hides and parts. Violation of this part is a class 2 violation as described in Title 56.

E. Wild Harvest Methods.

1. Alligators taken from the wild may be removed from hook and line, and other legal capture devices which may be used, only during daylight hours, between official sunrise and official sunset. Violation of this part is a class 7A violation as described in Title 56.

2. There are no size restrictions on wild alligators taken during the general open season. A Department issued permit is required to sell alligators or their skins which are less than four (4) feet in length. Violation of this part is a class 7A violation as described in Title 56.

3. Legal methods for taking alligators in the wild are as follows:

- (a) Hook and line;
- (b) Long (including compound) bow and barbed arrow; and
- (c) Firearms.

Violation of this part is a class 7A violation as described in Title 56.

4. Hooks and arrows may be used only when a line of at least 300-pound test is securely attached to the hook or head of the arrow in such a manner to prevent separation from the hook or head until the carcass is retrieved. The other end of the line must be attached to a stationary or floating object capable of maintaining the line above water when an alligator is attached. Violation of this part is a class 7A violation as described in Title 56.

5. Alligator hunters shall inspect their hooks and lines and remove captured alligators daily. Alligators shall not be cut loose from hooks and lines for the purpose of selecting larger alligators. All hooks and lines shall be removed when an alligator hunter's quota is reached. Violation of this part is a class 7A violation as described in Title 56.

6. Baited hooks and lines may be set no more than 24 hours prior to the general open season and shall be removed no later than sunset of the last day of the open season. Violation of this part is a class 7A violation as described in Title 56.

7. No person possessing alligator hide tags issued for privately-owned land or water may take alligators on adjacent publicly-owned water unless the taking device is anchored to privately-owned land or the person is on privately-owned land when the taking occurs, provided that any alligator captured on a legal taking device that is anchored to privately-owned land or held by a person on privately-owned land may be dispatched from a floating craft on public water. Violation of this part is a class 7A violation as described in Title 56.

8. A person possessing alligator hide tags for publicly-owned areas may take alligators by legal means from a floating craft on public water for which the tags are issued.

F. Alligator Hide Tag Procurement and Tagging Requirements.

1. Alligator hide tags may be obtained as follows and only to properly licensed alligator hunters and nongame quadruped breeders:

2. Landowners, Land Managers and Hunters - upon application to the Department on forms provided for tag issuance. Applications for alligator tag allotments will be taken annually beginning August 1 and ending 10 days after the season opens.

(a) Maximum tag issuance to individual landowners, land managers, or their hunters shall be determined solely by the Department. Landowners, land managers, or their hunters shall certify total acreage owned or represented

on a form prescribed by the Department at the time of application. The location and acreage of the property must be provided which includes parish, township, range and section delineation figures.

(b) Land managers and hunters must present a notarized document from the landowner verifying their selection to represent that landowner and the total acreage represented to obtain hide tags.

(c) Payment for all alligator tags shall be received by the Department prior to issuance. Numbered alligator hide tags shall only be issued in the name of the license holder and are nontransferable. A refund will be issued for all unused alligator tags which are returned within the required time frame designated in these regulations.

Violation of parts 1 and 2 of this Subsection are class 2 violations as described in Title 56.

3. Alligator farmers - upon request to the Department at any time at least two weeks prior to scheduled harvesting, subject to verification of available stock by Department personnel. Violation of this part is a class 2 violation as described in Title 56.

4. If an alligator hunter is cited for hunting alligators out of season, at night, or on property other than that for which hide tags were issued, all unused hide tags and alligators in possession shall be confiscated and the violator's alligator hunting license shall be revoked. Violation of this part is a class 7A violation as described in Title 56.

5. Special instructions will be issued to the holders of alligator hunting licenses immediately prior to the annual open season describing detailed methods regarding the skinning of alligators. Alligator farmers shall adhere to the annual skinning requirements when skinning farm raised alligators. Alligators not skinned in compliance with the established specific requirements shall be considered illegal and shall be confiscated by the Department.

6. It shall be a violation for any alligator hunter, alligator farmer, fur buyer, or fur dealer who knowingly attempts to sell an alligator hide that was not skinned in accordance with the established specific requirements. Violation of this part is a class 7A violation as described in Title 56.

7. A hide tag shall be attached in the last six (6) inches of an alligator's tail immediately upon possession by an alligator hunter. The tag shall be attached in accordance with instructions issued by the Department. Alligator farmers

may wait until farm raised alligators are skinned prior to tagging. Live or dead farm raised alligators may be transported with their accompanying tags from a licensed alligator farm to a licensed processing facility, however, each shipment shall be accompanied with the exact number of alligator hide tags. Violation of this part is a class 7A violation as described in Title 56.

G. Open Season, Open Areas, and Bag Limits.

1. Open seasons are as follows:

(a) The general open season for taking alligators in the wild shall run for a 30 day period beginning on September 1, 1990 through September 30, 1990. The Secretary shall be authorized to close, extend or reopen the season as biologically justifiable.

(b) Nuisance control hunters may take nuisance alligators at any time as prescribed by the Department.

(c) Farm raised alligators may be taken at any time following the issuance of hide tags by the Department.

(d) The open season for collection of alligator eggs from the wild shall be from May 15 through September 15 of each calendar year.

Violation of this part is a class 7A violation as described in Title 56.

2. The open areas are as follows:

(a) For the general open season, those areas designated by the technical staff of the Department as alligator habitat and which can sustain an alligator harvest.

(b) The Department may select public lakes and lands for an experimental alligator hunting program. The harvest will be controlled by a tag allotment for each lake as determined by Department personnel. Applicants for public lake hunting must be 16 years of age or older. Applications must be received at least 10 days prior to the season opening date. A public drawing will be held to select hunters. An alligator hunter can receive tags for and hunt on only one public lake per season. The tag quota for each lake and hunter will be established by the technical staff of the Department. Alligator tags issued on public lakes and lands are nontransferable.

(c) Wild alligators in the remainder of the state may be taken only under provisions as prescribed by the

Department.

Violation of this part is a class 7A violation as described in Title 56.

3. The daily and season bag limit is equal to the number of valid alligator hide tags that a licensed alligator hunter possesses. Violation of this part is a class 7A violation as described in Title 56.

4. Non resident alligator hunters may only take three (3) alligator during the open season. Violation of this part is a class 4 violation as described in Title 56.

5. Harvest rates will be calculated annually by Department personnel based on biological data. Alligator hide tag allotments will be established prior to issuance of alligator hunting licenses.

H. Possession.

1. No person shall possess alligators or alligator hides in Louisiana without valid official tags properly attached. Failure to properly tag an alligator or hide shall result in confiscation of both the alligator or hide and tag. Violation of this part is a class 7A violation as described in Title 56.

2. Alligator farmers may request hide tags or shipping labels from the Department to be used on farm-raised alligators that have died unexpectedly and may hold those alligators in freezers until receipt of the requested hide tags or shipping labels. These alligators may be held in freezers for a maximum of 60 days prior to disposal. All alligators 24 inches and greater in length that die unexpectedly must be properly skinned and tagged with an alligator hide tag. Violation of this part is a class 7A violation as described in Title 56.

3. No person other than a licensed alligator hunter, licensed alligator farmer, licensed fur buyer or licensed fur dealer may possess a tagged or labeled alligator, a tagged raw or salted hide of an alligator at any time, provided that legally documented tagged or labeled alligators or tagged hides may be possessed without license while in transit, or during processing for tanning or taxidermy. Violation of this part is a class 7A violation as described in Title 56.

4. No person other than a licensed alligator farmer or licensed non game quadruped exhibitor may possess live alligators at any time other than by a permit issued by the Department upon request for use in displays and educational purposes, and by holders of valid Department issued permits

for scientific purposes. Live, farm raised alligators and their alligator hide tags may be held for processing by a properly licensed alligator skinning facility without a license or permit. Violation of this part is a class 7A violation as described in Title 56.

5. No person other than a licensed alligator farmer or licensed non game quadruped exhibitor may possess alligator eggs at any time other than Department permitted Designated Collection Agents assisting a licensed and permitted alligator farmer during wild egg collection, or a holder of a valid Department issued permit for scientific purposes. Any alligators hatched from scientific permits issued by the Department will be returned to the wild under Departmental supervision following completion of the research project. Violation of this part is a class 7A violation as described in Title 56.

I. Importation, Exportation, Purchase, and Sale.

1. Alligators, alligator hides (raw or salted), or parts of alligators, may be brought into the state only if the alligators, alligator hides or parts of alligators were lawfully taken in another state or country and the person, firm or corporation bringing the alligators, alligator hides (raw or salted), or alligator parts into the state has obtained written permission from the Department. Violation of this part is a class 7A violation as described in Title 56.

2. All alligators, alligator hides (raw or salted), or parts of alligators possessed, sold, purchased, exported, imported, or brought into the state from another state shall be accompanied by documented evidence that they were lawfully taken. Documented evidence shall consist of, but not be limited to:

(a) A resource user license or permit number allowing the taking of alligators and tags or other identification required by the state or country of origin shall be firmly attached to the alligator, alligator hide, or parts of alligators; and

(b) A tag or label is affixed to the outside of any package or container of alligators, alligator hides, or alligator parts that specifies type of contents, indicates quantity contained, and lists applicable license or permit numbers.

Violation of this part is a class 7A violation as described in Title 56.

3. Purchases of alligators, alligator hides and alligator parts are restricted as follows:

(a) A licensed alligator hunter may not purchase alligators or alligator hides from anyone.

(b) A licensed fur buyer may purchase alligator hides from an Louisiana licensed alligator hunter, licensed alligator farmer, licensed fur dealer, or another fur buyer within the confines of the state.

(c) A licensed fur dealer may purchase alligator hides from a licensed alligator hunter, licensed alligator farmer, fur buyer or another fur dealer.

(d) A licensed alligator farmer may purchase live alligators only from another licensed alligator farmer or the Department.

(e) An alligator farmer may purchase alligator eggs only from another alligator farmer, a landowner/land manager (with an approved Department alligator egg collection permit), or the Department.

(f) A licensed alligator parts dealer may purchase alligator parts from an licensed alligator hunter, alligator farmer, another alligator parts dealer, or the Department.

(g) A licensed parts retailer may purchase canned alligator parts or alligator parts from an alligator parts dealer.

(h) A restaurant may purchase alligator meat to sell prepared for human consumption with a alligator parts retailer license.

Violation of this part is a class 2 violation as described in Title 56.

4. Sales of alligators and alligator parts are restricted as follows:

(a) A licensed alligator hunter may sell alligators, alligator hides, or alligator parts taken by the licensee during the general open season to anyone who may legally purchase.

(b) A licensed alligator farmer may sell alligators, alligator eggs, alligator hides, or alligator parts to anyone who may legally purchase. The sale of alligator

eggs or live alligators shall only occur following the issuance of an Alligator Transfer Authorization Permit issued by the Department. Application for the permit shall be made at least 2 weeks prior to the transfer.

(c) A licensed fur buyer may sell alligator hides to a fur dealer or another fur buyer within the confines of the state.

(d) A licensed fur dealer may sell alligator hides to anyone who may legally purchase.

(e) A licensed alligator parts dealer may sell alligator parts to anyone.

(f) A licensed alligator parts retailer may sell canned alligator parts, processed alligator parts, or alligator meat to anyone.

(g) A restaurant possessing an alligator parts retailer license may sell alligator meat prepared for human consumption to anyone.

Violation of this part is a class 3 violation as described in Title 56.

5. Legally tagged and documented alligators, alligator hides, and parts of alligators taken in Louisiana may be shipped out of state or exported by alligator hunters, alligator farmers, fur dealers and alligator parts dealers subject to Subsection K of these regulations (relating to Report Requirements) provided that no live alligators or eggs originating in Louisiana may be exported outside of the United States without specific Department authorization and the concurrence of the United States Fish and Wildlife Service, to be used only for scientific purposes. Violation of this part is a class 3 violation as described in Title 56.

6. A special permit is required of anyone who sells alligator eggs, live alligators under four (4) feet in length, or skins of alligators under four (4) feet in length. Violation of this part is a class 7A violation as described in Title 56.

J. Nuisance Alligator Control.

1. Nuisance alligator hunters will be selected by the Department and may be based upon recommendations received from the local governing body. Applicants with prior alligator hunting violations will be rejected.

2. Nuisance alligator hunters shall purchase a valid alligator hunter license and are bound by all laws, rules and

regulations governing alligator hunting with the exception that nuisance alligators may be taken at anytime. Violation of this part is a class 2 violation as described in Title 56.

3. Nuisance alligator complaints will be verified by Department personnel prior to being approved for removal. Violation of this part is a class 2 violation as described in Title 56.

4. Tags will be issued to nuisance alligator hunters for immediate attachment to alligators when taken. Nuisance alligator hunters will make every attempt possible to catch nuisance alligators and relocate to natural habitat selected by the Department. It is unlawful for any nuisance alligator captured alive to be sold or otherwise disposed of on an alligator farm. Alligators and alligator parts taken and tagged under these provisions may be retained and sold by the nuisance alligator hunter as any other legally taken wild alligator or alligator part. Violation of this part is a class 7A violation as described in Title 56.

5. Nuisance alligator hunters may take alligators by any means prescribed by the Department. Failure to comply with Departmental instructions may result in immediate termination of the individual's participation in the nuisance alligator program. Violation of this part is a class 2 violation as described in Title 56.

K. Report Requirements.

1. Report forms provided by the Department must be completed and filed with the Department by all persons who have been issued an alligator hunter's license, fur buyer's license, fur dealer's license, nongame quadruped exhibitor's license, nongame quadruped breeder's license, alligator parts dealer's license, or alligator egg collection permit in accordance with this Subsection. Reports shall include but not be limited to the information specified in this Subsection.

2. Alligator hunters receiving hide tags from the Department are responsible for disposition of all issued tags and must:

(a) Complete an official alligator parts transaction form furnished by the Department for each alligator part transaction. These forms shall be submitted to the Department within 30 days following the close of the season and thereafter at 60-day intervals until all parts are sold.

(b) Complete an official lost tag form, furnished by the Department for any hide tags lost or stolen. These forms

shall be submitted to the Department within 15 days following the close of the season. Lost or stolen tags will not be replaced.

(c) All unused tags must be returned to the Department within 15 days following the close of the season. Violation of this requirement shall result in no license or alligator tags being issued to the violator for a period of one year.

(d) The Department must be notified within 15 days following the close of the season, of any alligator hides not sold to a fur buyer or fur dealer on official forms provided by the Department.

(e) Each licensed alligator hunter selling alligator parts to a person or a restaurant shall provide that person with a bill of sale for each transaction.

(f) All records of transactions involving alligator parts of alligator hunters shall be available for inspection by the Department.

Violation of this part is a class 2 violation as described in Title 56.

3. A nuisance alligator hunter shall comply with the same report requirements as an alligator hunter and complete any other reports required by the Department. Violation of this requirement shall result in immediate termination of nuisance alligator hunter status. Violation of this part is a class 2 violation as described in Title 56.

4. Alligator farmers receiving hide tags from the Department are responsible for disposition of all issued tags and must:

(a) Complete an official alligator parts transaction form, furnished by the Department for each alligator part transaction. These forms shall be submitted to the Department within 30 days following the last day of the year that issued tags are valid and thereafter at 60-day intervals until all parts are sold. Violation of this part is a class 2 violation as described in Title 56.

(b) Complete an official lost tag form, furnished by the Department for any hide tags lost or stolen. These forms shall be submitted to the Department within 15 days following the last day of the year that issued tags are valid. Lost or stolen tags will not be replaced. Violation of this part is a class 2 violation as

described in Title 56.

(c) All unused hide tags must be returned to the Department within 15 days following the last day of the year that issued tags are valid. Violation of this requirement shall result in the revocation of the nongame quadruped breeder's license. Violation of this part is a class 2 violation as described in Title 56.

(d) The Department must be notified within 15 days following the last day of the year that issued tags are valid of any alligator hide not sold to a fur buyer or fur dealer on official forms provided by the Department. Violation of this part is a class 2 violation as described in Title 56.

(e) Each alligator farmer shall report annually, no later than December 31, on an official form provided by the Department, all activities that have occurred on the farm for the past year including but not limited to the number of live alligators as of that date, separated by sizes, the number of eggs collected and hatched, the purchase and sale of alligators for the past year and the numbers of alligators lost. Failure to complete this form properly and completely will result in non renewal of the nongame quadruped breeder's license. Violation of this part is a class 3 violation as described in Title 56.

(f) Each licensed alligator farmer selling alligator parts to a person or a restaurant shall furnish that person with a bill of sale for each transaction. Violation of this part is a class 2 violation.

5. Fur buyers and fur dealers engaged in the business of buying and selling alligator hides must keep within the state a complete record on forms provided by the Department, all purchases and sales made of alligator hides as described in Title 56, and;

(a) Every buyer or dealer having undressed alligator hides in his possession after the close of each open season shall file with the Department within 60 days or prior to shipping out of state, a complete report, on forms provided by the Department, a detailed description of alligator hides then owned or held in possession as owner or agent.

Violation of this part is a class 3 violation as described in Title 56.

6. Fur dealers engaged in the business of buying and selling alligator hides must maintain complete records of alligator

hides purchased inside and outside the state as described in Title 56. Failure to maintain complete records and to pay the required severance tax subjects any dealer to the full penalties provided and the immediate revocation of his license by the Department. No license shall be issued to a dealer who has not paid the tax for the preceding year. Violation of this part is a class 2 violation as described in Title 56.

7. Alligator parts dealers purchasing alligator parts, shall complete an official alligator parts purchase form for each purchase. Alligator parts dealers selling alligator parts, shall complete an official alligator parts sale form for each sale. These forms shall be furnished by the Department and shall be submitted to the Department within 30 days following the close of the open season and at 60-day intervals until final disposition of all wild parts. These forms shall be submitted annually for all farm raised alligator parts, and;

(a) Alligator parts dealers shall furnish a bill of sale to anyone purchasing alligator parts.

(b) The records of transactions involving alligator parts shall be available for inspection by the Department and shall be maintained complete for a period of one year following any transaction.

Violation of this part is a class 2 violation as described in Title 56.

8. Any alligator parts retailer or restaurant purchasing alligator parts shall maintain a bill of sale for each purchase for a period of six months after such purchase and these records shall be available for inspection by the Department. Violation of this part is a class 2 violation as described in Title 56.

L. Alligator Meat.

1. Alligator meat from lawfully taken alligators can only be sold according to state and federal laws, Louisiana Department of Health and Hospitals regulations and Louisiana Wildlife and Fisheries Commission regulations. Violation of this part is a class 2 violation as described in Title 56.

2. Alligator meat processed in the State of Louisiana and sold for human consumption must be processed in a licensed facility approved by the Louisiana Department of Health and Hospitals and the facility must display a valid permit issued by that agency. Violation of this part is a class 2 violation as described in Title 56.

3. Alligator carcasses being shipped whole shall be tagged with an alligator parts tag properly identifying the carcasses and shall remain on the carcasses until the processing makes identification impossible. Violation of this part is a class 3 violation as described in Title 56.

4. Alligator hunters and alligator farmers involved in alligator parts transactions with individual consumers shall properly tag all alligator parts and the parts tag shall remain attached until final disposition. Violation of this part is a class 3 violation as described in Title 56.

5. All alligator meat processed for sale must be packaged in suitable containers which identifies the contents as alligator meat, is marked with a valid Department license number and comply with all state and federal packaging and labeling requirements. Violation of this part is a class 3 violation as described in Title 56.

6. All alligator meat shipped into the state and being offered for sale must meet all of Louisiana's health, processing, packaging and labeling requirements. Violation of this part is a class 3 violation as described in Title 56.

M. Disposal of Alligators by the Department.

1. The Department may sell alligators, alligator eggs or parts of alligators taken for any purpose deemed necessary for proper management of the species pursuant to Title 56.

2. The Department may dispose of alligators, alligator eggs, or parts of alligators by donation or lending to a scientific institution or other institutions that the Department deems have need for such alligators, however these institutions cannot sell or barter these animals and must be returned to the Department at the conclusion of the program or need.

3. Confiscated alligator hides and parts may be destroyed by the Department pending the outcome of the criminal trial.

4. Confiscated live alligator eggs or alligators will be cared for by the Department and released in suitable alligator habitat when and where they can survive. All costs incurred by the Department in the maintenance of these eggs and animals in captivity shall be the responsibility of the offender and restitution shall be made to the Department.

N. Alligator Egg Collection.

1. Alligator egg collection permits are a three party permit between the Department, the permittee and a landowner/manager who owns or leases alligator nesting habitat determined by

Department biologists to be capable of producing alligator eggs. The numbers of eggs to be collected will be based upon biological management criteria and will be determined annually by technical staff of the Department. The Department only estimates the numbers of eggs available and assumes no responsibility or offers no guarantee that those numbers of eggs will be available. Alligator egg collection permits may be obtained upon application to the Department on forms provided by the Department. The annual deadline for submitting applications for Alligator Egg Collection Permits is June 1. This program is experimental and may be changed at any time based on biological data to insure for proper management of the wild alligator population.

2. Alligator egg collection permits may be issued by the Department provided:

(a) Permittee is a properly licensed alligator farmer and meets all applicable requirements in Subsection O of these regulations (Alligator Farm Facility Requirements).

(b) All land documentation required on the alligator egg collection permit has been presented to the Department.

(c) Department biologists determine the properties described on the permit application are indeed alligator nesting habitat and can sustain alligator egg collections.

(d) Applicant has obtained all legal and necessary signatures from landowners/land managers.

Violation of this part is a class 7A violation as described in Title 56.

3. It is unlawful for an alligator farmer or a permitted Designated Collection Agent to collect eggs from properties other than those described in the alligator egg collection permit. Violation of this part is a class 7A violation as described in Title 56.

4. An alligator farmer or designated collection agent in the act of collecting or possessing alligator eggs must possess on his or her person a copy of the fully executed alligator egg collection permit. The designated collection agent must also possess a valid designated collection agent permit. Violation of this part is a class 7A violation as described in Title 56.

5. Collection of wild alligator eggs can only be made after contacting the appropriate Department Enforcement Agent no less than 24 hours prior to each collection trip. Violation

of this part is a class 7A violation as described in Title 56.

6. Alligator eggs can only be collected from the wild from official sunrise to official sunset and only during the established alligator egg collection season. Violation of this part is a class 7A violation as described in Title 56.

7. Alligator eggs collected from the wild must be collected and transported in a manner which insures the greatest survival of viable eggs as determined by Department biologists. Violation of this part is a class 7A violation as described in Title 56.

8. Each clutch of alligator eggs collected should be maintained as a separate entity from time of collection through incubation and hatching.

9. Failure to hatch at least 70% of viable alligator eggs collected from the wild shall be considered a waste of Louisiana's natural resources. All alligator egg collection permits shall be revoked and no new permits issued should an alligator farmer be found to waste the resources of this state for two consecutive years.

10. Alligator egg collection permits shall be revoked and no new permits issued to alligator farmers who fail to average a minimum hatchling survival rate of 85% for two consecutive years.

11. The alligator egg collection permittee and the landowner are responsible for returning the percentage of live alligators to the wild described on the alligator egg collection permit. This requirement is nontransferable. Minimum return rates will be based upon the state average hatching success which is 78%. Each alligator shall be returned to the original egg collection area. Each alligator shall be a minimum of 48" in size and the returned sex ratio should contain at least 50% females. The Department shall be responsible for supervising the required return of these alligators. Releases back to the wild will only occur between April 15 and September 15 of each calendar year. Should an alligator egg collection permittee be unable to release the required number of alligators to the wild from his own stock, he shall be required to purchase additional alligators from another farmer to meet compliance with the alligator egg collection permit and these regulations, as supervised by the Department. Department sanctioned participants in ongoing studies involving survivability and return rates are exempt from these requirements during the period of the study. Violation of this part is a class 7A violation as described in Title 56.

(f) All alligator egg incubators shall be of a design acceptable to the Department. Each incubator shall maintain a water and air temperature of 85 to 91 degrees fahrenheit during the egg incubation.

(g) Applicant must be in compliance with all laws and regulations pertaining to zoning, construction, health and environmental standards and must possess any and all applicable permits and licenses.

(h) All alligator facilities should be constructed in an suitable location so as to minimize contact with people.

2. Following initial issuance of applicable license, all applicable facility requirements shall be adhered to and Department personnel have the authority to inspect any and all of the facilities at any time. Failure to adhere to the requirements shall be a violation of these rules and violators will be given 60 days to correct the problem. Failure to comply shall result in confiscation of all animals and/or closure of all facilities. Violation of this part is a class 7A violation as described in Title 56.

3. All alligator farmers possessing alligator eggs outside an alligator nest should house these eggs in identifiable original clutch groups in an incubator providing constant temperature and humidity conditions. All incubators used to incubate alligator eggs shall be of a design to allow for maximum temperature control and conform to Department requirements to allow for the maximum hatching success. Violation of this part is a class 7A violation as described in Title 56.

4. All alligator farmers possessing alligator hatchlings shall house hatchlings in controlled environmental chambers capable of maintaining a minimum temperature of 80 degrees fahrenheit year round and containing dry and wet areas of sufficient surface area to permit all alligators to completely submerge in water and completely exit from water and orient in any direction, without touching the sides of the chambers. All alligators 48" or less in length shall be housed in environmental chambers unless a special permit is issued by the Department to move them to outside growth areas. Violation of this part is a class 7A violation as described in Title 56.

5. Alligator farmers shall house alligators of different lengths into at least three groups, providing separation for all alligators less than two feet in length, two to four feet in length, and over four feet in length. Land and water areas sufficient for complete submersion or complete exit from water

shall be provided for each group of alligators held. Violation of this part is a class 7A violation as described in Title 56.

6. Nesting activity of captive alligators shall be recorded with weekly accounts of nests constructed, eggs collected, number of viable eggs set and hatching success. Violation of this part is a class 3 violation as described in Title 56.

7. Complete written records shall be maintained by the license holder and shall be submitted to the Department on a standardized annual report form provided by the Department, which shall be provided as part of the annual license renewal. These reports must be submitted no later than December 31 of each year. Violation of this part is a class 3 violation as described in Title 56.

8. All facilities, alligator stock, and records are subject to examination by Department personnel prior to permitting and thereafter during farm operation. Violation of this part is a class 7A violation as described in Title 56.

9. It shall be unlawful for alligator eggs or alligators to be moved from a licensed premises without approval of the Department. Violation of this part is a class 7A violation as described in Title 56.

P. Exceptions.

1. These regulations do not require licenses, labels, or permits for consumers who purchase or possess goods processed or manufactured from alligators which have been legally taken or raised, provided that such goods are used by the consumer and are not sold or bartered in conjunction with a wholesale or retail business activity.

2. The Department or an authorized representative of the Department may take by any means and possess alligators or parts of alligators while in the performance of official duties.

3. These regulations shall not prohibit a person from killing an alligator in immediate defense of his or her life or the lives of others. Alligators killed under this provision must be reported to the Department within 24 hours. Violation of this part is a class 2 violation as described in Title 56.

4. These regulations do not require a state license or permit of persons who deal in finished alligator leather products.

Q. Penalty for Violation.

1. In order to facilitate greater control over alligator trafficking, the Louisiana Department of Wildlife and Fisheries finds that public welfare imperatively requires emergency action when the provisions of these regulations are violated.

2. If citations are issued for a violation of these regulations, all licenses and tags belonging to or in the possession of the cited party shall be suspended until such time as the said party appears before Department officials for purposes of reviewing the citations issued. The Secretary, after reviewing the proceedings may reinstate or revoke the suspension. The alleged violator may lose all rights and privileges to participate in this program if found guilty by criminal or civil process.

3. The Department shall have the authority to confiscate any alligators or alligator eggs from any person or facility that is not caring for the alligators or alligator eggs in a humane manner. Inhumane treatment of alligators or alligator eggs consists but is not limited to conditions which could have an adverse effect upon the alligators or alligator eggs such as sanitary conditions, temperature control, feeding, or overcrowding. The confiscated alligators and alligator eggs shall be disposed of as the Department deems necessary. Inhumane treatment of alligators or alligator eggs is a class 7A violation as described in Title 56.

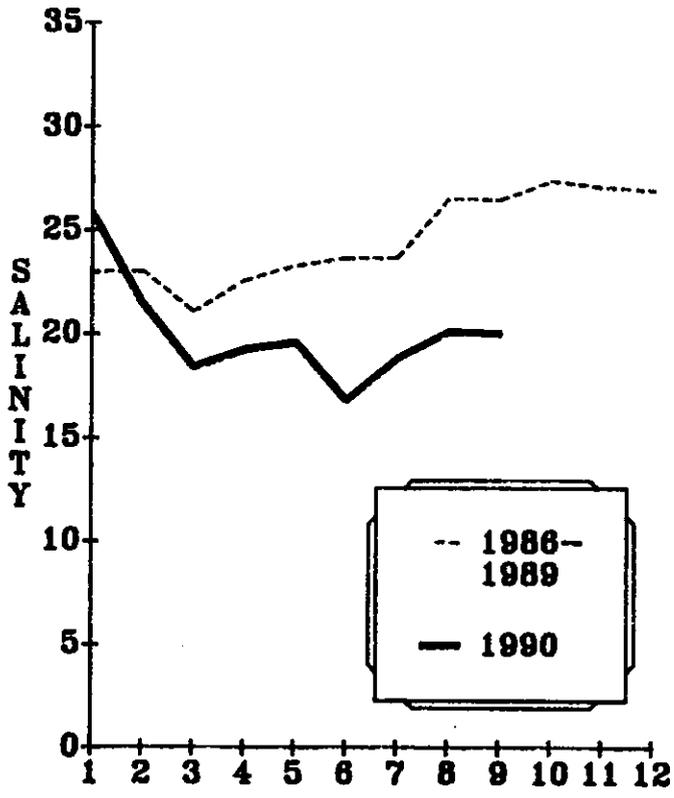
4. In addition to all penalties set forth herein, violators may be subject to criminal prosecution under provisions of the Louisiana Revised Statutes, particularly Titles 14 and 56 and under Federal law.

5. In addition to all other penalties provided by these rules and by statute, violation of any part of these regulations may result in the suspension and/or revocation of any or all alligator licenses held by the violator and, as further penalty, for serious, repeat, or multiple violations, the Department shall have the right to deny a violator any and all licenses relating to alligators for a period not to exceed three (3) years.

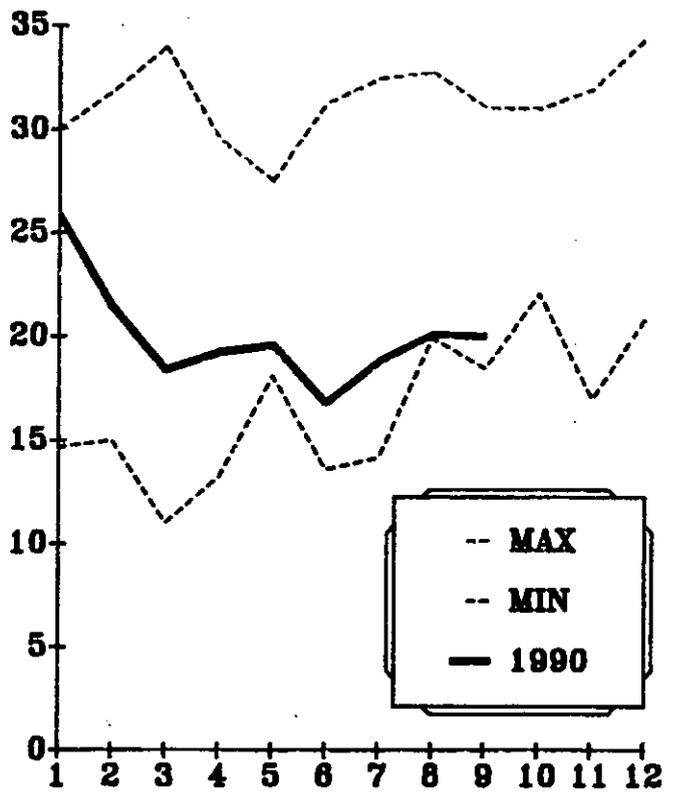
This is to certify that the above and foregoing is a true copy of the excerpt of the meeting of the Louisiana Wildlife and Fisheries Commission held in Baton Rouge, Louisiana on July 5, 1990.

Warren Pol
Chairman

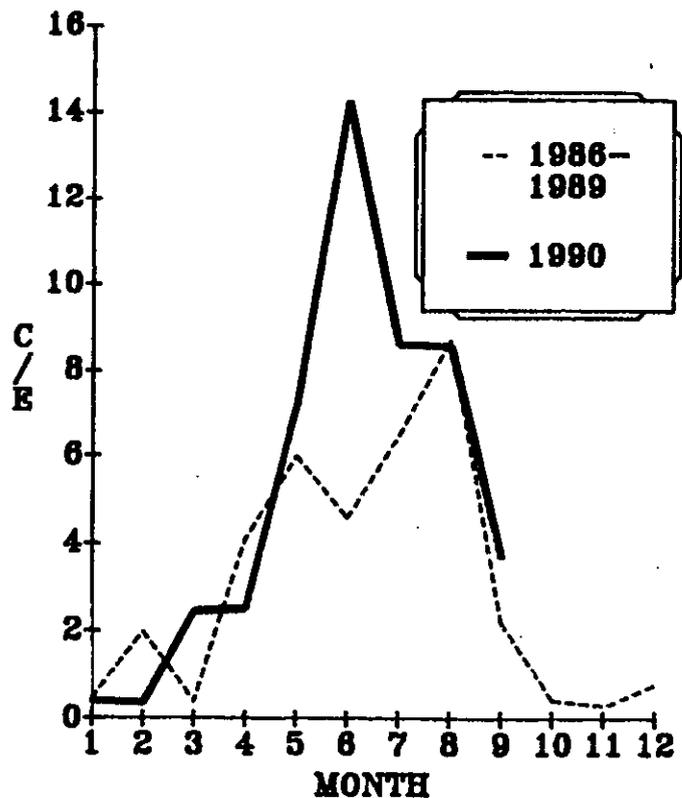
HIGH SALINITY STATIONS
AVERAGE VS 1990



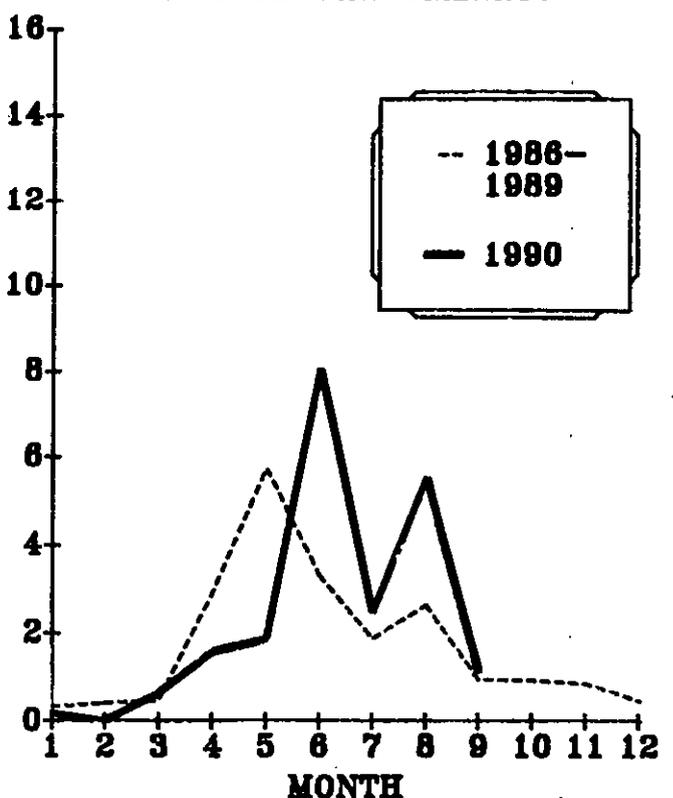
HIGH SALINITY STATIONS
MIN AND MAX VS 1990



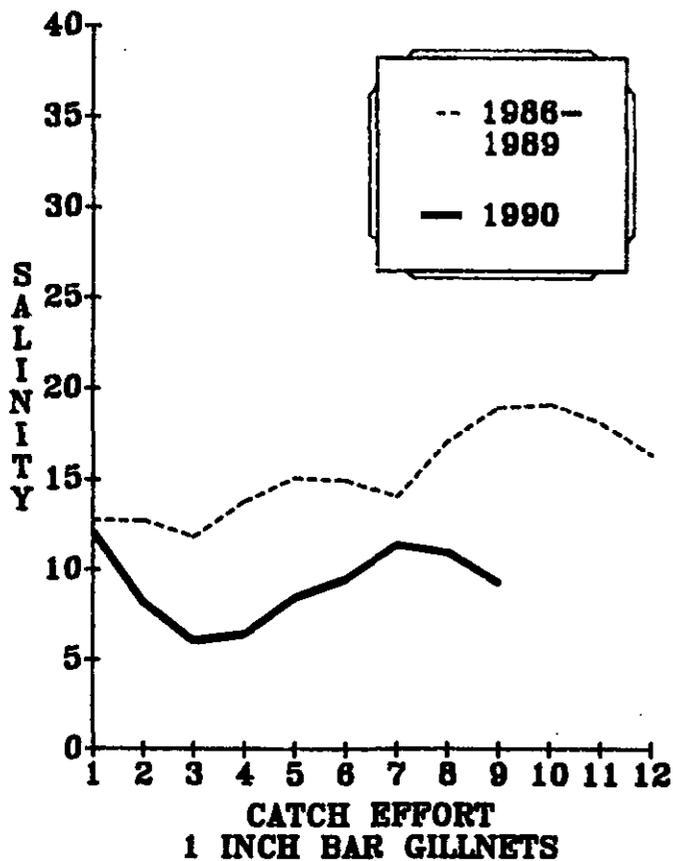
CATCH EFFORT
1 INCH BAR GILLNETS



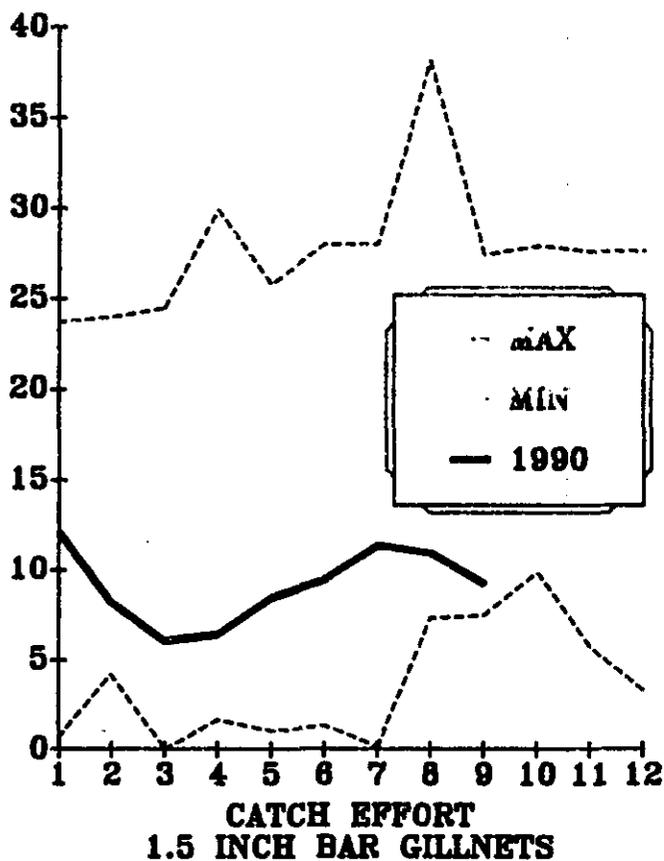
CATCH EFFORT
1.5 INCH BAR GILLNETS



**MID SALINITY STATIONS
AVERAGE VS 1990**

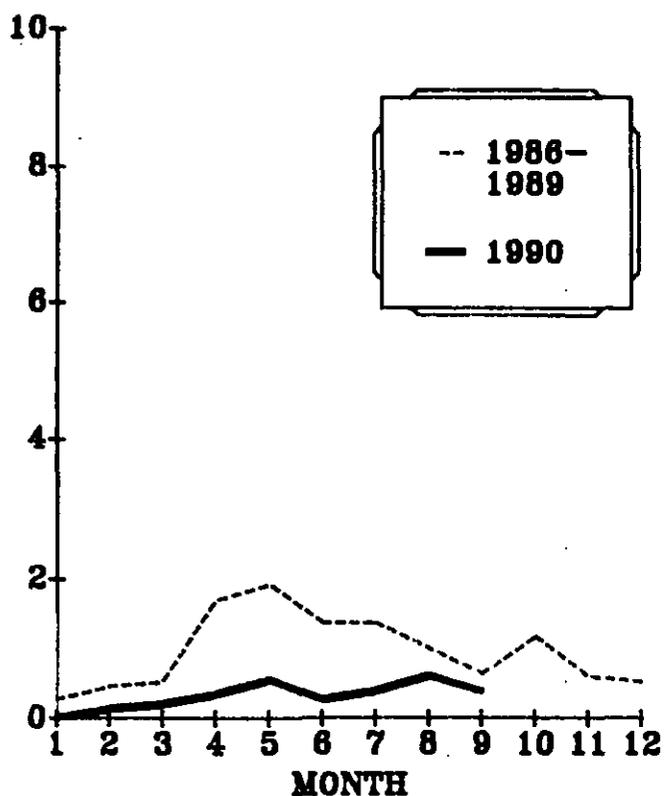
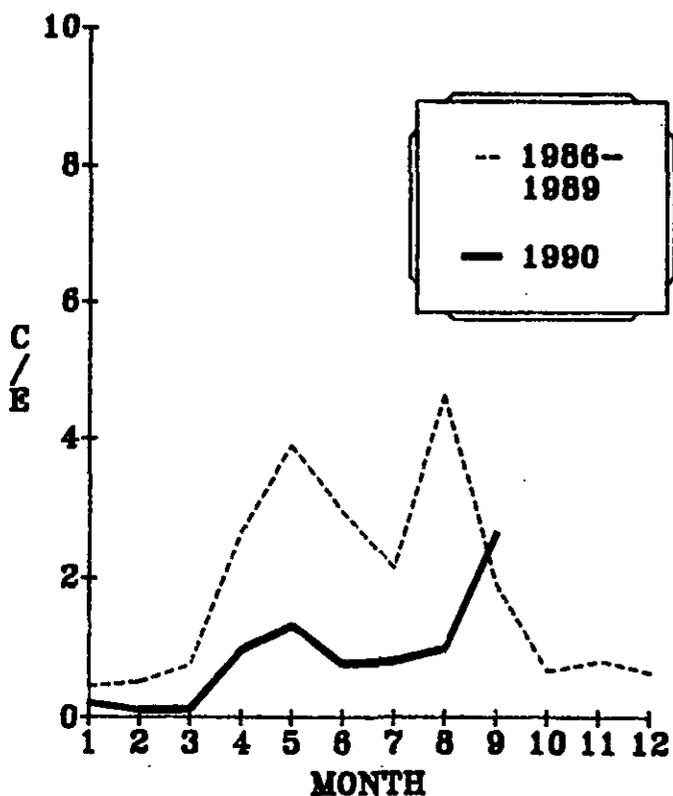


**MID SALINITY STATIONS
MIN AND MAX VS 1990**



**CATCH EFFORT
1 INCH BAR GILLNETS**

**CATCH EFFORT
1.5 INCH BAR GILLNETS**

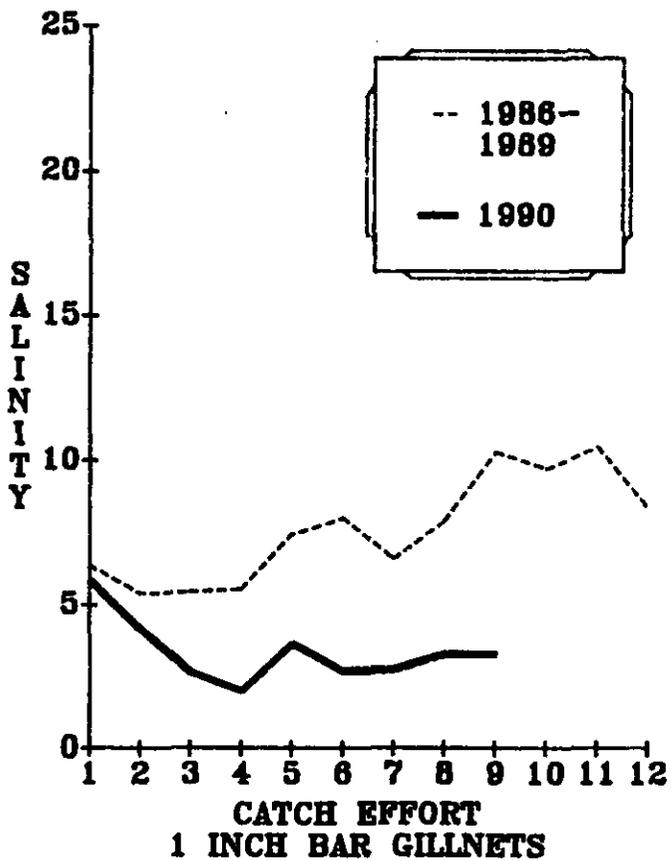


MONTH

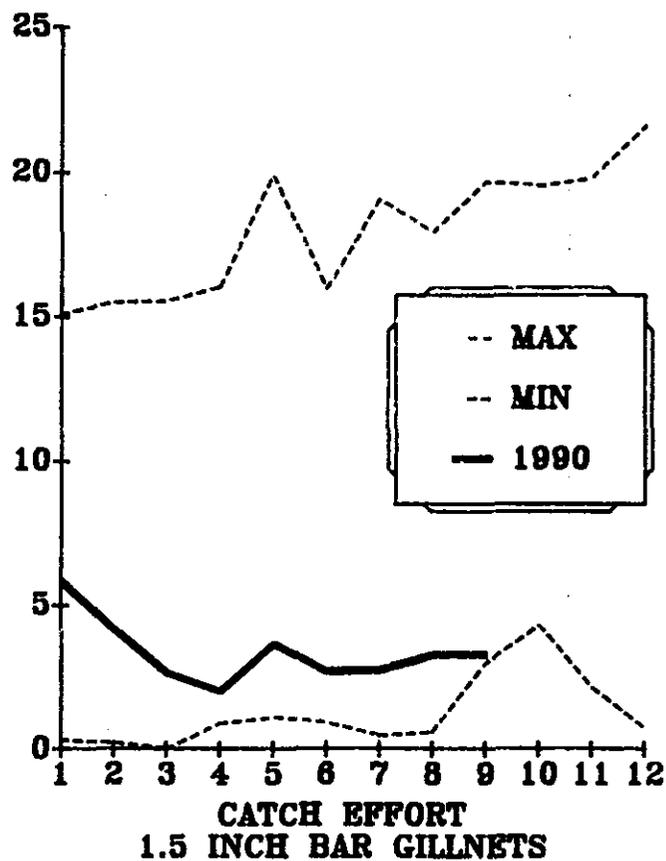
MONTH

C/E

**LOW SALINITY STATIONS
AVERAGE VS 1990**

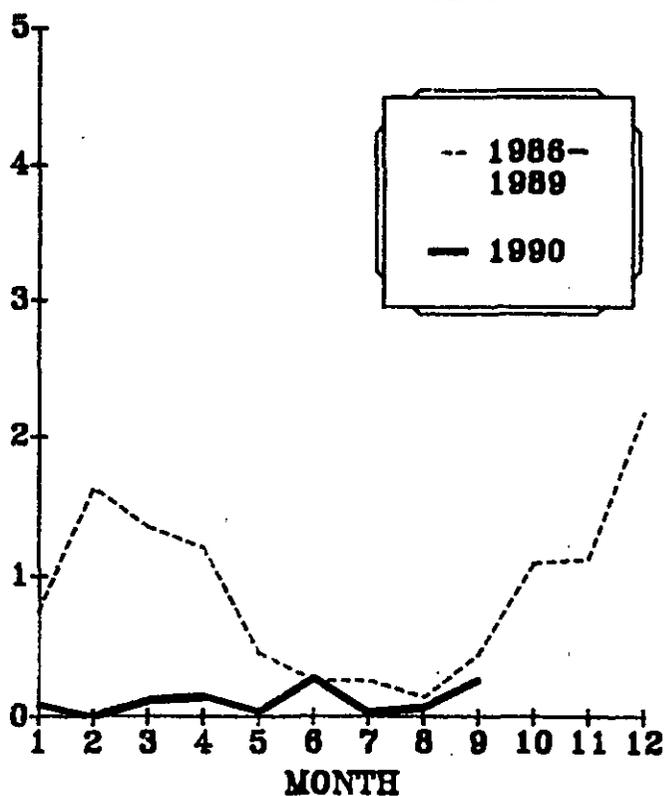
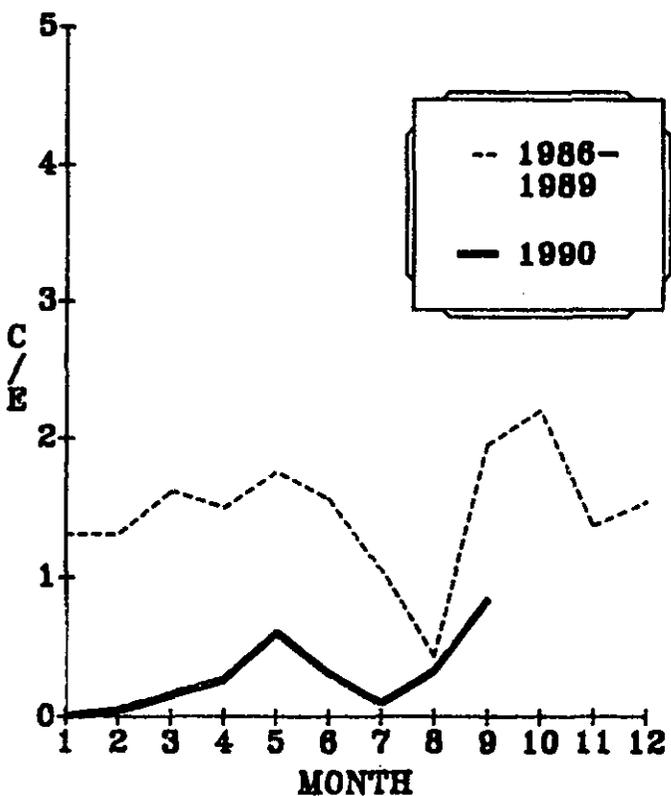


**LOW SALINITY STATIONS
MIN AND MAX VS 1990**



**CATCH EFFORT
1 INCH BAR GILLNETS**

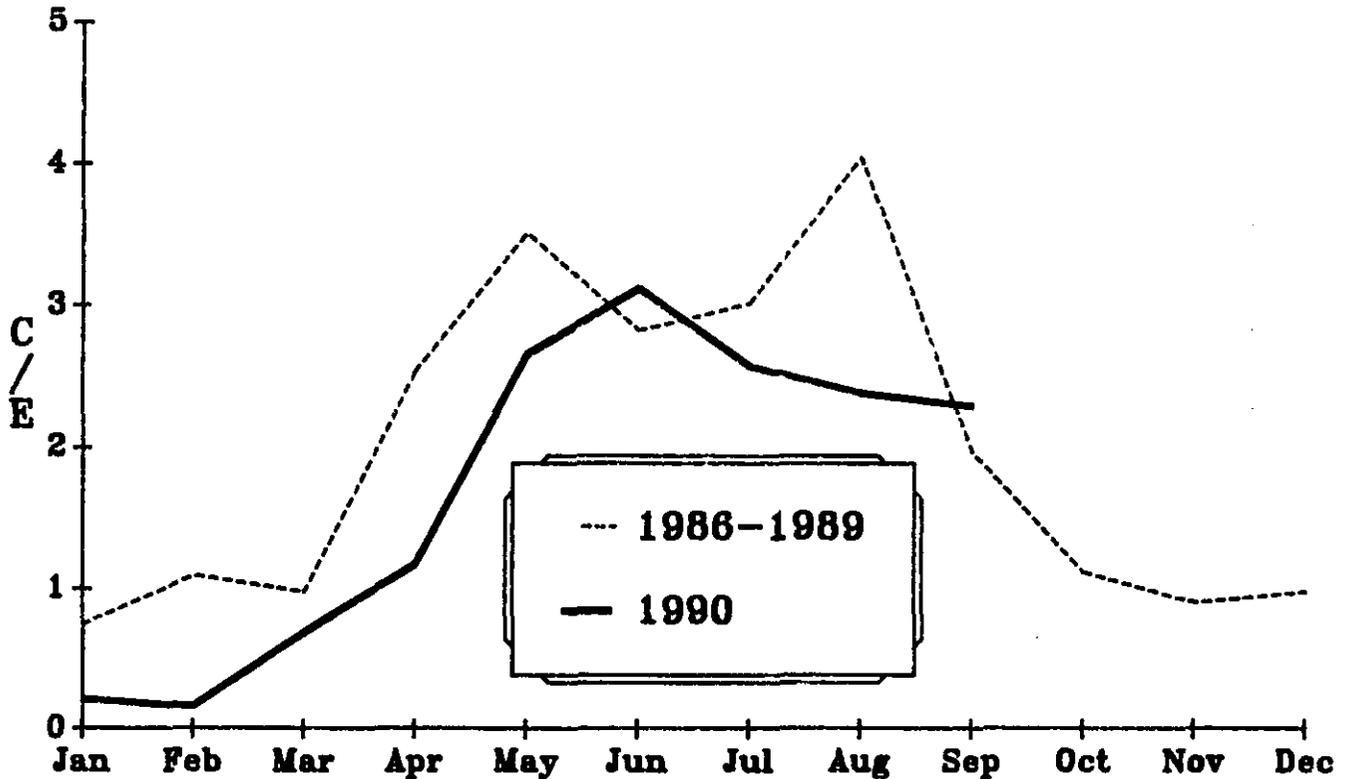
**CATCH EFFORT
1.5 INCH BAR GILLNETS**



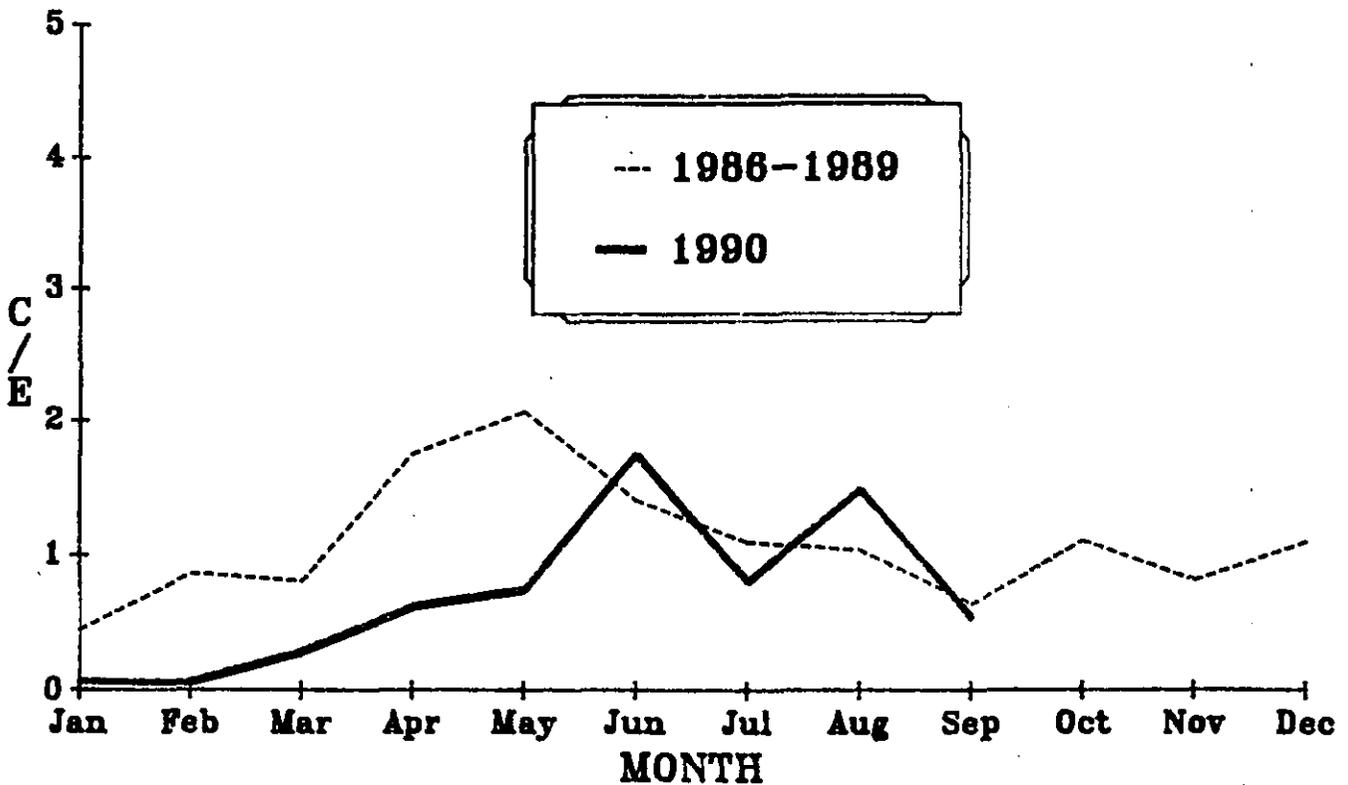
MONTH

MONTH

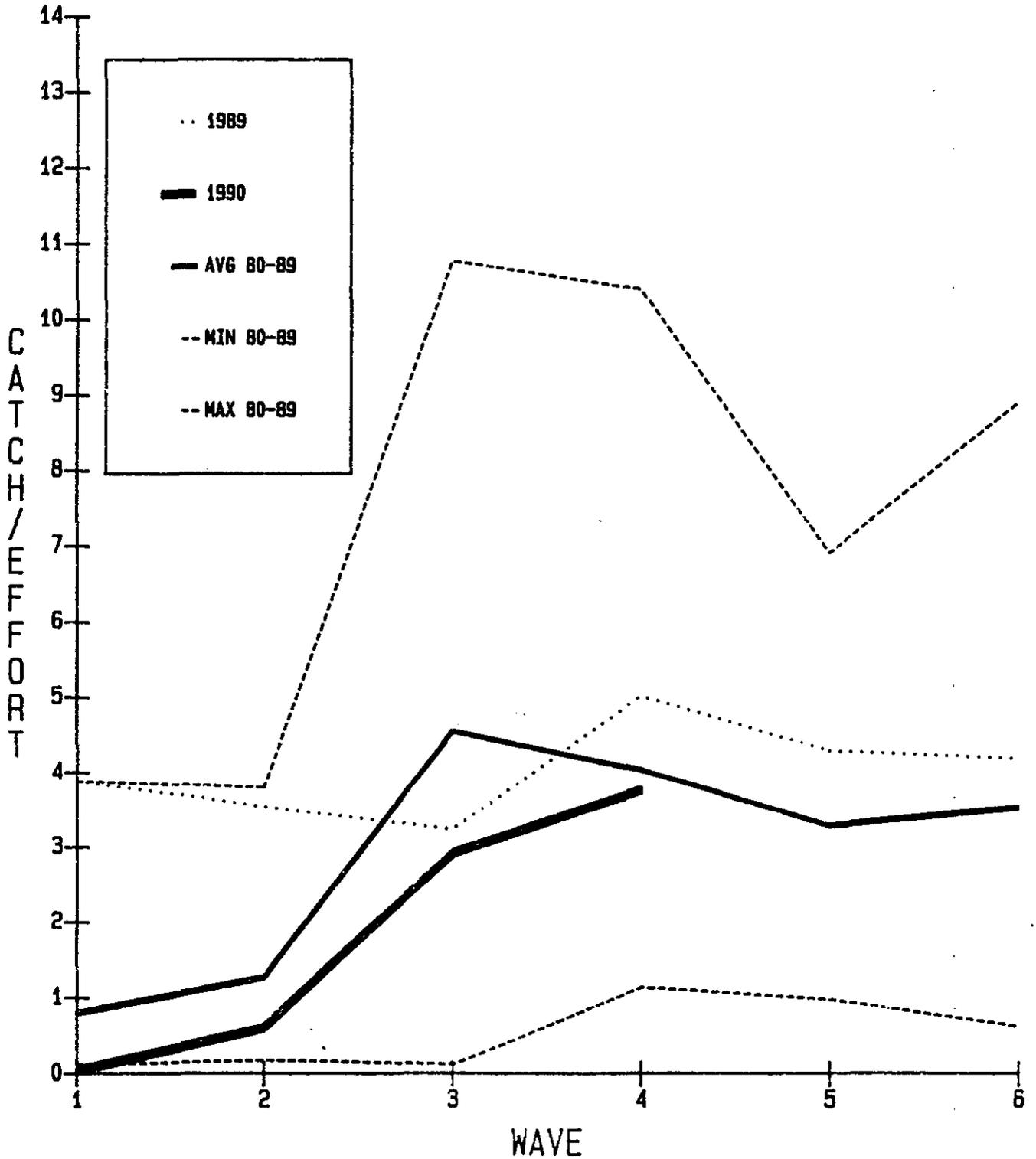
**STATEWIDE C/E OF SPOTTED SEATROUT
1 INCH BAR MESH GILLNETS**



**STATEWIDE C/E OF SPOTTED SEATROUT
1.5 INCH BAR MESH GILLNETS**



SPOTTED SEATROUT CATCH PER INTERCEPT MARINE RECREATIONAL SURVEY





UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE

SHRIMP STATISTICS:
 September 1990
 [October 22, 1990]

I. Landings, (all species, headless, thousands of pounds):

September	FL (W.C.)	AL	MS	LA	TX	Total
1990	361	697	710	6,216	5,650	13,634
1989	372	865	765	6,513	5,844	14,359
1988	567	793	627	5,474	5,677	13,138
1987	565	1,222	952	8,288	6,281	17,408
1986	1,155	1,162	544	9,629	8,045	20,535
January-September						
1990	6,170	6,907	7,774	52,571	39,382	112,804
1989	6,210	8,138	9,734	52,276	38,116	116,474
1988	7,229	6,402	6,234	46,015	36,378	102,258
1987	8,414	8,316	6,444	58,949	46,798	128,921
1986	13,521	10,642	6,662	65,439	45,661	141,925

II. Ex-vessel price, (dollars per pound, Penaeid species only, headless)

September	1985	1986	1987	1988	1989	1990
EASTERN GULF (Florida west coast ports)						
15/20	4.48	5.56	6.53	6.60	5.20	4.81
21/25	3.80	5.20	5.11	5.60	4.07	4.14
26/30	3.36	4.75	3.95	4.35	3.55	3.74
31/35	2.84	4.40	3.18	3.45	3.22	3.41
36/40	2.69	3.75	2.63	2.71	2.72	3.20
41/50	2.25	3.00	2.44	2.36	2.47	2.73
NORTHERN GULF (Alabama, Louisiana, & Mississippi)						
UN/15	6.28	6.47	8.08	7.67	6.49	5.58
15/20	5.27	6.20	7.18	6.61	4.90	5.16
21/25	4.30	5.73	5.33	5.61	3.95	4.71
26/30	3.93	5.08	4.18	4.52	3.66	3.95
31/35	3.35	4.38	3.34	3.63	3.26	3.30
36/40	3.20	4.01	2.80	2.98	2.75	3.00
41/50	2.52	3.69	2.55	2.43	2.41	2.65
WESTERN GULF (Texas ports)						
UN/15	6.17	6.65	8.36	7.54	6.61	5.99
15/20	5.14	6.18	6.90	6.62	4.95	4.60
21/25	4.15	5.26	5.14	5.08	3.89	3.95
26/30	3.72	4.62	4.12	4.58	3.55	3.66
31/35	3.36	4.53	3.34	3.81	3.38	3.36
36/40	3.29	4.20	2.95	2.95	3.07	3.07
41/50	2.67	3.90	2.60	2.62	2.77	2.70

III. U.S. cold storage holdings of shrimp, (thousands of pounds):

September	1986	1987	1988	1989	1990
Raw, headless	25,026	25,892	21,152	24,656	26,340
Breaded	2,681	6,860	6,050	6,840	6,444
Peeled	8,834	14,876	13,484	14,670	13,683
Unclassified	11,042	14,827	9,257	7,344	8,691
Total	47,583	62,455	49,943	53,510	55,158



IV. U.S. shrimp imports by type of preparation, (thousands of pounds):

August	1986	1987	1988	1989	1990
Shell-on, headless	23,600	23,815	26,028	28,393	20,955
Peeled	12,528	13,548	11,214	9,418	16,363
Canned	1,387	1,959	1,486	767	1,237
Breaded	19	110	83	22	15
Total	37,534	39,432	38,811	38,600	38,570

January-August	1986	1987	1988	1989	1990
Shell-on, headless	137,901	176,524	213,170	219,470	211,783
Peeled	64,671	95,178	78,712	82,576	101,524
Canned	8,748	11,388	9,451	7,288	7,249
Breaded	182	554	849	362	240
Total	211,502	283,644	302,182	309,696	320,796

NOTES:

*Section I. Landings - Current year's data are preliminary and subject to change.

*Section II. Ex-Vessel Price - Penaeid species include brown, pink, and white shrimp

*All data are revised each month in order to publish best available data

Leryes J. Usie
 Supervisory Fishery Reporting Specialist
 World Trade Center, Suite 400-H
 2 Canal Street
 New Orleans, Louisiana 70130

Declaration of Emergency
Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

In accordance with the emergency provisions of the Administrative Procedures Act (R.S. 49:953), R.S. 49:967 and R.S. 56:497, the Wildlife and Fisheries Commission adopts the following rule relative to shrimp seasons:

RULE

The fall inshore shrimp season in that portion of Louisiana's inshore waters as defined in R.S. 56:495 from South Pass of the Mississippi River to the Mississippi state line and the shrimp season in Louisiana's offshore territorial waters from South Pass of the Mississippi River to the Mississippi state line will close at 12:01 a.m. December 31, 1990.

The fall inshore shrimp season in that portion of Louisiana's inshore waters as defined in R.S. 56:495 from South Pass of the Mississippi River to the western shore of Vermilion Bay and Southwest Pass at Marsh Island and the fall shrimp season in that portion of Louisiana's offshore territorial waters from South Pass of the Mississippi River to the western shore of Southwest Pass at Marsh Island will close at 12:01 a.m. December 1, 1990; except that in the area of Louisiana's offshore territorial waters from Bayou Fontanelle (Empire Ship Channel) east to Caminada Pass seaward of 3 miles from the beach, the season will remain open.

The fall inshore shrimp season in that portion of Louisiana's inshore waters as defined in R.S. 56:495 from the western shore of Vermilion Bay and Southwest Pass at Marsh Island to the Texas state line and that portion of Louisiana's offshore territorial waters from the western shore of Southwest Pass at Marsh Island to the Texas state line will close at 12:01 a.m. December 21, 1990.

A special directed seabob season is established to begin in that portion of Louisiana's offshore territorial waters from South Pass of the Mississippi River to the Mississippi state line at 12:01 a.m. December 31, 1990 and run through 12:01 a.m. January 31, 1991 and in that portion of Louisiana's offshore waters from South Pass of the Mississippi River to the western shore of Southwest Pass at Marsh Island at 12:01 a.m. December 1, 1990 and run through 12:01 a.m. January 31, 1991 and in that portion of Louisiana's offshore territorial waters from the western shore of Southwest Pass at Marsh Island to the Texas state line at 12:01 a.m. December 21, 1990 and run through 12:01 a.m. January 31, 1991. During the special directed seabob season it shall be illegal to take or possess more than 15% white shrimp in any cargo lot of seabobs or possess more than 15% white shrimp while fishing in Louisiana waters.

RESOLUTION

Wildlife and Fisheries Commission

November 1, 1990

Baton Rouge, Louisiana

WHEREAS, R.S. 56:497 provides the open shrimp seasons for all or part of the state waters shall be fixed by the Commission, and

WHEREAS, R.S. 56:497 provides the Commission shall have the authority to set special shrimp seasons for all or part of the state waters and,

WHEREAS, in the inshore areas of coastal Louisiana water temperatures have now dropped below 20 degrees centigrade which has slowed the growth rate for white shrimp in inshore and near shore waters and,

WHEREAS, the shrimp size in Zone 2 and Zone 3 inshore waters has decreased and is now either at or less than 100 count (whole shrimp per pound), the legal minimum size for white shrimp and,

WHEREAS, for the emigrating white shrimp there is little size difference between near shore outside waters and inshore waters and,

WHEREAS, the seabob fishery is a significant contributor to the overall Louisiana shrimp fishery during the late fall and early winter months, now

THEREFORE BE IT RESOLVED, the fall inshore shrimp season in that portion of Louisiana's inshore waters as defined in R.S. 56:495 from South Pass of the Mississippi River to the Mississippi state line and the shrimp season in Louisiana's offshore territorial waters from South Pass of the Mississippi River to the Mississippi state line will close at 12:01 a.m. December 31, 1990, and

BE IT FURTHER RESOLVED, the fall inshore shrimp season in that portion of Louisiana's inshore waters as defined in R.S. 56:495 from South Pass of the Mississippi River to the western shore of Vermilion Bay and Southwest Pass at Marsh Island and the fall shrimp season in that

portion of Louisiana's offshore territorial waters from South Pass of the Mississippi River to the western shore of Southwest Pass at Marsh Island will close at 12:01 a.m. December 1, 1990; except that in the area of Louisiana's offshore territorial waters from Bayou Fontanelle (Empire Ship Channel) east to Caminada Pass seaward of 3 miles from the beach, the season will remain open, and

BE IT FURTHER RESOLVED, the fall inshore shrimp season in that portion of Louisiana's inshore waters as defined in R.S. 56:495 from the western shore of Vermillion Bay and Southwest Pass at Marsh Island to the Texas state line and that portion of Louisiana's offshore territorial waters from the western shore of Southwest Pass at Marsh Island to the Texas state line will close at 12:01 a.m. December 21, 1990, and

BE IT FURTHER RESOLVED, A special directed seabob season is established to begin in that portion of Louisiana's offshore territorial waters from South Pass of the Mississippi River to the Mississippi state line at 12:01 a.m. December 31, 1990 and run through 12:01 a.m. January 31, 1991 and in that portion of Louisiana's offshore waters from South Pass of the Mississippi River to the western shore of Southwest Pass at Marsh Island at 12:01 a.m. December 1, 1990 and run through 12:01 a.m. January 31, 1991 and in that portion of Louisiana's offshore territorial waters from the western shore of Southwest Pass at Marsh Island to the Texas state line at 12:01 a.m. December 21, 1990 and run through 12:01 a.m. January 31, 1991. During the special directed seabob season it shall be illegal to take or possess more than 15% white shrimp in any cargo lot of seabobs, or possess more than 15% white shrimp while fishing in Louisiana.

BE IT FURTHER RESOLVED, the Secretary of the Department is authorized to close the fall inshore shrimp season, the offshore shrimp season and/or the special seabob season if enforcement problems arise or if biological data indicates the need to do so, and

BE IT FURTHER RESOLVED, the Secretary of the Department is authorized to set special pink shrimp seasons or special white shrimp seasons if technical data indicates sufficient quantities of marketable shrimp are available.

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

TITLE 76
WILDLIFE AND FISHERIES

PART VII. FISH AND OTHER AQUATIC LIFE

CHAPTER I. FRESHWATER SPORT AND COMMERCIAL FISHING

SECTION 123. CHICOT LAKE BLACK BASS HARVEST RESTRICTION

Repealed

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:325(C).
HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries,
Wildlife and Fisheries Commission, L.R. 14:364 (June 1988), Amended L.R.
16:38 (January 1990), Repealed L.R. 17: (1991), Repromulgated
in S. 149 of this Chapter.

SECTION 149. BLACK BASS REGULATIONS-DAILY TAKE AND SIZE LIMITS

The Louisiana Wildlife and Fisheries Commission hereby advertises its
intent to establish a statewide daily take (creel limit) of 8 fish for black
bass (Micropterus spp.). The possession limit shall be the same as the
daily take on water and twice the daily take off water.

In addition, the Commission establishes special size and daily take
regulations for black bass on the following waterbodies:

- Concordia Lake (Concordia Parish) and False River (Pointe Coupee Parish):
 - Size Limit: 15 inch - 19 inch slot
 - Daily Take: 8 fish - of which no more than 2 fish may exceed 19 inches maximum total length.*
 - Possession Limit: On Water - Same as daily take
Off Water - Twice the daily take

A 15 - 19 inch slot limit means that it is illegal to keep or possess a black bass whose maximum total length is between 15 inches and 19 inches, both measurements inclusive.

Lake Bartholomew (Morehouse and Ouachita Parishes), Black Bayou Lake (Bossier Parish), Caney Creek Lake (Jackson Parish), Chicot Lake (Evangeline Parish), Cross Lake (Caddo Parish), Lake Rodemacher (Rapides Parish) and Vernon Lake (Vernon Parish):

Size Limit: 14 - 17 inch slot
Daily Take: 8 fish - of which no more than 4 fish may
exceed 17 inches maximum total length.
Possession Limit: On Water - Same as daily take
Off Water - Twice the daily take

A 14 - 17 inch slot means that it is illegal to keep or possess a black bass whose maximum total length is between 14 inches and 17 inches, both measurements inclusive.

This rule becomes effective April 1, 1991.

* Maximum total length - The distance in a straight line from the tip of the snout to the most posterior point of the depressed caudal fin as measured with mouth closed on a flat surface.

Interested persons may submit written comments on the proposed rule to the following address before January 15, 1991: Bennie J. Fontenot, Jr., Administrator, Inland Fish Division, Louisiana Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000.

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

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 14:364 (June 1988), Amended L.R. 16:38 (January 1990), Repealed L.R. 17: (1991), Repromulgated L.R. 17: (1991).

Warren Pol
Chairman

LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES
LOUISIANA WILDLIFE AND FISHERIES COMMISSION

RESOLUTION

WHEREAS, Toledo Bend Reservoir, Caddo Lake, the Sabine River and Sabine Lake constitute boundary waters between the States of Louisiana and Texas;

WHEREAS, these waterbodies contribute heavily to the freshwater recreational black bass fishery of both the States of Louisiana and Texas;

WHEREAS, conflicting freshwater sport fishing regulations imposed on these waterbodies by both states has resulted in confusion and even antagonism among fishermen angling in these waterbodies;

WHEREAS, joint Louisiana/Texas fisheries data indicate, particularly at Toledo Bend Reservoir, that several extremely large year classes of black bass ranging in length from seven to fourteen inches total length, with a particularly numerous mode at twelve inches, comprise the bulk of the black bass population;

WHEREAS, anticipated intensive harvest of numerous twelve and thirteen inch black bass in late winter and in the spring of 1991 could severely reduce numbers of these fish in the population of Toledo Bend Reservoir and Caddo Lake;

WHEREAS, if protected immediately, existing large year classes of black bass will lose susceptibility to capture until they measure fourteen inches in total length and will begin to provide quality black bass fishing for Toledo Bend Reservoir and Caddo Lake.

THEREFORE BE IT RESOLVED, the Louisiana Wildlife and Fisheries Commission hereby amends the Joint Louisiana/Texas Toledo Bend and Caddo Lake Sportfishing Reciprocal Agreement, dated September 1, 1988, to establish a daily creel limit (daily take) for black bass (Micropterus spp.) at eight fish and a minimum total length limit of fourteen inches in Toledo Bend Reservoir and Caddo Lake. The daily creel limit for black bass is set at 5 fish and the minimum total length limit is set at fourteen inches for black bass on the Sabine River from a point immediately south of the Toledo Bend Dam to the Gulf of Mexico. Said revised regulations become effective Monday, April 1, 1991.

BE IT FURTHER RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby authorize and delegate to the Secretary of the Department of Wildlife and Fisheries, the authority to take any and all necessary steps on behalf of the Commission to promulgate and effectuate this Notice of Intent and the final Rule, including but not limited to the filing of the Fiscal and Economical Impact Statements, the filing of the Notice of Intent and preparation of reports and correspondence to other agencies of government. The Commission further authorizes and delegates to the Secretary the authority to promulgate the above regulations as an Emergency Declaration.

A. Kell McInnis, III
Acting Secretary

Warren I. Pol
Chairman

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

**TITLE 76
WILDLIFE AND FISHERIES**

PART VII. FISH AND OTHER AQUATIC LIFE

CHAPTER I. FRESHWATER SPORT AND COMMERCIAL FISHING

SECTION 110. TOLEDO BEND RECIPROCAL AGREEMENT

The Louisiana Wildlife and Fisheries Commission hereby advertises its intent to amend the Joint Louisiana\Texas Toledo Bend and Caddo Lake Sportfishing Reciprocal Agreement, dated September 1, 1988.

The daily creel limit, (daily take), for black bass (Micropterus spp.) is set at 8 fish and the minimum total length is set at 14 inches in Toledo Bend Reservoir and Caddo Lake. The daily creel limit for black bass is set at 5 fish and the minimum total length is set at 14 inches for black bass on the Sabine River from a point immediately south of the Toledo Bend Dam to the Gulf of Mexico. Said revised regulations become effective Monday, April 1, 1991.

Interested persons may submit written comments on the proposed rule to the following address before December 31, 1990: Bennie J. Fontenot, Jr., Administrator, Inland Fish Division, Louisiana Department of Wildlife and Fisheries, P. O. Box 98000, Baton Rouge, LA 70898-9000.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6 (25) (a), 325 (c), 326.3, 673.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission L.R. 14:548 (August 1988), Amended L.R. 17: (1991).

Warren Pol
Chairman

#12

ENFORCEMENT DIVISION

CASE REPORT

OCTOBER, 1990

ENFORCEMENT DIVISION CASE REPORT-OCTOBER, 1990

REGION 1

TOTAL CASES-60

ENFORCEMENT-55

OTHER - 5

8-Boating

15-Angling W/O A License

6-Fish Without Resident Pole License

1-Take Game Fish Illegally

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

6-Hunting W/O Resident License

4-Hunting W/O Non-Resident License

1-Hunting W/Unplugged Gun Or Silencer

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

1-Hunt Or Take Deer Or Bear C/S

9-Hunting MGB Over Baited Area

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

3-Not Abiding By Rules And Regulations On WMA

1-Littering

CONFISCATIONS:

None

REGION 2

TOTAL CASES-42

ENFORCEMENT-42

OTHER - 0

6-Boating

6-Angling W/O A License

4-Fish Without Resident Pole License

REGION 2 CONT'D.

- 1-Sell And/Or Buy Fish W/O Wholesale/Retail Dealer's License
- 1-Failure To Display Proper Number On Vessel
- 1-Failure To Display Proper Number On Vessel
- 1-Hunting W/O Non-Resident License
- 7-Hunting W/O Resident License
- 2-Hunting W/Unplugged Gun Or Silencer
- 4-Hunt Or Discharge Firearm From Public Road Or Road Right-Of-Way
- 1-Hunt Squirrel C/S
- 3-Hunt Or Take Deer Or Bear C/S
- 2-DWI
- 3-Other Than Wildlife And Fisheries

CONFISCATIONS:

1 illegal deer, 2 guns.

REGION 3

TOTAL CASES-79

ENFORCEMENT-52

OTHER -27

- 6-Boating
- 4-Angling W/O A License
- 1-Use Gear W/O Recreational Gear License
- 1-Take Or Sell Commercial Fish Or Bait Species W/O Commercial License
- 1-Take Commercial Fish W/O Commercial Gear License
- 2-Sell And/Or Buy Fish W/O Wholesale/Retail Dealer's License

REGION 3 CONT'D.

- 2-Blocking Passage Of Fish
- 1-Hunting W/O Resident License
- 3-Bow Hunt W/O Bow License
- 1-Failure To Abide By Commission Rules
- 5-Hunting From Moving Vehicle And/Or Aircraft
- 4-Hunting W/Unplugged Gun Or Silencer
- 3-Hunt Wild Quadrupeds And/Or Wild Birds Illegal Hours
- 1-Hunt Or Discharge Firearm From Public Road Or Road Right-Of-Way
- 2-Take And/Or Poss. O/L Of Squirrels
- 2-Poss. Squirrels C/S
- 1-Hunt W/O Resident Big Game License
- 5-Hunt Or Take Deer Or Bear C/S
- 5-Hunt Or Take Deer Or Bear Illegal Hours
- 2-Hunt Or Take Deer From Public Road
- 2-Hunt Or Take Illegal Deer O/S
- 2-Poss. Of Illegally Taken Deer Or Bear (O/S Or C/S)
- 1-Poss. Of Turkey Closed Season
- 1-Taking Cranes-No Season
- 15-Not Abiding By Rules And Regulations On WMA
- 1-Criminal Trespass
- 1-Illegal Possession Of Drugs Or Marijuana
- 4-Other Than Wildlife And Fisheries

CONFISCATIONS:

5 foot hoop net, 115 feet of trammel net, 1200 yards of monofilament gill net,

Page (4)

REGION 3 CONT'D.

3 guns, 1 catfish, 26 buffalo fish, 13 carp, 5 gaspergou, 10 lbs. shrimp, 13 squirrels, 1 fawn, 1 white crane, 1 turkey.

REGION 4

TOTAL CASES-40

ENFORCEMENT-31

OTHER - 9

2-Boating

2-Angling W/O A License

2-Fish Without Resident Pole License

2-Take Game Fish Illegally

3-Netting In Closed Area

1-Wanton Waste Fish Resources

2-Hunting W/O Resident License

5-Hunting From Moving Vehicle And/Or Aircraft

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

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

3-Hunt Squirrel C/S

1-Hunt W/O Resident Big Game License

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

7-Not Abiding By Rules And Regulations On WMA

CONFISCATIONS:

9 gaspergou, 2 bass, 69 crappie, 2 squirrels, 1 deer, 4 guns, 2 spotlights, 200 yards of 2 inch seine, 1-20 foot aluminum boat, 1-115 hp Mercury motor, 1 gas tank.

REGION 5

TOTAL CASES-212

ENFORCEMENT-196

OTHER - 16

61-Boating

41-Angling W/O A License

1-Fish Without Resident Pole License

2-Angling W/O Saltwater License

4-Take Or Possess Undersized Red Drum

3-Take Commercial Fish W/O Commercial Gear License

4-Take Possess Commercial Fish Without A Vessel License

1-Possession of Red Drum And Spotted Sea Trout

2-Leave Nets Unattended

7-Take Or Possess Undersize Commercial Fish

1-Fail To Have Commercial Fish Intact

4-Take Or Possess Undersize White Shrimp

13-Hunting W/O Resident License

9-Hunting From Moving Vehicle And/Or Aircraft

11-Hunting W/Unplugged Gun Or Silencer

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

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

1-Take Squirrel Illegal Methods

1-Hunting MGB With Unplugged Gun

1-Wanton Waste Of MGB

1-Transport MGB Illegally

1-Possess Over Limit Of Doves

1-Hunting Ducks Closed Season

Page (6)

REGION 5 CONT'D.

20-Hunting Ducks Closed Season

4-Littering

9-Possess/Take Over Limit Federal Controlled Fish

CONFISCATIONS:

10,390 lbs. of shrimp, 6 redfish, 19 squirrel, 1 rabbit, 15 red drum, 18 catfish, 4,500 lbs. crabs.

REGION 6

TOTAL CASES-103

ENFORCEMENT-93

OTHER -10

32-Boating

19-Angling W/O A License

7-Fish Without Resident Pole License

1-Take Or Possess Commercial Fish Without A Vessel License

1-Transport W/O Required License

1-Illegal Shipping Of Commercial Fish, Shipping Regs, Tags and Identification

1-Use Oversize Trawls

1-Take Or Possess Undersize White Shrimp

1-Failure To Have Written Permission

7-Hunting W/O Resident License

1-Poss. Wild Birds Or Wild Quadrupeds

2-Bow Hunt W/O Bow License

3-Hunting From Moving Vehicle And/Or Aircraft

5-Hunting W/Unplugged Gun Or Silencer

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

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

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REGION 6 CONT'D.

- 1-Possession Of Wild Quadrupeds Or Wild Birds Without Permit
- 1-Take And/Or Poss. O/L Of Squirrels
- 3-Hunt W/O Resident Big Game License
- 1-Possession Of Pods While Bow Hunting
- 8-Not Abiding By Rules And Regulations On WMA
- 1-Littering

CONFISCATIONS:

24 squirrels, 1595 lbs. of shrimp, 4 sacks of oysters-returned to water,
1 camo arrow, 1-11 point buck deer transported to L.S.U. Animal Center.

REGION 7

TOTAL CASES-146

ENFORCEMENT-133

OTHER - 13

- 20-Boating
- 66-Angling W/O A License
- 12-Fish Without Resident Pole License
- 3-Take Game Fish Illegally
- 10-Hunting W/O Resident License
- 1-Unlawful Taking Of Wild Birds
- 1-Hunting From Moving Vehicle And/Or Aircraft
- 13-Hunting W/Unplugged Gun Or Silencer
- 1-Hunt Wild Quadrupeds And/Or Wild Birds Illegal Hours
- 1-Hunt Or Discharge Firearm From Public Road Or Road Right-Of-Way
- 2-Hunt W/O Resident Big Game License
- 1-Possession Of Gun While Bow Hunting

REGION 7 CONT'D.

- 1-Take Illegal Turkey
- 1-Hunt Turkey Closed Season
- 1-Take Alligators From Other Than Approved Area
- 1-Shipping Alligators Or Skins Within State Illegally
- 1-Taking Or Possessing Alligators Closed Season
- 1-Illegal Poss. Of Alligators Eggs, Or Their Skins
- 3-Not Abiding By Rules And Regulations On WMA
- 1-Criminal Trespass
- 1-Illegal Spotlighting From Public Road
- 5-Littering

CONFISCATIONS:

7 squirrels, 1 hen turkey, 5 doves, 123 lbs. of catfish.

REGION 8

TOTAL CASES-168

ENFORCEMENT-158

OTHER - 10

- 10-Boating
- 8-Angling W/O A License
- 10-Use Gear W/O Recreational Gear License
- 4-Angling W/O Saltwater License
- 1-Take Or Possess Undersize Red Drum
- 2-Take Or Possess Undersized Spotted Sea Trout
- 1-Fail To Have Commercial License In Possession
- 7-Take Or Sell Commercial Fish Or Bait Species W/O Commercial License
- 4-Take Commercial Fish W/O Commercial Gear License
- 3-Take Or Possess Commercial Fish Without A Vessel License

REGION 8 CONT'D.

- 2-Sell And/Or Buy Fish W/O Wholesale/Retail Dealer's License
- 3-Transport W/O Required License
- 2-Taking Fish Illegally
- 2-Allow Another To Use Commercial License
- 1-Permit Unlicensed Person To Operate Commercial Vessel
- 1-Permit Unlicensed Person To Use Commercial Gear
- 8-Take/Possess Oysters Without Oyster Harvester License
- 2-Failure To Mark/Tag Nets
- 1-Commercial Truck Without Display Of Owner Name And Address
- 1-Trawling In Closed Season
- 5-Trawling Inside Waters W/Oversized Double Rigs (Over 25')
- 4-Take Or Possess Undersize White Shrimp
- 2-Failure To Have Written Permission
- 6-Taking Oysters From Unapproved Area
- 6-Unlawfully Take Oysters Off A Private Lease
- 13-Take Undersize Oysters From Natural Reef
 - 1-Possession Of Untagged Oysters
 - 4-Harvest Oysters Without Oyster Harvester License
 - 2-Fail To Cull Oysters In Proper Location
 - 5-Hunting W/O Resident License
 - 2-Failure To Abide By Commission Rules
 - 9-Hunting From Moving Vehicle And/Or Aircraft
 - 3-Hunting W/Unplugged Gun Or Silencer
 - 2-Poss. Over Limit Of Wild Quadrupeds Or Wild Birds
 - 9-Hunt Wild Quadrupeds And/Or Wild Birds Illegal Hours

REGION 8 CONT'D.

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

1-Unauthorized Use Of Vehicle On Levees

3-Hunting MGB Illegal Hours

3-Not Abiding By Rules and Regulations On WMA

5-Illegal Spotlighting From Public Road

2-Littering

CONFISCATIONS:

15 bushels of crabs-released back to water, 3009 pounds of shrimp which sold for \$4,093.30, 4 1/2 sacks of oysters, 3 speckled trout, 1 redfish, 3 rabbits, 5 doves, 3 boats, 2 dredges, 8 trawls, 4 guns and 3 spotlights.

REGION 9

TOTAL CASES-200

ENFORCEMENT-178

OTHER - 22

21-Boating

9-Angling W/O A License

1-Fish Without Resident Pole License

1-Use Gear W/O Recreational Gear License

5-Angling W/O Saltwater License

1-Taking/Poss. Over Limit Or Undersized Gamefish

2-Take Or Possess Undersized Red Drum

5-Take Or Possess Undersized Spotted Sea Trout

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

4-Take Commercial Fish W/O Commercial Gear License

2-Take Or Possess Commercial Fish Without A Vessel License

REGION 9 CONT'D.

- 12-Use Purse Seines Illegally In Inside Or Outside Waters
- 5-Possession Of Red Drum And Spotted Sea Trout
- 3-Take Or Possess Undersize Commercial Fish
- 1-Buy Commercial Fish From Un-Lic. Fisherman
- 1-Blocking Passage Of Fish
- 1-Allow Another To Use Commercial License
- 1-Fail To Comply With Closure Order
- 1-Take/Possess Oysters Without Oyster Harvester License
- 9-Take Or Possess Undersize White Shrimp
- 1-Take Shrimp Illegal Gear
- 4-Failure To Pay Severance Tax
- 9-Harvest Oysters Without Oyster Harvester License
- 15-Hunting W/O Resident License
- 1-Failure To Abide By Commission Rules
- 4-Hunting From Moving Vehicle And/Or Aircraft
- 6-Hunting W/Unplugged Gun Or Silencer
- 7-Hunt Wild Quadrupeds And/Or Wild Birds Illegal Hours
- 20-Hunt Or Discharge Firearm From Public Road Or Road Right-Of-Way
- 1-Hunt Squirrel C/S
- 1-Hunt Or Take Deer Or Bear Illegal Hours
- 1-Hunt Or Take Deer Illegally From A Boat
- 3-Hunt Raccoons Or Opossums Illegally
- 1-Take Non-Game Quadrupeds C/S
- 1-Hunting MGB With Unplugged Gun
- 4-Hunting MGB Illegal Hours

REGION 9 CONT'D.

13-Hunting MGB Over Baited Area

6-Possess Over Limit Of Doves

1-Hunt MGB Without State Stamp

1-Not Abiding By Rules And Regulations On WMA

3-Criminal Trespass

2-Illegal Spotlighting From Public Road

1-Criminal Damage Of State Property

2-Littering

1-Reckless Operation Of Motor Vehicle

CONFISCATIONS:

2 rabbits, 7 1/2 crates of crabs, 164 ^{Doves} ~~ducks~~, 52 sacks of oysters, 50 barrels of oysters, 764 lbs. of channel catfish, 278 whole channel catfish, 2 1/2 barrels of white shrimp, 9 spotted sea trout, 821 black drum, 4 red drum, 1 mink, 120 lbs. of pompano, 3 crab traps, 12 guns, 1 purse seine, 1 Cessna Spotter Plane, 2 boats, 6 minnow traps, 6 sales receipts, 1 kitchen knife, 2 trawl nets, 1-25 h.p. outboard motor.

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S.W.E.P.

129 RUNNING HOURS

79 BOATS CHECKED

40 CITATIONS

13-Trawl Inside Waters With Oversize Double Rigs

6- Possession Of Outboard Motor With Serial Number Missing Or Removed

1- Fail To Comply With Commercial License Application

3- Possession Of Stolen Items

3- Operation Of Unregistered Motorboat

1- Allow Another To Use Commercial License

5- No Commercial Fish License

3- No Commercial Gear License

1-No Vessel License

2-Illegal Mesh Seines

2-Angling W/O A License

CONFISCATIONS:

1-600' of gill net, 10 trawls, 2224 lbs. of shrimp sold for \$4093.30.

3-35' net boats, 2-225 h.p. outboard motors, 2-1200' seines, 1-200 h.p. outboard motor.

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OYSTER STRIKE FORCE

TOTAL CASES-50

15-Take Undersize Oysters From Natural Reef

2-Take Oysters From Unapproved Area

2-Take Oysters From Private Lease

2-Take Oysters Without Written Permission

1-Poss. Of Untagged Oyster

15-Harvest Oyster W/O Oyster Harvester License

1-Possession Of Untagged Oysters

2-Possession Oysters W/O License

2-No Vessel License

5-No Commercial License

3-No Gear License

1-Take/Poss. Undersize Red Drum

CONFISCATIONS:

530 sacks of oysters, 1 boat, 1 motor, 1 dredge, 1 red drum, 6770 lbs. of shrimp.

<u>TOTAL CASES ENFORCEMENT</u>	<u>-938</u>
<u>TOTAL CASES OTHER DIVISIONS</u>	<u>-112</u>
<u>TOTAL CASES SWEP</u>	<u>- 40</u>
<u>TOTAL CASES OYSTER STRIKE FORCE-</u>	<u>50</u>
<u>GRAND TOTAL</u>	<u>-1140</u>

October 29, 1990

APPROVED ARM

AGENDA FOR COMMISSION MEETING

The next regular public board meeting as set by the Commission will be at 2:00 p.m. on Thursday, November 1st, 1990, at the Wildlife and Fisheries Building, Louisiana Room, 2000 Quail Drive, Baton Rouge, Louisiana.

On Friday, November 2nd, 1990, the meeting will be continued at the same location at 9:00 a.m.

The following will be on the agenda:

1. Roll Call
2. Approval of Minutes of October 5-6, 1990
3. Commission Meeting Attendance
4. Proposed Change in Special Canada Goose Season
5. Declaration of Emergency - Alligator Regulations
6. Discussion and Setting Closing Dates for Fall Inshore and Offshore Shrimp Season
7. Update on Spotted Seatrout Sampling Results
8. Notice of Intent - Louisiana Black Bass Management Plan and Proposed Regulations
9. Notice of Intent - Amendment to Joint Louisiana/Texas Black Bass Reciprocal Agreement in Toledo Bend and Caddo Lake
10. Commercial King Mackerel Closure (Informational)
11. Shell Dredging - Lower Central Coast
12. Law Enforcement Monthly Report
13. Acting Secretary's Report to the Commission

OTHER BUSINESS:

14. Adopt a "Pothole"
15. Election of LDWF Commission Chairman and Vice Chairman
16. Set Meeting Locations and Dates for December 1990 and January 1991

PUBLIC COMMENTS:

AGENDA
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
BATON ROUGE, LOUISIANA
NOVEMBER 1-2, 1990

1. Roll Call
2. Approval of Minutes of October 5-6, 1990
3. Commission Meeting Attendance - Don Hines
4. Proposed Change in Special Canada Goose Season - Norman McCall
5. Declaration of Emergency - Alligator Regulations - Tommy Prickett (Get Comm Pce to Sign)
6. Discussion and Setting Closing Dates for Fall Inshore and Offshore Shrimp Seasons: Phil Bowman - Dist. in
7. Update on Spotted Seatrout Sampling Results - Claude Boudreaux
8. Notice of Intent - Louisiana Black Bass Management Plan and Proposed Regulations - Jerry Clark (copy)
9. Notice of Intent - Amendment to Joint Louisiana/Texas Black Bass Reciprocal Agreement in Toledo Bend and Caddo Lake - Jerry Clark (copy)
10. Commercial King Mackerel Closure (Informational)
11. Shell Dredging - Lower Central Coast - Don Puckett and Bettsie Baker
12. Law Enforcement Monthly Report - Winton Vidrine
13. Acting Secretary's Report to the Commission - Kell McInnis

OTHER BUSINESS:

14. Adopt a "Pothole" - Lloyd Abadie
15. Election of LDWF Commission Chairman and Vice Chairman
16. Set Meeting Dates and Locations for December 1990 and January 1991

PUBLIC COMMENTS:

AGENDA FOR COMMISSION MEETING

The next regular public board meeting as set by the Commission will be at 2:00 p.m. on Thursday, November 1st, 1990, at the Wildlife and Fisheries Building, Louisiana Room, 2000 Quail Drive, Baton Rouge, Louisiana.

On Friday, November 2nd, 1990, the meeting will be continued at the same location at 9:00 a.m.

The following will be on the agenda:

1. Roll Call
2. Approval of Minutes of October 5-6, 1990
3. Commission Meeting Attendance - *lines*
4. Proposed Change in Special Canada Goose Season - *me Call*
5. Declaration of Emergency - Alligator Regulations *Attorney*
6. *Shrimps Dec.*
7. Update on Spotted Seatrout Sampling Results - *let*
8. Notice of Intent - Louisiana Black Bass Management Plan and Proposed Regulations -
9. Notice of Intent - Amendment to Joint Louisiana/Texas Black Bass Reciprocal Agreement in Toledo Bend and Caddo Lake -
10. Commercial King Mackerel Closure (Informational) -
11. Shell Dredging - Lower Central Coast - *Don & Debbie, Don Puckett*
12. Law Enforcement Monthly Report -
13. Acting Secretary's Report to the Commission -

OTHER BUSINESS:

14. Adopt a "Pothole" -
15. Election of LDWF Commission Chairman and Vice Chairman -
16. Set Meeting *Location + Dec '90* Dates for January 1991 -

PUBLIC COMMENTS:



VIRGINIA VAN SICKLE
SECRETARY

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

BUDDY ROEMER
GOVERNOR

October 22, 1990

M E M O R A N D U M

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

The next regular public board meeting as set by the Commission will be at 2:00 p.m. on Thursday, November 1st, 1990, at the Wildlife and Fisheries Building, Louisiana Room, 2000 Quail Drive, Baton Rouge, Louisiana.

On Friday, November 2nd, 1990, the meeting will be continued at the same location at 9:00 a.m.

The following will be on the agenda:

1. Approval of Minutes of October 5-6, 1990

DR. DON HINES

2. Commission Meeting Attendance

NORMAN MCCALL

3. Change in Special Canada Goose Season

TOMMY PRICKETT

4. Declaration of Emergency - Alligator Regulations

JERRY CLARK

5. Update on Spotted Seatrout Sampling Results
6. Notice of Intent - Louisiana Black Bass Management Plan and Proposed Regulations

October 22, 1990

7. Notice of Intent - Amendment to Joint Louisiana/Texas Black Bass Reciprocal Agreement in Toledo Bend and Caddo Lake
8. Discussion and Setting Closing Dates for Fall Inshore and Offshore Shrimp Seasons
9. Commercial King Mackerel Closure (Informational)

DON PUCKETT

10. Shell Dredging - Lower Central Coast

WINTON VIDRINE

11. Law Enforcement Monthly Report

KELL MCINNIS

12. Acting Secretary's Report to the Commission

OTHER BUSINESS:

13. Adopt a "Pothole" - Lloyd Abadie
14. Election of LDWF Commission Chairman and Vice Chairman
15. Set Meeting Dates for January 1991

PUBLIC COMMENT:

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



VIRGINIA VAN SICKLE
SECRETARY

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

BUDDY ROEMER
GOVERNOR

October 26, 1990

M E M O R A N D U M

TO: A. Kell McInnis
FROM: Sharyn Bateman *SB*
RE: November Commission Meeting

Kell, you had asked that I remind you to call Dr. Hines before the Commission meeting. I have got the plaque, which will be presented to him, in my office. Let me know when you need it. Also you had asked that I remind you to call the Commission members concerning the waiver for the Bait Dealers Permit for Mr. Walter Thorn. Mr. Thorn had written a letter asking that the Commission consider waiver of his Bait Dealers Permit so that he could continue using it after closure of the shrimp season and that this be considered at the October Commission meeting. See attached correspondence.

Since the location of the December meeting has been changed from New Orleans to Baton Rouge you will need to announce this at the Commission meeting.

sb

Attachments

OFFICE OF FISHERIES
Routing Slip

Out: 10-24-90
Due: _____
In: _____

Office of Secretary:		Inland Fish Division:		Marine Fish Division:		Research Division:	
TO:	FROM:	TO:	FROM:	TO:	FROM:	TO:	FROM:
	Van Sickle		Clerk		Clerk		Clark
X	McInnis		Fontenot		Foote		Barrett
	Clark	X	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?

Note: Let's discuss.

Response: set for other Bureau @ common meeting
Review w/ Warren PL



VIRGINIA VAN SICKLE
SECRETARY

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

BUDDY ROEMER
GOVERNOR

August 17, 1990

EXPRESS MAIL

Mr. Walter Thorn
Route 1, Box 64
Port Sulphur, LA 70083

Dear Mr. Thorn:

As a follow-up to my earlier letter I wanted to remind you that you can begin shrimping for bait this coming Monday, August 20, without a special bait dealer permit. The season will close this coming December or January when the shrimp leave the inside waters. At this time I will request a waiver from the Commission so that you can continue to trawl for bait.

I wish you a speedy recovery and hope indeed that you will be shrimping for many years to come. Please let me know by mid-November if you do not want me to request a waiver from the Commission for next spring. Please call me at 504/765-2803 if I can be of further assistance.

Sincerely,

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

Virginia Van Sickle

VVS:pc

cc: Mr. Warren Pol, Chairman
Louisiana Wildlife and
Fisheries Commission

- J. Clark

Route 1 Box 64
Port Sulphur, Louisiana 70083
October 6, 1990

Mrs. Virginia Van Sickle
Department of Wildlife & Fisheries
P.O. Box 98000
Baton Rouge, Louisiana 70898

Dear Mrs. Van Sickle:

REF: Your letter of August 17, 1990

I am requesting that you please have the waiver issued so I can continue to trawl for bait after the first of the year.

I have just returned from Houston, Texas (MD Anderson) and they assured me I would still be mobile in the early months of 1991. As we had discussed in earlier conversation I have cancer of the liver and I am terminal.

I want to thank you very much for your personal concern and I wish you success and happiness on your recent appointment with the Federal government. I know you will enjoy the Lafayette home base.

Thanks,

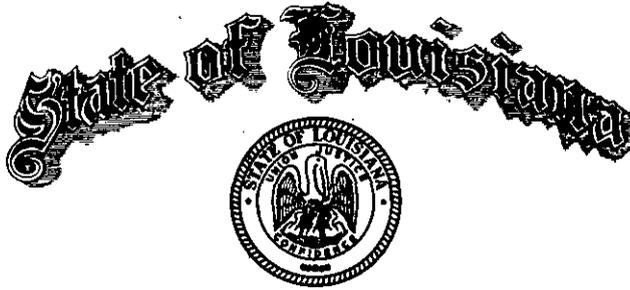
Walter Thorn

Walter Thorn

RECEIVED

OCT 17 90

**LA WILDLIFE & FISHERIES
OFFICE OF THE 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

October 22, 1990

M E M O R A N D U M

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

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The following will be on the agenda:

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DR. DON HINES

2. Commission Meeting Attendance

NORMAN MCCALL

3. Change in Special Canada Goose Season

TOMMY PRICKETT

4. Declaration of Emergency - Alligator Regulations

JERRY CLARK

5. Update on Spotted Seatrout Sampling Results
6. Notice of Intent - Louisiana Black Bass Management Plan and Proposed Regulations

Page 2
October 22, 1990

7. Notice of Intent - Amendment to Joint Louisiana/Texas Black Bass Reciprocal Agreement in Toledo Bend and Caddo Lake
8. Discussion and Setting Closing Dates for Fall Inshore and Offshore Shrimp Seasons
9. Commercial King Mackerel Closure (Informational)

DON PUCKETT

10. Shell Dredging - Lower Central Coast

WINTON VIDRINE

11. Law Enforcement Monthly Report

KELL MCINNIS

12. Acting Secretary's Report to the Commission

OTHER BUSINESS:

13. Adopt a "Pothole" - Lloyd Abadie
14. Election of LDWF Commission Chairman and Vice Chairman
15. Set Meeting Dates for January 1991

PUBLIC COMMENT:

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



VIRGINIA VAN SICKLE
SECRETARY

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

BUDDY ROEMER
GOVERNOR

October 8, 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 - November 1-2 1990

Please write on the bottom of this memo and return to Sharyn Bateman by Friday, October 19th, any agenda items your Office may have for the November 1-2, 1990, Commission meeting to be held in Baton Rouge, Louisiana, Wildlife and Fisheries Building, 2000 Quail Drive. If you do not have anything for the agenda, please return memo and indicate this on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

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

Thank you for your cooperation!

VVS/sb

C: Don Puckett
Bob Dennie

Winton



VIRGINIA VAN SICKLE
SECRETARY

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

BUDDY ROEMER
GOVERNOR

October 8, 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 - November 1-2 1990

Please write on the bottom of this memo and return to Sharyn Bateman by Friday, October 19th, any agenda items your Office may have for the November 1-2, 1990, Commission meeting to be held in Baton Rouge, Louisiana, Wildlife and Fisheries Building, 2000 Quail Drive. If you do not have anything for the agenda, please return memo and indicate this on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

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

Thank you for your cooperation!

Enforcement Report
W.V.

VVS/sb

C: Don Puckett
Bob Dennie

Zero



VIRGINIA VAN SICKLE
SECRETARY

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

BUDDY ROEMER
GOVERNOR

October 8, 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 - November 1-2 1990

Please write on the bottom of this memo and return to Sharyn Bateman by Friday, October 19th, any agenda items your Office may have for the November 1-2, 1990, Commission meeting to be held in Baton Rouge, Louisiana, Wildlife and Fisheries Building, 2000 Quail Drive. If you do not have anything for the agenda, please return memo and indicate this on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

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Thank you for your cooperation!

VVS/sb

C: Don Puckett
Bob Dennie

1) Discussion of Stream ~~Survey~~ Framework For FALL INSHORE + OFFSHORE FISHERIES

2) Commercial King Mackerel Closures (INFORMATIONAL)

Jerry *Dennis*

RECEIVED

LA. DEPARTMENT OF
WILDLIFE & FISHERIES

OCT - 4 1990

ASSISTANT SECRETARY
OFFICE OF FISHERIES

VIRGINIA VAN SICKLE
SECRETARY



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

Bennie F.
John R.
Karen F.

Return to me by 10/18/90

JC

BUDDY ROEMER
GOVERNOR

October 8, 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!

VVS/sb

C: Don Puckett
~~Rep~~ Dennis

Dear Jerry -
Enclosed for Dir. Comm. ~~Secretary~~
Agenda:

- 1) Notice of Intent - Louisiana black bass management plan and proposed regulations.*
- 2) Notice of Intent - Amendment to Joint Louisiana/Texas Black Bass Recreational Agreement in Toledo Bend and Caddo Lake.*

RECEIVED

LA. DEPARTMENT OF
WILDLIFE & FISHERIES

OCT - 4 1990

ASSISTANT SECRETARY
OFFICE OF FISHERIES

VIRGINIA VAN SICKLE
SECRETARY



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

October 8, 1990

Bennie F.
John R.
Karen F. ←

Return to me by 10/18/90

to JC

10-8-90 BUDDY ROEMER
GOVERNOR

Borney/Claude -
Any items for the
comm. meeting? Let me
know by 10/15/90.
- Karen

MEMORANDUM

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

FROM: Virginia Van Sickle VVS

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VVS/sb

C: Don Puckett
Bob Dennie

10-16-90
- update on spotted seatrout sampling results

Karen

State of Louisiana



DEPARTMENT OF WILDLIFE AND FISHERIES
LOUISIANA NATURAL HERITAGE PROGRAM

DNR-CMD

P.O. BOX 44124

BATON ROUGE, LA. 70804-4124

August 24, 1990

~~SECRETARY~~

~~GOVERNOR~~

MEMORANDUM

TO: Division Chiefs
Assistant Chiefs

FROM: Virginia Van Sickle *VVS*

RE: Commission Meeting Attendance

Effective immediately, for each Commission meeting you are to provide to me a list of employees that will be attending the Commission meeting and the agenda topics that they will be addressing, no later than three days prior to the meeting. In no case shall an employee of this Department attend a meeting of the Commission without my prior written approval. Further, no contact with the Commission shall be initiated concerning Department business by any employee of the Department without my prior written approval.

It is your responsibility to insure compliance with this policy.

VVS/pc

cc: Assistant Secretaries

Shawn,

✓ Please include on the agenda a discussion of "Commission meeting attendance". Please inform Kell that this will be discussed.

Don Hines



James
To: Sharyn
From: James

VIRGINIA VAN SICKLE
SECRETARY

DEPARTMENT OF WILDLIFE AND FISHERIES
POST OFFICE BOX 96000
BATON ROUGE, LA. 70898
PHONE (504) 765-2800

BUDDY ROEMER
GOVERNOR

October 8, 1990

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FUR & REFUGE -

✓ I. Declaration of Emergency - Alligator Regulations

VVS/sb

C: Don Puckett
Bob Dennie

RECEIVED
LA. DEPARTMENT OF
WILDLIFE & FISHERIES

OCT 04 90
FUR & REFUGE
BATON ROUGE



VIRGINIA VAN SICKLE
SECRETARY

DEPARTMENT OF WILDLIFE AND FISHERIES
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Thank you for your cooperation!

*Nothing for Game Div.
H Bateman*

VVS/sb

C: Don Puckett
Bob Dennie

Prok & Jonathan - do you have anything -? B
no

Bob



RECEIVED
OCT 05
INFORMATION &
EDUCATION DIV.

VIRGINIA VAN SICKLE
SECRETARY

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October 8, 1990

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VVS/sb

C: Don Puckett
Bob Dennie

I & E. Nathan's

10 copy



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SECRETARY

DEPARTMENT OF WILDLIFE AND FISHERIES
POST OFFICE BOX 98000
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BUDDY ROEMER
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C: Don Puckett
Bob Dennie



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BATON ROUGE, LA. 70898
PHONE (504) 765-2800

BUDDY ROEMER
GOVERNOR

October 19, 1990

M E M O R A N D U M

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

The next regular public board meeting as set by the Commission will be at 2:00 p.m. on Thursday, November 1st, 1990, at the Wildlife and Fisheries Building, Louisiana Room, 2000 Quail Drive, Baton Rouge, Louisiana.

On Friday, November 2nd, 1990, the meeting will be continued at the same location at 9:00 a.m.

The following will be on the agenda:

1. Approval of Minutes of October 5-6, 1990

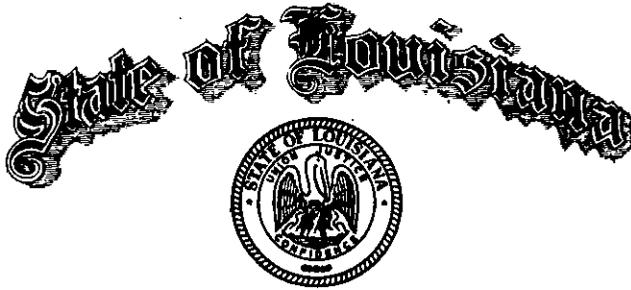
DR. DON HINES

2. Commission Meeting Attendance
norman m'call - Discussion of Special Dove Season
TOMMY PRICKETT

- 3) Declaration of Emergency - Alligator Regulations

JERRY CLARK

- 4) Update on Spotted Seatrout Sampling Results
- 5) Notice of Intent - Louisiana Black Bass Management Plan and Proposed Regulations
- 6) Notice of Intent - Amendment to Joint Louisiana/Texas Black Bass Reciprocal Agreement in Toledo Bend and Caddo Lake



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October 19, 1990

Page 2

- of setting closing dates*
- 7) Discussion of ~~Framework~~ for Fall Inshore and Offshore Shrimp Seasons
 - 8) Commercial King Mackerel Closure (Informational)

DON PUCKETT

- 9) Shell Dredging - Lower Central Coast

WINTON VIDRINE

- 10) Law Enforcement Monthly Report

KELL MCINNIS

- 11) Acting Secretary's Report to the Commission

OTHER BUSINESS:

- 13) Adopt a "Pothole" - Lloyd Abadie
- 14) Election of LDWF Commission Chairman and Vice Chairman
- 15) Set Meeting Dates for January 1991

PUBLIC COMMENT:

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

October 19, 1990

Page 2

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PUBLIC COMMENT:

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

Adopt-a-Pothole

A Wetlands Conservation Project

In Cooperation With

John Farmer

S.W. 23 - 11 - 18

and

The Prairie Farming Program

and

Robt. E. Smith
Baton Rouge LA.



Amount contributed to Ducks Unlimited by the LWFC

Fiscal Year	Total Submitted
1976-77	\$214,284
1977-78	\$174,583
1978-79	\$179,415
1979-80	\$187,370
1980-81	\$184,006
1981-82	\$150,452
1982-83	\$199,538
1983-84	\$168,042
1984-85	\$170,237
1985-86	\$119,437
1986-87	\$210,000
1987-88	\$362,226
1988-89	\$300,000
Sub-Total	\$2,619,590
1989-90	

As you will see, this amounts to over \$2,600,000 which has been contributed to Ducks Unlimited from the license monies of Louisiana hunters and fishermen.

We call your attention to the fact that in 1988-89 fiscal year the contribution should have been only \$222,423. DU has not remitted the overpayment to the DWF, perhaps because it was not advised of the mistake.

Regardless it is my viewpoint that the LWFC can and should make the contribution for the last fiscal year to the NAWF for the Adopt A Pothole Program.

Page 56
Section 11
§ 104 (1)

is Section, who has established bona fide residence in this state prior to his application for a basic hunting license, a fee of five dollars and fifty cents is required to hunt, take, possess, or transport wild birds and quadrupeds on which open seasons are declared, excluding bear, deer, or turkey, within the limits of the state. An amount equal to ten percent of the fees collected from the sale of hunting licenses shall be dedicated by the commission to the development and preservation of breeding grounds for migratory waterfowl, the funds to be expended for such purposes through Ducks Unlimited, Inc., or under the direction of the Louisiana Wildlife and Fisheries Commission at its discretion. An additional ten percent of each fee collected from the sale of hunting licenses shall be dedicated by the commission to the development and rejuvenation of the quail, dove, and rabbit population of this state, the funds to be expended by the department beginning with the Fiscal Year 1975-1976 through a rejuvenation program to be promulgated under administrative regulation of the commission. However, not less than twenty-five percent of the funds derived from hunting license fees shall be dedicated by the commission to land acquisition for wildlife management areas.

(2) In the case of a nonresident, except as specified in Subsection B of this Section, a basic hunting license fee of forty dollars and fifty cents for the entire season or a basic trip hunting license fee of twenty dollars and fifty cents for three consecutive days is required to hunt, take, possess, or transport wild birds or wild quadrupeds on which open seasons are declared, excluding bear, deer, or turkey, but in the case of a nonresident whose state of residence is Arkansas, Mississippi, Alabama, Florida, or Texas, the basic trip hunting license fee to be charged the nonresident shall be an amount equal to the fee charged a Louisiana resident for a license of the same kind by the state of residence of the applicant if such a basic trip hunting license fee is offered in the state of residence of the applicant.

(3) In the case of a resident, except as specified in Subsection B of this Section, a fee of five dollars and fifty cents is required to hunt, take, possess, or transport bear, deer, or turkey. This license shall be required in addition to the basic hunting license. In addition, a fee of five dollars and fifty cents may be charged for the issuance of a special muzzleloader license to take deer during the special deer season for muzzleloaders as provided in R.S. 56:103(C)(2).

(4) In the case of a nonresident, except as specified in Subsection B of this Section, a fee of twenty dollars and fifty cents is required to hunt, take, possess, or transport bear, deer, or turkey. This license

shall be required in addition to the basic season or trip hunting license. However, if the nonresident resides in Arkansas, Mississippi, Alabama, Florida, or Texas, the basic hunting license fee charged the nonresident shall be the fee charged a Louisiana resident for a license of the same kind by the state of residence of the applicant.

(5) The holder of a hunting license issued by the state of Mississippi shall have the same rights and privileges to hunt wild game birds and quadrupeds upon islands in and the waters of the Mississippi River and other land resulting from accretion along the Mississippi River where that river forms the boundary between the states of Louisiana and Mississippi as are provided by law for the holder of a Louisiana hunting license. This Paragraph shall only take effect and become operative if, as, and when the state of Mississippi grants reciprocal privileges to the holders of hunting and fishing or angling licenses issued by the state of Louisiana.

(6) Notwithstanding any other provision to the contrary, except as specified in Subsection B of this Section, a nonresident shall be required to pay a license fee of ten dollars for a basic three day trip hunting license to hunt, take, possess, or transport migratory game birds on which open seasons are declared.

B. (1) Residents of this state under sixteen years of age and residents sixty years of age and older who have resided within the state for two years prior to application, shall not be required to obtain licenses or pay fees to fish and hunt. Persons in the armed forces of the United States on active military duty shall, for license purposes, be given resident privileges.

(2) Veterans of the armed forces or of the Louisiana Army National Guard or Louisiana Air National Guard having a permanent service connected disability classification of fifty percent or more and who are Louisiana residents or resident persons who are blind, paraplegic, or multiple amputees shall, upon identification and proof of disability satisfactorily to the department, be issued licenses without the payment of any fees therefor.

Amended by Acts 1952, No. 25; Acts 1954, No. 651, §1; Acts 1956, No. 48, §1; Acts 1956, No. 543, §1; Acts 1960, No. 190, §1, eff. June 28, 1960; Acts 1966, No. 47, §1; Acts 1968, No. 372, §1; Acts 1968, Ex. Sess., No. 2, §1; Acts 1972, No. 369, §1; Acts 1974, No. 216, §1; Acts 1974, No. 217, §1; Acts 1974, No. 689, §1; Acts 1974, No. 717, §1; Acts 1975, No. 246, §1; Acts 1975, No. 651, §1; Acts 1976, No. 81, §1; Acts 1976, No. 417, §1; Acts 1978, No. 123, §1, eff. June 22, 1978; Acts 1978, No. 576, §1; Acts 1979, No. 242, §1; Acts 1979, No. 245,

Draft

MINUTES OF MEETING OF
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
NOVEMBER 1-2, 1990

Chairman Warren I. Pol presiding:

Thursday, November 1, 1990

- Houston Foret
- Don Hines
- Jimmy Jenkins
- Bert Jones
- Norman McCall
- Pete Vujnovich

Acting Secretary A. Kell McInnis III was also present.

Friday, November 2, 1990

- Houston Foret
- Don Hines
- Jimmy Jenkins
- Bert Jones
- Norman McCall
- Pete Vujnovich

Acting Secretary A. Kell McInnis III was also present.

At Thursday's meeting a motion was made by Mr. Jenkins and seconded by Mr. Foret to approve the **Minutes** of the October 5-6, 1990, Commission meeting. The motion passed unanimously.

At Thursday's meeting Chairman Pol announced that the judging for the 1991 Louisiana Duck Stamp had taken place and asked Mr. Dave Morrison to address the Commission on this event. Mr. Morrison announced that the judging for the 1991 design of the duck stamp was held this morning. There were sixty four entries and thirteen semifinalist were picked. From the thirteen semifinalist three finalists were picked. The winner, Mr. Brett Smith from Kenner, Louisiana was introduced by Mr. Morrison. This was Mr. Smith's third year in the contest. Last year Mr. Smith took second place. Mr. Smith and Mr. Harshman, publisher of the stamp, will be meeting to work out the details for the 1991 program stated Mr. Morrison. Mr. Smith expressed his pleasure in winning the contest and explained that he has painted a picture that he hopes will sell more to the general public rather than just the duck stamp buyers. Mr. Jones congratulated Mr. Smith on this and asked him that as a Louisiana artist would he revel competition from outside of the state. Due to a new law the duck stamp competition is only opened to people from Louisiana right now. Mr. Smith stated that personally he thinks in the long run by commissioning a piece the

state would get better sales and better products. The cutting edge of wildlife art is by no means in the southeastern part of the country, it is in the midwest and this is where most of the outside attention is focused explained Mr. Smith. Mr. Jones commented that he has competed in some ~~managers~~ arenas and was wondering how he would feel if he was restricted to only competing against people from his own state. Mr. Smith stated that if Mr. Jones is asking him what the competition is like in the state it is no where near what it is outside of the state. To get the big names you have to pay for them because they don't have to do it stated Mr. Smith. Chairman Pol commented that on behalf of the Commission they thank Mr. Smith and all the other people who competed in the contest and congratulated Mr. Smith. Mr. Morrison pointed out that the second place was taken by Mr. Mark Stringer from Shreveport and the third place went to Mr. Rick Hall from Lake Charles. Acting Secretary McInnis stated that Mr. Dave Morrison, Mr. Larry Soileau, Mr. Butch Bateman, and Mr. Robert Helm from the department did a great job putting this program together and they deserve commendations for their efforts.

At Thursday's meeting a discussion on the **Attendance at Commission Meetings** was held. Dr. Hines explained that he wanted to bring something to the attention of the Commission and asked the Secretary to possibly consider rescinding a request that was made in August. This is something in Dr. Hines' opinion that has the chance of causing a lot of problems down the road and maybe restricting fee exchange of information, etc. On the 24th of August this past year the former Secretary issued a memo to the Division Chiefs and Assistant Chiefs which stated that effective immediately for each Commission meeting they were to provide a list of names to the Secretary of employees that would be attending the Commission meeting and the agenda topics that they would be addressing no later than three days prior to the meeting. Also in no case shall an employee of the department attend a meeting of the Commission without prior written approval from the Secretary and no contact with the Commission shall be initiated concerning department business by any employee of the department without prior written approval from the Secretary. It is the responsibility of the Chiefs and Assistant Chiefs to ensure compliance with this policy. Dr. Hines advised that maybe the intention was well meant but he feels ~~like~~ like that by restricting the presence of employees at the meetings it would be possible that information available to the Commission and Secretary could be restricted, information presented could be slanted and it would be impossible to get additional information. It is Dr. Hines's opinion that they should have free access to information and see a lot more wrong than good in the memorandum. Dr. Hines presented as a request to Acting Secretary McInnis that this memorandum be rescinded.

Chairman Pol stated that what Dr. Hines was saying was certainly well founded and asked Acting Secretary McInnis how he felt about this. Acting Secretary stated that Dr. Hines and he have had the

opportunity to discuss this earlier in the week and feels that there may have been some confusion about what the intent of the memorandum was for. This memo is in no way intended to restrict any access and is simply intended to inform the Secretary and supervisors of who will be attending the meetings. Acting Secretary McInnis stated that he appreciated Dr. Hines' comments and that a somewhat similar problem occurred with a previously issued memo dealing with free access in speaking with legislators. There was no intention of restricting access to the legislators and the memo asked the employees if they had a problem with policy please address it to the department before they take it outside of the department. The memo of August is very similar and if there is an issue that is coming up before the Commission the Secretary deserves to have some kind of lead notices and have the opportunity to speak with the employee(s) to find out what the internal feelings are before they are brought to the Commission. This memo is not to restrict but to simply keep the Secretary properly informed explained Acting Secretary McInnis.

Chairman Pol asked if this memo restricted the people who were heads of the divisions, etc. from talking to Commission members. Acting Secretary McInnis stated not at all and explained that the memo request that they not initiate. Chairman Pol asked how can they talk to the Commissioners if they don't initiate?

Mr. Jones stated that he does not live in Baton Rouge but lives out in the field and is somewhat remote to this. Mr. Jones explained that he was not in disagreement with Acting Secretary McInnis but as perceived in the field, just by Mr. Jones' conversation to field personnel, there essentially is a gag order to talk to any Commissioner or certainly be in attendance at a Commission meeting. If there is anything that needs to be done the channels of communication need to be opened and a new definition is needed. Mr. Jones stated that essentially he was operating under a gag order in north Louisiana and believes it is more important that participation at a Commission meeting be encouraged so that a more diversified base can be obtained to base decisions on. Mr. Jones encouraged Acting Secretary McInnis to issue a letter to employees giving his telephone number and address in north Louisiana and stating that they may be free to call at anytime. Mr. Jones stated that he understands what the original intent was for but he is under a gag order in north Louisiana and it is not good.

Dr. Hines stated that if you divide the memo into two parts, with the first part, ~~which is not necessarily bad~~, directing that the Secretary be informed of who will be attending the meetings and for what reason, etc. but the next part dealing with employees attending the meetings without prior written approval and no contact with the Commissioners concerning department business by any employee with prior approval ~~what~~ bothers him. Dr. Hines stated that he was not advocating breaking the chain of command but was

is not necessarily bad.

But, he said,

that

a little bit upset that an employee is not allowed to attend a Commission meeting.

Acting Secretary McInnis advised that he certainly realizes that there may be some confusion with the language that was used and he will review the memo and attempt to do his best to clarify the intent of the order. Chairman Pol stated that he would appreciate it that by the December meeting that a new nomenclature be utilized and advise the Commission of this. Acting Secretary McInnis stated that he would be happy to copy the Commissioners.

At Thursday's meeting Mr. Norman McCall brought before the Commission a possible **Change in the Special Canada Goose Season**. Mr. McCall advised that he has had numerous phone calls, letters and personal contact from many people in Cameron Parish, Vermilion Parish, Jeff Davis Parish and Calcasieu Parish in regards to the Canadian goose season. Mr. McCall explained that several years ago a group of Canadian geese were placed on the refuge at Rockefeller and allowed to live and multiply. About two years ago the geese were no longer feed at Rockefeller and the geese migrated to some degree away from the refuge in search for food. They started living and staying, in some cases, on private property and other areas. Last year there were forty to fifty of these geese in Mr. McCall's rye grass patch behind his house. The geese stayed there most of the winter and were tame enough that they would come into the backyard, front yard and even the carport one day advised Mr. McCall. The people that live in the area have gotten attached to the birds which number about two thousand. The birds are being feed and taken care of by these people and they enjoy the birds in general. The new proposed Canada goose season, ~~nine day hunting season~~, takes in the area that these birds are now living in. These birds are very tame and and it would not take much of a sportsman to hunt these birds pointed out Mr. McCall. Mr. McCall informed the Commissioners that there were people attending the meeting today who would like to address this issue and see if something could be worked out to protect these birds for the next three years. Mr. McCall went on to explained one proposal for protecting the birds. This proposal was to move the line from Highway 82 up to the Intracoastal Canal. Most of these birds do not travel north of the canal, they stay south of the canal and are confined to a very small area. Mr. McCall thinks it would be a great thing if these birds could be protected and he explained that north of the canal and into the area that is allotted for goose hunting is where most of the wild Canadian geese and other geese will come this year and that there is plenty of area for the nine day experimental season without hunting these tame birds.

Chairman Pol advised that before this is opened up for discussion from the floor that he would like to ask Mr. Butch Bateman how the department felt about this. Mr. Bateman informed the Commissioners that the department started working on this special Canada goose season several years ago by gathering information from the field,

monitoring the geese, deciding the best approach and going through several steps with the U.S. Fish and Wildlife Service in deliberating on what format the season would be allowed under. It has been about thirty years since Louisiana has had a Canada goose season in Louisiana. There has been an increase in migrant Canada geese in southwest Louisiana and this is what is at the root of establishing this season. The department has had a number of requests from hunters over the last several years to consider doing this and the requests received covered pretty much all areas of the state advised Mr. Bateman. Most of the requests were centered in and around the rice production area in southwest Louisiana which is the traditional goose hunting areas along the Intracoastal Canal. As the department proceeded to develop the season they had to sit down with the Fish and Wildlife Service and work out the details and what the Commissioners has before them and what they acted on several meetings ago was the format that is now in place with the boundaries and zones advised Mr. Bateman. The department did take into consideration that there were local flocks of resident Canada geese scattered around the southwest Louisiana area and other areas of the state. Mr. Bateman pointed out that this season was structured in such a manner and zoned in such a way that every individual who participates will have to send the department a request for a permit to hunt. This is the most restrictive waterfowl season that has ever been set in Louisiana in terms of having a actual list of names of everybody who will participate in this special season. No person can legally participate in this nine day hunt unless they write to the department and obtain a permit. These people are allowed to hunt only in the zoned area pointed out Mr. Bateman. Serious consideration for the local flocks of geese was taken by the department but because of the very restrictive nature of the season the department wanted to allow as much recreational opportunity as possible. The zone was made as big as possible to cover both sides of the Intracoastal Canal and Highway 82 was used because during the hunting season a lot of the geese stay south of Highway 82 that are attached to the Rockefeller Refuge. The department does understand the circumstances that Mr. McCall just outlined. The department's recommendation at this time would be not to change the circumstances of the season. The season will be monitored over the next three-four years by the Fish and Wildlife Service and department and all hunters will have to turn in a harvest card that says where he hunted and how many geese were taken. The department fully intends to make any changes if anything happens that would endanger or provide concern for the local flocks of geese advised Mr. Bateman.

Chairman Pol asked about some figures that Mr. Morrison had mentioned to him that might be used as to how many of these geese would possibly be taken with this season. Mr. Bateman stated that as of today a total of about 150 permits have been issued statewide. Most of these permits are issued in southwest Louisiana and obtained by people who have commercial clubs or who have rice field leases and the department does not anticipate the number of

permits issued to pass a thousand. Mr. Bateman advised that he very seriously doubts that five hundred will be surpassed. Most of these permits are not going to be in the area where the local flocks of Canada geese are but with one exception and that being the Lake Arthur area where there will be some hunting both sides of Lake Arthur. Mr. Bateman advised that with that particular flock he has talked with Mr. Ostelet personally over the phone and explained the circumstances of the season ~~and in the terms of~~ limiting access to the number of people. Mr. Bateman stated that his guess would be less than a thousand birds will be taken during the season. This will be the first year of a several year experiment with every aspect being monitored so if there is any need or concern for protecting the isolated flocks the department can do it.

especially as it applies to

Dr. Hines asked that in the area of concern if it is found out that there is some abuse or extra kill, will the department be free next year to limit that area. Mr. Bateman answered yes and would be a year by year decision. These are the reasons why the department wants to monitor the season so closely. Right now the department has two students under contract who are working with Mr. Robert Helm on a daily bases to actually look at birds in that area. This special season will actually be a focus to try and see what is happening and get a better understanding of where these birds are, how many there are, what their distribution is and what the impact of this very short, one bird a day, nine-day season will have on the resource.

that

Chairman Pol asked Colonel Vidrine if this proposed change would be a problem as far as the enforcement of the new restrictive line since it was already printed in the pamphlet. Colonel Vidrine advised that once lines are established and permits issued it would cause a problem by changing them. It also would give people who are caught violating the law a way out. Violators would have a defense since the pamphlets were printed stating that this area was open. Mr. McCall asked that from a legal aspect was there any way of getting this amended with it still being legal. Colonel Vidrine stated that Mr. McCall would have to ask one of the lawyers about this; he is sure it is possible but it would still cause a problem.

Mr. Landrum advised that if Mr. McCall is asking if the Commission has the legal authority to do this they can by emergency rule and it would have to be because public health, safety or welfare necessitated that it be declared an emergency. Mr. Landrum stated that he thinks what Colonel Vidrine was to point out was the issue of notice. Even if you sent a letter to all of the people that have permits you will have people that did not receive the letter, say they did not get the letter, etc. which will cause a prosecution problem because the pamphlet with the map in it has been promulgated.

Chairman Pol asked for any more comments from the Commissioners and asked Mr. McCall if he had anything else to say. Mr. McCall stated no he did not have anything else to say other than if it cannot be done this year he would hope that this discussion would lay the ground work for doing it next year. Chairman Pol called for comments from the floor.

Mr. Glen Alexander, Assistant District Attorney, Cameron Parish, soon to be District Attorney on January 1, 1991, addressed the Commission. Wildlife and Fisheries is taken very seriously in Cameron Parish stated Mr. Alexander. About a month ago Mr. Alexander had a meeting with the Health Department and a group of Wildlife and Fisheries agents in Cameron. The discussion was about the opening and closing of the oyster season because of pollution and getting the word out. The oystermen always seem to get the word and the District Attorney's office always manage to prosecute effectively whenever the Commission or the department have seen fit to close any of those seasons. Getting the word out on closing the area to hunting and prosecuting violations does not seem to be a real problem for Mr. Alexander. Mr. Alexander went on to explain the situation with the Canada geese in that area and how the people feel about them. Mr. Alexander advised that he also raises Canada geese and started with one goose about ten years ago. Right now he has about thirty or so geese that stay at his place and in the back marsh behind his home these geese have grown, developed, and raised their young. In the winter he has about a hundred birds that come in. These birds are not wild yet but they are becoming wild. Mr. Alexander does not believe that these birds are at the stage yet where they will survive with an open season. The reason for this belief is because people are chomping at the bit to get a Canada goose for whatever reason. The people know where to go to get a Canada goose and this is where they are going to go, straight for Cameron Parish. The birds are there and easy to get to advised Mr. Alexander. Another things that Mr. Alexander pointed out was that the geese were a tourist attraction for their area. Mr. Alexander stated that he believes that the mechanics are available for the Commission to exclude the concerned area from hunting and urged the Commissioners to seriously consider this proposal.

X Mr. Jenkins asked Mr. Alexander what was his long range thinking about this problem. Mr. Alexander answered that in the coming years as the geese become acclimated to the wild and marsh a hunting season would be appropriate. By opening the season this year it would put a damper on the incentive of anybody trying to develop these flocks just by knowing that anybody could drive up behind their property and shoot one. Mr. Jenkins asked Mr. Alexander if he though it would take one year or two years before a season could be set on these geese. Mr. Alexander stated that he did not have any idea but at this time it is not appropriate. Mr. Jones asked Mr. Alexander if he was going to stop feeding his geese so they could go wild. Mr. Alexander answered no sir he will

continue to feed his geese and explained the reason that they go wild was because there are too many geese on the small pond located on his property and there is not enough suitable habitat. The old geese run the young geese off and the fact that they are fed is not going to keep all of them there. Chairman Pol asked Mr. Alexander if this proposed change was made for this year was he proposing that this be permanent or next year open it up as it is now. Mr. Alexander answered that he would think not next year and he would not think permanent but this would be something that would be left up to the biologists and the people in the know. Chairman Pol stated that this program has been initiated since 1964 and the department has been feeding these geese for a number of years until very recently. The department feels like it has come to the point where these geese could be harvestable and are now being asked not to do it. Mr. Alexander stated that the difference is that just in the last two years the department has stopped domesticating the geese by feeding them. They were protected and well fed at Rockefeller Refuge all these years and there was no real need for the geese to move out of the area until just the last two years when the feeding stopped pointed out Mr. Alexander. Mr. McCall asked Mr. Alexander if he had said that he thought the mechanics were there to do this legally. Mr. Alexander answered yes sir and explained that when the District Attorney's office gets ready to prosecute somebody they have to send someone or call Baton Rouge to get a copy of the news letter or whatever else is sent out to notify the public that a season has been opened or closed. The mechanics have always been there for all of these seasons and they have never had this problems before. It has never been a problem in getting word to whoever may be a possible utilizer of the natural resource or violator of the law and Mr. Alexander does not believe it will be a problem in this case.

Mr. Ted Joanen, LA Department of Wildlife and Fisheries, Head of Captive Promulgation Program at Rockefeller since 1968 address the Commission. Mr. Joanen gave a brief history of the program. When the program was started there were two basic simple objectives; one was to initiate a non-migratory flock of birds in southwest Louisiana, and two was if there was a surplus then later on if possible the flock could add some additional hunting opportunity. The captive flock at Rockefeller was simply started by bringing in a group of birds, keeping them pen and releasing the young. All geese move as a family unit, the young will not migrate without the parent. As long as the parents are wing-clipped or penned the young will show no signs of migratory tendencies. Over the years a captive non-migratory flock of Canada geese was started. The young are now all flying and they have since reached sexual maturity which takes three years. To speed up ~~the flock and put more geese into it~~ the first group of eggs laid by the female was collected and incubated while the second clutch of eggs were incubated by the female. This speeded up the number of birds being produced at Rockefeller. Looking at this in detail it was realized that the care that was given to the birds was doing something to

the behavior of the birds, it was no longer a wild bird, it was very much a domesticated bird advised Mr. Joanen. There was also a number of predator control programs going on around the captive flocks to keep the coons and coyotes off of them. As the flock grew the younger birds were being pushed out and colonizing satellite flocks from Pecan Island all the way to Creole. In 1989 with some economic problems experienced by the department the feeding program and artificial incubation program was stopped. Since that time the birds have moved off the refuge. Generally speaking all of the birds (1,500 birds) found south of the Intracoastal Canal today have now moved out and about five hundred additional birds that had established the little satellite flocks throughout the southern part of the parish were either a result of the captive program from Rockefeller, established from flocks started from birds taken from the Rockefeller flock or like Mr. Alexander 's birds that were purchased individually stated Mr. Joanen. The Canada geese found south of the Intracoastal Canal are domesticated hand-reared birds and lack the weariness of wild birds and as a result would not really make a good game bird. Shooting one of these birds would be like shooting fish in a barrel as they have no fear of man. The Canada geese south of the Intracoastal Canal should remain protected simply because it has only been a year to two years that these birds have really been out on their own advised Mr. Joanen and he feels that these birds should be afforded the protection until it is determined that the geese are going to go on their own. The geese will tell us this by either increasing or fading out with predation that they have to ~~cope~~ with in southwest Louisiana. The Canada geese north of the Intracoastal Canal are the true migratory birds advised Mr. Joanen. This is the bird that has the weariness, would make a trophy bird and provide the utmost in hunting opportunity. There is a clear line separating this domesticated bird from the wild bird and that is the Intracoastal Canal pointed out Mr. Joanen. Mr. Joanen stated that it has taken twenty eight to thirty years to reopen the Canada goose season in Louisiana but he feels more time is needed for the captive rear birds because they have only been on their own for a few years. The birds do not go back to Rockefeller when the shooting starts because they are not being fed anymore and have instead distributed themselves all along the southern part of the parish on the ridges of Little Pecan, Grand Chenier, North Island all the way to Creole. By zoning this area out it would protect that this population of wild geese . Time should be given to the birds to become established in sufficient numbers to support a limited harvest concluded Mr. Joanen.

Chairman Pol asked Mr. Joanen how long was he proposing and advised that in the area that is being discussed that possibly thirty five to forty percent of the people that hunt ducks in Louisiana hunt in that area. Mr. Joanen stated that there are only about fifteen hundred domestic birds in that area and this is to few to even hunt south of the Intracoastal Canal. The department can monitor the flock for several years, see if they increase or decrease then come

back before the Commission and make a biological recommendation advised Mr. Joanen. Chairman Pol asked Mr. Joanen if what he is saying is that the migratory geese that may be up in the rice fields won't migrate down into this particular area. Mr. Joanen answered yes sir, the wild Canada geese rarely comes south of the Intracoastal Canal, which is a pretty good demarkation line. There are a few areas south of the Intracoastal Canal around the White Lake area where the demarkation line could possibly be the Old Schooner Bayou, White Lake and Grand Lake on up to Lake Arthur. This line is very obvious and easy to enforce and could definitely separate the majority of the wild birds from the domesticated birds explained Mr. Joanen.

Mr. Jones stated that he was not sure why the department got into this project and asked Mr. Joanen if it was nature's way that the Canadian goose originally propogated in the marshes of south Louisiana. Mr. Joanen answered no sir.

Dr. Hines stated that one good point has been brought up today and that is next year before the public hearings on the hunting seasons, recommendations from this department will be made and then the public can discuss them. This is the third time in two meetings that people have come before the Commission and asked that something be changed that has been discussed in the public hearings and discussed in the meetings before seasons were set. Individuals are now coming before the Commission after the season pamphlets are published and asking that changes be made. Dr. Hines thinks that next year as the Commission makes their recommendations for the hunting seasons known to the public that it should be widely publicized so that this kind of input can be received prior to making final decisions rather than after final decision. Changing the rules and regulations puts the Commission in a difficult situation once these rules and regulations have been decided upon and printed. The department needs to try and get the information out to the public even if a pamphlet has to be printed with PROPOSED REGULATIONS stamped across it so it cannot be used later on as a defense for violators suggested Dr. Hines.

Mr. Jenkins commented that he agrees with Dr. Hines and stated that it concerns him that today the Commission is getting two separate recommendations from the department and this does not make sense. Mr. Jenkins asked Mr. Bateman if he agreed with what Mr. Joanen said about migratory geese south of the Intracoastal Canal? Mr. Bateman answered that there are some migratory geese that go south of the Intracoastal Canal and there are some of the Rockefeller birds resident flocks that go north of the Intracoastal Canal. Mr. Jenkins asked if it was fair to say that most of the migratory birds are north and most of the pets are south. Mr. Bateman stated that most of the migratory birds are north and most of the pets are south. The resident flocks were taken into consideration when setting the season advised Mr. Bateman and the department would like to make as much recreational opportunity available. Mr.

Bateman commented that he does not have any problem with telling the Commission that he does not think these local flocks are going to be jeopardized in any way. Every acre in Cameron Parish is private property and all leased. If this was a public hunting operation and if there were large numbers of people hunting for thirty to forty days Mr. Bateman stated that he would have the same concerns that have been presented to the Commissioners by individuals wanting to change the line. Mr. Bateman stated that his recommendation is to leave the the season the way it is. The situation will be monitored and if there are problems they can be adjusted next year. Decisions should be made on before ~~front~~ information and agreements rather than after the fact, arguments and debates commented Mr. Bateman.

Chairman Pol called for any other comments from the floor. Mr. Rick Ostelet, Lake Arthur, LA, addressed the Commission. Mr. Ostelet stated that he was not a lawyer nor was he a biologist but from the citizens in and around Lake Arthur who enjoy the local flock it was understood years ago that this Commission or at least people involved in the wildlife wanted to raise a native flock of Canadian geese, a non-migratory flock of which there are now two hundred at Lake Arthur. The people enjoy them in and around Lake Arthur and feel like these birds would be like a sitting chicken to shoot. Mr. Ostelet commented that he did not know why the department wanted a native flock but the people of Lake Arthur feel like the birds are going to stay in and around the area and they would like the Commission, if they see fit, to protect the areas where the native birds are located. In the future Mr. Ostelet stated that he could not tell the Commission how to work this out because in their flock some come and go but it is very few. The majority of the birds remain in the area. The local DU Chapter in Lake Arthur currently has the funds in hand and are purchasing another thirty to fifty birds to add to the flock. There are signs up in Lake Arthur to watch out for the birds when they cross the streets, they graze on the lake front and in the park, and come and go in a four or five mile stretch in upper and lower Lake Arthur. Mr. Ostelet asked the Commission that if they could see fit the people of Lake Arthur would like to have the native flock protected. Mr. Ostelet pointed out that he did not think a large majority of the birds migrate with the wild flock but during the winter some wild birds come in but in turn most of them leave. Most of the birds, second, third and fourth generations, pretty much stay around Lake Arthur. These areas and the Cameron Parish areas below the Intracoastal Canal are the ones that they would like to see protected concluded Mr. Ostelet.

Representative Jimmy Martin representing Jeff Davis Parish addressed the Commission. Representative Martin stated that they are concerned about the Lake Arthur area from Highway 14 to the narrows south of Lake Arthur and knows that hunting is a great sport as he participates in it. The geese are a three hundred and sixty five day tourist attraction for many of the people that come

to the area. Lake Arthur is trying to develop some tourist attraction with the geese and Representative Martin thinks this is worth something. If hunting would be prohibited in the Lake Arthur area it would serve the Commission and the people well pointed out Representative Martin; but not necessarily prohibit people from hunting on private property but just in the lake area where the geese are. This would help the Lake Arthur area a lot and Representative Martin would appreciate the Commission's consideration on this issue. Chairman Pol commented that the Legislature directs the Commission to go by biological decisions and this is what has to be done as it is a legislative mandate. Representative Martin stated that he realizes that but feels that the economics of the community should be considered also.

Chairman Pol asked if there were any further questions or any further discussion from the floor. There being none Chairman Pol asked Mr. McCall if he would want to give the Commission time to think about this over night or would he like to make a motion now.

Mr. McCall stated that he would like to make a motion now as he sees no point in waiting until tomorrow. Mr. McCall stated that he would like to make a motion that the boundary lines be changed to the Intracoastal City and hopefully by doing so, save the flock of birds. Dr. Hines and Mr. Jenkins suggestions were excellent pointed out Mr. McCall but does nothing to protect the birds for this coming year and this is his concern right now. Mr. McCall motioned that the boundary lines be changed from north of Highway 82 to the Intracoastal Canal as shown on the map. Chairman Pol asked Mr. McCall to restate the motion. Mr. McCall stated that the original southern boundary, as he understands it, is Highway 82 from the Texas line to Abbeville and what is being proposed now is from Abbeville to the Intracoastal Canal, follow the Intracoastal Canal to where it intersects Highway 27, south to the Texas line. Chairman Pol asked for a second to the motion. The motion was seconded by Mr. Jenkins who commented that if the motion passes he would hope that maybe a permanent solution can be reached in the future for the sake of the domestic flock and for the people that want to hunt. Chairman Pol called for vote. The motion passed with four for and two against.

Mr. Mike Landrum, Attorney, advised Chairman Pol that to do this they were going to have declare an emergency and do it by emergency rule for it to be effected. The boundary cannot be changed without an emergency rule. Chairman Pol asked what procedure would the Commission have to take. Mr. Landrum stated that the Commission would have to declare an emergency and let Mr. Bateman take it from there with an emergency rule. Chairman Pol asked Mr. McCall to amend his motion that this be an emergency motion. Mr. McCall amended his motion to make it an emergency motion. Mr. Jenkins seconded the motion. The vote stands as before. After a short discussion on whether or not there might be a challenge on the amended motion Mr. Landrum stated that he stands by what he said

before and that the only effective way to do this today is by emergency rule. Mr. Bateman has expressed some concern about the legal description of the line and Chairman Pol directed that this be written up as an emergency rule and the Commission act on it tomorrow with the same vote.

At Friday's meeting Mr. Butch Bateman reported that in regards to yesterday's action by the Commission a declaration of emergency and a resolution has been prepared that changes the previously published boundaries for the Canada goose season during the nine day period. Both the Acting Secretary McInnis and Commission member Mr. McCall have reviewed this and agreed that it describes the area that was of interest to the gentleman who came and requested the change yesterday advised Mr. Bateman. The one hundred and fifty people who have been permitted will have to be contacted and the Conservation magazine was stopped just in time from getting the map printed. There will probably be a few people who will want a refund of their money because their lease will fall in this closed area. Mr. Bateman asked the Commission that once they consider an item for approval regarding hunting regulations please do not come back and change things. Changes should be done prior to coming to the Commission for approval. This confuses the public about what is being done and the added protection by this change is going to take out about one third of the previous hunting area stated Mr. Bateman. Mr. Bateman urged the Commission that he as a member of the staff that comes to the Commission with regulations to please try to work against making changes after action has been taken; but if there is a real need to make changes, then do it. This really creates problems. Mr. Bateman presented the resolution. Chairman Pol called for a motion to accept the resolution and declaration of emergency. Mr. McCall made a motion to accept the resolution/declaration of emergency. Mr. Jenkins seconded the motion. The motion passed wwith four for and with Dr. Hines and Mr. Jones abstaining.

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

RESOLUTION

Louisiana Wildlife and Fisheries Commission
Louisiana Department of Wildlife and Fisheries
November 2, 1990

THE FOLLOWING WAS ADOPTED BY THE LOUISIANA WILDLIFE AND FISHERIES COMMISSION AT ITS REGULAR MEETING HELD IN BATON ROUGE, NOVEMBER 2, 1990.

WHEREAS, the Louisiana Wildlife and Fisheries Commission has established regulations for an Experimental Canada Goose Season; and

WHEREAS, it has been determined that a portion of the area open for this experimental Canada Goose Season has resident, non-migrant Canada Geese, and

WHEREAS, the Louisiana Wildlife and Fisheries Commission has received public comment expressing concern that any hunting or these resident, non-migrant geese may have an adverse impact on these resident flocks, now

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

Warren I. Pol
Chairman

A. Kell McInnis III
Acting Secretary

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

DECLARATION OF EMERGENCY
Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

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

The Experimental Canada Goose Season Hunting Zone Boundary shall be redescribed as follows:

Easterly from the Texas line along Hwy. 12 to Ragley; then easterly along U.S. 190 from Ragley to its junction with I-49 near Opelousas; then south along I-49 to its junction with Hwy. 167 near Lafayette; then south along Hwy. 167 from Lafayette to its junction with Hwy. 82 at Abbeville; then south and west along Hwy. 82 to the Intracoastal Waterway at Forked Island; then westerly along the Intracoastal Waterway from Forked Island to the juncture of the Intracoastal Waterway the Calcasieu Ship Channel; then south along the west side of the Calcasieu Ship Channel to Hwy. 82 at Cameron, then westerly along

82 to the Texas state line. All lands lying within these boundaries shall be open for the Experimental Canada Goose Season EXCEPT all open water of Lake Arthur and the Mermentau River from the Hwy. 14 bridge southward.

This declaration of emergency is necessary because the Louisiana Wildlife and Fisheries Commission has determined that resident flocks of non-migratory Canada Geese may be adversely impacted if the existing zone is not redescribed. This restriction in hunting area will reduce the potential loss of resident, non-migratory Canada Geese which are considered to be domesticated but valuable to the local economy.

Warren I. Pol
Chairman

Mr. Tommy Prickett, at Thursday's meeting, presented a **Resolution and Emergency Declaration on the Alligator Season**. Mr. Prickett informed the Commissioners that again they come before them because of the Administrative Procedure Act. In July the Commission took emergency action to put into place rules and regulations to regulate the alligator industry both the wild harvest of alligators and the alligator farming program, the sale of alligator hides, parts and meat. This emergency rule expires today but prior to permanently implementing the rule the Commission needs to adopt another set of emergency regulations which will last through a period of 120 days and in December the department will come back before the Commission for ratification of the permanent rule which will affix permanently these regulations.

A motion was made by Mr. Jones for approval of the resolution for emergency declaration on the alligator season. The motion was seconded by Mr. Jenkins and passed unanimously.

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

EMERGENCY RESOLUTION
LOUISIANA WILDLIFE AND FISHERIES COMMISSION

1990-91 ALLIGATOR REGULATIONS AND SEASON

WHEREAS, The Louisiana Department of Wildlife and Fisheries has the authority under State and Federal Statute to establish an alligator season; and

WHEREAS, The alligator population in Louisiana has been determined by biologists of the Department to be capable of sustaining an annual harvest of surplus animals; and

WHEREAS, The removal of the surplus animals is considered to be a wise use of this natural resource of the State of Louisiana;

THEREFORE, BE IT RESOLVED, That the Louisiana Wildlife and Fisheries Commission does hereby adopt the emergency regulations for administering all aspects of the 1990 alligator season which are attached and made part of this resolution.

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

A. Kell McInnis III
Acting Secretary

Warren I. Pol
Chairman

November 1, 1990

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

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries

Wildlife and Fisheries Commission

ALLIGATOR SEASON REGULATIONS

In accordance with the emergency provisions of R.S. 49:953(b), the Administrative Procedures Act, R.S. 49:967 which allows the Wildlife and Fisheries Commission to use emergency procedures to set the alligator season, and R.S. 56:260, and action by the Commission on July 6, 1990, the alligator season is hereby established in accordance with the following regulations:

A. Purpose.

These regulations are to govern the taking, possession, selling, raising and propagation of alligators statewide, both in the wild and in captivity. They are enacted to prevent depletion or waste, while enhancing utilization of this renewable resource. These regulations are based upon scientific study and population monitoring and are consistent with federal requirements to qualify alligators and alligator parts from Louisiana for international export under the Convention on International Trade in Endangered Species of wild fauna and flora. Alligators in Louisiana are not endangered but their similarity in appearance to endangered crocodilian species requires controls on commerce to minimize illegal trafficking of these species and to regulate and maintain the wild population of alligators. These regulations provide rules to enhance alligator farming operations; establish the methods of alligator harvest; establish minimum facility requirements for alligator farming; regulate commerce in alligators, eggs and parts; streamline necessary reporting requirements; and, establish a regulated nuisance alligator control program.

B. Definitions.

The following words and phrases for purposes of these regulations shall have the meaning ascribed to them in this section, unless the context wherein the particular word or phrase is used clearly indicates a different meaning:

1. Alligator - American alligator (Alligator mississippiensis).

2. Alligator Egg Collection Permit - A permit issued by the Department allowing for the collection of alligator eggs on designated properties described as part of the permit. The permit will be signed by the Secretary or his designee, the permittee and the landowner/land manager.

3. Alligator Farm - An enclosed area, constructed so as to prevent the ingress and egress of alligators from surrounding public or private lands or waters and meeting other specifications and requirements set by the Department, where alligators are bred, propagated, or raised as a commercial enterprise under controlled conditions.

4. Alligator Farmer - A properly licensed person who raises alligators under controlled conditions which prohibit free movement of the animals onto and off of the farm or controlled area, and who may harvest alligators under the supervision of the Department. An alligator farmer must possess a valid nongame quadruped breeder's license.

5. Alligator Hunter - A properly licensed resident or nonresident person who takes wild alligators.

6. Alligator Part - Any part of the carcass of an alligator, except hides tagged pursuant to all applicable laws and regulations including the laws and regulations of the United States Government, the State of Louisiana and the Louisiana Wildlife and Fisheries Commission.

7. Alligator Parts Dealer - Any properly licensed person who deals in alligator parts and who:

(a) Buys from an alligator hunter, another parts dealer, or an alligator farmer for the purpose of resale; or

(b) Manufactures within the state alligator parts into a finished product; or

(c) Purchases, cans, processes, or distributes alligator meat for wholesale or retail.

8. Alligator Parts Retailer - Any properly licensed person selling canned alligator parts or purchasing alligator parts from an alligator parts dealer, and each restaurant selling prepared alligator meat for human consumption.

9. Alligator Parts Tag - An official tag issued by the Department that is attached to all unprocessed alligator parts upon transfer by an alligator hunter, an alligator parts dealer, or alligator farmer.

10. Alligator Shipping Label - A serially numbered label issued by the Department required on each container of alligators or alligator eggs being shipped or transported out of the state.

11. Bona Fide Resident (1) - Any person who has resided in the state of Louisiana continuously during the twelve months immediately prior to the date on which he applies for any license and who has manifested his intent to remain in this state by establishing Louisiana as his legal domicile, as demonstrated with all of the following, as applicable:

(a) If registered to vote, he is registered to vote in Louisiana.

(b) If licensed to drive a motor vehicle, he is in possession of a Louisiana driver's license.

(c) If owning a motor vehicle located within Louisiana, he is in possession of a Louisiana registration for that vehicle.

(d) If earning an income, he has filed a Louisiana state income tax return and has complied with state income tax laws and regulations.

(2) As to a corporation or other legal entity, a resident shall be any which is incorporated or otherwise organized under and subject to the laws of Louisiana, and as to which the principal place of business and more than fifty percent of the officers, partners, or employees are domiciled in Louisiana.

12. Closed Season - That period of time of a calendar year not specifically included in the open season.

13. Commission - The Louisiana Wildlife and Fisheries Commission.

14. Common Carrier - Any agency or person transporting passengers or property of any description for hire.

15. Confiscation - The exercise of a right under the police power wherein property is seized and held pending court order if the seized material is nonperishable, or disposed of without judicial intervention if perishable.

16. Consumer - Restaurants and other places where alligator, fish, shrimp, or other aquatic life is prepared for human consumption; or any person using alligator, fish, shrimp, or other aquatic life for bait or personal consumption.

17. Department - The Louisiana Department of Wildlife and Fisheries.

18. Designated Collection Agent - Anyone who is permitted by the Department to assist an alligator egg collection permittee during alligator egg collection.

19. Fur Buyer - Anyone who buys raw furs or skins from fur trappers, alligator hunters, fur buyers, or fur dealers and who sells to another fur buyer or fur dealer within the confines of the state or to a nonresident fur dealer licensed by the State of Louisiana in interstate commerce, or who acts as an agent of another fur buyer or fur dealer in this state in such purchase or sale. Fur buyers are divided into two classes, resident and nonresident. Resident fur buyers are those who are bona fide residents of this state. All others are nonresident fur buyers.

20. Fur Dealer - Anyone who deals in raw furs and skins and who:

(a) Buys from a fur trapper, alligator hunter, or alligator farmer, either directly or indirectly, and ships or exports from this state, either directly or indirectly, the raw furs and skins so bought; or

(b) Buys from a fur buyer or other fur dealer and exports from this state the raw furs and skins so bought; or

(c) Buys from a fur trapper, alligator hunter, alligator farmer, fur buyer, or other dealer and sells such raw furs and skins for manufacturing into a finished product in this state; or

(d) Manufactures such furs and skins into a finished product in this state, buying directly from a fur trapper, alligator hunter, alligator farmer, fur buyer, or fur dealer; or

(e) Transports raw furs or skins into this state for the purpose of sale within the state. Fur dealers are divided into two classes, resident and nonresident. Resident fur dealers are those who are bona fide residents of this state. All others are nonresident fur dealers.

21. Hatchling - A young of the year alligator which is less than twenty three (23) inches in length.

22. Hide - (See "Pelt").

23. Hook - Any curved or bent device attached to a line or pole for the purpose of taking alligators.

24. Hunt - In different tenses, attempting to take.

25. Incubator - An apparatus designed and used for the primary purpose of incubating alligator eggs.

26. Land Manager - Any authorized person who represents the landowner.

27. Landowner - Any person who owns land which the Department has designated as alligator habitat.

28. Licensee - Any resident or nonresident lawful holder of an effective license duly issued under the authority of the Department.

29. Nongame Quadruped - Alligators, beavers, bobcats, coyotes, gray foxes, minks, muskrats, nutrias, opossums, otters, raccoons, red foxes, skunks, and other wild quadrupeds valuable for their furs or skins.

30. Nongame Quadruped Breeder - A person properly licensed to engage in the business of raising, exhibiting and selling nongame quadrupeds on alligator or fur farms.
31. Nongame Quadruped Exhibitor - A person properly licensed to engage in the business of raising and/or exhibiting nongame quadrupeds.
32. Nonresident - Any person who is not a bona fide resident as that term is defined by R.S. 56:8(12).
33. Nuisance Alligator - A specific (particular) alligator that poses a threat to human life or property.
34. Nuisance Alligator Hunter - A licensed alligator hunter who is contracted or otherwise selected by the Department to remove designated nuisance alligators.
35. Open Season - That period of time set by the Louisiana Wildlife and Fisheries Commission, during which wild alligators or their eggs may be lawfully taken.
36. Out Of State Shipping Tag - An official, serially numbered tag, yellow in color, issued by the Department required on each shipment of alligator hides shipped out of state.
37. Part - For purposes of this section, a part is a division of a subsection.
38. Pelt - The skin or hide of a quadruped.
39. Pelting - Removing the skin and/or fur of a quadruped in such a manner as to render it marketable.
40. Person - Includes any individual person, association, corporation, partnership, or other legal entity recognized by law.
41. Pole Hunting - The act of taking an alligator from a den with a pole or snagging device of any type and includes using such devices to induce an alligator to move from a den prior to taking.
42. Possess - In its different tenses, the act of having in possession or control, keeping, detaining, restraining, or holding as owner, or as agent, bailee, or custodian for another.
43. Processed Alligator Part - Any part (and its resulting products) that has been removed from a legally taken alligator, treated to prevent decomposition, and packaged;

provided that the meat is not processed until packaged and marked with required labeling as described in Subsection L of these regulations.

44. Propagation - The holding of live alligators for production of offspring.

45. Raising - The production of alligators under controlled environmental conditions or in outside facilities.

46. Rearing - (See "Raising").

47. Resident - (See "Bona Fide Resident").

48. Secretary - The secretary of the Louisiana Department of Wildlife and Fisheries.

49. Skin - (See "Pelt").

50. Take - In its different tenses, the attempt or act of hooking, pursuing, netting, capturing, snaring, trapping, shooting, hunting, wounding, or killing by any means or device.

51. Transport - In its different tenses, the act of shipping, attempting to ship, receiving or delivering for shipment, transporting, conveying, carrying, or exporting by air, land, or water, or by any means whatsoever.

52. Wildlife - All species of wild vertebrates.

53. Wildlife Management Area - Any area set aside, maintained, and supervised by the Department for the purpose of managing and harvesting wild birds, wild quadrupeds, fish and other aquatic life under controlled conditions to afford maximum public hunting and fishing opportunity.

54. Wildlife Refuge - Any area set aside and designated by the Department as a refuge on which wild birds and animals are protected. Control of certain forms of wildlife may be conducted by the Department.

C. General Rules.

1. No person shall take, possess, purchase or sell alligators, alligator eggs, alligators parts, or goods manufactured from alligators, except as provided in these regulations and LA. R.S. Title 56.

2. Each alligator, alligator egg, or alligator part taken or possessed in violation of these regulations shall constitute a separate offense.

3. Hides of alligators harvested in Louisiana shall be tagged in accordance with provisions of these regulations and deviation from those requirements shall be a violation and subject hides to confiscation. Violation of this part is a class 7A violation as described in Title 56.

4. Pole Hunting is prohibited. Violation of this part is a class 2 violation as described in Title 56.

5. An alligator hunter must possess on his or her person one or more current alligator hide tags while taking alligators provided that only one licensed hunter needs to possess current hide tags among a group of licensed hunters who are physically present in the same location and are conducting a joint hunting operation. Violation of this part is a class 2 violation as described in Title 56.

6. No person shall release any alligator from any taking device for any purpose without first dispatching and tagging the alligator. Violation of this part is a class 2 violation as described in Title 56.

7. Collection of alligator hatchlings from the wild is strictly prohibited. Taking or collection of any wild alligator illegally is strictly prohibited. Violation of this part shall constitute a Class 7A violation for each alligator taken as described in Title 56. All alligators taken in violation of this part shall be confiscated and in addition to all other penalties provided herein, all alligator licenses of any type held by the offender(s) shall be revoked for a period of three (3) calendar years and no alligators shall be raised or propagated on the offender's facilities for a period of three (3) calendar years.

8. The shipment of alligator eggs out of state is prohibited except where special scientific permits have been obtained in advance from the Department and specify all such shipments. Violation of this part is a class 2 violation as described in Title 56.

9. Transportation of alligator(s) into this state without prior written approval of the Department is strictly prohibited. Violation of this part is a class 7A violation as described in Title 56.

10. It is unlawful to ship alligator eggs into the State of Louisiana unless they are to be used for Department sponsored scientific studies and these shipments shall have prior written Department approval. Violation of this part is a class 7A violation as described in Title 56.

11. The shipment of live alligators or alligator eggs out of the United States is strictly prohibited unless they are used for Department sponsored scientific studies with an accompanying authorization signed by the Secretary. Violation of this part is a class 7A violation as described in Title 56.

12. There is levied a severance tax of twenty-five cents on all skins or hides taken from any alligator, within the state, payable to the state through the Department by the alligator hunter or alligator farmer taking his own catch out of state, or by the dealer. Violation of this part is a class 2 violation as described in Title 56.

D. Licenses, Permits and Fees.

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

- (a) \$25 for a resident alligator hunter's license;
- (b) \$150 for a nonresident alligator hunter's license;
- (c) \$25 for a resident fur buyer's license;
- (d) \$100 for a nonresident fur buyer's license;
- (e) \$150 for a resident fur dealer's license (\$500 deposit required);
- (f) \$300 for a nonresident fur dealer's license (\$1,000 deposit required);
- (g) \$10 for a nongame quadruped exhibitor's license;
- (h) \$25 for a nongame quadruped breeder's license;
- (i) \$50 for a alligator parts dealer license;
- (j) \$5 for a alligator parts retailer license;
- (k) \$4 for each alligator hide tag;
- (l) \$4 for each whole alligator leaving the state as alligator shipping label fee;
- (m) \$0.25 severance tax for each alligator hide taken from within the state;
- (n) \$25 for a Designated Agent Collection Permit.

2. No person may take, attempt to take, or possess a wild alligator in this state during the open season for taking wild alligators unless he or she has acquired and possesses an alligator hunter's license. An alligator hunter must have in possession a valid alligator hunter license to take or sell alligators, their skins, or parts. Violation of this part is a class 2 violation as described in Title 56.

3. No resident or nonresident fur buyer shall ship furs, alligators, alligator skins, alligator eggs, or alligator parts out of state. Violation of this part is a class 2 violation as described in Title 56.

4. Every resident fur dealer, alligator hunter, alligator parts dealer, alligator farmer, nonresident fur dealer, or nonresident alligator hunter shall not ship or take raw

alligator skins, alligators, or alligator parts out of state without first complying with provision of these regulations. Violation of this part is a class 2 violation as described in Title 56.

5. No person may engage in the business of raising and/or exhibiting alligators unless he or she has acquired and possesses a valid nongame quadruped exhibitor license. Violation of this part is a class 3 violation as described in title 56.

6. No person may engage in the business of raising, breeding, propagating, exhibiting and selling alligators alive or selling their parts, and killing and transporting them and selling their skins and carcasses unless he or she has acquired and possesses a valid nongame quadruped breeder license and complies with Subsections N and O of these regulations. Violation of this part is a class 3 violation as described in Title 56.

7. No person shall engage in the business of buying and selling alligator parts unless he or she has acquired and possesses a valid alligator parts dealer license. Violation of this part is a class 2 violation as described in Title 56.

8. Each retailer selling canned alligator parts or purchasing alligator parts, and each restaurant selling prepared alligator meat for human consumption shall secure from the department an alligator parts retailer license prior to commencing business. Violation of this part is a class 2 violation as described in Title 56.

9. No person shall remove and possess alligator eggs from wild nests unless he or she has acquired and possesses a valid nongame game quadruped breeder license or a valid Designated Collection Agent Permit and also has in his possession a valid alligator egg collection permit. Egg collection permits will only be issued to those persons who demonstrate competency in egg collection and handling, have necessary equipment accessible and comply with all Department requirements as described in Subsection N of these regulations. Violation of this part is a class 7A violation as described in Title 56.

10. No person shall ship or transport alligators out of the state without first applying for and receiving an alligator shipping label which shall be affixed to each container of alligators and is properly completed and validated by Department personnel. Violation of this part is a class 2 violation as described in Title 56.

11. Every alligator hunter or alligator farmer shipping or transporting his own catch of alligator skins out of state is liable for the severance tax thereon, and shall apply for an official out of state shipping tag to be attached to the shipment and shall pay the severance tax prior to shipment. Violation of this part is a class 2 violation as described in Title 56.

12. Valid holders of alligator hunter license, nongame quadruped breeder license, fur dealers license and alligator parts dealer license must comply with federal licensing and permit requirements to engage in interstate and international commerce involving alligators, alligator hides and parts. Violation of this part is a class 2 violation as described in Title 56.

E. Wild Harvest Methods.

1. Alligators taken from the wild may be removed from hook and line, and other legal capture devices which may be used, only during daylight hours, between official sunrise and official sunset. Violation of this part is a class 7A violation as described in Title 56.

2. There are no size restrictions on wild alligators taken during the general open season. A Department issued permit is required to sell alligators or their skins which are less than four (4) feet in length. Violation of this part is a class 7A violation as described in Title 56.

3. Legal methods for taking alligators in the wild are as follows:

- (a) Hook and line;
- (b) Long (including compound) bow and barbed arrow; and
- (c) Firearms.

Violation of this part is a class 7A violation as described in Title 56.

4. Hooks and arrows may be used only when a line of at least 300-pound test is securely attached to the hook or head of the arrow in such a manner to prevent separation from the hook or head until the carcass is retrieved. The other end of the line must be attached to a stationary or floating object capable of maintaining the line above water when an alligator is attached. Violation of this part is a class 7A violation as described in Title 56.

5. Alligator hunters shall inspect their hooks and lines and remove captured alligators daily. Alligators shall not be cut loose from hooks and lines for the purpose of selecting

larger alligators. All hooks and lines shall be removed when an alligator hunter's quota is reached. Violation of this part is a class 7A violation as described in Title 56.

6. Baited hooks and lines may be set no more than 24 hours prior to the general open season and shall be removed no later than sunset of the last day of the open season. Violation of this part is a class 7A violation as described in Title 56.

7. No person possessing alligator hide tags issued for privately-owned land or water may take alligators on adjacent publicly-owned water unless the taking device is anchored to privately-owned land or the person is on privately-owned land when the taking occurs, provided that any alligator captured on a legal taking device that is anchored to privately-owned land or held by a person on privately-owned land may be dispatched from a floating craft on public water. Violation of this part is a class 7A violation as described in Title 56.

8. A person possessing alligator hide tags for publicly-owned areas may take alligators by legal means from a floating craft on public water for which the tags are issued.

F. Alligator Hide Tag Procurement and Tagging Requirements.

1. Alligator hide tags may be obtained as follows and only to properly licensed alligator hunters and nongame quadruped breeders:

2. Landowners, Land Managers and Hunters - upon application to the Department on forms provided for tag issuance. Applications for alligator tag allotments will be taken annually beginning August 1 and ending 10 days after the season opens.

(a) Maximum tag issuance to individual landowners, land managers, or their hunters shall be determined solely by the Department. Landowners, land managers, or their hunters shall certify total acreage owned or represented on a form prescribed by the Department at the time of application. The location and acreage of the property must be provided which includes parish, township, range and section delineation figures.

(b) Land managers and hunters must present a notarized document from the landowner verifying their selection to represent that landowner and the total acreage represented to obtain hide tags.

(c) Payment for all alligator tags shall be received by the Department prior to issuance. Numbered alligator

hide tags shall only be issued in the name of the license holder and are nontransferable. A refund will be issued for all unused alligator tags which are returned within the required time frame designated in these regulations.

Violation of parts 1 and 2 of this Subsection are class 2 violations as described in Title 56.

3. Alligator farmers - upon request to the Department at any time at least two weeks prior to scheduled harvesting, subject to verification of available stock by Department personnel. Violation of this part is a class 2 violation as described in Title 56.

4. If an alligator hunter is cited for hunting alligators out of season, at night, or on property other than that for which hide tags were issued, all unused hide tags and alligators in possession shall be confiscated and the violator's alligator hunting license shall be revoked. Violation of this part is a class 7A violation as described in Title 56.

5. Special instructions will be issued to the holders of alligator hunting licenses immediately prior to the annual open season describing detailed methods regarding the skinning of alligators. Alligator farmers shall adhere to the annual skinning requirements when skinning farm raised alligators. Alligators not skinned in compliance with the established specific requirements shall be considered illegal and shall be confiscated by the Department.

6. It shall be a violation for any alligator hunter, alligator farmer, fur buyer, or fur dealer who knowingly attempts to sell an alligator hide that was not skinned in accordance with the established specific requirements. Violation of this part is a class 7A violation as described in Title 56.

7. A hide tag shall be attached in the last six (6) inches of an alligator's tail immediately upon possession by an alligator hunter. The tag shall be attached in accordance with instructions issued by the Department. Alligator farmers may wait until farm raised alligators are skinned prior to tagging. Live or dead farm raised alligators may be transported with their accompanying tags from a licensed alligator farm to a licensed processing facility, however, each shipment shall be accompanied with the exact number of alligator hide tags. Violation of this part is a class 7A violation as described in Title 56.

G. Open Season, Open Areas, and Bag Limits.

1. Open seasons are as follows:

(a) The general open season for taking alligators in the wild shall run for a 30 day period beginning on September 1, 1990 through September 30, 1990. The Secretary shall be authorized to close, extend or reopen the season as biologically justifiable.

(b) Nuisance control hunters may take nuisance alligators at any time as prescribed by the Department.

(c) Farm raised alligators may be taken at any time following the issuance of hide tags by the Department.

(d) The open season for collection of alligator eggs from the wild shall be from May 15 through September 15 of each calendar year.

Violation of this part is a class 7A violation as described in Title 56.

2. The open areas are as follows:

(a) For the general open season, those areas designated by the technical staff of the Department as alligator habitat and which can sustain an alligator harvest.

(b) The Department may select public lakes and lands for an experimental alligator hunting program. The harvest will be controlled by a tag allotment for each lake as determined by Department personnel. Applicants for public lake hunting must be 16 years of age or older. Applications must be received at least 10 days prior to the season opening date. A public drawing will be held to select hunters. An alligator hunter can receive tags for and hunt on only one public lake per season. The tag quota for each lake and hunter will be established by the technical staff of the Department. Alligator tags issued on public lakes and lands are nontransferable.

(c) Wild alligators in the remainder of the state may be taken only under provisions as prescribed by the Department.

Violation of this part is a class 7A violation as described in Title 56.

3. The daily and season bag limit is equal to the number of valid alligator hide tags that a licensed alligator hunter possesses. Violation of this part is a class 7A violation as described in Title 56.

4. Non resident alligator hunters may only take three (3) alligator during the open season. Violation of this part is a class 4 violation as described in Title 56.

5. Harvest rates will be calculated annually by Department personnel based on biological data. Alligator hide tag allotments will be established prior to issuance of alligator hunting licenses.

H. Possession.

1. No person shall possess alligators or alligator hides in Louisiana without valid official tags properly attached. Failure to properly tag an alligator or hide shall result in confiscation of both the alligator or hide and tag. Violation of this part is a class 7A violation as described in Title 56.

2. Alligator farmers may request hide tags or shipping labels from the Department to be used on farm-raised alligators that have died unexpectedly and may hold those alligators in freezers until receipt of the requested hide tags or shipping labels. These alligators may be held in freezers for a maximum of 60 days prior to disposal. All alligators 24 inches and greater in length that die unexpectedly must be properly skinned and tagged with an alligator hide tag. Violation of this part is a class 7A violation as described in Title 56.

3. No person other than a licensed alligator hunter, licensed alligator farmer, licensed fur buyer or licensed fur dealer may possess a tagged or labeled alligator, a tagged raw or salted hide of an alligator at any time, provided that legally documented tagged or labeled alligators or tagged hides may be possessed without license while in transit, or during processing for tanning or taxidermy. Violation of this part is a class 7A violation as described in Title 56.

4. No person other than a licensed alligator farmer or licensed non game quadruped exhibitor may possess live alligators at any time other than by a permit issued by the Department upon request for use in displays and educational purposes, and by holders of valid Department issued permits for scientific purposes. Live, farm raised alligators and their alligator hide tags may be held for processing by a properly licensed alligator skinning facility without a license or permit. Violation of this part is a class 7A violation as described in Title 56.

5. No person other than a licensed alligator farmer or licensed non game quadruped exhibitor may possess alligator eggs at any time other than Department permitted Designated Collection Agents assisting a licensed and permitted alligator

farmer during wild egg collection, or a holder of a valid Department issued permit for scientific purposes. Any alligators hatched from scientific permits issued by the Department will be returned to the wild under Departmental supervision following completion of the research project. Violation of this part is a class 7A violation as described in Title 56.

I. Importation, Exportation, Purchase, and Sale.

1. Alligators, alligator hides (raw or salted), or parts of alligators, may be brought into the state only if the alligators, alligator hides or parts of alligators were lawfully taken in another state or country and the person, firm or corporation bringing the alligators, alligator hides (raw or salted), or alligator parts into the state has obtained written permission from the Department. Violation of this part is a class 7A violation as described in Title 56.

2. All alligators, alligator hides (raw or salted), or parts of alligators possessed, sold, purchased, exported, imported, or brought into the state from another state shall be accompanied by documented evidence that they were lawfully taken. Documented evidence shall consist of, but not be limited to:

(a) A resource user license or permit number allowing the taking of alligators and tags or other identification required by the state or country of origin shall be firmly attached to the alligator, alligator hide, or parts of alligators; and

(b) A tag or label is affixed to the outside of any package or container of alligators, alligator hides, or alligator parts that specifies type of contents, indicates quantity contained, and lists applicable license or permit numbers.

Violation of this part is a class 7A violation as described in Title 56.

3. Purchases of alligators, alligator hides and alligator parts are restricted as follows:

(a) A licensed alligator hunter may not purchase alligators or alligator hides from anyone.

(b) A licensed fur buyer may purchase alligator hides from an Louisiana licensed alligator hunter, licensed

alligator farmer, licensed fur dealer, or another fur buyer within the confines of the state.

(c) A licensed fur dealer may purchase alligator hides from a licensed alligator hunter, licensed alligator farmer, fur buyer or another fur dealer.

(d) A licensed alligator farmer may purchase live alligators only from another licensed alligator farmer or the Department.

(e) An alligator farmer may purchase alligator eggs only from another alligator farmer, a landowner/land manager (with an approved Department alligator egg collection permit), or the Department.

(f) A licensed alligator parts dealer may purchase alligator parts from an licensed alligator hunter, alligator farmer, another alligator parts dealer, or the Department.

(g) A licensed parts retailer may purchase canned alligator parts or alligator parts from an alligator parts dealer.

(h) A restaurant may purchase alligator meat to sell prepared for human consumption with a alligator parts retailer license.

Violation of this part is a class 2 violation as described in Title 56.

4. Sales of alligators and alligator parts are restricted as follows:

(a) A licensed alligator hunter may sell alligators, alligator hides, or alligator parts taken by the licensee during the general open season to anyone who may legally purchase.

(b) A licensed alligator farmer may sell alligators, alligator eggs, alligator hides, or alligator parts to anyone who may legally purchase. The sale of alligator eggs or live alligators shall only occur following the issuance of an Alligator Transfer Authorization Permit issued by the Department. Application for the permit shall be made at least 2 weeks prior to the transfer.

(c) A licensed fur buyer may sell alligator hides to a fur dealer or another fur buyer within the confines of the state.

(d) A licensed fur dealer may sell alligator hides to anyone who may legally purchase.

(e) A licensed alligator parts dealer may sell alligator parts to anyone.

(f) A licensed alligator parts retailer may sell canned alligator parts, processed alligator parts, or alligator meat to anyone.

(g) A restaurant possessing an alligator parts retailer license may sell alligator meat prepared for human consumption to anyone.

Violation of this part is a class 3 violation as described in Title 56.

5. Legally tagged and documented alligators, alligator hides, and parts of alligators taken in Louisiana may be shipped out of state or exported by alligator hunters, alligator farmers, fur dealers and alligator parts dealers subject to Subsection K of these regulations (relating to Report Requirements) provided that no live alligators or eggs originating in Louisiana may be exported outside of the United States without specific Department authorization and the concurrence of the United States Fish and Wildlife Service, to be used only for scientific purposes. Violation of this part is a class 3 violation as described in Title 56.

6. A special permit is required of anyone who sells alligator eggs, live alligators under four (4) feet in length, or skins of alligators under four (4) feet in length. Violation of this part is a class 7A violation as described in Title 56.

J. Nuisance Alligator Control.

1. Nuisance alligator hunters will be selected by the Department and may be based upon recommendations received from the local governing body. Applicants with prior alligator hunting violations will be rejected.

2. Nuisance alligator hunters shall purchase a valid alligator hunter license and are bound by all laws, rules and regulations governing alligator hunting with the exception that nuisance alligators may be taken at anytime. Violation of this part is a class 2 violation as described in Title 56.

3. Nuisance alligator complaints will be verified by Department personnel prior to being approved for removal. Violation of this part is a class 2 violation as described in Title 56.

4. Tags will be issued to nuisance alligator hunters for immediate attachment to alligators when taken. Nuisance alligator hunters will make every attempt possible to catch nuisance alligators and relocate to natural habitat selected by the Department. It is unlawful for any nuisance alligator captured alive to be sold or otherwise disposed of on an alligator farm. Alligators and alligator parts taken and tagged under these provisions may be retained and sold by the nuisance alligator hunter as any other legally taken wild alligator or alligator part. Violation of this part is a class 7A violation as described in Title 56.

5. Nuisance alligator hunters may take alligators by any means prescribed by the Department. Failure to comply with Departmental instructions may result in immediate termination of the individual's participation in the nuisance alligator program. Violation of this part is a class 2 violation as described in Title 56.

K. Report Requirements.

1. Report forms provided by the Department must be completed and filed with the Department by all persons who have been issued an alligator hunter's license, fur buyer's license, fur dealer's license, nongame quadruped exhibitor's license, nongame quadruped breeder's license, alligator parts dealer's license, or alligator egg collection permit in accordance with this Subsection. Reports shall include but not be limited to the information specified in this Subsection.

2. Alligator hunters receiving hide tags from the Department are responsible for disposition of all issued tags and must:

(a) Complete an official alligator parts transaction form furnished by the Department for each alligator part transaction. These forms shall be submitted to the Department within 30 days following the close of the season and thereafter at 60-day intervals until all parts are sold.

(b) Complete an official lost tag form, furnished by the Department for any hide tags lost or stolen. These forms shall be submitted to the Department within 15 days following the close of the season. Lost or stolen tags will not be replaced.

(c) All unused tags must be returned to the Department within 15 days following the close of the season. Violation of this requirement shall result in no license or alligator tags being issued to the violator for a period of one year.

(d) The Department must be notified within 15 days following the close of the season, of any alligator hides not sold to a fur buyer or fur dealer on official forms provided by the Department.

(e) Each licensed alligator hunter selling alligator parts to a person or a restaurant shall provide that person with a bill of sale for each transaction.

(f) All records of transactions involving alligator parts of alligator hunters shall be available for inspection by the Department.

Violation of this part is a class 2 violation as described in Title 56.

3. A nuisance alligator hunter shall comply with the same report requirements as an alligator hunter and complete any other reports required by the Department. Violation of this requirement shall result in immediate termination of nuisance alligator hunter status. Violation of this part is a class 2 violation as described in Title 56.

4. Alligator farmers receiving hide tags from the Department are responsible for disposition of all issued tags and must:

(a) Complete an official alligator parts transaction form, furnished by the Department for each alligator part transaction. These forms shall be submitted to the Department within 30 days following the last day of the year that issued tags are valid and thereafter at 60-day intervals until all parts are sold. Violation of this part is a class 2 violation as described in Title 56.

(b) Complete an official lost tag form, furnished by the Department for any hide tags lost or stolen. These forms shall be submitted to the Department within 15 days following the last day of the year that issued tags are valid. Lost or stolen tags will not be replaced. Violation of this part is a class 2 violation as described in Title 56.

(c) All unused hide tags must be returned to the Department within 15 days following the last day of the year that issued tags are valid. Violation of this requirement shall result in the revocation of the nongame quadruped breeder's license. Violation of this part is a class 2 violation as described in Title 56.

(d) The Department must be notified within 15 days following the last day of the year that issued tags are valid of any alligator hide not sold to a fur buyer or fur dealer on official forms provided by the Department. Violation of this part is a class 2 violation as described in Title 56.

(e) Each alligator farmer shall report annually, no later than December 31, on an official form provided by the Department, all activities that have occurred on the farm for the past year including but not limited to the number of live alligators as of that date, separated by sizes, the number of eggs collected and hatched, the purchase and sale of alligators for the past year and the numbers of alligators lost. Failure to complete this form properly and completely will result in non renewal of the nongame quadruped breeder's license. Violation of this part is a class 3 violation as described in Title 56.

(f) Each licensed alligator farmer selling alligator parts to a person or a restaurant shall furnish that person with a bill of sale for each transaction. Violation of this part is a class 2 violation.

5. Fur buyers and fur dealers engaged in the business of buying and selling alligator hides must keep within the state a complete record on forms provided by the Department, all purchases and sales made of alligator hides as described in Title 56, and;

(a) Every buyer or dealer having undressed alligator hides in his possession after the close of each open season shall file with the Department within 60 days or prior to shipping out of state, a complete report, on forms provided by the Department, a detailed description of alligator hides then owned or held in possession as owner or agent.

Violation of this part is a class 3 violation as described in Title 56.

6. Fur dealers engaged in the business of buying and selling alligator hides must maintain complete records of alligator hides purchased inside and outside the state as described in Title 56. Failure to maintain complete records and to pay the required severance tax subjects any dealer to the full penalties provided and the immediate revocation of his license by the Department. No license shall be issued to a dealer who has not paid the tax for the preceding year. Violation of this part is a class 2 violation as described in Title 56.

7. Alligator parts dealers purchasing alligator parts, shall complete an official alligator parts purchase form for each purchase. Alligator parts dealers selling alligator parts, shall complete an official alligator parts sale form for each sale. These forms shall be furnished by the Department and shall be submitted to the Department within 30 days following the close of the open season and at 60-day intervals until final disposition of all wild parts. These forms shall be submitted annually for all farm raised alligator parts, and;

(a) Alligator parts dealers shall furnish a bill of sale to anyone purchasing alligator parts.

(b) The records of transactions involving alligator parts shall be available for inspection by the Department and shall be maintained complete for a period of one year following any transaction.

Violation of this part is a class 2 violation as described in Title 56.

8. Any alligator parts retailer or restaurant purchasing alligator parts shall maintain a bill of sale for each purchase for a period of six months after such purchase and these records shall be available for inspection by the Department. Violation of this part is a class 2 violation as described in Title 56.

L. Alligator Meat.

1. Alligator meat from lawfully taken alligators can only be sold according to state and federal laws, Louisiana Department of Health and Hospitals regulations and Louisiana Wildlife and Fisheries Commission regulations. Violation of this part is a class 2 violation as described in Title 56.

2. Alligator meat processed in the State of Louisiana and sold for human consumption must be processed in a licensed facility approved by the Louisiana Department of Health and Hospitals and the facility must display a valid permit issued by that agency. Violation of this part is a class 2 violation as described in Title 56.

3. Alligator carcasses being shipped whole shall be tagged with an alligator parts tag properly identifying the carcasses and shall remain on the carcasses until the processing makes identification impossible. Violation of this part is a class 3 violation as described in Title 56.

4. Alligator hunters and alligator farmers involved in alligator parts transactions with individual consumers shall properly tag all alligator parts and the parts tag shall

remain attached until final disposition. Violation of this part is a class 3 violation as described in Title 56.

5. All alligator meat processed for sale must be packaged in suitable containers which identifies the contents as alligator meat, is marked with a valid Department license number and comply with all state and federal packaging and labeling requirements. Violation of this part is a class 3 violation as described in Title 56.

6. All alligator meat shipped into the state and being offered for sale must meet all of Louisiana's health, processing, packaging and labeling requirements. Violation of this part is a class 3 violation as described in Title 56.

M. Disposal of Alligators by the Department.

1. The Department may sell alligators, alligator eggs or parts of alligators taken for any purpose deemed necessary for proper management of the species pursuant to Title 56.

2. The Department may dispose of alligators, alligator eggs, or parts of alligators by donation or lending to a scientific institution or other institutions that the Department deems have need for such alligators, however these institutions cannot sell or barter these animals and must be returned to the Department at the conclusion of the program or need.

3. Confiscated alligator hides and parts may be destroyed by the Department pending the outcome of the criminal trial.

4. Confiscated live alligator eggs or alligators will be cared for by the Department and released in suitable alligator habitat when and where they can survive. All costs incurred by the Department in the maintenance of these eggs and animals in captivity shall be the responsibility of the offender and restitution shall be made to the Department.

N. Alligator Egg Collection.

1. Alligator egg collection permits are a three party permit between the Department, the permittee and a landowner/manager who owns or leases alligator nesting habitat determined by Department biologists to be capable of producing alligator eggs. The numbers of eggs to be collected will be based upon biological management criteria and will be determined annually by technical staff of the Department. The Department only estimates the numbers of eggs available and assumes no responsibility or offers no guarantee that those numbers of eggs will be available. Alligator egg collection permits may be obtained upon application to the Department on forms provided by the Department. The annual deadline for

submitting applications for Alligator Egg Collection Permits is June 1. This program is experimental and may be changed at any time based on biological data to insure for proper management of the wild alligator population.

2. Alligator egg collection permits may be issued by the Department provided:

(a) Permittee is a properly licensed alligator farmer and meets all applicable requirements in Subsection O of these regulations (Alligator Farm Facility Requirements).

(b) All land documentation required on the alligator egg collection permit has been presented to the Department.

(c) Department biologists determine the properties described on the permit application are indeed alligator nesting habitat and can sustain alligator egg collections.

(d) Applicant has obtained all legal and necessary signatures from landowners/land managers.

Violation of this part is a class 7A violation as described in Title 56.

3. It is unlawful for an alligator farmer or a permitted Designated Collection Agent to collect eggs from properties other than those described in the alligator egg collection permit. Violation of this part is a class 7A violation as described in Title 56.

4. An alligator farmer or designated collection agent in the act of collecting or possessing alligator eggs must possess on his or her person a copy of the fully executed alligator egg collection permit. The designated collection agent must also possess a valid designated collection agent permit. Violation of this part is a class 7A violation as described in Title 56.

5. Collection of wild alligator eggs can only be made after contacting the appropriate Department Enforcement Agent no less than 24 hours prior to each collection trip. Violation of this part is a class 7A violation as described in Title 56.

6. Alligator eggs can only be collected from the wild from official sunrise to official sunset and only during the established alligator egg collection season. Violation of this part is a class 7A violation as described in Title 56.

7. Alligator eggs collected from the wild must be collected and transported in a manner which insures the greatest survival of viable eggs as determined by Department biologists. Violation of this part is a class 7A violation as described in Title 56.

8. Each clutch of alligator eggs collected should be maintained as a separate entity from time of collection through incubation and hatching.

9. Failure to hatch at least 70% of viable alligator eggs collected from the wild shall be considered a waste of Louisiana's natural resources. All alligator egg collection permits shall be revoked and no new permits issued should an alligator farmer be found to waste the resources of this state for two consecutive years.

10. Alligator egg collection permits shall be revoked and no new permits issued to alligator farmers who fail to average a minimum hatchling survival rate of 85% for two consecutive years.

11. The alligator egg collection permittee and the landowner are responsible for returning the percentage of live alligators to the wild described on the alligator egg collection permit. This requirement is nontransferable. Minimum return rates will be based upon the state average hatching success which is 78%. Each alligator shall be returned to the original egg collection area. Each alligator shall be a minimum of 48" in size and the returned sex ratio should contain at least 50% females. The Department shall be responsible for supervising the required return of these alligators. Releases back to the wild will only occur between April 15 and September 15 of each calendar year. Should an alligator egg collection permittee be unable to release the required number of alligators to the wild from his own stock, he shall be required to purchase additional alligators from another farmer to meet compliance with the alligator egg collection permit and these regulations, as supervised by the Department. Department sanctioned participants in ongoing studies involving survivability and return rates are exempt from these requirements during the period of the study. Violation of this part is a class 7A violation as described in Title 56.

12. The percentage of 48" alligators to be returned to the wild shall be selected from the healthiest of all alligators of that year class. Abnormal or deformed alligators are not acceptable for release into the wild. It is unlawful for alligators that are to be returned to the wild to be transported out of state. Violation of this part is a class 7A violation as described in Title 56.

O. Alligator Farm Facility Requirements.

1. All first time applicants for a nongame quadruped breeder's or exhibitor's license who will house alligators on their premises shall show compliance of the following minimum facilities as applicable to their particular operation during a required facility examination by Department personnel prior to license issuance:

(a) Secured premises with adequate barriers to prevent escape of enclosed alligators and entry by alligators from outside the farm and to deter theft of alligators.

(b) Source of clean, fresh water which shall be adequate to ensure for proper care of all alligator stock and facilities. This requirement shall be determined by Department personnel.

(c) Provisions for both dry area and pooled water within the secured area adequate for the numbers of alligators to be housed on the premises. This requirement will be determined by Department personnel.

(d) Provision for winter protection, either through adequate denning space or an enclosed, controlled-temperature environment of a design acceptable to the Department.

(e) All controlled-temperature alligator sheds shall be of a design acceptable to the Department. Each shed shall be capable of maintaining a minimum constant temperature of 80 degrees fahrenheit. Minimum space requirements for alligators housed in the shed shall be:

(i) One square foot of space shall be required for each alligator less than 24" in length.

(ii) Three square feet of space shall be required for each alligator measuring 25" to 48" in length.

(iii) One additional square foot of space shall be required for each additional 6 inches of alligator length for alligators above four feet in length.

(f) All alligator egg incubators shall be of a design acceptable to the Department. Each incubator shall maintain a water and air temperature of 85 to 91 degrees fahrenheit during the egg incubation.

(g) Applicant must be in compliance with all laws and regulations pertaining to zoning, construction, health

and environmental standards and must possess any and all applicable permits and licenses.

(h) All alligator facilities should be constructed in a suitable location so as to minimize contact with people.

2. Following initial issuance of applicable license, all applicable facility requirements shall be adhered to and Department personnel have the authority to inspect any and all of the facilities at any time. Failure to adhere to the requirements shall be a violation of these rules and violators will be given 60 days to correct the problem. Failure to comply shall result in confiscation of all animals and/or closure of all facilities. Violation of this part is a class 7A violation as described in Title 56.

3. All alligator farmers possessing alligator eggs outside an alligator nest should house these eggs in identifiable original clutch groups in an incubator providing constant temperature and humidity conditions. All incubators used to incubate alligator eggs shall be of a design to allow for maximum temperature control and conform to Department requirements to allow for the maximum hatching success. Violation of this part is a class 7A violation as described in Title 56.

4. All alligator farmers possessing alligator hatchlings shall house hatchlings in controlled environmental chambers capable of maintaining a minimum temperature of 80 degrees fahrenheit year round and containing dry and wet areas of sufficient surface area to permit all alligators to completely submerge in water and completely exit from water and orient in any direction, without touching the sides of the chambers. All alligators 48" or less in length shall be housed in environmental chambers unless a special permit is issued by the Department to move them to outside growth areas. Violation of this part is a class 7A violation as described in Title 56.

5. Alligator farmers shall house alligators of different lengths into at least three groups, providing separation for all alligators less than two feet in length, two to four feet in length, and over four feet in length. Land and water areas sufficient for complete submersion or complete exit from water shall be provided for each class group of alligators held. Violation of this part is a class 7A violation as described in Title 56.

6. Nesting activity of captive alligators shall be recorded with weekly accounts of nests constructed, eggs collected,

number of viable eggs set and hatching success. Violation of this part is a class 3 violation as described in Title 56.

7. Complete written records shall be maintained by the license holder and shall be submitted to the Department on a standardized annual report form provided by the Department, which shall be provided as part of the annual license renewal. These reports must be submitted no later than December 31 of each year. Violation of this part is a class 3 violation as described in Title 56.

8. All facilities, alligator stock, and records are subject to examination by Department personnel prior to permitting and thereafter during farm operation. Violation of this part is a class 7A violation as described in Title 56.

9. It shall be unlawful for alligator eggs or alligators to be moved from a licensed premises without approval of the Department. Violation of this part is a class 7A violation as described in Title 56.

P. Exceptions.

1. These regulations do not require licenses, labels, or permits for consumers who purchase or possess goods processed or manufactured from alligators which have been legally taken or raised, provided that such goods are used by the consumer and are not sold or bartered in conjunction with a wholesale or retail business activity.

2. The Department or an authorized representative of the Department may take by any means and possess alligators or parts of alligators while in the performance of official duties.

3. These regulations shall not prohibit a person from killing an alligator in immediate defense of his or her life or the lives of others. Alligators killed under this provision must be reported to the Department within 24 hours. Violation of this part is a class 2 violation as described in Title 56.

4. These regulations do not require a state license or permit of persons who deal in finished alligator leather products.

Q. Penalty for Violation.

1. In order to facilitate greater control over alligator trafficking, the Louisiana Department of Wildlife and Fisheries finds that public welfare imperatively requires emergency action when the provisions of these regulations are violated.

2. If citations are issued for a violation of these regulations, all licenses and tags belonging to or in the possession of the cited party shall be suspended until such time as the said party appears before Department officials for purposes of reviewing the citations issued. The Secretary, after reviewing the proceedings may reinstate or revoke the suspension. The alleged violator may lose all rights and privileges to participate in this program if found guilty by criminal or civil process.

3. The Department shall have the authority to confiscate any alligators or alligator eggs from any person or facility that is not caring for the alligators or alligator eggs in a humane manner. Inhumane treatment of alligators or alligator eggs consists but is not limited to conditions which could have an adverse effect upon the alligators or alligator eggs such as sanitary conditions, temperature control, feeding, or overcrowding. The confiscated alligators and alligator eggs shall be disposed of as the Department deems necessary. Inhumane treatment of alligators or alligator eggs is a class 7A violation as described in Title 56.

4. In addition to all penalties set forth herein, violators may be subject to criminal prosecution under provisions of the Louisiana Revised Statutes, particularly Titles 14 and 56 and under Federal law.

5. In addition to all other penalties provided by these rules and by statute, violation of any part of these regulations may result in the suspension and/or revocation of any or all alligator licenses held by the violator and, as further penalty, for serious, repeat, or multiple violations, the Department shall have the right to deny a violator any and all licenses relating to alligators for a period not to exceed three (3) years.

This is to certify that the above and foregoing is a true copy of the excerpt of the meeting of the Louisiana Wildlife and Fisheries Commission held in Baton Rouge, Louisiana on July 5, 1990.

Warren Pol
Chairman

At Thursday's meeting a Discussion and Setting Closing Dates for the Fall Inshore and Offshore Shrimp Seasons was presented by Mr. Phil Bowman. Mr. Bowman addressed the Commission and presented information on the shrimp season. The latest information that is available is from the report of the National Marine Fisheries Service which gives the landings for the month of September, the

state landings for the time period of January through September and comparison to what has been going on in the other states as well as how it relates to the last five years. In the January through September time period there were 52.6 million pounds of shrimp, heads off weight, landed in Louisiana. This is a mixture of browns, whites, pinks and seabobs. The same trend that has been seen in Louisiana in the past years has held throughout the Gulf pointed out Mr. Bowman. Mr. Bowman brought the Commission up-to-date on what has been going on relative to shrimp management as far as planning goes and the Shrimp Task Force. The department is working with the task force and LSU in the development of a shrimp management plan for Louisiana. It is anticipated that this plan will not be finished until late 1991 or early 1992, therefore, the task force, as well as the department, felt like discussions were needed on some developments, some interim management recommendations, or interim criteria on how to close the fall inshore season and later on reopen the offshore waters. The task force came up with two recommendations that will point the department in the direction that is felt it should be moving towards. In talking about management of shrimp in the fall inshore season and in the offshore waters particularly in the winter time the task force felt like the department should focus in on white shrimp and that the management practices in these area should be directed toward the enhancement of the white shrimp crop. Additionally, while there was no formal vote taken on this, but by consensus everyone felt that they would like to begin to move towards harvesting a larger white shrimp. In a number of discussions on brown shrimp it was felt that there were ample quantities of some of the small shrimp available and there was also ample quantities of small shrimp available with the seabobs. However, when the white shrimp was discussed, which does demand a slightly higher price than brown shrimp during certain times of the year, it was felt they would like to begin to move towards harvesting a larger shrimp. In addition to discussions with the task force, the staff has begun to look at and discuss how the department should go about managing the fall season and the offshore closure. The department does have some flexibility now, that is relatively new, and has had it for the last two years. Historically, the department has not had any flexibility in how to open and close the fall season nor have they had any flexibility in what to do with the offshore waters. A lot of people are familiar with the management of brown shrimp and some of the things that affect brown shrimp. However, white shrimp is a totally different creature advised Mr. Bowman. Most of the research done since the early 1960's has been directed for brown shrimp. The National Marine Fisheries Service has been the focal point for a lot of the research and view the white shrimp as a state resource since most of the white shrimp are harvested inside the state waters or inside grid one or the five fathom grid as it is called. Therefore, it was only natural that the National Marine Fisheries Service should look to the shrimp that is primarily in the federal water which is the brown shrimp. Most of the state's research

efforts were piggy backed on to the research efforts of the National Marine Fisheries Service so most of Louisiana's research has been directed towards brown shrimp. A great number of things were learned about brown shrimp but while doing so a great deal of information has been collected on white shrimp advised Mr. Bowman. A lot of this information is beginning to be analyzed to see what makes this particular resource tick. The white shrimp is a different shrimp and the recruitment patterns are significantly different from the brown shrimp. The recruitment pattern for the white shrimp is just the opposite from a brown shrimp's pattern. When the recruitments first start coming in you have a very stable environment because it is during the middle of the summer with warm waters and generally salty explained Mr. Bowman. Progressing through the season and continuing to get the recruitments you start moving towards unstable environmental conditions such as the passage of cool fronts, fall rains, etc. When the department starts looking at setting the season for brown shrimp in the spring most of the recruitments have been seen. Virtually all the shrimp that recruit to the estuary during the spring and summer are sitting in the marsh and it makes it easy to go in and sample that particular population, gather trends on growth rate and project the population through time to see when it reaches a desirable size. When the department opens the season in August for white shrimp only the first couple of waves of recruits have been seen. Recruits will continue throughout much of the season all the way up into November of some years. In addition to this there are some unstable environmental conditions and the fact that this particular shrimp is more of a schooling shrimp makes some of the sampling regimes somewhat more difficult. How does the department go about understanding when to close the season or when not to close the season, particularly in the fall, stated Mr. Bowman. Mr. Bowman explained how the growth of both the brown and white shrimp is very temperature sensitive and the part the water temperature plays in growth. If there are shrimp that are small in size around the first week in December with the water temperature below the twenty degree threshold there will not be a whole lot of growth. There are some problems starting to occur with the shrimp count in the central part of the coast which is called Coastal Study Areas Five and Six. Area five is the western Terrebonne Parish area and area six is the Vermilion Bay area. Mr. Bowman advised the Commission that the department is suggesting as a recommendation for when to close the fall inshore and offshore season in Louisiana this year would be that in Zone 2, both inshore and offshore, close on December 1, 1990. In the western part of the state it is recommended that the season close on December 21, 1990. The reason for the difference is that there are still shrimp that are fairly large in size that are still in the marsh management areas and if they do have the opportunity to move out they will become available to the fishermen explained Mr. Bowman. In Zone 1, both inshore and offshore, it is recommended to close on December 31, 1990, the reason being is that there is a lake fishery (Lake Pontchartrain, Borgne, Mississippi Sound and Breton Sound) that extends with some

rather large shrimp from sixteen-twenty to ten-fifteen being taken in the area in the latter part of December. Mr. Bowman presented another recommendation on the seabob fishery. Virtually ninety seven percent of the seabobs (shrimp) taken in the Gulf are taken in Louisiana waters and virtually ninety seven percent of those are taken in the near offshore waters off of the beach out to about five fathoms. This particular fishery is an important fishery and it is recommended that a special seabob season (see emergency declaration) extend throughout coastal Louisiana until January 31 and it be illegal to possess more than fifteen percent white shrimp mixed in with the seabobs during the special season. Mr. Bowman asked the Commissioners if they had any questions.

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Mr. Foret pointed out that he sees no reason to set a date right now for Zone 2 because they are still catching 36-40 and 40-50 in that area and by December 1 there is a possibility that they will still have some. On the coast line boats are still coming in with 26-20 count shrimp. Mr. Foret stated that he has never seen any shrimp over a hundred count on outside of the beaches but did see some in Caillou Bay or in the Shell Key area. As far as on the beach Mr. Foret sees no reasons for closing the beach as recommended. Mr. Foret stated that he was told that in Vermilion Bay the shrimp are running about 110-120 count. Mr. Foret commended that it should be mandatory not to pull any webbing smaller than a inch and a half and this would solve a lot of problems. If the legal size was an inch and a half in Vermilion Bay right now they probably would be catching 60-70, 70-80 count. 0

Mr. Bowman advised that relative to the mesh size this is one of the items on the agenda for the task force, there has been some discussions about this by the task force and they are on the verge of recommending that the department go to a larger mesh size for the fall season. This will be a major topic of discussion when they meet next week commented Mr. Bowman. 5

Mr. McCall asked if there was any provisions on what was proposed on the seabob season as far as January 31 closure and that if the seabob were running in great numbers could anything be done for a short extension. Mr. Bowman stated that this could be written into the resolution and that there were provisions that ask that the Secretary of the department be allowed to close the seasons before the recommended dates if there are enforcement problems and also a provision in the resolution that ask that the Secretary be allowed to set a special pink shrimp or a special white shrimp season if there is a need. This could be incorporated into the resolution. Mr. McCall commented that there have been times in late, late January going into early February where there were still large amounts of seabobs being caught and he would hate to lose that opportunity if it existed.

Chairman Pol asked Mr. Bowman if he was asking that the resolution including the declaration of emergency be acted upon today. Mr.

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Bowman stated if it was the pleasure of the Commission and read the resolution. Mr. Foret reiterated that December 1 was too early for closing the beach in Zone 2 and would like to have this changed. Dr. Hines stated that maybe this could be changed to December 21 or 31 and then let the Secretary monitor it closely and make a recommendation later. Mr. Foret suggested to put Zone 2 just like Zone 3 and recommended everything should read December 31 and still have the option to close it anytime the shrimp is undersized. Mr. Bowman suggested that the resolution be modified to leave that particular section open and still close the other part of the area as stated in the resolution. After a short discussion on this issue Chairman Pol asked Mr. Bowman to make the changes and advised that it would be acted upon tomorrow.

remain open

where he said

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Mr. Andy Valence, Mayor of Grand Isle, LA, asked if the offshore was going to be closed on the 31st. Chairman Pol asked Mr. Bowman to explain this again. Mr. Bowman stated that the inside waters were going to close on December 1; the offshore in the area from Southwest Pass to over and around Coon Point will remain open until December 31. There will be a definite geographic boundary tomorrow advised Mr. Bowman. Mr. Valence asked to address the Commission. Mr. Valence stated that he had with him Mr. David Comadale, member of the Town Council, and a commercial shrimper in the area. Mr. Valence stated that they are respectively requesting that the inside waters parallel the same parameters that was just announced in the Gulf waters. At the present time the population of the shrimp is about 40-50 count. Mr. Valence asked Mr. Comadale to say a few words on behalf of the inside waters staying open. Mr. David Comadale addressed the Commission. Mr. Comadale advised that he is a commercial fisherman and works Baratavia Bay, the shrimp are running 40-50. Mr. Comadale is representing the fishermen and the main concern right now is the offshore waters and they cannot see how the offshore waters can be closed with the December date. The last time Mr. Comadale fished in the Gulf the shrimp ran 26-30 and he cannot see, as of today, why a date has to be set to close the inside waters. Mr. Comadale stated that he is not in favor of closing the outside waters at all. Mr. Vujnovich asked Mr. Comadale what part of Baratavia Bay did he fish in. Grand Lake answered Mr. Comadale. Mr. Vujnovich advised that he was in Grand Lake a couple of days ago and talked with a few of the shrimpers and the count was 100 and 200. Mr. Comadale stated not in Grand Lake. Mr. Vujnovich stated that he was around St. Mary's Point. Mr. Comadale advised that he shrimps all around there at night and would be glad to go out anytime Mr. Vujnovich wanted to. Mr. Comadale stated again that he cannot see closing the Gulf in his area. Mr. Valence stated that they agreed with much of the data that Mr. Bowman had just presented and what is happening in the field with the commercial fishermen. They also agree that some leeway be given based on the effects of the weather conditions. Mr. Valence respectively requested that the outside waters be kept open until it is shown by direct biological data that it should be closed and that the inside waters be opened until the 31st.

Chairman Pol asked Dr. Clark to address this item. Dr. Clark commented that the thing he wants to talk about is not about this point or that point about what is being done today but about "the" point and "the" point is what Mr. Bowman talked about. This state has to decide what it wants to do with its shrimp fishery and the task force has said that they would like to target for larger white shrimp in general. Maybe it is unfair to say the task force because it make it sound like there is some over-winning body in the world that has ultimate knowledge and this is not what is being said stated Dr. Clark. The larger white shrimp is a goal that Dr. Clark would support also. If an attempt is made to move this state to larger white shrimp then things like closing seasons when there are "good shrimp to be had" are going to have to be done. In this state because of its water temperatures there are good shrimp to be had almost every month, but as long as the season is opened the not so good shrimp are being harvested. Dr. Clark stated that he remembers a controversy that the department and Commission got into last time when the season was opened and closed at the wrong time. The department and Commission took a terrible beating and were told they were ruining that fishery. Dr. Clark stated that what he is saying today is that this is the issue and the second part of the issue and the thing that is going to make it hard is what was heard today at this meeting by a gentleman saying that he is a shrimper and he is trying to make a living and if the fishery is closed then he cannot shrimp and his income goes down. As long as the fishery is in the bad condition that it is, and the people making as little money as there are right now in this state, the Commission is caught between a rock and a hard place because the situation cannot be made better without making it worst in the short run and this is the issue commented Dr. Clark. What the Commission does today and what they do with this closure or this opening is like an opening blow of the larger battle that is going to be fought over the next year or year and a half. If a goal is going to be set and the Commission and department are going to try and reach that goal, things will have to be done that people will object to greatly because in the short run it is going to hurt them greatly advised Dr. Clark. Concluding, Dr. Clark stated that he did not want to pass up that point because they always end up arguing about details and forget what "the" issue is.

Mr. Foret asked Dr. Clark who is to say that these little juvenile shrimp that are going out into the Gulf right now will return to Louisiana next spring. Last year, two days before Christmas and the freeze, Mr. Foret stated that he was unloading boats with fifteen thousand pounds of shrimp. After the freeze the boats went out and they were catching dead shrimp. The freeze killed the shrimp just like it killed the fish. Who benefited by this. Mr. Foret does not think this is the time of the year to make big shrimp, if you want to make big shrimp, make big shrimp during the summer when the shrimp are growing, don't gamble on the weather. Dr. Clark stated that if these kinds of choices cannot be made now in the fall then there won't be the big white shrimp in the spring

that the people are looking for also. Dr. Clark agreed that Mr. Foret was absolutely right and it is a question ~~for which~~ the scientists are working on right now and that is are the white shrimp that are saved in the fall going to give us a pay back in the spring. The answer to this unknown. Mr. Foret stated that Texas gets the leftover from Louisiana, they do not raise those shrimp. Louisiana is raising those shrimp for Texas. Why raise shrimp for another state. Dr. Clark commented that there are several studies about shrimp migration and most of the studies, not all of them, indicate that shrimp that move offshore whether they are from Louisiana or Texas move very little. Shrimp coming out of Calcasieu make it into Texas. Shrimp coming off the middle of the Louisiana coast, very few of those ever make it to Texas. Dr. Clark advised that he has to go with the science. Mr. Foret stated that they have been know to be wrong.

Chairman Pol advised that it was the decision of the Commission to ask Mr. Bowman to modify the resolution as agreed and ~~action taken~~ tomorrow.

At Friday's meeting Chairman Pol asked Mr. Bowman to read the modified resolution on the shrimp season. Mr. Bowman explained that what the Commissioners have before them is the resolution relative to the closing dates for the fall inshore/offshore shrimp season. This is a complicated resolution because the changes that were made involved moving the closing date of the offshore shrimp in that section of offshore Zone 2 which was pretty much the eastern half. A point has been selected, that is published in the law, in the inside, outside line, which is between Whiskey Pass and Caillou Boca on the outside chain of barrier islands. This would be an excellent point from the enforcement standpoint in so much that it would not allow any of the boats inside that last embayment called Calliou Bay. The other change was the provision that the Secretary could provide for a special seabob season in addition to the one provided for in the resolution if the technical data indicates that there are sufficient quantities to warrant such an action. Chairman Pol asked Mr. Foret if this was pretty much in agreement with what they discussed yesterday. Mr. Foret stated that it was. Mr. Bowman read the resolution and advised that this will be affective by a declaration of emergency which will be submitted to the state register. Chairman Pol asked if there was anybody in the audience that would like to comment. There being none Chairman Pol entertained a motion that this resolution be accepted. A motion was made by Mr. McCall and seconded by Mr. Vujnovich. The motion passed unanimously.

Mr. Jenkins asked Mr. Bowman about the cargo lot not containing more than fifteen percent of white shrimp, etc. and wanted to know if this was by volume, weight, etc. Mr. Bowman stated that it was by weight.

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

RESOLUTION
Wildlife and Fisheries Commission
November 2, 1990
Baton Rouge, Louisiana

WHEREAS, R.S. 56:497 provides the open shrimp seasons for all or part of the state water shall be fixed by the Commission, and

WHEREAS, R.S. 56:497 provides the Commission shall have the authority to set special shrimp seasons for all or part of the state waters, and

WHEREAS, in the inshore areas of coastal Louisiana water temperatures have now dropped below 20 degree centigrade which has slowed the growth rate for white shrimp in inshore and near shore waters, and

WHEREAS the shrimp size in Zone 2 and Zone 3 inshore waters has decreased and is not either at or less than 100 count (whole shrimp per pound), the legal minimum size for white shrimp, and

WHEREAS, for the emigrating white shrimp there is little size difference between near shore outside waters and inshore waters, and

WHEREAS, the seabob fishery is a significant contributor to the overall Louisiana shrimp fishery during the late fall and early winter months, now

THEREFORE BE IT RESOLVED, the fall inshore shrimp season in that portion of Louisiana's inshore waters as defined in R.S. 56:495 from South Pass of the Mississippi River to the Mississippi state line and the fall shrimp season in Louisiana's offshore territorial waters from the USC & GS Station Gap at latitude 29° 02'18" N. longitude 90° 49' 56" W then east to the Mississippi state line will close at 12:01 a.m. December 31, 1990; except that in the area of Louisiana offshore territorial waters from Bayou Fontanelle (Empire Ship Channel) west to Caminada Pass seaward of 3 miles from the beach, the season will remain open, and

BE IT FURTHER RESOLVED, the fall inshore shrimp season in that portion of Louisiana's inshore waters as defined in R.S. 56:495 from South Pass of the Mississippi River to the wester shore of Vermilion Bay and southwest Pass at Marsh Island and the fall shrimp season in that portion of

Louisiana's offshore territorial waters from USC and GS Station Gap at latitude 29° 01' 18" N. longitude 90° 49' 56" then west to the western shore of Southwest Pass at Marsh Island will close at 12:01 a.m. December 1, 1990, and

BE IT FURTHER RESOLVED, the fall inshore shrimp season in that portion of Louisiana's inshore waters as defined in R.S. 56:495 from the western shore of Vermilion Bay and Southwest Pass at Marsh Island to the Texas state line and that portion of Louisiana's offshore territorial waters from the western shore of Southwest Pass at Marsh Island to the Texas state line will close at 12:01 a.m. December 21, 1990, and

BE IT FURTHER RESOLVED, a special directed seabob season is established to begin in that portion of Louisiana's offshore territorial waters from USC and GS Station Gap at latitude 29° 01' 18" N. longitude 90° 49' 56" W. then east to the Mississippi state line at 12:01 a.m. December 31, 1990 and run through 12:01 a.m. January 31, 1991 and in that portion of Louisiana's offshore waters from USC and GS Station Gap at latitude 29° 02' 18" N. longitude 90° 49' 56" then west to the western shore of Southwest Pass at Marsh Island at 12:01 a.m. December 1, 1990 and run through January 31, 1991 and in that portion of Louisiana's offshore territorial waters from the western shore Southwest Pass at Marsh Island to the Texas state line at 12:01 a.m. December 21, 1990 and run through 12:01 a.m. January 31, 1991. During the special directed seabob season it shall be illegal to take or possess more than 15% white shrimp in any cargo lot of seabobs, or possess more than 15% white shrimp while fishing in Louisiana, and

BE IT FURTHER RESOLVED, the Secretary of the Department of Wildlife and Fisheries is authorized to close the fall inshore shrimp season, the offshore shrimp season and/or the special seabob season if enforcement problems arise or if biological data indicates the need to do so, and

BE IT FURTHER RESOLVED, the Secretary of the Department of Wildlife and Fisheries is authorized to set special pink shrimp seasons, special white shrimp seasons or special seabob seasons if technical data indicates sufficient quantities of marketable shrimp are available.

Warren I Pol
Chairman

A. Kell McInnis III
Acting Secretary

Results

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At Thursday's meeting an **Update on Spotted Seatrout Sampling Results** was given by Mr. Claude Boudreaux. Graphs and charts were presented along with Mr. Boudreaux's report. Mr. Boudreaux stated that he understood this was the third month that this report has been given to the Commission so the Commissioners have probably been through the basics. The results of this sampling are mostly just one more month of data than that presented at previous month. Distributions of spotted seatrout in the Marine Fisheries Finfish Sampling program were analyzed on salinity. Sample stations were divided among low salinity, medium salinity and high salinity areas. ~~Analysis~~ were presented for 1" bar gill nets and 1 1/2" bar gill nets. Results concluded that the salinity in 1990 at the low salinity station area was lower than those seen at the station in 1986-89. Catch per effort of spotted seatrout were likewise lower. Same situation prevailed at the medium salinity stations. However, catch per effort of spotted seatrout at the high salinity station areas were equal to or above those seen in recent years. This was interpreted to suggest that spotted seatrout had not move into the lower salinity areas but had congregated at the higher salinity areas down below the coast. Mr. Boudreaux presented additional new information from the Federal government's Marine Fisheries Recreational Survey. This information indicated that the catch per effort of recreational finfishermen in July and August was very close to the 1980-89 ten year average catch per effort.

Chairman Pol asked if the Commissioners had any questions. Mr. Jenkins asked about the last chart shown and if it showed that the month of August was almost on average. Mr. Boudreaux stated yes sir. Mr. Jenkins stated that he was flabbergasted and that he could not ask any more questions. Chairman Pol asked Mr. Jenkins why he was flabbergasted. Mr. Jenkins stated that he cannot understand this; that everybody he has talked to is telling him the fishing is bad, etc. and we sit here today and say that everything is normal. Dr. Clark stated that everything is not normal and what is being discussed is that in the low salinity areas and mid salinity areas the fish are not in the numbers that they would normally be in those areas. According to the National Marine Fisheries Service if you average all the recreational fishing effort for spotted seatrout that takes place in Louisiana over these months this is the results that they are getting pointed out Dr. Clark. Mr. McCall asked where the high salinity areas were. Dr. Clark stated that the ten sites that are identified statistically by this analysis are all virtually on the beach or in the lower portions of all the major bay systems that were sampled. Most of those areas are in the central part of the coast stated Dr. Clark. Dr. Hines asked about the reportings from the commercial catches from September 1 to present and if they were tracking this line more or less or were they below average. Dr. Clark asked Mr. John Roussel to address this. Mr. Roussel stated that the best estimate of commercial harvest in September is about

seventy thousand pounds but he is not sure this is a index because in the last five years they have ranged anywhere from twenty thousand pounds for September up to about one hundred and sixty thousand pounds. Mr. McCall asked if there was a test station around Calcasieu Pass or in Calcasieu Lake and what were they showing, high spots or low spots. Mr. Roussel stated that they have six stations in Calcasieu Lake and would have to go back and look at the data set to answer this. There has been some sporadic high catches in Calcasieu Lake but have not been consistent. Mr. Jones commented that the department needed to make an reevaluation of its testing system for fish. Mr. Jones further stated that whatever it is that is being done is not very representative of what the world thinks right now. Dr. Clark stated that he does not see this necessarily as a problem. The world that is fishing in those areas where the department is fishing, the low salinity and intermediate areas, is not catching fish. This makes sense because the department data indicates this also. It was noted by Mr. Boudreaux that there is only one testing program and this is a generalized program for testing of all species of fish and they do just test for a certain fish. This is all the department can afford. Mr. McCall asked that if the speckled trout are not specifically tested in the samples, are samples taken of redfish or any other fish at the same station. Mr. Boudreaux answered yes sir. Chairman Pol commented that there are a lot of little trout but there are not any big trout. Dr. Clark stated that this is what the nets also say. Chairman Pol asked what can they do about it. Dr. Clark pointed out that two years after the last bad freeze there was a record fishery. Chairman Pol stated that this also leads him to believe that the fish were severely damaged by the freeze which nobody has every said was true. Dr. Clark stated that the recreational fishermen of this state have been damaged by that freeze. Chairman Pol thanked Dr. Clark for his statement. Dr. Clark pointed out that if the Commissioners would go back to the news release that the department put out within two weeks of the freeze this was said. Chairman Pol asked Dr. Clark to sum this up, and if he recommended that anything be changed at the present time. Dr. Clark commented that the only recommendations that he can give to the Commission would be illegal because they do not have the authority to do what he would recommend. Chairman Pol stated that he would like to hear it even though they do not have the authority - what would Dr. Clark recommend if the Commission did have the authority. Dr. Clark believes that not only because of the freeze but because of some of the other things that have been seen, information received from Richard Condrey, and some of the things that are known to be true about the fish and the way it grows, etc. that the size should be increased at which it is harvested. Dr. Clark thinks that because of the freeze he would be at this time recommending at least an interim reduction in the bag limit and perhaps a reduction in the commercial quota just to be on the side of conservation. The department cannot do any of this and the Commission cannot do any of this. Chairman Pol stated that he wanted everybody to be advised that the legislature and also the

GCCA sponsored the bill to take this authority away from the Commission and called for further questions of Dr. Clark.

Mr. Jesse Fontenot, Morgan City, addressed the Commission and commented that he was confused over the reports and graphs that have been presented at this meeting and past meetings and what he is seeing at this meeting is that it looks like more speckled trout are being caught by commercial fishermen and very few are being caught by sportsmen. Mr. Fontenot feels like Mr. Roussel should bring the reports to the meetings so that when he is asked a question he can answer it. Mr. Fontenot advised that the concerned conservationists support Dr. Clark.

Dr. Clark advised that the department would be happy to provide any information that Mr. Fontenot would like to see of the data sets and obviously there is no way everything can be carried to every meeting. If there are specific requests the department will meet them advised Dr. Clark.

Mr. Henry Mouton, Lafayette, addressed the Commission and stated that he grew up fishing in Vermilion Bay. In 1986 Mr. Mouton fished about forty days in the fall and the average catch was about sixty seven trout a day by 9:30-10:00 in the morning. A couple of weeks ago twenty boats fishing with three people per boat averaged for two days a total of sixty trout with about thirty having to be released. Mr. Mouton advised that he had just talked with some people today, after lunch, that fished yesterday and today with conditions being perfect, and out of nine boats there were eight trout that were caught. There are no fish in Vermilion Bay stated Mr. Mouton.

Mr. Jenkins stated that from what has been presented at this meeting supposedly the fish are in the high salinity areas which are from the beach out and asked Mr. Mouton if he fished the beach out. Mr. Mouton answered that they have been fishing in the pass which is anywhere from thirty to a hundred and something feet deep and they are catching some redfish and some redfish in the reef but in the area through the passes where there are a couple of reefs at about forty foot deep they are not catching any trout. Mr. Jenkins asked if Mr. Mouton and his friends went offshore in that area. Mr. Mouton advised that a friend of his made a trip out there and covered from Eugene Island, Block 47, somewhere a little west of Fresh Water Bayou. He started fishing at 6:30 a.m. and quit at 7:00 p.m. for a grand total of four trout with the furthest point offshore being 28.2 miles off the Southwest Pass sea buoy in water up to thirty eight feet deep.

Chairman Pol advised that the next item, **Black Bass Management Plan**, will be taken up at Friday's meeting. There have been requests that this issue be taken up on Friday and Chairman Pol asked that the Commissioners review the plan tonight with action being taken tomorrow. Dr. Clark asked if he could make one request

on this issue. Dr. Clark advised that attending the meeting is almost the entire Inland Fisheries Staff who have been a part of the process of creating the document. These people asked to be here today because they wanted the Commission to know that the Inland Fisheries staff supports the plan and they would like to see it passed. Dr. Hines asked if they were going to be able to attend the meeting tomorrow. Dr. Clark stated that he did not know and this is why he wanted to do what he was doing. Chairman Pol stated that the reason for delay was to allow anybody that wanted to come and talk about this plan to come tomorrow in case any opposition develops. This is the only reason for the postponement. Chairman Pol commented that he knows the staff has worked very hard on this plan and the Commission appreciates what they have done.

Dr. Jerry Clark gave an informational report on the **Commercial King Mackerel Closure, Groupers and Oysters** at Thursday's meeting. Dr. Clark informed the Commission that he would like to add the shallow water groupers (another federal action) and oysters to this report. The federal quota for king mackerel has been met. The department has received a letter from the federal government asking that the season be closed on the king mackerel which the department is in the process of doing. Also the federal government has notified the department that the shallow water grouper quota has been met and has requested that this fishery be closed which the department is in the process of doing. The shallow water groupers are all groupers except the yellowedge, misty, warsaw and snowy. The department has been monitoring the oyster season the last couple of days and has found something east of the river that is quite discouraging. Eight boats were boarded and in the first three boats boarded the department found eighty percent shell on board. These boats were fishing the public grounds, not for oysters, but for shell to take to their leases. Five more boats were boarded and only one of these boats really had seed but did have about four percent shell with the rest of the boats having in excess of thirty percent shell. The department is looking at a closure of the bedding grounds east of the river but would like to leave it open for sacking oysters. This should be able to be done safely because there is a minimum requirement that no more than a certain percentage of shell can be obtained when sacking oyster. This percentage is relatively low. Dr. Clark pointed out that there are no rules on bedding and a hundred percent of shell can be taken but if this is going on the department wants to stop it. The bedding grounds east of the river will probably be closing soon advised Dr. Clark. In Vermilion Bay there has been a good spat set. The department would like to protect this spat set for future seeding and sacking purposes and is looking at closing this area probably around November 12, 1990. When the oysters get to seed size after the first of the year the department will probably reopen this area. Dr. Clark stated that he was very upset to think that the oysters beds of Louisiana are being used for shell dredging. Mr. Vujnovich added that he has had about fifty people ask him to see if the season could be closed because of some fishermen destroying

the natural reefs. Something needs to be done because if this keeps on going like it is going now there will be no future on the seed grounds stated Mr. Vujnovich and asked for a complete closure where the oysters are under three inches.

At Thursday's meeting Colonel Winton Vidrine gave the **Monthly Law Enforcement Report**. Colonel Vidrine reported that the following cases for October:

Region I, Minden - 60 cases (55 Enforcement, 5 Other)
Region II, Monroe - 42 cases (Enforcement)
Region III, Alexandria - 79 cases (52 Enforcement, 27 Other)
Region IV, Ferriday - 40 cases (31 Enforcement, 9 Other)
Region V, Lake Charles - 212 cases (196 Enforcement, 16 Other)
Region VI, Opelousas - 110 cases (93 Enforcement, 10 Other)
Region VII, Baton Rouge - 146 cases (133 Enforcement, 13 Other)
Region VIII, New Orleans - 168 cases (Enforcement)
Region IX, Gray - 200 cases (178 Enforcement, 22 Other)

There were forty citations issued by SWEP for October and confiscated gill nets and trawls, 2,224 pounds of shrimp and sold them for \$4,094. The Oyster Strike Force issued fifty citations and confiscated five hundred and thirty sacks of oysters, one boat, one motor, one dredge, red drum and 6,770 pounds of shrimp. The total number of cases for October was 1,140.

Fourteen Wildlife and Fisheries Enforcement Cadets graduated from the State Police Academy (POST) this morning advised Colonel Vidrine. Starting Monday they will be going to Intoximeter School for a week. In-service training will last for seven weeks and the Rockefeller facilities and Grand Terre facilities will be used for housing and offshore training for saltwater patrol. Two of the Law Enforcement Agents were lent to the U.S. Fish and Wildlife Service and went with five federal agents from Louisiana to Ohio and Michigan. They worked ten days and were involved in writing and issuing a total of sixty citations with the majority of the citations being for taking over the limits of ducks. A news release was sent out, statewide, to notify the public that the department was going to be doing some road checks (game checks) throughout the state. They will be checking on untagged deer meat, sex identification and over limits.

Chairman Pol advised that Mr. Mark Hilzan, along with four or five other phone call, had contacted him and told him that this past weekend at Breton Island the netters came in and completely netted out Breton Sound. Mr. Hilzan has asked Chairman Pol to ask Colonel Vidrine about this and how many enforcement people are out there. Colonel Vidrine stated that he did not know where the boats were this past weekend but would find out and get back to the Commission. Chairman Pol advised that he was going to ask Mr. Hilzan to contact Colonel Vidrine because they were upset since this is a sanctuary.

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Mr. Jenkins asked about the Cessna spotter plane that was confiscated and if the department would be able to keep it. Colonel Vidrine stated that it was suppose to come up in court and the word he has received from the judge was that he told the violators to be ready to come to court and keep the plane fueled because it might be turned over to the department.

Chairman Pol advised that he had a call from some people out-of-state and the question presented was does a person over sixty years old from out-of-state that comes into Louisiana to hunt need a Louisiana license and a Louisiana duck stamp. According to the way it is written in the pamphlet all you have to have is a federal duck stamp. Mr. Landrum stated that the statute says no person between the ages of sixteen and sixty shall hunt migratory waterfowl in this state unless he has purchased and possess a duck stamp. This came up at Oak Grove when hunters from Chicago were coming to Louisiana to hunt and they asked about the duck stamp. This is very important that this gets straightened out stated Chairman Pol because they sell twenty to twenty-five thousands dollars worth of licenses during the year at Oak Grove and if the stamp is not required then they won't have to be purchased. The way it is written in the pamphlet and the way Mr. Don Puckett reads it is that a man over sixty years of age from out-of-state does not have to have a Louisiana license or a Louisiana duck stamp stated Chairman Pol. This needs to be corrected. Chairman Pol stated that he understands that the only place this does not apply is to Texas. Acting Secretary McInnis advised that there is a specific reference to Texas and the age of sixty five but was not certain as to how it interacts at this time. Chairman Pol asked that this be check out. Acting Secretary McInnis asked that this get clarified for tomorrow's meeting. Colonel Vidrine stated that he was almost sure that a person from out-of-state has to buy a Louisiana license and the exceptions are only for the residents of Louisiana for licenses purposes. On the Louisiana duck stamp Colonel Vidrine thinks a non-resident can hunt in Louisiana without purchasing a stamp if he is over sixty years of age. Chairman Pol asked that this be clarified and let the Commission know. Chairman Pol asked that a letter also be send to him on this.

At Friday's meeting Chairman Pol advised that this morning Mr. Don Puckett, Attorney, issued a Ruling on Over Sixty Years of Age. It has been determined that anybody over sixty year of age hunting in Louisiana from out-of-state will have to have a state license but will not have to have a state duck stamp and asked Mr. Mike Cook, State Times-Morning Advocate, if he would give a little press coverage on this. Dr. Hines stated that the department needs to try and get legislation this year to correct the duck stamp part. Chairman Pol commented the department tried to do this last year but the legislature would not even talk about it. Acting Secretary McInnis added that there was a statute passed this past session that was introduced by Senator Mike Foster that addressed this particular issue and what he did was he removed the mandate that

hunters sixty and over had to buy a state duck stamp and in doing so a non-resident and a resident would be treated the same.

Chairman Pol at Thursday's meeting stated that he wanted again to apologize to the staff who worked so hard on the **Bass Plan** and the only reason for postponing this item until tomorrow was that adequate time has to be given everybody that is in opposition to this plan so that they have the opportunity to address it. The Commission has to wait until tomorrow to vote on this advised Chairman Pol.

Dr. Clark explained that it is not the staff right now that is the issue but he does appreciate Chairman Pol's kind words about the staff and advised that there are members of the public who have attended this meeting today and wish to say something about the plan. If this is put off until tomorrow these people may or may not be able to come stated Dr. Clark.

Chairman Pol advised that the Commission will hear the people who want to address the bass plan and explained that it is the responsibility of the chair when something is going to be heard on the agenda. Dr. Clark stated that he appreciates that.

Ms. Stacey Forester, manager of a major bass tournament for the last three years, addressed the Commission. Ms. Forester stated that she was one of the persons upset but feels that the opposition has had as much time to attend the meeting as she did. Ms. Forester thanked the Commission, the Louisiana Wildlife and Fisheries and the Black Bass Management Committee and stated that with this plan she knows that the fishermen were listened to. Ms. Forester advised that not only does she run the bass tournaments but she has begun to fish. In a tournament on False River last month a big bass was caught and Ms. Forester stated that she has had more enjoyment knowing that this bass came out of False River. With this plan she knows now that she has the opportunity to catch a big bass. Ms. Forester stated that with the permit part of the plan she has a question and that is in the plan it states that certain bass tournaments have permits and due to the size of the bass tournaments (400 people) and club tournament (27-30 people) that she coordinates she needs to know which one would have to qualify to get a permit for False River. The major tournaments or the local tournament and if so what does she have to do as tournament director to comply with the plan. Dr. Clark stated that the bill that was passed during this year's legislative session says that any tournament that wishes to be exempt from any of the rules, especially with respect to length limits (proposed slot limit in the plan) needs to apply for a permit. ~~So the certain word means anybody that wants to.~~ Anybody can have any kind of tournament anywhere they want without a permit as long as they just abide by the rules. The permit is for anyone who wants to be exempted from the rules and they would just apply for it thought the department advised Dr. Clark.

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Mr. Nat Bankston, Register of Voters, East Baton Rouge Parish, addressed the Commission. Mr. Bankston is also a tournament director and was the director of the tournament ~~that~~ at which the ten pound, thirteen ounce bass was caught ~~at~~ in False River. Mr. Bankston pointed out that in their tournament circuit over the past two years the pay back to the fishermen in cash and prizes was around three hundred thousand dollars. Mr. Bankston commended the Wildlife and Fisheries and the Commission for a job well done and advised that catch and release is practiced at the major tournaments held in Louisiana. There are tanks that give air and oxygen to the fish, catch and release formula are put into the tanks and on the average there were only two fish per tournament lost stated Mr. Bankston. Tournament dates have been changed to coincide basically with what Wildlife and Fisheries studies have said and that is to have tournament in colder weather because the fish survive better when they are caught and released back into the colder water. Mr. Bankston pointed out that on page 13 of the plan "The Economic of the Fishery" and based on a 1985 National Survey, Hunting and Wildlife Association, there was an estimated 291 million dollars and 12.6 million man days of fishing for black bass in Louisiana. In comparison with other agricultural crops in the state of Louisiana only cash sales generated by soy beans and cotton in 1988 were somewhat higher while such sales for all other agricultural industries including cattle, sugar, rice were individually less than the fishing industry. In the circuit that Mr. Bankston was director, everytime a man put his boat in the water he was putting twenty five/thirty thousand dollars in the water and this is just his equipment. When the fishermen go to a community such as Morgan City they put money into the economy of that town. Mr. Bankston stated that he likes to keep the economics in the state of Louisiana and based on the 1985 study it shows that it was further estimated that thirty seven percent of the population of Louisianans sixteen years of age or older fished or hunted, while twenty one percent fished only, thirteen percent fished and hunted. Approximately ninety six percent of the fishermen in Louisiana fished only in Louisiana. The estimated total cost expenditures by these fishermen was five hundred and ninety eight million dollars. Mr. Bankston stated that we talk about diversity in Louisiana, let's don't depend on oil and gas so much, you are sitting on a gold mind with this. Most of the people on the major circuits do not have any objection to a slot limit, ~~creel limit~~. Mr. Bankston advised that the state needs to look at what can be done down the road and the economic impact of this could be far greater than what it looks like on the surface. Mr. Bankston stated that he appreciated the Commissioners for affording him and Ms. Forester the opportunity to address them on this item and commended Mr. Tim Morrison and Mr. Bennie Fontenot with whom he has worked very closely. Mr. Bankston asked the Commission to please give this plan serious consideration.

Mr. Wilson J. "Tibby" Thibodeaux, representing the Baton Rouge Sportsmen's League and himself, addressed the Commission. The

Baton Rouge Sportsmen's League is against having False River as a trophy lake. The League has been conducting family type rodeos for thirty something years and Mr. Tibodeaux has weighted fish at all of them. The kids and ladies that catch fish, no matter what size, want to keep it. So does Mr. Thibodeaux. If the Commission really wants to do something to help bass in False River a sewer system needs to be put around it because if it is not cleaned up twenty years from now there won't be any fish due to the pollution. Mr. Thibodeaux further added that in his opinion regulations are needed for speed zones in False River and thanked the Commission for the opportunity to address this item.

Chairman Pol asked if there was anybody else who wanted to talk for or against this item and that final action would be taken tomorrow.

There being no other comments Chairman Pol called for a motion for adjournment. Mr. Jenkins made a motion that the Thursday, November 1, 1990, Commission meeting be adjourned and continue at 9 a.m in the morning. The motion was seconded by Dr. Hines and passed unanimously.

A Notice of Intent on the Louisiana Black Bass Management Plan and Proposed Regulations was presented at Friday's meeting by Dr. Jerry Clark. Dr. Clark reported that he was happy to present the plan to the Commission and what needed to be done today is to start the process of bringing this plan to reality in Louisiana. This will start with a Notice of Intent and around one hundred and fifty days from now the Commission will be acting on a final rule advised Dr. Clark. This notice will be published in the Louisiana Register and will be out for public comment. Dr. Clark gave a brief update on how this plan came about. More than a year ago the staff got together and began the process of putting together a plan. A previous version of this was published and widely distributed. There were five public hearings scattered throughout the state. Comments went from wildly supportive to just as wildly anti. If a mistake was made, which the department probably did, the mistake was that in the first plan the bass fishermen were not given a choice. After the public hearings the staff met for a series of other meetings and took into account the most appropriate parts of the public comment and changed the plan in a set of significant ways. A plan was developed that was no longer radical and would begin the process of catching Louisiana up to states that have been managing bass in similar fashion for more than a decade. The only requirement currently on black bass fishermen in Louisiana is that they take no more than fifteen fish a day. There are no minimum size limits, no other special regulations, and you can have thirty bass in your possession. This plan, which is a compromised plan, will begin the process of bringing Louisiana up to what Dr. Clark thinks is a state of the art in the nation on bass.

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Chairman Pol asked if any of the Commissioner had any questions for Dr. Clark. Mr. Jones stated that one concern he has is on the

enforcement of the limit when it comes to fillets and cleaning in the boat; how can this be enforced. Dr. Clark advised that the department proposed legislation this year to have a freshwater "heads and tails intact" bill. This bill did not move. The Commission has authority, if they wish, to also attempt to make that rule and would have to go through Legislative Oversight. Dr. Clark supports the heads and tails intact and would like to continue to keep dealing with the issue. If the Commission decides to deal with this Dr. Clark hopes that it would be done as a separate notice of intent so that there would be two things to take to Oversight and if they voted negatively on one and positively on the other they would not all sink or swim together. The legislative history on this is an important point stated Dr Clark.

Chairman Pol asked if there were any other questions from the Commission. There being none Chairman Pol called for questions and comments from the floor.

Mr. Teddy Harger addressed the Commission on False River. Mr. Harger advised that he has fished False River for fifty years and what has happened this year was the worst that he has ever seen. There was the largest fish kill in False River in fifty years and Mr. Harger thinks this was caused by things that the Commission controls and lets happen and things that cannot be controlled. The department has killed some grass in False River and Mr. Harger understands from this morning that evidence of Grass Carp is being found which could be drastic in False River. When the grass is killed the oxygen is depleted. Mr. Harger stated that he has seen everything dead but Gar. In addition the runoff of agricultural land has been permitted and is not silting up the north end and other areas throughout the lake. If this keeps on happening every time a farmer plows he is going to have runoff into the lake. The Formosia plant is going up and you can have industrial waste pointed out Mr. Harger. The things that the Commission and department are saying that are needed for bass are not going to be there unless these events can be controlled. Mr. Harger stated that he would like to see a limit of ten on the bass and goes along with the slot limit. Also Mr. Harger suggested that the tournaments circuits do not have their tournaments during July and August because this kills the fish. Concluding, Mr. Harger stated that there is no grass on False River right now. This has either been caused by the chemical that the Wildlife and Fisheries puts into the river to kill the grass or by the Grass Carp.

Chairman Pol asked if there was anybody else who would like to address this issue. There being none Chairman Pol called on Dr. Clark. Dr. Clark advised that all the Commission needed to do now was to adopt the notice of intent on the Black Bass. Dr. Hines made a motion that the notice of intent be adopted on the Black Bass Plan, Daily Take and Size Limits that has been submitted to the Commission. The motion was seconded by Mr. Jones and passed unanimously.

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

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

TITLE 76
WILDLIFE AND FISHERIES

PART VII. FISH AND OTHER AQUATIC LIFE

CHAPTER I. FRESHWATER SPORT AND COMMERCIAL FISHING

SECTION 123. CHICOT LAKE BLACK BASS HARVEST RESTRICTION

Repealed

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:325(C).
HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 14:364 (June 1988), Amended L.R. 16:38 (January 1990), Repealed L.R. 17: (1991), Repromulgated in S. 149 of this Chapter.

SECTION 149. BLACK BASS REGULATIONS-DAILY TAKE AND SIZE LIMITS

The Louisiana Wildlife and Fisheries Commission hereby advertises its intent to establish a statewide daily take (creel limit) of 8 fish for black bass (Micropterus spp.). The possession limit shall be the same as the daily take on water and twice the daily take off water.

In addition, the Commission establishes special size and daily take regulations for black bass on the following waterbodies:

Concordia Lake (Concordia Parish) and False River (Pointe Coupee' Parish):

Size Limit: 15 inch - 19 inch slot
Daily Take: 8 fish - of which no more than 2 fish may exceed 19 inches maximum total length.*

Possession Limit: On Water - Same as daily take
Off Water - Twice the daily take

A 15 - 19 inch slot limit means that it is illegal to keep or possess a black bass whose maximum total

length is between 15 inches and 19 inches, both measurements inclusive.

Lake Bartholomew (Morehouse and Ouachita Parishes), Black Bayou Lake (Bossier Parish), Caney Creek Lake (Jackson Parish), Chicot Lake (Evangeline Parish), Cross Lake (Caddo Parish), Lake Rodemacher (Rapides Parish) and Vernon Lake (Vernon Parish):

Size Limit: 14 - 17 inch slot
Daily Take: 8 fish - of which no more than 4 fish may exceed 17 inches maximum total length.

Possession Limit: On Water - Same as daily take
Off Water - Twice the daily take

A 14 - 17 inch slot means that it is illegal to keep or possess a black bass whose maximum total length is between 14 inches and 17 inches, both measurements inclusive.

This rule becomes effective April 1, 1991.

* Maximum total length - The distance in a straight line from the tip of the snout to the most posterior point of the depressed caudal fin as measured with mouth closed on a flat surface.

Interested persons may submit written comments on the proposed rule to the following address before January 15, 1991: Bennie J. Fontenot, Jr., Administrator, Inland Fish Division, Louisiana Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA

70898-9000.

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

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 14:364 (June 1988), Amended L.R. 16:38 (January 1990), Repealed L.R. 17: (1991), Repromulgated L.R. 17: (1991).

Warren Pol
Chairman

At Friday's meeting a Resolution and Notice of Intent on an Amendment to the Joint Louisiana/Texas Black Bass Reciprocal Agreement in Toledo Bend and Caddo Lake was presented by Dr. Jerry Clark. Dr. Clark reported that this had to do with the cooperative nature of managing fisheries on the Texas/Louisiana boarder. This is done through a reciprocal agreement with Texas. When this plan

the
was first brought forward Louisiana had not met with Texas and the plan was silent on what was going to be done in the Texas boarder waters. Since the department has been at this for a year there has been time to meet with Texas and over a series of lengthy but friendly negotiations a good balance has been achieved. The department is recommending ~~for a current~~ action on Toledo Bend Reservoir and Caddo Lake that the minimum size for black bass be set at fourteen inches and the bag limit of eight fish. Also they are recommending that the minimum size be fourteen inches and the bag limit of five fish on the waters below Toledo Bend on the Sabine River through Sabine Lake to the ocean. The fourteen and five is the Texas current statewide rules. Right now Toledo Bend and Caddo have had two good years of recruitment for bass. These bass are now just approaching a fourteen inch size limits. This population of bass can carry the lake for the next several year. Louisiana and Texas would like to protect those bass. If these bass make it through this system, the department will be coming back to the Commission, anywhere from a year to two years, and proposing the slot limit that Louisiana currently has for some of its lakes for Toledo Bend. All of this will go through the APA procedure and the department is looking at an implementation date of April 1, 1991. In order to protect those groups of fish in Toledo Bend and Caddo Lake the fishing season there starts a little before that date. Texas has asked Louisiana to try and implement this a month earlier for the Toledo Bend and Caddo Lake. The resolution will authorize the Secretary to take emergency action to implement these rules on February 1, 1991, and the department will come back to the Commission for final action on April 1, 1991.

Chairman Pol asked for questions, comments from the Commission and the floor. There being none Chairman Pol called for a motion to accept the resolution/notice of intent on the Toledo Bend reciprocal agreement. A motion was made by Mr. Jenkins for adoption and seconded by Mr. McCall. The motion passed unanimously

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

LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES
LOUISIANA WILDLIFE AND FISHERIES COMMISSION

RESOLUTION

- WHEREAS, Toledo Bend Reservoir, Caddo Lake, the Sabine River and Sabine Lake constitute boundary waters between the States of Louisiana and Texas;
- WHEREAS, these waterbodies contribute heavily to the freshwater recreational black bass fishery of both the States of Louisiana and Texas;

WHEREAS, conflicting freshwater sport fishing regulations imposed on these waterbodies by both states has resulted in confusion and even antagonism among fishermen angling in these waterbodies;

WHEREAS, joint Louisiana/Texas fisheries data indicate, particularly at Toledo Bend Reservoir, that several extremely large year classes of black bass ranging in length from seven to fourteen inches total length, with a particularly numerous mode at twelve inches, comprise the bulk of the black bass population;

WHEREAS, anticipated intensive harvest of numerous twelve and thirteen inch black bass in late winter and in the spring of 1991 could severely reduce numbers of these fish in the population of Toledo Bend Reservoir and Caddo Lake;

WHEREAS, if protected immediately, existing large year classes of black bass will lose susceptibility to capture until they measure fourteen inches in total length and will begin to provide quality black bass fishing for Toledo Bend Reservoir and Caddo Lake.

THEREFORE BE IT RESOLVED, the Louisiana Wildlife and Fisheries Commission hereby amends the Joint Louisiana/Texas Toledo Bend and Caddo Lake Sportfishing Reciprocal Agreement, dated September 1, 1988, to establish a daily creel limit (daily take) for black bass (Micropterus spp.) at eight fish and a minimum total length limit of fourteen inches in Toledo Bend Reservoir and Caddo Lake. The daily creel limit for black bass is set at 5 fish and the minimum total length limit is set at fourteen inches for black bass on the Sabine River from a point immediately south of the Toledo Bend Dam to the Gulf of Mexico. Said revised regulations become effective Monday, April 1, 1991.

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

authorizes and delegates to the Secretary the authority to promulgate the above regulations as an Emergency Declaration.

A. Kell McInnis III
Secretary

Warren I. Pol
Chairman

November 2, 1990

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

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

TITLE 76
WILDLIFE AND FISHERIES

PART VII. FISH AND OTHER AQUATIC LIFE

CHAPTER I. FRESHWATER SPORT AND COMMERCIAL FISHING

SECTION 110. TOLEDO BEND RECIPROCAL AGREEMENT

The Louisiana Wildlife and Fisheries Commission hereby advertises its intent to amend the Joint Louisiana\Texas Toledo Bend and Caddo Lake Sportfishing Reciprocal Agreement, dated September 1, 1988.

The daily creel limit, (daily take), for black bass (Micropterus spp.) is set at 8 fish and the minimum total length is set at 14 inches in Toledo Bend Reservoir and Caddo Lake. The

daily creel limit for black bass is set at 5 fish and the minimum total length is set at 14 inches for black bass on the Sabine River from a point immediately south of the Toledo Bend Dam to the Gulf of Mexico. Said revised regulations become effective Monday, April 1, 1991.

Interested persons may submit written comments on the proposed rule to the following address before December 31, 1990: Bennie J. Fontenot, Jr., Administrator, Inland Fish Division, Louisiana Department of Wildlife and Fisheries, P. O. Box 98000, Baton Rouge, LA 70898-9000.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6 (25) (a), 325 (c), 326.3, 673.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission L.R. 14:548 (August 1988), Amended L.R. 17: (1991).

Warren Pol
Chairman

Shell Dredging - Lower Central Coast was brought before the Commission at Friday's meeting by Ms. Bettsie Baker and Mr. Don Puckett. Mr. Puckett advised that a letter had been received from the Officers of the Louisiana Materials Company relatively to dredging in the central coast. The present lease was executed in September 1988 and will expire in September of 1991. Louisiana Materials has pointed out that the deadline for the lease is coming up and fundamentally has posed the question to the Commission as to whether or not the Commission intends to release these areas when the lease expires. This is a question for the Commission to address which is something that will be deliberated in the coming months. Louisiana Materials have also asked what areas would be up for release and in line with this they have made a request to separate the present large tract into smaller tracts the point being that this would make a greater case for competition and free enterprise if there were more tracts to bid upon, basically objecting to the fact that one company was able to obtain the entire lease for this area. They have also raised the question concerning geological and geophysical evaluation. Mr. Puckett stated that with regard to the last point as to whether the area should be split into smaller tracts it is his view that the Commission's goal, if it does seek to release that area, is to seek the highest possible royalty that it can. The determining factor for whether or not the area should or should not be split into smaller tracts should be based upon what would or would not enhance the department's ability to get a higher royalty. The issue that Louisiana Materials raised with regard to competition and free enterprise was in fact a part of the consent judgment that was entered into in June, however, Mr. Puckett still sees this as being secondary to the higher royalty if those two are in conflict. They may or may not be in conflict and at some point when the Commission is ready to take this matter up Mr. Puckett advised that he was going to defer to Undersecretary Bettsie Baker and perhaps to Mr. Barney Barrette with regard to the distribution of shell in this area and whether it would be appropriate to break it into smaller tracts and what the effect would be. With regard to the geological and geophysical evaluations again this is something that Mr. Puckett would have to defer to technical staff, Mr. Barrett, or other persons perhaps from outside of the agency to let the department know what the physical distributions of the shells are. Louisiana Materials have asked for records provided by Dravo with regard to the geological and geophysical information. Mr.

Puckett's response to this is basically that this information should be treated perhaps in the same way that the Mineral Board treats geological and geophysical information from oil and gas companies. This may be priority information and not subjected to the public records act. The consent judgment that was entered into in June of this year wherein the present leases were affirmed to be valid deleted a portion of Atchafalaya Bay and Four League Bay. It established a henceforward royalty of 1/8 minimum f.o.b. the dredge. It did state the perspective leases must provide geological and geophysical information and it did contain the competition and free enterprise provision in it. It also provided that the Mineral Board must now approve the format of the lease and countersign the leases once the Commission approves them. Mr. Puckett asked if there were any questions for the Commissioners or the representatives from Dravo or Louisiana Materials.

Chairman Pol asked if it has been the recommendation of the department that they begin to talk about the leases of this property. Mr. Puckett stated that he feels like with the leases expiring in September the formal process should begin no later than February. This will be a little earlier than was started last time. There is nothing to prevent the awarding of the lease a month or two in advance of the expiration date. Mr. Puckett advised that it would be prudent to perhaps begin in January or February with the first steps.

Mr. Jenkins asked Mr. Puckett if what he is saying is that these people would like to know basically today if the Commission intends to lease whatever areas are available to lease and if this is a point of interest Mr. Jenkins does not see anything wrong today in making a statement to that affect. Mr. Puckett advised that this was their most fundamental question. Mr. Jenkins made a motion and moved that it was the intent of the Commission to engage in releasing whatever areas are available to release to the state just as a basic statement so that people would know where the Commission is headed. The motion was seconded Dr. Hines and he asked the department to proceed with getting information available to the Commission at the earliest possible date so that they can enter into a negotiation. The motion passed unanimously.

Chairman Pol asked Ms. Bettsie Baker if she was ready to talk about the shell mitigation. Ms. Baker advised that Mr. Puckett could address that question. Mr. Puckett stated that the shell mitigation process was still under negotiation and it may be better to save this for a later meeting. Mr. Puckett advised that he will be keeping the Commission abreast of this issue.

Chairman Pol asked if anymore from Dravo or Louisiana Materials would like to comment.

Mr. Jim Burton, Attorney, Dravo addressed the Commission. Mr. Burton just wanted to reiterate that as the current operator they

share the concerns and appreciate the motion that was passed this morning. Mr. Burton stated that he also wanted just to reiterate Mr. Puckett's statement with regards to the mitigation and the off sight restoration issue. Dravo is in very serious negotiations and there are both some technical problems and legal problems as to the amount of shell and the placement of the shell. People are going out and looking at the project and good progress is being made on this advised Mr. Burton. Chairman Pol stated to Mr. Burton that the Commission would ask Dravo not to negotiate very long because they would like to get some of these areas taken care of.

At Friday's meeting Chairman Pol called for a motion to take the Adopt a Pothole Program up under Other Business. Dr. Hines made a motion to do so. The motion was seconded by Mr. Jenkins and passed unanimously.

At Friday's meeting under Other Business Mr. Lloyd Abadie, Outdoor Writer, Crowley, presented the Adopt a "Pothole" program. Mr. Abadie stated that he appears before the Commission on behalf of the ducks and represents sportsmen of Louisiana and fellow members in the Louisiana Outdoors Writers Association. The purpose of this presentation is to acquaint the Commission with a program, Adopt a Pothole, which is being sponsored by the Louisiana Outdoors Writers Association. Mr. Abadie at this point during the meeting presented a video on the program. Upon completion of the video Chairman Pol called for questions and asked Mr. Abadie what position is he requesting the Commission to take on this program. Mr. Abadie stated that he was planning to come to that and just wanted to know if there were any questions pertaining to the video and that this program was in Canada and not in the United States. Two years ago Mr. Dennis Anderson wrote a series of articles about duck poaching in Louisiana and gained great prominence because of this and in fact his articles was a Pulitzer Prize contender advised Mr. Abadie. So far this program has received national attention and in the Chicago area alone close to eleven thousand dollars has already been raised. This program has gotten some publicity; John Husser, Outdoor Editor for the Chicago Tribune, had a large article this past Sunday, Mike Cook, Baton Rouge, has reported on it. In the packets given to the Commissioners there are other articles that have appeared in Louisiana. Mr. Abadie explained that nothing has been done in Louisiana because they wanted to give the Commission the opportunity to be the first to support this program. In the packets that were given to the Commissioners there is a sample of a sign that will be placed on the gate of the farmer that owns the pothole. Ninety to ninety five percent of the ducks are raised on private land and this is a way of recognizing the farmer. Also in the packets there is a copy of the law that covers the authority of the Commission to make recommendations as to where money will be spent along with a list of contribution that have been made by the department for the past thirteen years to Ducks Unlimited pointed out Mr. Abadie. Mr. Abadie stated that it was not his purpose to discredit Ducks

Unlimited and over the years he has contributed much time, effort and money towards that organization and its success. He now feels, along with the members of the Louisiana Outdoors Writers Association, that now it is time that some other organization be given a chance to spend some of the money that Louisiana has been sending to Canada to Ducks Unlimited over the years. Mr. Abadie stated that he would like for the Commission to consider making a donation to the North American Wildlife Foundation marked for the Adopt a Pothole Program and asked if there were any other questions.

Chairman Pol asked Acting Secretary McInnis to clear up the item about overpayment. Acting Secretary McInnis advised that it was his understanding that it was brought to the department's attention that there was an overpayment based on the ten percent license sales. Taking a look at all the license sales that were made in the state of Louisiana the intent that was preceded was that the basic resident licenses and not the big game licenses would be used as the basis for the ten percent. Somewhere during the course of the time frame involved some overpayments were made in that the ten percent was calculated on the entire license sales and not just the basic resident sales. Since that time Secretary McInnis, Mr. Butch Bateman and others have been in contact with the Duck Unlimited organization and an agreeable method by which these funds will be contributed through the North American Waterfowl Plan and credited to the Louisiana Department of Wildlife and Fisheries has been worked out so that this overpayment will be recouped over a time frame. Mr. Abadie asked Acting Secretary McInnis, for the record, to tell what has been proposed and how the money is going to be recovered. Acting Secretary McInnis asked Ms. Baker to give the specifics to Mr. Abadie. Ms. Baker clarified how the problem was generated and explained that when the initial legislation went into place regarding the Ducks Unlimited payment the department only had one kind of hunting license. Over the years as new kinds of licenses came into play it became very confusing as to which ones the ten percent would be applied to and which not. More particularly the problems came in the years where combination licenses were sold. There were two-way combination licenses and four-way combination licenses and Ducks Unlimited was paid based on the total value of the combination licenses and not on the pro rata share specifically related to the basic hunting license. The department has gone back and re-tabulated what the appropriate payments should have been for this entire period of time and an agreement has been worked out with Ducks Unlimited whereby on an annual basis Louisiana pays them less than what the contractual obligations are suppose to be. This year the payment was to have been two hundred and forty six thousand dollars and a payment of two hundred thousand dollars was made reducing the amount of overpayment by forty six thousand dollars. Next year the department will come up with a comparable amount and the next year should be back down to ground zero stated Ms. Baker. Dr. Hines asked if the ten percent was voluntary or statutory. Ms. Baker

advised that it is in the law book and as she appreciates it Louisiana can either make a payment to Ducks Unlimited of ten percent of the hunting licenses value or if the department wished to spend the money they have the right to do this as well. Over the historical period of time the department has selected to work with Ducks Unlimited rather than to live up to that commitment entirely. Dr. Hines asked where did the hundred thousand dollars that Louisiana paid to the North American Waterfowl Plan come from. Mr. Baker advised that it is the same source, Louisiana pays Ducks Unlimited and they have in turn gone back and reimbursed the North American Waterfowl Plan on an agreed amount of money. At the Commission meeting held at Rockefeller last year amendments to the Ducks Unlimited contribution were made and there would be a maximum of three hundred thousand dollars if three million dollars worth of licenses were sold. The department would not give Ducks Unlimited the access but instead pay them a fixed fee of three hundred thousand dollars of which they would pay back to the North American Waterfowl Plan one hundred thousand dollars. If less license than three million dollars were sold Ducks Unlimited would get a flat amount of two hundred thousand and the balance would go back to the North American. Dr. Hines asked about the sale of the state duck stamp, what is being done with the money and would any of that money be available if the Commission so choose for projects such as this. Ms. Baker answered that the state duck stamp money is set aside for wetlands improvement, habitat acquisitions for particular wetlands in the state of Louisiana. Dr. Hines stated that he thought the Pothole Program was a worthy project but was not sure if the Commission is in the position to give Mr. Abadie an answer today. Ms. Baker stated that she thought the state has some problems about sending money outside of the country and this would be one problem with trying to adopt this program from a state side perspective.

Mr. Butch Bateman added that Dr. Hines' questions are legit and he would recommend to the Commission that the department look at the Adopt a Pothole Program, contact some people and find out exactly how it is going to function, who is going to administer the program, what technical people are going to do what things and come back and make a recommendation to the Commission. This is a relative new program and just getting started. The department recently heard about it through some press releases. Mr. Bateman stated that the money that is sent from Ducks Unlimited to the North American in Canada is reimbursed to the state. Last year when the contribution of one hundred thousand dollars was made to the North American Plan the money came back to the state and is now in the bank drawing interest and will be spent on the first or second land acquisition project that is on line now specifically for waterfowl and work in Louisiana. The department historically has worked very closely with Ducks Unlimited and have an important part to play. Several of the Commissioner in the past have gone to Canada and looked at the work up there. The Prairie Care, Manitoba Help Program and the North American Waterfowl Management

Program are all programs that are in place in Canada doing exactly what Mr. Abadie's program does but these programs are being done by the providence in Canada in conjunction with Ducks Unlimited, U.S. Fish and Wildlife Service and the North American Waterfowl Management Plan. Mr. Bateman stated that the point of telling the Commissioners this is that this program Mr. Abadie has described and being promoted by the Outdoor Writers has merit and does what they described in the video but is right on line with what these other programs are trying to do. Mr. Bateman urged the Commission to let the department take a very close look at what Mr. Abadie has proposed and come back at perhaps the next Commission meeting and give the Commission a set of recommendations based on what can be found out as to whether the Commission would want to take money from the Ducks Unlimited contribution rather than supporting the programs that are currently enforced and functioning in Canada to do these exact things.

Chairman Pol advised that the Commission would like a recommendation and also time to consider this proposal. Mr. Bateman stated that he would recommend this and commented that one of the features of the program that has raised a lot of controversy among the professional waterfowl managers in North America has been the placement of pen-reared birds on wild habitat with the idea that in some way this is going to restore wild duck populations. Mr. Bateman advised that he could produce two or three resolutions passed by the Mississippi Flyway Council which is made up of fourteen states against this practice. Mr. Bateman stated that he just wanted to make sure that the Commission understood this and the concept of saving the potholes, saving the habitat, the basic problems that are described in the program are exactly correct, however, Mr. Bateman himself has taken a very strong position in opposition to suggesting to people that the habitat or the duck problems can be corrected by raising ducks in pens and putting them out in the wild and there is no support for this in the management community anywhere in the United States as far as Mr. Bateman knows. The Delta Research Station has made this a part of their program and Mr. Bateman recommended that Louisiana does not get involved in supporting this aspect of the program.

Mr. Jenkins requested from Mr. Bateman a copy of the law that states the Commission's options on spending the money, how much money it is, where it goes, etc. since the ~~the~~ department was going to take a look at this matter and further stated that it very vague what they can do and what they are suppose to be doing. Mr. Bateman explained that the law is ten percent of the basic license sales and would get a copy of the law for Mr. Jenkins.

Chairman Pol asked if there were any other questions that the Commission would like to ask Mr. Abadie. Mr. Jenkins asked Mr. Abadie about the price of adopting a pothole and if it was per year. Mr. Abadie answered no sir it was per pothole. Mr. Jenkins stated then it is forever and ever. Mr. Abadie stated it is \$100

per pothole each year and what they are trying to do is pay the farmer the profits he would make on that land that he is converting to agriculture and ruining a pothole. Mr. Jenkins stated that he understood this and his question was is it a \$100 per year. Mr. Abadie answered yes sir. Mr. Jenkins commented that if you were going to be a sponsor you would put up a \$100 this year and if you wanted to do the same thing next year you would continue to do so. Mr. Abadie stated that you could do that, you can pass it on to your children, members of your family, or anybody else and it will still bear your name but you do still have to keep on paying. It is a wonderful memorial to anyone advised Mr. Abadie. Mr. Jenkins commented that the land is worth \$250 an acre but you are going to rent a pothole for \$100 a year. Mr. Abadie stated yes sir but remember that the pothole covers three times the acreage of water in upland cover. Mr. Jenkins asked if you rent one acre of a pothole you are getting three acres. Mr. Abadie advised that you would be getting four acres. Mr. Jenkins stated so it works out to about \$25 an acre which makes a little more sense. Mr. Jenkins stated that the next question he has pertains to the predators killing ninety percent of the hatch and wanted to know if anybody was doing anything to address this problem. Mr. Abadie advised that Mr. Bateman would probably know more about what is being done. Mr. Bateman explained that the predators are one of the key features that are causing problems and the video that Mr. Abadie showed explained very clearly why this is a problem with the limited vegetation. All of the programs that were described to the Commissioners (Prairie Care, North American Waterfowl Management Plan, etc.) are addressing predator problems on a more specific basis in terms of putting electric fences around upland habitat and trying to determine how effective this can be advised Mr. Bateman. This is very expensive on a per acre basis and what is trying to be demonstrated is by controlling predators and by having this necessary three acres of uplands versus one acre of water is really the solution to the predator problem, getting enough grass around the water areas where the birds can simply hide. There is ongoing research and this is one of the key features of the programs. One of the difference that Mr. Bateman sees developing in terms of the program that Mr. Abadie is outlining and the other programs is the DU programs are in place in terms of a longer commitment over time in terms of easements with farmers over bigger sections of land rather than taking one pothole at a time. The money that Louisiana sends to Ducks Unlimited is used for outright acquisitions of property that involve the farming community in a cooperative effort to pool water and vegetation, the whole environmental complex that raises ducks. This is a long term investment and a permanent situation which is very important.

Dr. Hines stated that he thinks it is a step in the right directions and thinks the Commission and department should look at this. If there is a way it can be supported he would be in favor of it but does not want to diminish the support to Ducks Unlimited because of the very worthwhile projects up in Canada.

Mr. Jones stated that Ducks Unlimited is very well established and the Adopt a Pothole Program may very well be a great idea and concept but as Mr. Bateman has pointed out there are a couple of points of keen interest of possible mismanagement in their approach to the waterfowl. Mr. Jones stated that before he would even want to consider this that a indepth study should be done of where the dollars would go, the long range plan amd concept and what it is the plan will do as opposed to just adopt a pothole. Mr. Jones thinks it might be better to adopt a pothole and instead of getting four for a year, buy one and have it for a life time. Mr. Jones stated that he certainly thinks this group should be investigated, how they spend their money, and the way they are going to do it before he would ever entertain the idea of sending the money. Mr. Jones advised that he is not saying bad things about the program but they need to come forward and tell before sending them dollars.

Mr. Abadie pointed out that there is a law that prohibits the Canadian farmer from selling any of that portion of his property. It has to be on a yearly rental basis or lease basis. The reason it is suggested that you adopt for three years is it is hoped by that time the ducks will have recovered to a certain extent. A hen duck selects where she will nest and she goes back to the area where she was raised and learned to fly. Mr. Abadie asked Chairman Pol if there is to be any discussions on this program they would like to have somebody present for the discussions so that the Commission will not get a one sided situation. Chairman Pol assured Mr. Abadie that whatever recommendations the department brings back to the Commission that he will certainly have an opportunity to discuss them and have an input. Mr. Abadie asked if he will have the opportunity to look at them before hand or just on the day that he arrives at the meeting. Chairman Pol stated that he does not know exactly how Acting Secretary McInnis wants to handle this but he is sure that when the recommendations are being made that they will talk with Mr. Abadie before the final recommendations. Chairman Pol advised Mr. Abadie that he will have the opportunity to discuss this before the Commission adopts anything. Mr. Abadie thanked the Commissioners for their time and stated that he looks forward to their contribution.

Chairman Pol asked Ms. Bettsie Baker about the status of the **New Orleans Building** that is for sale. Ms. Baker advised that they have been working with Facility Planning to get bids on the asbestos demolition. The contractor came back with an exorbitant fee to remove the asbestos. Ms. Baker has requested that another individual bid on this. This package will be submitted on Monday with a revised asbestos demolition removal price. They wanted to charge the department somewhere in the neighborhood of two hundred thousand dollars to remove the asbestos from the building advised Ms. Baker and commented this was prohibitive and therefore out of prudence she requested a second bid. If this does not seem to pan out the department will go back with the originals. The new bid should be submitted in the very near future. A for sale sign was

put up on the piece of property advised Ms. Baker and she has had a significant number of phone calls from people interested in the building. In delaying the sale and putting up this public notice on the property the department has generated a significant amount of interest which will be to its benefit stated Ms. Baker. Ms. Baker advised that she will be happy to update the Commission in December and hopefully will at that time will be under contract and the demolition work will be taking place. Once there is a firm date on this the property will be re-advertised and the department will go forward with the sale of the property stated Ms. Baker.

Chairman Pol advised that both he and Mr. Jenkins have had a call and a letter from Dr. Richard Condrey which was in relation to a **Spanish Louisiana Territorial Map** that is in Baton Rouge and is for sale. The map is currently at Taylor Clark's Gallery on Government Street. Dr. Condrey goes on to say in his letter that this is a very important map and he is asking for help in securing the map. Taylor Clark's Gallery has it right now under a hold proposition. Chairman Pol stated that he thinks this is something that is good and does not want to hold Dr. Condrey up to long. Acting Secretary McInnis was asked by Chairman Pol if he would look at this and see what can be done, the price is \$2,750. The map deals with the wetlands as they were back in the 1700's, there were only a hundred copies made and the plates have been destroyed advised Chairman Pol. Chairman Pol asked Acting Secretary McInnis again to please see what can be done and that he and Mr. Jenkins and other members of the board would be happy to contribute something to the sale.

At Friday's meeting Acting Secretary A. Kell McInnis III gave the **Secretary's Report to the Commission**. Acting Secretary McInnis reported that Colonel Winton Vidrine of the Law Enforcement Section indicated that there was a graduation yesterday. One of the biggest problems with keeping people in the field is turnover. Quite simply there is a great deal of demand put on the people especially in the coastal zone and when they get a better offer for more money and less work they will leave. These people have to be replaced stated Acting Secretary McInnis. At the graduation yesterday there were seventeen cadets start the class and fourteen graduated. The new recruits will begin the field sobriety training this coming week and then go into in-service training where they will get out in the field. These people will disburse and go out into Regions 3, 4, 5, 6, 8, and 9. These are all existing vacancies and positions that needed filling immediately. In mid-January the department anticipates another class to begin at State Police and expects to have twelve to fourteen in that class, again mostly vacancies, but the department will have the opportunity to start looking at those positions that were given to them by the legislature last year and should have a better grip on the financial situation of the Class 1 monies being generated. The department hopes to begin in the January class with filling some of these positions. Colonel Vidrine also pointed out that for the third year the department cooperated with the Fish and Wildlife

Service in sending agents north and they in turn send people to Louisiana. Acting Secretary McInnis stated that Mr. Abadie mentioned Mr. Anderson's article and suggested perhaps Mr. Abadie would like to write an article based on the information that was received from Michigan and Ohio. Colonel Vidrine would be happy to share that information on over bagging with him advised Acting Secretary McInnis. Also in the line of cooperation with the Fish and Wildlife Service the paperwork for the Bell 47 helicopter that was formally used by the Fish and Wildlife Service out of their Slidell office has gone through the process and it has been transferred to the department for enforcement use in Louisiana. The helicopter is currently in Slidell and Acting Secretary McInnis spoke yesterday with the Senior Agent-In-Charge of Louisiana and they are going to make sure that it is ready to travel. It is hoped that it will be in Baton Rouge in the next week to ten days and should be available prior to the hunting season. There is also a great deal of parts that are coming with the helicopter pointed out Acting Secretary McInnis.

Acting Secretary McInnis announced that when Mr. Johnnie Tarver moved over to the Habitat Division, which is one of the most rapidly growing areas in the United States, and after consideration of a number of candidates, Mr. Tommy Prickett, formally with the Game Division, was chosen as the Chief of Fur and Refuge Division. Mr. Prickett has jumped in and got on the ground running and with cooperation of the Commission and his staff he will provide them excellent administrative leadership stated Acting Secretary McInnis. Mr. Prickett stated that he looks forward to working with the Commission, Acting Secretary McInnis and the staff of the Fur and Refuge Division in the coming years. Acting Secretary McInnis commented that Louisiana's marshlands capabilities probably exceed anyone else's in the state and predominance of that expertise is located in the Fur and Refuge Division and some of it in the Habitat Division. It is expected that marsh management will be the next new frontier for the department to get involved in and will work it in coordination with the Fisheries Division, Game Division, etc. so that management will be done for all the wildlife. The Price Lake Project at Rockefeller was dedicated a few weeks ago and very well attended pointed out Acting Secretary McInnis. This project is a seven thousand acre impoundment that will allow water control for management of all types of wildlife.

The first round of youth hunts has been completed on the wildlife management areas. The hunts went very well and very safe. This is a desirable thing and it will take grandparents and parents to exposed the children to what wildlife management is all about. These youth hunts provide the opportunity to get out there when nobody else is suppose to be in the woods and give the kids a safe opportunity to get started. The only problems that ~~esed~~ occur are from the adults and not the children. This hunt was in Zone 2 and in Zone 1 there will be another round of youth hunts this week.

The success rate was one in ten to fifteen of the youths taking a deer reported Acting Secretary McInnis.

The Kisatchie Forest Area where the department has done a great deal of modification in an effort with the Forest Service to get the deer herds back on line will open this weekend advised Acting Secretary McInnis. This will be monitored in cooperation with the Forest Service and the department.

At the dedication at Rockefeller Acting Secretary McInnis advised that he had an opportunity to see a great number of ducks and geese. The cold fronts are bringing the birds in on a regular basis and there are a number of them down in southwest Louisiana.

The teal season that Louisiana has had has been done away with to date. The department hopes this is not a dead issue and there has been some discussion of bringing this season back whether it is on a limited basis or experimental basis. The farmers that do get their crops out of their fields are encourage to put water on the ground as early as possible. Many of the birds come down during late September or early October and most of the farmers do not start pumping water until a week to ten days before the big duck season.

There was a lot of hard work put into the Black Bass Plan by the staff which has been submitted to the Commission and approved. The department hopes this plans proves to be as beneficial as anticipated stated Acting Secretary McInnis.

Last week Acting Secretary McInnis attended the Southeastern Association of Fish and Wildlife Agencies conference in Richmond, Virginia. There were a series of technical meetings attended by Acting Secretary McInnis and staff where good information was exchanged. Acting Secretary McInnis pointed out that the fox/coyote presentation presented at a previous Commission meeting where certain importations of fox/coyote were prohibited was recognized and adopted by the Southeastern, as a whole, following the Commission's lead. Also on the issue of released birds for the augmentation of the wild population was condemned as ineffective by not only the International at their meeting in New Orleans but also the Southeastern Association at their meeting in Richmond. One of the most important items at the Southeastern was the recognition of the problems that fish and wildlife managers are running into with the increased efforts by the anti-hunting sentiment population to get involved on multiple levels. Last year the states of Maryland and California were actually challenged in court with the statistical information available for the setting of their seasons and California almost did not have a hunting season this year stated Acting Secretary McInnis. Dr. Jim Timmerman, Director, South Carolina, has scheduled a workshop and invited conservation oriented hunting groups throughout the state of South Carolina. This workshop is to be held on November 15,

1990. Mr. Pete Bondatelli, Director, California and Colonel Robert Brantly, Director, Florida, will be the main speakers. Dr. Timmerman asked Acting Secretary McInnis, if possible, to please try to attend and participate in the meeting and if the scheduling will allow it Acting Secretary McInnis will try. If Acting Secretary McInnis is not able to attend someone else will attend as this is a very important meeting and is an issue that the Commission may want to take a closer look and utilize the resources available to get prepared for this type of attack.

There will be a Gulf Council Meeting in Tampa, Florida which Dr. Clark will be attending representing the department. Acting Secretary McInnis hopes to spend some time with Dr. Clark and get to know some of the people on the council.

Acting Secretary McInnis pointed out that traditionally at the May Commission meeting a public hearing in New Orleans is held on the shrimp season. If it meets with the approval of the Commissioners the necessary arrangements to secure UNO or another suitable site will be made for the meeting in New Orleans in the first part of May. Chairman Pol advised Acting Secretary McInnis to proceed with the arrangements.

In conjunction with the Black Bass Plan that was just submitted to the Commission earlier Acting Secretary McInnis advised that the department also has a declaration of emergency prepared to bring before the Commission which Major Charlie Clark will be presenting.

Mr. Jones commented that he would like to see the Commissioners delivered a packet, if at all possible, instead of just an agenda at least three days before the meeting so that they can study the agenda and issues that are being brought before the Commission. Mr. Jones stated that he knows there are times when this could not be done but such things as law enforcement it might be nice to have the report prior to coming to the meetings. Most of these items are pretty much routine and it would just mean D-day would be Monday morning instead of Thursday morning.

Acting Secretary McInnis stated that this is a very good point and he pointed out that he received his agenda for the Southeastern meeting the morning he arrived which made it very difficult for him to be prepared for the discussions that were to take place. This is an excellent idea and Acting Secretary McInnis will work with the staff to try to get the packages prepared timely. There will be situations when the Commission meets on the first and second of the month that reports, such as law enforcement, will not make the deadline. The department can have some draft formats of that type of information for the Commission advised Acting Secretary McInnis. Mr. Jones explained that the issues of action are what he would like to have in hand before taking action so that he can have the best opportunity to search information to figure out what are the right things to do.

Chairman Pol asked Major Charlie Clark to explain the **Declaration of Emergency and Resolution on Black Bass (Leaving of Head and Tail On)** that he was presenting to the Commission. Major Clark advised that the Enforcement Division is currently undergoing pretty severe problems and there are some variation of limits and size on black bass in Louisiana. Toledo Bend is one of the better examples of this where your limit is ten and size is twelve. There is a problem in that people are filleting the fish on the water and also a problem down in Venice where people are filleting bass and calling them trout. Once the fish are fillet there is no way to positively identify the fish. The only way to identify the fish would be to leave the heads and tails on and this is what is being asked today. Major Clark believes this will help in the success of the black bass program. Mr. Jones made a motion that the rules be suspended and this item be taken up under other business. The motion was seconded by Dr. Hines and passed unanimously. Chairman Pol called for a motion to act on the declaration of emergency and resolution. Dr. Hines moved that the resolution/declaration of emergency be adopted requiring the head and caudal fin of all black bass to be intact. The motion was seconded by Mr. Vujnovich and passed unanimously.

Dr. Clark stated that he has a comment before the Commission takes a vote on this. Chairman Pol advised that they have voted but asked Dr. Clark to go ahead. Dr. Clark advised that this is a large problem and this action will help but pointed out that if he was on the water, catching bass and has a seventeen inch bass he is going to fillet it and when the agent comes up he is going to say it was a crappie. Short of doing electra-floretics when you go into the court room on a case like this there will be a problem. Mr. Landrum advised that the remedy that Dr. Clark just suggested is that the rule apply to all freshwater game fish and that way any freshwater game fish cannot be fillet out in the water. It has got to be brought to the bank. Dr. Hines asked if this was an emergency that this be done today or can it be done next month. Dr. Clark stated that the earliest the black bass plan could take effect would be February 1, 1991. Dr. Hines suggested that they wait and fine tune the resolution/declaration of emergency. The vote was rescinded and Chairman Pol directed that the resolution and declaration of emergency be rewritten and that the divisions involved work together with Mr. Landrum and Mr. Puckett to make it completely legal. This item will be taken up at a later date.

At Friday's meeting the **Dates for the January 1991 Meeting** were discussed. Chairman Pol advised that the December Commission meeting has been changed from New Orleans to Baton Rouge. The December meeting will be on the 6th and 7th. After a discussion on the dates of the January meeting and the possibility of meeting on an earlier day in the week Chairman Pol asked the Commissioners to consider this and the dates be picked for the January meeting at the December meeting. Mr. Jenkins commented that his schedule is such that he needs to keep it like it is and suggested that it

be kept just like it is. Chairman Pol suggested to give everybody a chance to think about this that they wait and bring it up at the next Commission meeting at which time they will decide to meet on a different day or leave it as is.

Chairman Pol announced that as everyone know the Commission now bids goodbye to one of its members who has been a fine member and that is Dr. Hines. Chairman Pol asked Dr. Hines if he wanted to say a few words.

Dr. Hines made the following address: "I just want to tell all of you it has been a privilege, a pleasure and an honor I guess for me to serve on this Commission over the past nearly six years. I certainly have enjoyed my association with all of you on the Commission and the members of the staff, all the friendships that I have made and our associations and I hope that continues. I know that the state of Louisiana probably spends a lot of money needlessly but I think the money they spend in Wildlife and Fisheries is well spent. I have been extremely impressed with the dedication and the professionalism of all the employees of this department and I think the department is in good hands and I know that you are going to go forward. I know that there are some major obstacles that you have to overcome in the coming months and years ahead but I feel confident that you will handle this successfully. I guess, you know there are some exciting things too with the land acquisition, the fish hatchery and all of that and I am sure that the crisis in the Persian Gulf and increased oil production and maybe in some way might be of some benefit to this department not only from a monetary standpoint but it might take people off of their boats and put them back on oil rigs and reduce the pressure on the fisheries that way and unemployed people, who are frustrated and depressed at home, get them back to work and it might cut down a lot of our game violations. People out of work and desperate really don't follow rules very well and once again if we can get them back working I think things will get better for our game and fishery management. Maybe a blessing in disguise is that we have learned how to live with a thirty two million dollar budget so if we ever get a forty million dollar budget again maybe we can manage it better than we did in the past. But I am going to continue my involvement with Wildlife and Fisheries, I guess some aspects pleasant and some unpleasant. I am listed on a few suits so I guess I might be back here then but also I am on the deer task force and the land acquisition task force and hopefully you know I will be around for that. Plus a continued interest in all of the things that you all are doing, I am sure that we will run across each other from time to time. Like I said last night you know when you enjoy doing things time passes fast and it seems like just yesterday it was January 1984 and I came here to first of all to find out about seabobs and other things and I guess it is fitting that we end on seabobs today but it has been a great pleasure and a very enlightening experience for me and I want to thank all of you who I have worked with and worked with me and helped me on

different little projects that we asked you to help with and thanks again."

Chairman Pol stated that Dr. Hines will be missed and announced that the last item on the agenda is the **Election of the LDWF Commission Chairman and Vice Chairman for 1991**. Chairman Pol announced that the Chair will entertain nominations. Mr. Bert Jones nominated Mr. Jimmy Jenkins as Chair and Mr. Norman McCall as Vice-Chair. Dr. Hines stated that he would like to second the nomination as his last official act. Chairman Pol called for further nominations, there being none Chairman Pol called for a vote. The motion passed unanimously. Chairman Pol stated that he is turning the Chair over to good hands and is sure that Mr. Jenkins will do a great job.

There being no other business to be taken up by the Commission or from the floor Chairman Pol called for a motion to adjourn the November 1990 Commission meeting. A motion was made by Mr. Vujnovich and seconded by Mr Jenkins. The motion passed unanimously.

A. Kell McInnis III
Acting Secretary

AKM: sb