

LOUISIANA WILD LIFE AND FISHERIES COMMISSION

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P R O C E E D I N G S

BOARD MEETING

Tuesday, August 30, 1977

10:00 o'clock a.m.

DOYLE G. BERRY,
Chairman

Wild Life and Fisheries
Building, Room 102
400 Royal Street
New Orleans, Louisiana

Kathryn G. Chamberlin,
Reporter.



Helen R. Dietrich, Inc.

Stenotypists

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P R O C E E D I N G S

....The regular monthly meeting of the Board of Louisiana Wild Life and Fisheries Commission convened on Tuesday, August 30, 1977, at 10:00 o'clock a.m. in Room 102, Wild Life and Fisheries Building, 400 Royal Street, New Orleans, Louisiana, pursuant to notice, Doyle G. Berry presiding.

PRESENT WERE:

DOYLE G. BERRY, Chairman

MARC DUPUY, JR., Member

J. C. GILBERT, Member

JERRY JONES, Member

JEAN LAPEYRE, Member

HARVEY CLAY LUTTRELL, Member

J. BURTON ANGELLE, Director.

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A G E N D A

DR. LYLE ST. AMANT

1. Request from W. T. Burton Company, Inc., for (9)
renewal of clam and reef shell permit,
Sabine Lake from 9-28-77/78.
2. T. L. James & Co., Inc., request for renewal (10)
of a permit to remove sand and/or fill



material from the Mississippi River between Miles 87.35 and 88.17 near Meraux, St. Bernard Parish, Louisiana, from 8-31-77/78.

3. T. L. James & Co., Inc., request for renewal of permit to remove sand and/or fill material from the Mississippi River along left bank between Levee Stations 6348 and 6415 near Harahan, Jefferson Parish, Louisiana. (12)
4. Request by Marshland Dredging Co., Inc., for renewal of permit to remove fill material from the Mississippi River in the vicinity of Mile 229.6 to 230.3 AHP. (13)
5. Renewal of permit to remove fill material from the Amite River about 3/4 mile west of the Port Vincent Bridge, Ascension Parish, Louisiana, from August 31, 1977 to August 31, 1978, from Sidney Diez. (14)
6. Larry Doiron, Inc. requests a permit for dredging fill material from Six Mile Lake at Buoy 7-A, St. Mary Parish, Louisiana. (16)



- 7. A. E. Gravois and Sons, Inc., permit to dredge (17)
river sand from L. S. 1239+04, Missis-
sippi River at St. Joseph Plantation.
- 8. Discussion of shell dredging in Atchafalaya (18)
Bay.

MR. RICHARD YANCEY

- 9. Set waterfowl season dates and bag limits. (25;
155)
- 10. Adopt resolution rescinding hunting regula- (87)
tions on Wildlife Management Areas
located on U. S. Forest Service lands.
Memorandum of Understanding.
- 11. Mitigation - Tensas-Cocodrie Pumping Plant, (127*
Concordia Parish, U. S. Corps of
Engineers. *SEE ALSO APPENDICES.

MR. KENNETH SMITH

- 12. Renewal of lease with Pennzoil Producing (137)
Company for Finch Bayou Lake in Union
Parish.

MR. JOE HERRING

- 13. Resolution for National Hunting and Fishing (139)
Day.
- 14. Ashland Pipeline right-of-way, Red River (144)
Wildlife Management Area.



15. Hovercraft usage on Wildlife Management Areas. (146)
16. Hunting seasons and regulations for Boeuf
Wildlife Management Area. (150)

OTHER BUSINESS

17. Presentation of OEP check for \$85,000 - Col. (6)
F. L. Morrison.

NOTE:

The following items not on the printed agenda
were also considered:

- Approval of Minutes of meeting of July 12, (8)
1977.
- Recognition of visitors. (6)
- Experimental mullet permit to Raffields of (83)
Florida.
- Declaration of emergency re WMA resolutions (126)
adopted under Item 10 of agenda above.
- September meeting dates. (161)
- Authority to pursue matter of market value (160)
of gas from Commission-owned lands.

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CHAIRMAN DOYLE G. BERRY: The meeting will now come to order, please. We are happy to have everyone here this morning and we welcome you. We are especially glad to have our former Enforcement Chief Mike Hogan. Stand up a minute, Mike, and let them look at you. (Applause) We appreciate Mike's past service here and also appreciate the help he gives us in the House. He is very helpful to the Wild Life and Fisheries Commission.

We will move right along with the meeting this morning.

MR. LUTTRELL: May I interrupt? Mrs. Cook is here and she will take care of Mike, too.

THE CHAIRMAN: I am sorry I didn't see Mrs. Cook. Hi, how is that boy doing? Not getting fat like his papa, I hope.

At this time I would like to introduce Colonel Morrison, who was last on the list, but since he has a check for \$85,000 I decided to put him first on the list and get all that money before he changes his mind. Colonel Morrison.

COLONEL F. L. MORRISON: Mr. Chairman, Mr. Angelle, it gives me great pleasure to present



the Wild Life and Fisheries with a check for \$85,808.64, which is the total amount of your claim for damages you sustained during the flooding of 1975. This is the last check we have for you, unless Anita does you some damage this time.

THE CHAIRMAN: We appreciate it very much, Colonel Morrison. We accept it and wish you had some more for us.

COLONEL MORRISON: I might say that your handling of the claim was a big help to us in getting the money. It was apparently handled properly because the total claim was received, there were no suspensions for anything, so the documentation of loss was very well done and you people handled it in real good shape.

THE CHAIRMAN: One thing I can say about Burt and Doc and Dick and Joe Herring and the rest of them, they know how to go after that money!

COLONEL MORRISON: Who do I give the check to, you or Mr. Angelle?

THE CHAIRMAN: Let me have it. I want to hold it at least one time.

MR. HERRING: Mr. Chairman, while you are



doing that, what this covers is fence repairs on our Spring Bayou Wildlife Management Area after the flood of '73 and also road repairs on Spring Bayou, Three Rivers and Russell Sage Wildlife Management Areas. With this \$85,000 we have there and the one after '73, we ought to be catching up with Allan Ensminger here pretty soon on some of his.

THE CHAIRMAN: Thank you again, Colonel Morrison. It is always a pleasure to have you with us.

I am going to move one item that I don't see on the agenda, and that is approval of the minutes of the last meeting. Do I hear a motion we adopt them?

MR. LUTTRELL: I so move.

MR. JONES: Second.

THE CHAIRMAN: All in favor say aye.

IN UNISON: Aye.

THE CHAIRMAN: Any opposed?

(No response)

So ordered.

Dr. St. Amant. While Doc is coming up, I might add there are a number of folks in this



room who want to get back home today, since we do have a storm, and I am going to attempt to move this meeting as fast as I can, and I have been threatened by Mr. Jones if I don't, so I am going to put it all on him. Doc.

DR. ST. AMANT: Thank you, Mr. Chairman. Members of the Commission we have seven or eight items this morning. I will try to be brief. The first seven items deal with renewal of existing permits and in all instances they meet the requirements of the Commission and we would recommend that they be adopted. I will run over them briefly.

The first one is a request by W. T. Burton to renew is clam and reef shell permit, Sabine Lake. He is operating this permit on an annual basis and it has been satisfactory. He is paying us 20 cents a yard royalty and I would recommend that the permit be renewed for a period of one year at the existing royalty.

THE CHAIRMAN: Gentlemen, you have heard the recommendation; do we have a motion?

MR. LUTTRELL: So move.

MR. JONES: Second.



THE CHAIRMAN: All in favor say aye.

IN UNISON: Aye.

THE CHAIRMAN: Any opposed?

(No response)

So ordered.

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

BE IT RESOLVED that the
Louisiana Department of Wildlife and
Fisheries does hereby grant permission
to W. T. BURTON COMPANY, INC. to remove
clam and reef shell from Sabine Lake on
terms of permit expiring on September 28,
1977 for another year, from September 28,
1977 to September 28, 1978.

DR. ST. AMANT: The second one is T. L.
James and Company, who now holds a permit for
removal of sand and fill material from the Missis-
sippi River between Mile 87 and Mile 88 in St.
Bernard Parish. This material is being used in
some of the construction work and roadbuilding in
the area. They have been operating the permit for



a number of years and it has been satisfactory. I would recommend the permit be renewed for a period of one year at five cents per yard.

THE CHAIRMAN: Gentlemen, you have heard the recommendation.

MR. DUPUY: I so move.

MR. LUTTRELL: Second.

THE CHAIRMAN: It has been moved by Mr. Dupuy, seconded by Mr. Luttrell. All in favor say aye.

IN UNISON: Aye.

THE CHAIRMAN: Any opposed?

(No response)

So ordered.

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

BE IT RESOLVED that the Louisiana Department of Wildlife and Fisheries does hereby grant permission to T. L. JAMES & CO., INC. to remove sand and/or fill material from the Mississippi River between Mile 87.35



AHP and Mile 88.17 AHP near Meraux, St. Bernard Parish, Louisiana, from August 31, 1977 to August 31, 1978, at a royalty rate of five cents per cubic yard.

DR. ST. AMANT: The third item is another request by T. L. James & Company for renewal of a permit which they have in the vicinity of Harahan, Louisiana and the Mississippi River, and it is also for fill material. They have been operating this permit satisfactorily. I would recommend that it be renewed for one year at a royalty of five cents.

MR. LAPEYRE: I so move.

MR. DUPUY: Second.

THE CHAIRMAN: Moved by Mr. Lapeyre, seconded by Mr. Dupuy. All in favor say aye.

IN UNISON: Aye.

THE CHAIRMAN: Opposed?

(No response)

So ordered.

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

BE IT RESOLVED that the



Louisiana Department of Wildlife and Fisheries does hereby grant permission to T. L. JAMES & CO. INC. to remove sand and/or fill material from the Mississippi River along the left bank between Levee Stations 6348 and 6415 near Harahan, Jefferson Parish, Louisiana, for a period of one year from August 30, 1977 to August 30, 1978, at a royalty rate of five cents per cubic yard.

DR. ST. AMANT: The next item is a request by Marshland Dredging Company for renewal of a permit to remove fill material from the Mississippi River in the vicinity of Mile 229 to Mile 230. This permit has been operated satisfactorily and I would recommend it be renewed for another year at five cents a yard.

THE CHAIRMAN: You have heard the motion, gentlemen.

MR. DUPUY: I so move.

MR. LUTTRELL: Second.

THE CHAIRMAN: Moved by Mr. Dupuy,



seconded by Mr. Luttrell. All in favor say aye.

IN UNISON: Aye.

THE CHAIRMAN: Any opposed?

(No response)

So ordered.

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

BE IT RESOLVED that the
Louisiana Department of Wildlife and
Fisheries does hereby grant permission
to MARSHLAND DREDGING COMPANY INC. to
remove fill material from the Missis-
sippi River in the vicinity of Mile
229.6 AHP to Mile 230.3 AHP, from
August 31, 1977 to August 31, 1978,
for a period of one year, for a
royalty rate of five cents per cubic
yard.

DR. ST. AMANT: The next is renewal of
a permit to remove fill material from the Amite
River about three-quarters of a mile from Port
Vincent by Mr. Sidney Diez. This is a very small



operation and it has been in operation for a number of years. It has not caused any problems and I would recommend it be renewed for a period of one year at five cents.

THE CHAIRMAN: The Chair would hear a motion.

MR. LAPEYRE: I so move.

MR. LUTTRELL: Second.

THE CHAIRMAN: Moved by Mr. Lapeyre, seconded by Mr. Luttrell. All in favor say aye.

IN UNISON: Aye.

THE CHAIRMAN: Any opposed?

(No response)

So ordered.

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

BE IT RESOLVED that the Louisiana Department of Wildlife and Fisheries, does hereby grant permission to SIDNEY DIEZ to remove fill material from the Amite River about three-quarters mile west of the Port Vincent Bridge,



Ascension Parish, Louisiana, for a period of one year from August 31, 1977 to August 31, 1978, at a royalty rate of five cents per cubic yard.

DR. ST. AMANT: The next one is a request from Mr. Larry Doiron from St. Mary Parish to dredge in Six Mile Lake near Buoy 7-A. This permit has been in existence. It did expire. It is now being requested that it be renewed and we have had no problem with the permit. I would recommend that it be renewed at five cents a yard.

THE CHAIRMAN: Gentlemen, we have the recommendation.

MR. GILBERT: I so move.

MR. DUPUY: Second.

THE CHAIRMAN: Moved and seconded. All in favor say aye.

IN UNISON: Aye.

THE CHAIRMAN: Any opposed?

(No response)

So ordered.

(The full text of the resolution is here made



a part of the record.)

BE IT RESOLVED that the Louisiana Department of Wildlife and Fisheries does hereby grant permission to LARRY DOIRON, INC. to dredge for fill material from Six Mile Lake at Buoy 7-A, St. Mary Parish, Louisiana, for a period of one year from August 30, 1977 to August 30, 1978, at a royalty rate of five cents per cubic yard.

DR. ST. AMANT: The last permit is A. E. Gravois and Sons for dredging in the Mississippi River at Levee Station 1239, which is in the vicinity of St. Joseph Plantation. This is a new permit. We find nothing wrong with it. It meets the requirements set forth by the Commission and I would recommend that it be granted for a period of one year at the five-cent a yard rate.

THE CHAIRMAN: We have the recommendation. Do we have a motion?

MR. DUPUY: So move.

MR. JONES: Second.

THE CHAIRMAN: We have a motion and a



second. All in favor say aye.

IN UNISON: Aye.

THE CHAIRMAN: Any opposed?

(No response)

So ordered.

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

BE IT RESOLVED that the
Louisiana Department of Wildlife and
Fisheries does hereby grant permission
to A. E. GRAVOIS AND SONS, INC. to
dredge river sand, from the Mississippi
River from Levee Station 1239+04, at
St. Joseph Plantation, for a period
of one year from August 30, 1977 to
August 30, 1978.

DR. ST. AMANT: Now the final item which
I would like to discuss with the Commission has to
do with a meeting that is being held tonight. It
is actually a public hearing by the Corps of
Engineers with respect to the granting of a permit
to the shell companies for dredging in the



Atchafalaya Bay area and in central Louisiana.

As you are aware, all of these shell companies hold leases from us and have had the leases for a number of years. Most of the leases are in effect until 1985. But in order to operate, they also need a companion permit from the Corps of Engineers which usually is renewed on a three-year basis or shorter or longer, depending upon the circumstances.

Now what has happened in this particular area, several years ago there was a hearing and there was a considerable amount of opposition to the shell dredging because at that time it was thought that they would dredge up some of the exposed reef that was being used for recreational fishing. At that particular time a number of actions were taken which we can demonstrate on this map, if you will bring it up.

In order to be certain that there would be no exposed reef dredged up and all the exposed reefs in the area were protected, one mile was removed from the leases around Marsh Island. This does two things; it protects any oyster reefs that



are exposed and it also protects the integrity of the shoreline. The only exception is on the west end in the Southwest Pass where this area (indicating) extends out to the channel.

In addition to this, the entire area of this hard reef off South Point and the reef across here from Cypremort Point was removed from the shell leases, and this Salle Shoal was removed, and we have had no dredging in there and this is not even intended to be dredged. It is completely out of the leases.

In addition to this, in the leases that we have and in the Corps permit, there is a 1,500-foot area along all shore lines to protect the existing nursery grounds that cannot be dredged.

We think that the entire area of exposed reef has been thoroughly examined and taken out of the possibility of being dredged, and in addition to that, the last remaining area that was under consideration are these three spots down in the lower right-hand corner. That was recently done by the Louisiana Wild Life and Fisheries Commission, the National Marine Fisheries, and the U. S.



Fish and Wildlife Service, and these represent the areas where there is a small section of exposed shell that we are recommending that they be permanently removed from the leases.

The remainder of the area is under silt and is being dredged without any effect on the environment. One other area is involved that is not altogether hard reef but it represents an area in here that is closed to dredging right off Pointe au Fer. This is at the request of the Attorney General's office in order to keep the integrity of the shoreline intact with respect to our position on offshore oil production.

One other recent happening that has taken place, the Wild Life Commission has signed a Memorandum of Agreement with the three federal agencies, with the National Marine Fisheries, the U. S. Fish & Wildlife Service and the U. S. Corps of Engineers, which in fact states and agrees that there will be no action taken in these areas that is not governed by more or less a unanimous opinion of the four groups. This is based on an examination of the environmental problems that might exist



in the area.

The Louisiana Wild Life leases on these dredging areas have long had much more flexibility and muscle in them than any Corps permit, and what it amounts to is that under our existing leases any place that we find a problem we can immediately cease and desist the dredging and permanently keep them from dredging in there until the problem is corrected or until such time as we feel there is no harm to dredge in the area. We have been acting on this basis over the years.

So, based on these consideration, we feel like the dredging is under adequate control by the Louisiana Wild Life and Fisheries Commission. We feel that it is of considerable importance to the State of Louisiana, and because of that I have prepared a resolution which I would like to read and see whether or not the Commission would endorse it.

This resolution reads:

WHEREAS, shell dredging in Louisiana has historically been a method of harvesting one of this state's many natural resources for over 40 years, and



WHEREAS, there is no significant evidence to demonstrate that shell dredging is detrimental to the biology of naturally occurring organisms or to the ecology of the sites dredged, and

WHEREAS, fishery production has remained relatively constant in the vicinity of active shell dredging, with the cyclic character of wild populations recognized, and

WHEREAS, adequate environmental considerations are included in the leases that provide direct control for maximum protection of the environment, and

WHEREAS, a delta is rapidly being formed in the Atchafalaya-East and West Cote Blanche Bay complex that would preclude shell dredging in marshland at a later date, and

WHEREAS, the royalties from shell dredging in Louisiana amount to approximately \$2.5 million annually and are dedicated to the furtherance of



marine fishery research and management, and

WHEREAS, the construction industry of southern Louisiana is extremely dependent on shell production for a supply of cement and other base material,

NOW THEREFORE BE IT RESOLVED that the Department of Wildlife and Fisheries of Louisiana approves continuance of a shell dredging permit along the central Louisiana coast.

THE CHAIRMAN: Gentlemen, you have heard the recommendation. Do I have a motion?

MR. JONES: Move.

MR. LUTTRELL: Second.

THE CHAIRMAN: Moved by Mr. Jones and seconded by Mr. Luttrell. All in favor say aye.

IN UNISON: Aye.

THE CHAIRMAN: Any opposed?

(No response)

So ordered.

Thank you, Dr. St. Amant. Mr. Yancey.



MR. RICHARD YANCEY: Mr. Chairman and Members of the Commission, the first item I have on the agenda pertains to the establishment of the dates for hunting ducks, geese and coots in Louisiana during the forthcoming season. We have been notified by the U. S. Fish and Wildlife Service that Louisiana is being allowed 45 days for the hunting of ducks in the eastern zone of Louisiana and 50 days for the hunting of ducks in the western zone of Louisiana, and we will have 70 days for the hunting of geese in the state during the upcoming season.

So, at this time it will be necessary that we establish the dates for the hunting of these game birds within the federal framework, which on ducks runs from October 1 to January 20 and on geese runs from October 1 to February 14.

Before getting into that I would like to make a few preliminary comments, the first being that Bateman and Soileau and Ensminger and I made a flight up into Canada back in the last week in July, and we found the prairies to be quite dry after a series of seven wet years, during which



good production took place on the prairies, and we have found that as a result of the drought on the prairies during the return of the spring migration that these birds overflowed the areas and they nested in the permanent water marshes and river deltas and beaver ponds and what-have-you north of the prairies. Past history has shown that production of young birds when the ducks nest in that region of Canada is usually lower, considerably lower, than the bumper crop that you find when these same birds nest on the prairies under good water conditions.

It is expected that the fall flight of ducks in the four flyways is going to amount to about 88 million ducks altogether and we will expect the fall flight into Louisiana, a winter population of probably four to five million and a transient population of ducks that moves through here in the fall and winters south of us will probably equal the wintering population. The fall flight is going to be comprised primarily of adult birds, which means they have been hunted during the '76 season and they are going to be more difficult to hunt and the hunters are certainly going to



have to have more brush on their blinds, more decoys and maybe leave those calls in their coat pockets if they are not real skillful with them.

Now after the trip to Canada we attended the fall flight forecast meeting that was held by the Fish & Wildlife Service in Denver, and at that time they gave us some of the information that we, of course, had already determined on our own in the trip to Canada. After that we went on to Washington and attended the meetings up there that developed the proposals for the seasons and bag limits in the four flyways.

All of this resulted in a five-day reduction in the number of hunting days for Louisiana below that allowed last year. We felt, as a whole, that we came out extremely well because when this same drought prevailed in the prairies back in the early 60's, we were allowed only a duck season of about 19-1/2 days and a bag limit of only two or three ducks, so we think as a whole that we were treated very generously in the setting of seasons and bag limits for the Mississippi Flyway.

We also attended the Mississippi Flyway



Council meeting which was held over in Biloxi and our six Southern state group in the Flyway held its meeting. Generally we proposed the same regulations as last year. Since they only made a five-day reduction in the regulations from last year, we did, as I have already mentioned, come out very well.

The bag limits allowed in the Mississippi Flyway this year will be the same as last year. We will have the 10-point category which will include blue and green-winged teal, pintails, gadwalls and scaup and shovelers. The 25-point category is going to include drake mallards, which is going to allow a four-mallard bag in the state, which is the second year that we have had this after about a 10-year period when we only had two or three mallards allowed daily in the bag. The widgeon will be 25 points and the ring-neck duck, and the 70-point category is going to include red-heads, hen mallards, wood ducks. The 100-point category is going to include canvasback, and there will be some area closures on canvasback and red-head again in the state this year. They will be



the same as they had established for last year.

I think everyone is aware of the fact that steel shot is going to be required in a portion of central Louisiana and a portion of southwest Louisiana in the hunting of ducks this fall. It is going to be a major change. They have been using steel shot on the federal refuges, on those portions of the federal refuges that have been open in Louisiana for the past two or three years, but this will be the first time that steel shot is going to be required in large areas in Louisiana. Of course, the same requirement is being applied to other states in the Flyway. The only gauge where steel shot is required will be in 12-gauge shotguns, this mainly being due to the fact that this is the only gauge in which steel shot are being manufactured now.

As a whole, it is an unpopular regulation and one that the hunters are disappointed to see come around, but it is being put into effect because of the very heavy losses of ducks that take place every year from feeding on lead shot and then the ducks are dying from lead



poisoning, amounting to about two million birds throughout the country annually.

The other comment that I would like to make pertains to the goose season. We went up to the northwest shore of Hudson Bay and looked over the nesting grounds of the blue and snow geese, and we found that apparently a good hatch of blue and snow geese had taken place. It looked to us like about 50 percent of the birds in the flocks that we observed were birds of the year, which as a whole is a good hatch of blue geese. Up in that nesting ground country, this is a very barren land area. It is tundra and it is rocks and it is rivers flowing into the western side of Hudson Bay and it is in that area where about a million blue and snow geese normally nest and reproduce.

THE CHAIRMAN: Mr. Yancey, could the Chair interrupt you and ask you a question?

MR. YANCEY: Yes, sir.

THE CHAIRMAN: What is your personal opinion on the steel shot versus the lead shot? How many birds do you think we are going to lose to a sharper steel shot than will ever be recovered?



MR. YANCEY: There has been a lot of research carried out on that particular subject and it indicates that the crippling loss doesn't differ greatly between lead and steel. The steel is not as effective past 35 yards as lead is, but lead will cripple ducks further than steel will, so the crippling loss is not going to differ greatly, based on research that is being conducted.

The big problems with steel shot have to do with the fact that a box of steel shot is going to cost about twice what a box of lead shot costs, and also there is some indication that you will get a little more wear on your barrel with steel than you get with lead.

THE CHAIRMAN: This reminds me of most things the federal government does, in that the cure is worse than the disease itself. I can't help but say that, I think they are making a mistake, and they will probably lose several million ducks that they will shoot clean through like they did in World War II with those old hard-nosed bullets, to really tear men up, just shoot through them and leave them crippled. I think that is what



will happen to these ducks. I think that time will prove, in the next five to ten years, that again the bureaucracy has created a bigger problem by trying to cure something than the disease was that they started to mess with. They are experts at that now.

MR. YANCEY: What you are saying may be true, but it is a fact that we are losing a tremendous number of ducks every year from lead poisoning. That is the purpose of this new regulation. Of course, everybody is optimistic about the fact that the manufacturing costs of steel will come down and they will improve this ammunition ballistically where it will be more comparable to lead, and if that is ever accomplished, then it is going to result in a lot more birds being available to hunters to enjoy during the fall migration because we have conducted a number of field investigations in Louisiana over the past 25 years of heavy losses of ducks due to lead poisoning, and it occurs everywhere that you have concentrations of waterfowl using areas that are heavily shot over. You have just got a massive number of



lead shot. It runs 30-40,000 lead shot per acre in some of these areas, and these birds pick up two or three pellets and they have had it.

THE CHAIRMAN: What about the steel shot, will that affect them any way?

MR. YANCEY: The steel doesn't have any toxic effect on ducks. They can pick up a gizzard full of steel shot and it doesn't result in any damage to the ducks. That is the purpose of the thing. As I said earlier, it is a very, very unsavory regulation and the hunters in Louisiana are universally opposed to it, but there are two sides to that question.

MR. LAPEYRE: That doesn't mean, though, that lead shot as such is going to be taken off the market?

MR. YANCEY: No.

MR. LAPEYRE: Where the water is deep enough, there is no objection, is that right? No objection to using the lead shot?

MR. YANCEY: Well, I think ultimately you are going to be looking at a regulation that is probably going to be flyway-wide requiring the



use of steel shot, flyway-wide across the country.

MR. LAPEYRE: The regulation requiring steel shot in Louisiana this year applies only to certain areas, does it not?

MR. YANCEY: It applies generally to the Catahoula Lake area and to the area above Intra-coastal Canal and south of Interstate over in southwest Louisiana, in Cameron, Calcasieu and Vermilion.

MR. LAPEYRE: Is it because of the depth of the water in those areas, where it is possible for the ducks --

MR. YANCEY: Well, that is not the way these areas were selected. They were selected based primarily on harvest rates of ducks within a given area, and that is going to be expanded next year.

I missed this. This shaded area (indicating) on the map of Louisiana over here shows where steel shot is going to be required. The shaded area down in southwest Louisiana and the shaded area up in the Catahoula Parish area north-east of Alexandria is where it is going to be



required in the state this year.

MR. DUPUY: Dick, if I might make a prediction, I think we will see within a very short period of time that we will be using steel shot for all gauges of shotguns throughout the whole flyway, and we will probably end up with a half-day duck season, mornings only, within a few short years.

MR. YANCEY: Yes, I think you are looking at steel shot for waterfowl hunting in the future. That is based on the information that we have as to what their plan is, the federal plan, for the flyway for next year and down the road ahead, so we might as well all get braced for that.

As far as half-day shooting is concerned, right now there is no serious consideration being given to providing for that in the Mississippi Flyway. I don't know of anyone that is proposing that. The only proposals that have been made have been by Defenders of Wildlife and some of the other preservationist organizations to do away with early morning hunting, which would be disastrous to duck hunting. They are talking about allowing shooting to start 30 minutes after sunrise, which would just



destroy the sport of duck hunting in this state. They filed a suit about this last year, and it was finally ruled -- the Court ruled that a better assessment of the effects of this on protected species would have to be made, and that assessment was made by the Fish and Wildlife Service and it has been published.

Getting back to the subject matter at hand, I am going to call on Hugh Bateman to present the Commission with the recommended dates for the duck and goose seasons from the staff. I would like to say that these recommendations are based on about 27 years of information here in Louisiana from aerial surveys conducted during the fall, winter and spring by the biologists in the Commission and by about 25 or 27 years of hunter-kill information collected in the field and through questionnaire surveys and I would also like to say, Mr. Chairman, that after he presents his recommendation, I think there are several people present that would like to be heard. If you would, I think it would be advisable, after he presents the staff recommendations, if you would call on these



gentlemen and let them be heard, and then we will take whatever action you feel is proper.

THE CHAIRMAN: Thank you, sir. Hugh.

MR. HUGH BATEMAN: I am glad Mr. Yancey had a chance to get rid of the controversial issue of steel shot so we can get on with the waterfowl season date recommendations, which I am sure everybody is going to agree on.

Before I make any recommendations, I would like to go over a map that I have here on the right, which will provide you some figures on the duck harvest that occurred in Louisiana last year. The Game Division, the Research Analysis Section, runs a mail questionnaire survey each year to determine where and how large the waterfowl harvest is in Louisiana.

The green figures pertain to the west zone in Louisiana. These are last year's waterfowl season dates. As you can see, in the inland zone in the west zone, there were 301,000 waterfowl taken and 784,000 taken on the coast. This brings you to a total of 1,870,000 birds harvested in the western zone of Louisiana last year with these



season dates. You break down the west zone into the first split and the second split of the season and it gives you a little over a half million birds in the first split from November 6 to November 28 and also a little over a half million birds from December 11 to January 11 last year.

In the east zone there were 412,000 birds harvested in the inland zone in the east, 372,000 birds on the coast, for a total in the east zone of 779,000. Some of you good mathematicians are going to see that some of these figures don't add; these are computer estimates through a statistical survey and they are separate estimates, so if they don't quite add up or are a thousand off one way or the other, we are aware of that, and this is the way the survey is done.

In the east zone when it is broken down, last year we estimated about 418,000 birds taken during the first part of the season in the east zone, 361,000 birds during the second part of the season in the east zone.

Last year in Louisiana there were about 122,000 duck stamps sold. That is up about 10,000



from the last year, according to the Fish and Wildlife Service figures. The total duck harvest in Louisiana last year, 1,867,000 birds, which of course we think turned out to be a pretty fair season.

As all of you know, last year we had an extremely dry year, starting the first part of the season, and that maintained itself right on through I guess Christmas before we started getting a lot of rain.

This year, of course, conditions are just exactly the opposite. We have had a tremendous amount of rain and right now we just don't know what is going to work itself out by the time the duck season rolls around this year.

I would like to entertain any questions that any of the Board members might have at this point before we make any recommendations.

O. K., for the west zone this year, we have, as Mr. Yancey pointed out, 50 days of waterfowl hunting, and we would recommend a season that commences on November 5, and of course that is a locked-in date by our zoning agreement with Fish



and Wildlife Service; this is a fixed date every year, the first Saturday in November, and that occurs on November 5 this year. That would be November 5 through November 27, or 23 days; and December 10 to January 5 for 27 days.

For geese in the west zone, we would recommend November 5 to November 27 and December 10 to January 25. Last year we had a legislative resolution that asked the Louisiana Wild Life and Fisheries Commission to run the duck and goose season concurrent, the days overlapping. We did that last year and we are recommending that again this year. That is a 70-day season with 23 days in the first part and 47 days in the second part.

I might add that this year in the options that we had for waterfowl hunting regulations, we had the point system option which, of course, has been very, very popular here in the state and I think it has been beneficial to Louisiana duck hunters particularly. The low point category has consisted of birds that make up the bulk of the birds that winter here in Louisiana, and the option to the point system this year would have been a



standard five-bird bag, and we would certainly recommend going with the point system again this year. It has been extremely popular and we think it is the thing to go with.

In the east zone we would recommend for ducks, November 19 to November 27 and the second split for December 10 to January 14. For geese in the east zone, it is a 70-day season and I think it was pointed out that we can have separate goose seasons in each of the zones and therefore we would recommend November 19, a straight season through January 27, which is 70 days.

Louisiana also has the option for a special scaup season. It would be restricted to certain areas mutually agreed upon by us and the U. S. Fish and Wildlife Service in southeast Louisiana and we would recommend those dates to commence -- this special season is for scaup only and it has to fall outside the regular duck season dates. Therefore we would recommend that this season commence on January 15, which is a Sunday, and would run through January 30, which is a Monday. The bag limit on those birds would be



five a day and ten in possession.

There have been a number of misconceptions about an option that was offered to certain Mississippi Flyway states this year concerning a special wood duck season that would consist of nine days that would have to be set prior to October 15. This nine days would be subtracted from the number of duck hunting days that you would have available, and therefore we would, of course, recommend that this option not be exercised. Our wood ducks remain here in Louisiana and we have no problem with that at all, so we don't recommend that that option be exercised.

Are there any questions?

THE CHAIRMAN: I think at this time we will hear from the audience. Would you step to the mike, please, and state your name and who you represent.

MR. LOUIS BATT, SR.: Thank you. My name is Louis Batt and I speak on behalf of the Clio Duck Hunting Club.

Basically the regulations that have been set out thus far, stated, somewhat parallel what I



am going to suggest and hope for adoption in the way of a duck season in the eastern section of Louisiana. However, there is some variation of about seven days.

Taking into consideration the average duck hunter who works Monday through Friday, we worked with this in mind to get him the maximum number of days on which he can hunt. Proposed season split, we do concur in the point system adoption. The split season would run the first half from November 12, a Saturday, to December 3, a Saturday. Not the most desirable ending day but the reason is that if you shift one day one way or the other, you lose two days on the other end. The second half to be from December 17, a Saturday, to January 8, a Saturday.

MR. LUTTRELL: Larry, you can't open on November 12 because that is locked in.

MR. BATT: In the western zone, am I right? In the eastern zone, the New Orleans area, it is allowable.

MR. LAPEYRE: And your closing date on the second split?



MR. BATT: The closing day of the second split would be January 8, a Sunday.

The conclusion why this is being recommended is that in this particular case the average man hunting or having to work Monday through Friday would be afforded in each of the splits eight days, making a total of 16 hunting days. If he works for an organization -- and quite a few do -- whereby if a legal holiday falls on a Sunday, which this year Christmas and New Year's does, if it falls on a Sunday he is allowed off Monday, and in that case, he would have an additional three days, making the average man able to make 21 hunting days. We feel that this is making maximum use of the time that is allotted. Thank you.

THE CHAIRMAN: Thank you, Mr. Batt. Mr. Herring.

MR. JOE HERRING: Mr. Chairman, the only comment I have to make is recommending December 17 as an opening date on the second season. This is the date that was set for the opening of all doe seasons in the state, and we feel like it would possibly be a big conflict in there and something



to consider here, because even though you are either a duck hunter or a deer hunter, there are a lot of people who like to do a little of both, and since that is a big day there, a lot of people do like to hunt on doe days, it is something really to consider there, as far as December 17. There would be a real big conflict there.

DIRECTOR ANGELLE: Joe, is there a regulation about the opening of the waterfowl season on the opening of --

MR. HERRING: No, there is nothing on it, but it would be two big days there. Duck hunting is a big day and the opening of your doe season is also a big opening day for people to get out. Now, on the game management areas, you would have it there.

DIRECTOR ANGELLE: That is what I was getting at, on game management areas you do have a conflict.

MR. HERRING: Right, you have it anywhere there is a doe season.

DIRECTOR ANGELLE: In the regulations, just what does it state, because I think that is not



quite fully understood by everybody.

MR. HERRING: You mean when it opens?

DIRECTOR ANGELLE: No, just what are the prohibitions on --

MR. HERRING: Oh, O. K., I am sorry, I didn't understand you. During the opening day of the deer season we do prohibit duck hunting on that day. That is because you will have so many people in there with high-powered rifles and so many people in there hunting. I mean you would just be outnumbered by the duck hunters you would have on these small areas on a lot of your wildlife management areas, and we do prohibit that type of hunting, and it so states in the pamphlet that there would not be any duck hunting on that opening day. So, if you went to the 17th, then you would cut out your duck hunting on that opening day on wildlife management areas.

DIRECTOR ANGELLE: Just on the opening day?

MR. HERRING: Just the opening day, right.

DIRECTOR ANGELLE: Just that one day?

MR. HERRING: Right.



DIRECTOR ANGELLE: Or during the whole season?

MR. HERRING: No, just on the doe days. It varies on that thing, one to three days, five days.

THE CHAIRMAN: You could lose three to five days on it.

DIRECTOR ANGELLE: All right, why don't we get that regulation out and somebody read it out?

THE CHAIRMAN: The regulation is there is just no combined high-powered rifles and duck hunting at the same time. In some areas they have one and in some areas three and some five days.

MR. YANCEY: This pamphlet, which covers the regulations for hunting deer, as adopted by the Commission in June, specifies that no duck hunting is allowed on the game management areas where either sex deer hunts take place on the same date, and if you will recall, December 17 was selected by the Commission about four months ago to begin the either sex hunts on the game management areas and throughout the eastern zone of Louisiana, so



as Joe pointed out, there is a major conflict; there would be a major conflict if you opened the duck season and the deer season together on December 17, as this gentleman just proposed. In past years when the Commission has taken this action, there has been a tremendous outcry from many of the hunters who like to hunt both species. They like to make the opening days of the deer hunts and they like to make the opening days of the duck hunt.

You can't change the deer dates. They were set three or four months ago. But it would be desirable if you would avoid going with an opening date on the duck season that would coincide with the opening date previously set up for the deer season.

THE CHAIRMAN: The Chair makes the observation it is just not feasible to open the season on the 17th, Mr. Batt. I am sorry, but it would restrict too many people from hunting deer and we would have our heads on the block. I appreciate your interest and concern and time and effort you have put forth in preparing your presentation, but



I just think it would be too much of a conflict.

MR. GILBERT: Mr. Chairman, I would like to say to Dick that the only thing you would be doing if it opens on the 17th, you would be requiring the hunter to make a choice of whether he wanted to hunt deer or duck.

MR. YANCEY: They don't like to make that choice, see.

MR. GILBERT: Well, if they are a duck hunter, they can make the choice, and if they are a deer hunter, they can make the choice, so to me that is not a real feasible answer to it. I just believe that a duck hunter can decide and the deer hunter can decide, and they will have to, if we would set on the 17th.

MR. YANCEY: All I can say is we would have a tremendous outcry against opening these seasons together. That is for the information of the Commission.

MR. GILBERT: But that only applies just to the game management areas. It wouldn't have any effect outside, just the game management.

MR. YANCEY: No, the deer seasons



throughout the eastern zone are going to open on December 17. All either sex seasons that have been set for the eastern zone are going to open on December 17. That has already been previously established by the Commission.

MR. GILBERT: But my point was that if we set the duck season on the 17th, they still could hunt duck outside the game management areas.

MR. YANCEY: Well, sure. They could take their choice.

MR. LAPEYRE: Just to make that point clear, it is on the game management areas, wherever the gun season for deer coincides with the opening duck season, that they couldn't hunt.

MR. YANCEY: Could not hunt, that's right.

MR. LAPEYRE: You could not hunt ducks on those game management areas during the gun season on deer in those areas.

MR. YANCEY: Right. Of course, there is another angle to this, from the standpoint of duck hunting. Bateman made his recommendation based on the fact that the 10th is a better opening date for duck hunting than the 17th date is. We just



pointed out the problem about the 17th, but the hunting is better.

MR. LAPEYRE: Why is the 10th better than the 17th?

MR. YANCEY: Because you normally get your second major flight of mallards into the state around the 10th to the 12th, right about that period. These past inventory records have reflected this, that that is a better opening date from the standpoint of hunter success than December 17 is.

MR. DUPUY: Mr. Yancey, would you please comment on the opening dates of the season in Arkansas? We have found that the most significant thing that moved ducks around in the central and northern part of the state is the hunting season in Arkansas. Do you have those dates?

MR. YANCEY: Bateman has those dates. I will call on him. He has them for Arkansas.

MR. BATEMAN: The duck hunting season dates for Arkansas established this year are November 19 through December 11 and December 17 through January 7.



MR. DUPUY: Say again, please.

MR. BATEMAN: November 19 through December 11, December 17 through January 7.

MR. DUPUY: Thank you very much, Butch.

MR. GILBERT: One thing, Burt and Dick, you are talking about an outcry, you are going to have an outcry from the hunters when you tell them they just have nine days on the first split, and that is what has been recommended, only nine hunting days on the first split. Don't you agree with that, Butch, that there is going to be a tremendous outcry from the duck hunters?

MR. BATEMAN: I have a sneaking suspicion there is going to be a tremendous outcry regardless of what we do!

MR. DUPUY: Whatever we do!

MR. BATEMAN: The recommendation of nine days during the first split -- I am going to put it to you straight -- that is not what we would like to do, but because of the number of days we have got, we have got five less days than last year and we have got this terrible conflict in our judgment on the 17th, we recommended that.



That is as fair as I can explain it. That is what we were wrestling with, and, you know, don't misunderstand; we understand that if we didn't have a problem on the 17th, it would certainly be better to move these things back to have 16 days in the first split. There is no question about that.

MR. BATT: I would like to make a couple of observations, not to make it too controversial, but I concur in the feeling that when you say nine days, we are going to have a few broken legs from the stomping feet throughout the state. The proposal I made contains two splits, one of 22 days and one of 23 days. It also occurred to me as I sat there and heard, I sympathize with the deer hunter; I know he likes his deer hunting as well as I like my duck hunting. The gentleman pointed out, of course, if I hunted both I would make to make a decision. Of course, I realize this. I also just scanned over it and looked at the fact that if we are not hinging on opening day, the proposal as brought forth, opening on the 10th, the 17th will still be a day when the duck hunter



and the deer hunter have to make a decision as to what he is going to hunt that particular day. That was at one time all taken into consideration in the formulation of this recommendation. Thank you.

THE CHAIRMAN: Thank you, Mr. Batt.

Will you state your name, please, sir, and who you represent.

MR. PAUL DUBUISSON: I am Paul Dubuisson and I represent the Dutch Bayou Hunting Club.

Gentlemen, we discussed last year's season as being a highly successful one and Dutch Bayou Hunting Club recommends that the dates for the eastern sector be set at November 19 through December 4, then again December 17 through January 14. I think if you will look at last year, this very closely approximates the dates we had last year.

In view of the fact that many times we get low water in the latter part of the season, perhaps a few more days in the first split might be in order.

Again, on the choice between deer hunting



and duck hunting, Dutch Bayou Hunting Club has many members who are both deer hunters and duck hunters. Again, these guys are left to their own resources. Do you want water or do you want wine? You somewhere along the line must make a decision. The November 19 through December 4 and December 17 through January 14 dates are our recommendation. Thank you.

THE CHAIRMAN: Thank you, sir. Does anyone else wish to be heard?

DIRECTOR ANGELLE: Mr. Chairman, would you ask these people if they have any problem with, instead of reopening on the 17th on the second split, if they could reopen on the 10th and then shut it down on January 7 instead of January 14 in the east zone, still giving you 45 days and giving you 16 days in the first split instead of nine days. If you end up with five days of bluebird weather in that first split, you have lost your opportunity to waterfowl hunt in the east zone in the first split with only nine days.

THE CHAIRMAN: November 19 to December 4 in this last proposal gives 16 days in the first



segment and 29 days in the second.

DIRECTOR ANGELLE: Right, but I am trying to erase the problem, the conflict, of December 17, and you move it to the 10th and take off the seven days in the back. In talking to our staff, they have also made another recommendation that if that would be close to being acceptable, then they would suggest that we open it on the 12th of November. Butch, would you go with that?

MR. BATEMAN: Mr. Angelle, we definitely would. In other words, if there was a feeling among the Board that they would want to move seven days somewhere, we would strongly recommend that those seven days -- and I am talking about the east zone -- be put at the beginning of the season and that season open on November 12 and run for 16 days through November 27. That is absolutely correct. There is a tremendous number of non-mallard puddle ducks that come through the south end of the state during the first part of November, and those seven days that would be moved from early December -- instead of putting them in December, to put them in early November -- in my judgment



you would be doing hunters a favor by structuring it that way rather than the other way, if you choose to move seven days somewhere.

MR. LAPEYRE: Would you say again what you first said?

DIRECTOR ANGELLE: If we would open November 19 and close on December 4 and reopen on the 10th and go to January 7. That is one proposition.

MR. BATEMAN: Well, that is what my recommendation was in reference to. Rather than go to December 4, I would recommend opening on November 12 instead of the 19th.

MR. GILBERT: Why?

MR. BATEMAN: Because there is a tremendous number of non-mallard puddle ducks, particularly in the coastal area of the state. In the coastal area of the state, those seven days would be more productive at that time of the year. If you add seven days after Thanksgiving, during Thanksgiving is normally a dead time as far as bird migrations are concerned. Your transient flight has already gone; your incoming December



mallards have not arrived. Generally what we have found, after a solid week of hunting during the Thanksgiving holidays, the weekend before Thanksgiving all through that week, school children are out. They have pounded those birds pretty hard for seven days, and if you stick seven days behind that heavy gunning period, I think that your success or opportunity for hunting would probably be less at that time than it would be by moving those seven days earlier in November when these big transient flights of birds are still coming through the state. I am talking about blue-winged teal, shoveler, pintail, widgeon, some gadwall and green-winged teal.

This is a trade-off that you are talking about, and if those seven days are to be moved in the first part of the season, I would strongly recommend that they be put from November 12 instead of taking them on behind Thanksgiving.

MR. LAPEYRE: I am pretty sure, you know, you are going to get those two guys, Hue and Cry, if you open on a Monday!

MR. BATEMAN: Well, we wouldn't be opening



on a Monday that way, would we?

DIRECTOR ANGELLE: That is a Saturday.

MR. YANCEY: I would like to make one suggestion. Jerry is going to comment on the western zone, and if you could resolve the eastern zone -- if you are going to get into the western zone now, you are going to have total confusion.

THE CHAIRMAN: What do you think we have now? (Laughter)

MR. JONES: Wait a minute. May I make a little statement, primarily to Secretary Angelle. You know, there is one interest -- you are worried about the deer hunters and all that, but you have forgotten about the shrimpers! You know the shrimp season closes on midnight, the 20th of December, and we have got to coordinate that with this!

DIRECTOR ANGELLE: I have no problem with that!

MR. JONES: That is in the eastern zone.

DIRECTOR ANGELLE: You mean we are going to extend the shrimp season in the west zone!

MR. GILBERT: I have a recommendation to make to the Commission, when we get through with



the east zone.

THE CHAIRMAN: Does anybody else want to comment on the east zone? Speak now or forever hold your piece.

MR. GILBERT: Gentlemen, I have a recommendation strictly for the east zone, and that is -- and I will give you my reasons for the date I am going to suggest to you -- I am suggesting that we open on the 19th, which is exactly the same day that the biologists had picked out, go until December 11; second split, open on the 17th of December and go until January 7.

Now my reason for that -- I have several. First, it doesn't change the total number of days at all. They still have the 45 days. The second point, you will eliminate the nine-day opening split. You will jump from nine days to some 23 days. The third thing, it will be the same identical season as Arkansas will have, the same identical season. Now, as all of you know, north Louisiana borders south Arkansas. The rice fields of south Arkansas stop many of our ducks. Now the reports that I have gotten are that when Arkansas is open,



or rather let's say when Arkansas is closed, which it would be under the first proposal that you gave us, but if Arkansas is closed and the Louisiana season is open, the ducks leave north Louisiana and central Louisiana where they are getting the pressure, go back to Arkansas, which certainly we don't want.

Now if both states open at the same time, that problem will be eliminated. Now according to the duck kill that Hugh has, then you will find that most of the ducks were killed -- not most but the largest percentage of ducks -- are killed in your opening season. This will give you a longer opening split. Of course, that is what I feel the objective of the Commission and the biologists should be, to give the hunters in Louisiana the most shooting and the best seasons that we can.

Now, eliminating the five days that we will have less this year, it is practically the same as we had last year. Not exactly but practically the same. It opens on the same date as last year. Last year it opened on the 20th. I am suggesting it open on the 19th. Last year it opened



on December 18. I am suggesting it open on the 17th. That problem that Dick Yancey brought up that it will create a problem on those hunters who want to hunt duck and deer the same day, well, they may have a little minor problem, but you are not going to hear as much cry from them as you are if you just give them nine days on the opening.

So, I am going to suggest and recommend to the Commission that it run from November 19 to December 11, December 17 through January 7.

THE CHAIRMAN: Gentlemen, you have heard Mr. Gilbert's motion. Do I have a second to that motion?

MR. DUPUY: Second.

THE CHAIRMAN: Seconded by Mr. Dupuy. Any further discussion? Does anybody want to be heard now on this motion? Come on, Butch.

MR. BATEMAN: One more comment and then I am going to sit down. If you set the dates that Mr. Gilbert has suggested, and I might point out before I say anything further, that those are real good possibly for northeast Louisiana, and if you want to do what Arkansas does, but if you set those



dates, you are going to do two things. Number one, if you open on the 19th, you are going to miss the majority of your transient flights. If you close on the 7th, you are going to miss a lot of the late hunting season opportunity that takes place up there, and in my judgment you miss something on both ends, and we have tried to compensate for that with the other dates that we suggested.

MR. GILBERT: Hugh, we are opening the same day, November 19. That is what you suggested.

MR. BATEMAN: If you are going to change the dates that I recommended for nine days during the first split, my original recommendation, you will note that my counter-proposal to that was that if you added additional days to the first split, that you open on November 12 rather than going into December after Thanksgiving.

MR. GILBERT: Well, I took the same opening dates that you recommended to us, which was November 19.

MR. BATEMAN: Yes, sir, and you added another 14 days on into December, and I am suggesting to you that I think it would be a better season



for duck hunting in Louisiana, from the information that I look at, to set a November 12 opening rather than November 19, provided that you are going on into December.

THE CHAIRMAN: Thank you, Mr. Bateman.
Any further discussion?

MR. LUTTRELL: Call for the question!

MR. YANCEY: I have to --

THE CHAIRMAN: Hold it just a minute, Dick. Will you yield the question to his comment?

MR. LUTTRELL: Yes.

MR. YANCEY: I have to make one comment on this. Bateman also emphasized, I think he emphasized the fact that the poorest period for duck hunting in the state is right after the Thanksgiving holidays, and this proposal would leave the hunting season open during that period, so you are using up days right in there at a period where they would be better utilized either on the front end of the first segment or on the tail end of the second segment, so we want to make sure that everyone understands these recommendations, so that if this is adopted and when the roof falls in, let



it fall in on the right place.

MR. GILBERT: Tell me again, what did you say about Thanksgiving?

MR. YANCEY: The poorest period during the winter months to hunt ducks in this state, as a whole, is right after Thanksgiving. Bateman emphasized this point and he said that these birds have been pounded for four days during the Thanksgiving holidays and gunning pressure has a tremendous impact on the distribution of ducks in this state, and when they are pounded, they go into the refuges and they are not available for hunting.

In addition to that, your fall transient flight is over. This is four or five million ducks that go through here and they are available for hunting prior to Thanksgiving and they are not available after Thanksgiving because they have already moved south, so you miss an opportunity to shoot into that transient flight.

Also, right after Thanksgiving you have missed an opportunity in that your second winter flight of mallards has not arrived at that time. That is what most duck hunters consider to be the



doldrums period for duck hunting in Louisiana.

THE CHAIRMAN: Let me say this, Dick, in Mr. Gilbert's behalf --

MR. YANCEY: We just want to make our point clear. You gentlemen do what you want to, but we want to make our points clear.

THE CHAIRMAN: You have done it. In Mr. Gilbert's behalf, let me say this. I daresay 60 percent of the duck hunting in this state is done in clubs and the clubs I am familiar with regulate the hunting hours. They either hunt in the morning or the afternoon. They don't hunt both and they don't drive them out, as I think, Dick, you indicated a while ago hunter pressure would. I know down at the clubs where I go, and I don't duck hunt but I go down to the clubs and spend some time with them, they either hunt in the mornings or the afternoons but they don't hunt both times.

MR. GILBERT: Another point. Both of these gentlemen that made recommendations, they are going right on through Thanksgiving, Dick. This gentlemen right here and that gentleman right there.



Through Thanksgiving, and that was Dick's point that right after Thanksgiving --

THE CHAIRMAN: Let me tell you, Dick, you have done a masterful job. You have put it on the Commission's back and we are big boys and we are willing to accept the responsibility. We have had a motion, a second and the question has been called. There is no more discussion. Mr. Jones, I will have a roll call vote and start with you; how do you vote?

MR. JONES: Boy, are you a friend! I will vote yes.

THE CHAIRMAN: Mr. Jones votes yes. Mr. Luttrell.

MR. LUTTRELL: Yes.

THE CHAIRMAN: Mr. Dupuy.

MR. DUPUY: Yes.

THE CHAIRMAN: Mr. Gilbert.

MR. GILBERT: Yes.

THE CHAIRMAN: Mr. Lapeyre.

MR. LAPEYRE: No.

THE CHAIRMAN: The vote is four to one in favor. The motion carries. The Chair is off



the hook! Now we will get into the western zone. This season opens November 19 for the eastern zone, closes December 11; opens again December 17 and closes January 7. (NOTE: Amended; see pp. 155-160)

(Repeating) Opens in the eastern zone, November 19, closes December 11. Opens again on December 17 and closes on January 7. Is that correct, Mr. Gilbert?

MR. GILBERT: That is correct.

THE CHAIRMAN: That is the eastern zone season, gentlemen. If in fact we are right, you will never hear from us, never know anything about it. If we are wrong, the biologists will never let us forget about it. (Laughter) Mr. Yancey wants to be recorded as saying we are wrong.

Now, do we have any recommendations for the western zone? Will you state your name, please, sir, and who you represent.

MR. JERRY SCHALLER: My name is Jerry Schaller. I represent T & S Wildlife Corporation in Calcasieu and Cameron Parish.

I stand up -- really it seems like I am saying amen to the sermon that has already been



preached, because the recommendations that the biologists gave, the surveys that we made among 3,000 people that hunt in our district down there actually through our hunting operation, and the opinions that I have gotten from duck hunters in and outside of our hunting organization go strictly along with the recommendations from the biologists for the western zone, November 5 through 27, closed till opening again December 10 through January 5, giving us 50 days in our duck hunting.

The goose season to coincide with our duck season, November 5 through 27, reopening December 10, going through January 25 for 70 days.

I might point out that I have taken into consideration the same things and I have heard from very good authority a strong recommendation that we extend this first segment of our duck season through the first week or into the first week of December, but I wholeheartedly concur with our biologists. I have found that I can just say amen to what they have said. These ducks in our particular area have gone through a pounding at this period and these five or six days, if we



added another seven days to the end of our November season, we would find that they would be a disappointment as far as hunter effort and yield in this respect. We find that the ducks have done exactly what the biologists said they have done. Really the only reason many times that we go along with a season up through Thanksgiving is because of the opportunity it affords to the people who have vacation time, the school children, and all of the popular belief, of course, that this is the time to hunt when you have opportunity, which is true, so we believe that in our recommendation we have afforded the opportunity and we wholeheartedly concur for our operation, for the people of southwest Louisiana, that this would meet the needs of most people.

THE CHAIRMAN: Do you not run a public hunting ground?

MR. SCHALLER: Yes, our operation is open to anyone that wants to hunt.

THE CHAIRMAN: You are a commercial operator? Commercial hunting guides?

MR. SCHALLER: That's right, correct.



THE CHAIRMAN: Which means that you will hunt morning and evening, which --

MR. SCHALLER: No, sir, no. I don't want to go on record as that. We hunt until 12 o'clock noon. No one is in our marsh after 12 o'clock noon. If they are, then we have to haul them out, because they are in dire need of transportation. In fact, we come out; if anyone is in the marsh after 12 o'clock, they are close to dead or dead, because this is one of the strictest requirements we make for our hunters and our guides and the people. We don't even work in our marsh after 12 o'clock noon.

THE CHAIRMAN: Very good. Thank you.

MR. YANCEY: How many individuals hunters do you deal with?

MR. SCHALLER: Dick, we hunted a little over 3,000 individuals. I would say that 50 percent of these were Louisiana hunters. The other 50 percent of them were non-residents and this brought in the non-resident fee along with a lot of other things that came back. We find, if I can go just a little bit further -- we have found that



this is one of the greatest selling points. We are in a hotel-motel operation also, and we find that this has stimulated more tourist business for southwest Louisiana than perhaps any effort that we have seen. I have been in several states, in fact I was in Tulsa, Oklahoma and a man asked me where I was from and I explained to him and he said, "We hunt ducks with you down there," a man that I had never met before. And he said, "We will be back to southwest Louisiana because of the hunting operation and because of the acceptance that we get from good seasons and generous bag limits and accommodations."

THE CHAIRMAN: And that tourist dollar helps our state, too.

Does anybody else wish to be heard?

MR. JONES: Butch, what was the season we set last year in the west zone? I don't remember the dates.

MR. BATEMAN: November 6 through 28, December 11-January 11.

THE CHAIRMAN: Does anybody else wish to be heard?



MR. MICHAEL HOGAN: Mr. Chairman, may I say something?

THE CHAIRMAN: Yes, sir.

MR. HOGAN: Mr. Chairman and Gentlemen of the Commission, of course I am a firm believer in the recommendations of the biologists as long as they agree with me, but seriously in the southwest part of Louisiana we find that the first segment of the hunting season is the best.

I have no quarrel with the opening date of 11-5. What I would like to see is an extension of one week on the latter part of the first segment, running into about December 4 and then starting the second segment on the 17th and then running on through the 5th for the balance of the days.

Now I know I have heard up here that the doe season is going to be opened at that time, the deer season. Primarily in my area my people are pretty well divided between deer hunters and duck hunters. Of course, we have some that do both. But I think if they got a full week of hunting in the first segment they would forego the opening date of the second segment to do that deer hunting,



those who hunt deer.

Now we are saddled with the steel shot down there in our area; with the exception of the little area up the Florida parishes, we have all the steel shot area that our hunters are going to have to put up with. In reopening the duck season on the 10th of December, of course that second segment we depend on the big ducks, the mallards, coming down, and if they are running a little bit late, that first week between the 10th and the 17th is not going to be such good shooting. On top of the fact that we close on the 27th, we are going to miss a week of good pintail and teal shooting. By the time the second segment opens on the 10th just all of our teal and just about all the pintails are going to be gone to Mexico.

A lot of our people down in my area virtually close their camps after New Year's Eve, along about that time, because there is no good duck shooting in the latter part of the season, so for that reason I would like to recommend a season from the first segment beginning on November 5, running through December 12, with the second segment



beginning on December 17 and running through the 5th. Thank you very much.

MR. JONES: I believe that is too many days, Mike.

MR. LUTTRELL: You have got an extra week there and if you get it, I want it, too.

MR. HOGAN: Well, what we are trying to do is take one week from the second segment and put it on the tail end of the first segment, whatever the dates are.

THE CHAIRMAN: November 5-December 4, December 17-January 5, Mike, is that it?

MR. HOGAN: Right.

MR. LUTTRELL: Mike, while you are up there, I want to say this to the whole public. Steel shot is not a controversy. Just buy you another gun.

MR. HOGAN: Of course, as Dick Yancey says, I think it is going to work itself out, but it is something new and our people don't like it. I think you are going to see a lot of 16 and 20-gauge shotguns in the blinds this year, simply because they are not accustomed to steel shot,



first of all, and secondly, I understand they are much more expensive than the lead shot. So I think we are going to revert to 16 and 20 gauges in a great degree. But we are saddled with it. The seasons I recommend, gentlemen, would be ideal for southwest Louisiana.

THE CHAIRMAN: Thank you, Mike. Gentlemen, the Chair will entertain a motion for the seasons for the western zone.

MR. JONES: Mr. Chairman, since you all have locked the west zone in by what you did with the east zone, we have got no choice but going to what Mike said.

There is another element that has been omitted, and that is the business about speckled belly hunting in southwest Louisiana. You know speckled bellies come in pretty early, and we want to make the seasons all together, and after the speckled belly has been shot, you know the further you go with the season in December, the wilder the bird is, so if you add that week on in November, it provides the opportunity in the rice country for the goose hunters to get another week of goose



hunting when the birds still haven't gotten so wild. I think this is the twelfth year that I have participated in making the seasons and I guess I have been wrong eleven times before and maybe I am wrong again, but I like to look at Butch's figures on his survey. Last year in the west zone, the survey on November 3 showed almost four million birds. The survey on November 22 showed 3.1 million birds. December 13 showed 3.57 million birds and January 10 showed 2.7 million. So, in the whole period you really have, practically speaking, a consistent number of birds. I realize what affects duck hunting is the pressure that is put on the bird. It is harder to kill the bird even though you have the same number of birds in the state, but I think we really are arguing about not that much when we are talking about moving one week, and if we do that, then we make the opening of the second season in both areas of the state the same, and that makes it easier to handle the goose season.

I move that we set the season on November 5 to December 4 and December 17 to January 5.



THE CHAIRMAN: We have a motion, November 5 to December 4 and December 17-January 5 by Mr. Jones.

MR. DUPUY: Second.

THE CHAIRMAN: Seconded by Mr. Dupuy. We will again have a roll call vote. Mr. Jones votes yes. Mr. Luttrell.

MR. LUTTRELL: Yes.

THE CHAIRMAN: Mr. Dupuy.

MR. DUPUY: Yes.

THE CHAIRMAN: Mr. Gilbert.

MR. GILBERT: Yes.

THE CHAIRMAN: Mr. Lapeyre.

MR. LAPEYRE: Yes.

THE CHAIRMAN: It is unanimous. It is carried.

MR. JONES: Do you vote, Mr. Berry?

THE CHAIRMAN: Yes, I will vote yes, since that is the section I am in. For the benefit of the press, that is November 5 to December 4, December 17 to January 5. Now we will move on to the goose season. Do we have a recommendation on the goose season?



MR. JONES: To be consistent, I guess, Butch, to follow the same policy you had it would be what -- November 5 to the 4th of December, and then the 17th through the 25th of January. That would follow in what you are talking about. I move we set the goose season from November 5 through December 4, this is in the western zone, and then December 17 through January 25.

THE CHAIRMAN: We have a motion for the goose season in the western zone, November 5-December 4 and December 17-January 25. Do we have a second?

MR. LUTTRELL: Second.

THE CHAIRMAN: Seconded by Mr. Luttrell. Any further discussion?

(No response)

THE CHAIRMAN: How do you vote, Mr. Jones?

MR. JONES: Yes.

THE CHAIRMAN: Mr. Luttrell.

MR. LUTTRELL: Yes.

THE CHAIRMAN: Mr. Dupuy.

MR. DUPUY: Yes.

THE CHAIRMAN: Mr. Gilbert.



MR. GILBERT: Yes.

THE CHAIRMAN: Mr. Lapeyre.

MR. LAPEYRE: Yes.

THE CHAIRMAN: The Chair votes yes.

Unanimous. So ordered.

MR. JONES: What would you do in the east, Butch?

THE CHAIRMAN: What do you recommend in the eastern zone, Butch? Year-round?

MR. BATEMAN: Well, in lieu of that we will go with the 70 days and we will have to change that from what I had to November 19 to January 27.

THE CHAIRMAN: November 19 to January 27?

MR. BATEMAN: Right.

THE CHAIRMAN: Gentlemen, you have heard the recommendation. Do I have a motion?

MR. LUTTRELL: I move.

MR. JONES: Second.

THE CHAIRMAN: We have a motion and a second. All in favor say aye.

IN UNISON: Aye.

THE CHAIRMAN: Any opposed?

(No response)



THE CHAIRMAN: So ordered. For the benefit of the press, the goose season in the eastern zone, November 19-January 27, 70 straight days.

I would like to back up to Mr. Harry Schafer. I missed you on the agenda.

MR. BATEMAN: Mr. Berry, a couple more items that you all have to pass on. One is the point system versus the regular bag limit.

THE CHAIRMAN: Would you make the recommendation?

MR. BATEMAN: We make a recommendation that we accept the point system, same as last year.

MR. LUTTRELL: So move.

MR. DUPUY: Second.

THE CHAIRMAN: Moved by Mr. Luttrell, seconded by Mr. Dupuy. All in favor say aye.

IN UNISON: Aye.

THE CHAIRMAN: Any opposed?

(No response)

So ordered.

MR. BATEMAN: Mr. Berry, one other thing. We would also recommend a special scaup season for



southeast Louisiana, the same as we have had for the last couple of years, and that would be from January 15 through January 30.

THE CHAIRMAN: That is from January 15 to January 30 for the special scaup season.

MR. BATEMAN: That is correct.

MR. LUTTRELL: So move.

MR. JONES: Second.

THE CHAIRMAN: Moved by Mr. Luttrell, seconded by Mr. Dupuy. All in favor say aye.

IN UNISON: Aye.

THE CHAIRMAN: Any opposed?

(No response)

So ordered. The scaup season, January 15 to January 30, 15 days.

MR. BATEMAN: Mr. Berry, in the change from the duck season dates that I had originally recommended, I had the special scaup season opening the day after the duck season closed on the 14th. The 14th is a Saturday, and what I would like to do is recommend that the special scaup season open on the 14th rather than the 15th of January and run through the 29th instead of the



30th. Please excuse that error in my recommendation.

MR. LUTTRELL: I move to amend as above.

MR. DUPUY: Second.

THE CHAIRMAN: Moved by Mr. Luttrell to amend the scaup season as stated, seconded by Mr. Dupuy. All in favor say aye.

IN UNISON: Aye.

THE CHAIRMAN: Any opposed?

(No response)

So ordered. The new scaup season is 1-14 to 1-29. Mr. Schafer, I missed you a minute ago, so we will hear you now.

MR. HARRY SCHAFFER: Mr. Chairman and Board Members, as you know, for the past two years we have issued an experimental permit to Raffield Fisheries of Florida to harvest mullet in Louisiana, which is an underutilized species here in Louisiana. He is back again and we would like to see him be issued this third permit so we can have the information in order to go to the legislature to get some laws governing the management of the mullet industry.

He has sent us information. Last year



his permit was issued too late for him to really get in some fishing but he only fished one day, and in that one day he reports that he caught 36,000 pounds of mullet and 5,000 pounds of that were sold in Louisiana and the rest was taken to Florida.

The year before that he did get in most of the season and he harvested 175,000 pounds of mullet. He is after the roe and the filets. 58 percent were female, 42 percent were male mullet, and the roe produced about 12 percent per 100 pounds of roe. He sends this roe to France and to Japan.

He is working with some of our local fishermen in order to try and develop this fishery here, and I would recommend that the same permit be issued to him as was issued last year. We have some restrictions in the permit. I will read it if you care to have me, but it is the same one as last year.

THE CHAIRMAN: Gentlemen, you have heard the recommendation. Do I have a motion?

MR. LAPEYRE: So move.



MR. LUTTRELL: Second.

THE CHAIRMAN: Moved by Mr. Lapeyre,
seconded by Mr. Luttrell. All in favor say aye.

IN UNISON: Aye.

THE CHAIRMAN: Any opposed?

(No response)

So ordered. Thank you, Harry.

MR. SCHAFER: Thank you, Mr. Chairman.

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

WHEREAS, mullet is an under-
utilized species in Louisiana waters, and

WHEREAS, the Department is in
the process of gathering information in
order to develop a mullet fisheries,

NOW THEREFORE BE IT RESOLVED
that a permit to experimentally fish
be issued to Raffields Fisheries, Inc.,
to use a 500-yard combination purse
seine and lapar net with 1-3/4-inch
stretched mesh in the Mississippi
River Gulf Outlet Channel and in



Breton Sound, with the following conditions:

- (1) Only mullet can be taken and the whole fish must be taken; no dressing or processing on the fishing grounds.
- (2) Any other species of sport or commercial fish taken must be returned to the water alive. Those that are killed in the operation are to be dressed and donated to a charitable organization.
- (3) The mullet harvested are to be brought into a Louisiana port and transferred to truck for transportation back to Florida.
- (4) A weekly written report is to be furnished this office of your complete catch. A final report on the results of this experimental project is to be furnished with two (2) weeks after completion.



- (5) Your nets are to be marked with orange floats.
- (6) The boat must have distinguishing marks so that it can be identified from the air. The sign shall have the word "MULLET".
- (7) Notify this office when you first start fishing.
- (8) Fishing cannot be done in closed areas.
- (9) Proper license required.
- (10) This permit is valid until January 31, 1978.

THE CHAIRMAN: We will move along to Item No. 10. Mr. Yancey. Excuse me, Dick, for bringing Harry in; I just overlooked him a minute ago.

MR. YANCEY: Right. This item pertains to the Wildlife Management Areas that the Commission has been operating on the Kisatchie National Forest lands in Louisiana.

We had an inter-agency meeting with the Forest Service people in Baton Rouge last Thursday

and we were advised at that time that the four Wildlife Management Areas that the Commission has been operating for some 27 years have been terminated. Back at the June meeting the Commission set regulations on these four Wildlife Management Areas and I think it would be appropriate at this time that we rescind those special hunting regulations that have been set for Red Dirt, Catahoula and Caney. The Fort Polk Wildlife Management Area is operated on Army lands as well as Forest Service lands, so we will continue to operate the Fort Polk Wildlife Management Area, so it would not be necessary that you take any action on the regulations previously established for Fort Polk.

To give you a little background on the program on these National Forest lands, we have a map over here on the wall. The green and red areas show the Kisatchie National Forest lands in Louisiana and the red areas show the location of the four Wildlife Management Areas that the Commission has been managing on National Forest lands in the state. These four areas comprise about 145,000 acres. The National Forest comprises about



600,000 acres.

Now the yellow area shown down in west central Louisiana on Fort Polk is owned by the U. S. Army and we will, as far as we know, continue to operate that as a Wildlife Management Area, but the Forest Service supervisor at our meeting last Thursday advised us that he was going to establish federal regulations on both Red Dirt and Catahoula and that the state regulations would no longer apply, so we feel it would be appropriate that we rescind the regulations previously established on those areas. At this point we don't know exactly what those federal regulations are going to be. We have heard that whoever hunts those lands is going to have to obtain a federal permit from the Forest Service office in Alexandria.

To give you a little background on the management of these lands, Red Dirt was established in 1948, Catahoula and Evangeline were established in 1949, Fort Polk in 1960 and Caney and Middle Fork in 1964. At the time those Game Management Areas were established there was virtually no deer or turkey on those lands. At this time we estimate



about 4,300 deer on those lands and about 1,700 wild turkey on the lands. The Commission restocked the lands. We have had intensive law enforcement on these Management Areas in that full-time Commission employees were established on those lands on a year-round basis to provide intensive law enforcement on the Management Area lands. Guns and dogs were not allowed under state regulations outside of the regular hunting season and camping was confined to designated areas to minimize enforcement problems. A certain amount of habitat development was carried out by the Commission. There were about 250 food plots established on Red Dirt, about 50 on Catahoula, about 100 on Caney and down on Fort Polk I think we had about 73 miles of strips for quail and quite a large number of openings and food plots developed for wildlife.

The boundaries have been marked and maintained, designating them as Wildlife Management Areas. The harvest of wildlife have been rather closely controlled through check-in and check-out systems for controlling the take of deer, particularly either-sex deer, on these lands. As I



have already mentioned, the lands were restocked with deer and turkey. About \$1,585,000 has been expended by the Commission during the period that these Game Management Areas have been operated.

Now I mentioned the Evangeline Game Management Area which was established back in 1949 and it was finally dropped by the Department in August of 1973, the reasons being that that land was so severely overgrazed and that there had been countless thousands of mass-producing hardwoods deadened and removed from the forest and there just wasn't a range there for wildlife. There was no browse for deer, no ground cover for quail and other ground-nesting birds, to speak of, and consequently the range just wasn't capable of producing the variety and abundance of wildlife and the Game Management Area was dropped in August of 1973.

THE CHAIRMAN: Mr. Yancey, why is the U. S. Forest Service taking the action they are taking? Can you give me an explanation for that?

MR. YANCEY: I don't have an explanation for it except that we have been in meetings with



them in the field and their office and in our office for the past three or four years and we have had some problems over the management of the habitat on those lands. We have consistently recommended that things like clear-cutting of creek bottom hardwoods be discontinued, that over-grazing of the range be stopped because of the depletion of food and cover for wildlife, and that clumps of mass-producing oaks be left in the uplands, that burning programs be intensified and what-have-you, and those recommendations have for all practical purposes been ignored.

Now that habitat management has been one major problem, and the other problem which surfaced last year had to do with the control of guns and dogs on those lands outside of the hunting season. Last year the Forest Service supervisor advised us that guns and dogs in the future were going to be controlled by federal regulations rather than by regulation of the Commission and the State. We pointed out as diligently as we could that this would result in an illegal kill of wildlife on these lands and probably create an unenforceable



condition and furthermore we weren't aware of anyone who was pressing for this change. We had a meeting in January; we reached an impasse there. This is the word that was given to us by the Forest Service supervisor. Then in April he forwarded to us some proposed renewal agreements on the management areas that had stipulations in them that federal regulations would apply in the case of guns and dogs, rather than state regulations, and it was not clear to us at that point just what these federal regulations would be. Then at last Thursday's meeting, it was explained in some detail just what these regulations would be.

We are dealing with problems dealing with habitat on these lands and protection and regulations for the protection of wildlife. Now probably the factor that is least understood is the factor of how do you manage habitat for wildlife. I think it would be extremely important that we have Ray Palermo run through a series of slides rather quickly so that each Commission member could visually see what we are talking about. Basically I think the breakdown has been associated with



disagreements over how the habitat should be managed and disagreements over whether federal regulations or state regulations would apply as it relates to guns and dogs.

Now the Forest Service has put out news releases, stating that we have attempted to exercise proprietary rights over these lands and they have made other charges of that type, but those are not central and real issues. What we are interested in is wildlife getting the consideration it is due in the management of those lands under the multiple use concept of managing those lands, which they are required to follow. We have not and we do not feel at this time that wildlife has a true partnership in the management of those lands. It looks to us like wildlife is going to have to make out as best it can after the needs of pine timber production and grazing are satisfied.

We have a gentleman here from the Forest Service present at this time. I don't know whether he would comment on some of these things. But I would recommend that if you have time I would certainly propose that we let Ray Palermo show some



of these slides very quickly so that you could visually see where some of these problems lie in the management of these lands.

THE CHAIRMAN: We are going to call about a one-minute recess. We have to change the tapes.

(Whereupon, at 12:00 noon a brief recess was taken.)

AFTER THE RECESS:

THE CHAIRMAN: The meeting will come back to order, please.

Do you want to project your slides now?

MR. YANCEY: Ray, before you start there, let me -- this is Ray Palermo. He is our forest wildlife biologist, works in the Game Division, has been with the Commission for many, many years, and he is speaking for several of our other biologists who are present in this room. He has worked on these Forest Service lands that we have been talking about here for several minutes. I think he has one of the best understandings of the habitat needs of forest wildlife of anybody I know of in Louisiana, so, Ray, if you will take it from



there.

MR. RAY PALERMO: Thank you, Richard.

I am going to talk a little about about these slides that I have taken throughout the years, some of them very recent, up to three or four weeks ago, which will show that these conditions that I am going to depict here still exist on the National Forest of Louisiana. I am going to talk a little bit about the grazing problems. We have mainly three problems, as Dick has emphasized. The grazing problem on National Forest land. We also have a clear-cutting problem in creek bottom hardwoods on Forest Service lands. We also have a TSI program, a timber stand improvement program, which has been going on through the years, for the last 30 years, on National Forest lands, which has served to the detriment of wildlife habitat in the state.

This particular slide is one where cattle numbers on Kisatchie National Forest were not managed. Remember what I am saying, that they were not managed here. Cattle were allowed to roam at large here, in no controlled numbers whatsoever,



before the Forest Service started controlling the numbers of livestock on these lands. Here you see a good deer browse habitat, you have ample cover for quail and turkey and, of course, the hardwoods have been TSI'ed out of this particular area here. Remember, keep this slide in mind. When I change over here, this is what the area looks like with overgrazing, the same type area just across the fence. These dates are about five years ago.

DIRECTOR ANGELLE: Switch that picture back and forth four or five times.

MR. PALERMO: This is now the Spring Creek allotment here where cattle numbers are regulated now, and it is beginning to look like these, where cattle numbers have been managed for several years under controlled conditions. Now the deer browse is all gone here. You don't have cover or food plants for quail. It is just a lot of desert as far as we are concerned. One more look at it.

This is one of the aspects we have been talking about, about over-grazing National Forest lands. This is the result of over-grazing. You



have a wax myrtle bush here that has a browse line. All the leaves and stems are bitten off up to about a five-foot height, as far as a cow can reach. When cattle eat wax myrtle, they are starving to death, and certainly it is not a deer food. Of course, they eat the more palatable foods first and wax myrtle is one of the last ones for them to eat. The cattlemen come in and feed the cattle in the wintertime, a protein supplement, and the cattle go out and get roughage in the form of wildlife foods, deer browse especially. This is not a deer browse plant but all the deer browse plants have been eaten out.

MR. ROBERT CRITTENDEN: What is the place?

MR. PALERMO: That was on the old Evangeline Wildlife Management Area. I think that was a '72 or '73 slide.

This particular slide was taken in June of this year on the south of Fort Polk Wildlife Management Area on Forest Service land. Here you see a cow trail.

DIRECTOR ANGELLE: Not a deer trail?

MR. PALERMO: Not hardly! This is a cow



trail you are looking at. This is carpet grass in the foreground, which is an indicator of overgrazing. The natural blue stems and other forms of plants which are native to this range are transferred into a carpet grass turf. The soil is compacted and you have carpet grass growing here which doesn't allow wildlife foods to come through.

This is a shot of grazing on the left and this is a protected area on the right. This is a Forest Service seed tree reneration area on the right where they have fenced to keep the cattle out of the seed tree area to promote the growth of pines, which is a perfectly legitimate way of doing it, preferred way. You keep cattle out to get your regeneration of your pines started. But you see the effects of the overgrazing on your left, your cow trail and so forth.

MR. CRITTENDEN: What is the date on that one?

MR. PALERMO: This is fall, '76. October or November of '76.

This also is the same thing. This is up in Grant Parish in the Breezy Hill allotment. You



have your expanses of grazing fencing. You have tremendous numbers of miles of fencing, which is certainly not very cheap to do these days, maybe \$1,500, maybe \$2,000 a mile of taxpayers' money going into subsidize a grazing program, benefiting only maybe 200 people in the state. You have cattle guards which cost \$1,500, maybe \$2,000, not counting the labor for installation; at every fence crossing a road you have to have a cattle guard in these allotment systems. You have gates, expensive gates, to keep your cattle within these allotments, so-called allotments. This happens to be a clear-cut in the rear, and this particular gate and all is to keep cattle out of this pine regeneration area.

MR. CRITTENDEN: What area is that?

MR. PALERMO: Breezy Hill, Grant Parish, 1976.

Another problem, as I mentioned, is clear-cutting the creek bottom hardwoods in Louisiana. This is up on Middle Fork Creek, in the Caney district up in north Louisiana. This was an immature stand of almost solid oak timber.



This is the way it looks. There is a clear-cut in the far background. You can see where it is light.

We will get to it a little later. You have a beautiful stand of oak trees here where you had 80-acre clear-cuts right down the middle of the creek bottom. This is a shagbark hickory tree. They are getting pretty scarce in the state. A very good producer of acorns for squirrels and turkeys and deer and so forth, not acorns but hickory nuts for squirrels and turkeys and so forth. This is kind of a relic in the forest of Louisiana, the shagbark hickory.

You can see the clear-cut in the background. We are getting closer to it. You have a beautiful stand of timber which was cut down, clear-cut on the left and the original stand is on your right. This is about an 80-acre clear-cut. This is what it looked like after the machines went through it and chopped it up and so forth. At the present time it is almost a solid stand of sweet gum with a lot of pine mixed in with it. A rabbit can hardly go through it. You are looking between two large oak trees on the uncut portion of the



clear-cut. It is a hardwood regeneration area, yet it is coming back to numerous undesirable hardwoods. It is converting from an oak stand into a sweet gum and pine stand.

This is a hardwood regeneration area on the Red Dirt Wildlife Management Area. This is a strip of about two miles right down the creek bottom. We ran some transects through there. It is a hardwood regeneration area. It is now converted into a pine-sweet gum area. Where you had 65 percent of oaks, hickory and other hard mass-producing trees, you know have 65 percent of pine and sweet gum. In other words, it is just the reverse now. The pines are overtopping the oaks that are coming in. They are becoming dominant trees in this particular hardwood regeneration area. We have found no evidence of deer penetrating this jungle. It has a lot of deer browse in here but it is not utilized, and there is no point in having it if it is not utilized. This is certainly no turkey habitat at all. There are a few rabbits in it and that is about it. No squirrel habitat for 20 years from now.



Some of the same hardwood regeneration area. You see your pines overtopping all your other trees.

This is on the Catahoula Wildlife Management Area preserve now. This is some of the management practices that have been carried out through the years. This is 1976. On the high road on the Catahoula Wildlife Management Area, this is a seed tree cut, a method of reproducing pine trees. You cut out everything but your remaining six to eight desirable pine trees, and of course they seed in the surrounding territory. From a wildlife standpoint it is the same thing as a clear-cut. You see the hardwood brush and so forth that has been chopped down. This is a very large clear-cut here, and it certainly is no benefit to squirrels at all. Turkeys won't venture out into this large opening. The quail will utilize it some for the next two or three years, quite a little. There is a good bit of deer browse in here. They will utilize it for a year or two but after that it will be 15 or 20 years before it will be productive again.



This is a clear-cut on the old Evangeline Wildlife Management Area, the same year it was done. As you see, quite a bit of siltation formed in the foreground on this slide.

TSI. Here is another operation the Forest Service has carried on for many years. They have had a number of crews, I think 15 or 20 men for the last 20 or 30 years, doing this across the National Forest. This is injecting chemicals into hardwood trees to kill them, to deaden them, and to make room for pine trees to grow. This is essentially a conversion. This is a conversion from a hardwood forest into a pine forest. You have these mature hardwoods producing mass for turkeys especially, for deer, for squirrels and for other types of wildlife, all sorts of wildlife utilize the acorns, and these acorns no longer appear. When you inject these trees, this is what happens. Your hardwoods, of course, die. This was a solid stand of oak timber and your pines are planted or seeded in and the end result is a pure pine forest, which is just about a wildlife desert.

MR. CRITTENDEN: What is the location and



date on those?

MR. PALERMO: This is the Evangeline Wildlife Management Area. When you go here, though, you won't see the snags. This is four or five years old. The snags have all fallen down. The pine timber is now maybe 25 feet tall. The untrained eye will go into an area like this and say, "Well, I see nothing wrong with this. It is just a nice stand of pine." Of course, they don't realize what was here before the pine. This is what was here before, the solid hardwood timber. It is a conversion.

MR. CRITTENDEN: Well, are you familiar with the unit plan?

MR. YANCEY: Would you mind letting him finish and then ask your questions, please.

MR. PALERMO: This is a conversion situation where you have had a TSI operation. All the hardwoods are dead in here. Squirrel habitat is very limited here, very few squirrels in habitat such as this. Deer, there is not much growing here. This coupled with over-grazing is very serious. You have no supplement, no mass production, and



you have an over-grazing situation in the winter-time, and this leads to real disaster when it comes to wildlife populations.

That is about all I have. I didn't want to take too much time. I have a lot more slides if anybody wants to see them sometime. Thank you.

THE CHAIRMAN: Thank you very much.

Did you have some questions, sir, you wished to ask? Would you state your name, please, and identify yourself, please, sir.

MR. ROBERT CRITTENDEN: Yes. I am Bob Crittenden from the Kisatchie Forest.

THE CHAIRMAN: U. S. Forest Service?

MR. CRITTENDEN: U. S. Forest Service. We didn't get to see the slide show at the last meeting and so I wanted to take the word back to everybody.

MR. YANCEY: Let me clear up one point there. We wanted to show them but they said they didn't want to see them.

DIRECTOR ANGELLE: Not Bob, not Bob Crittenden.

MR. CRITTENDEN: I didn't get to see them.



DIRECTOR ANGELLE: Frank Ferrarelli said he didn't want to see them.

MR. YANCEY: Frank said he didn't want to see them.

THE CHAIRMAN: But he works for Frank, Bob does.

MR. CRITTENDEN: You had better believe it! Anyway, Ray, I just wondered if you were familiar with the unit plan that the Forest Service had for that area and whether it was conforming to what the Forest Service was intending to do with that area after public input and so forth.

MR. PALERMO: I am not sure. I don't think the unit plan was in effect when these conditions were being carried out, which we vehemently opposed, these practices that were taking place. We have been talking about these practices for 20 years now. The unit plan wasn't in effect and I am familiar with the unit planning system and certainly I think it doesn't give equal consideration to wildlife. It may say so on paper but out on the land it doesn't show it.

MR. CRITTENDEN: Thank you.



DIRECTOR ANGELLE: Ray, what you are saying is this intention of doing things is one and the performance of those intentions are something else.

MR. PALERMO: Yes, sir.

MR. YANCEY: I think this perhaps brings us back to the original question about what to do with the regulations that we have previously established on these Wildlife Management Areas. Since the Management Areas no longer exist and have been terminated by the Forest Service, I would presume that we should rescind the action taken at the June meeting of the Commission in the establishment of special hunting regulations on those lands. Now maybe Mr. Crittenden would want to speak for the Forest Service on this matter if he feels this is a proper or improper action.

MR. JONES: I wonder if I might ask him a question when he comes up. Something is not clear in my mind.

MR. CRITTENDEN: Thank you for the opportunity. I have not been authorized to participate in the meeting except for information listening and



to extend to Burt from Frank his thanks for conducting a very good meeting on a very sensitive topic. Your staff were well prepared and presented it well and I think overall that some meaningful conclusions came to it on both sides, and he wanted to express his thanks for that and that he was sorry he was unable to be here personally but he had a previous engagement.

THE CHAIRMAN: We are sorry he is not here, too.

MR. JONES: Mr. Chairman, may I? I have a question. Of course, he says he didn't come to participate and maybe he can answer my question by getting on the telephone. I live in the southwestern part of the state and I guess the closest part of this to me is Fort Polk. Now I understand that some time back you all sent some agreements down to this department and apparently they still have them to sign. Now if the department were prepared today to sign the agreement that you sent to them on Fort Polk, could you tell me whether you all would go ahead and sign it, too, just like you sent it to us.



MR. CRITTENDEN: I am not authorized to comment on that, sir.

MR. JONES: I wonder, since we are here in New Orleans today maybe prepared to sign it, could we impose on you to call Frank and ask him.

MR. CRITTENDEN: Certainly I will do that for you.

FROM THE FLOOR: On the 24th Mr. Ferrarelli said that they could not sign any one, they were not willing to sign any one separate, that all of them had to be signed and they could not sign Fort Polk by itself.

MR. JONES: I just wanted to know if that was still the position of the Forest Service, and if you could, get him on the telephone. I would sure like to know that. You know, if we can work it out and come to an agreement on one of them, boy, let's do it. We can exclude that one. We won't have a fuss about it.

MR. CRITTENDEN: I believe that question was asked at the August 24 meeting and the answer was given by Mr. Ferrarelli to Burt, and maybe you can address your question to Mr. Angelle.



MR. JONES: I just wanted to know if the Forest Service's position was the same, before we take some action involving all of them.

MR. CRITTENDEN: I have no word that it is any different than the 24th meeting.

THE CHAIRMAN: Mr. Jones, it would appear to me that this is another situation where the bureaucrats in Washington feel they know more than we know about the lands in Louisiana and how to manage the lands. I think old President Madison once said that if the farmers had to wait for the bureaucrats in Washington to plant their fields, we would all go hungry.

MR. DUPUY: Mr. Chairman, I don't know whether it is timely at this moment or not, but I would like to express my personal feeling on the matter before we call for a vote.

I believe our administrative and perhaps other remedies have not been exhausted and the unilateral decision by Mr. Ferrarelli may not stand as the ultimate decision of the Department of Agriculture or the U. S. Forestry Service and it is my personal feeling that it is premature on our part



at this time to rescind our own regulations when we may find that they may still be applicable after a final decision is made. I am personally going to vote against any kind of withdrawal of our regulations at this point.

MR. LUTTRELL: Marc, are you putting that before the Board?

MR. DUPUY: No, sir, that is not a motion. I am just expressing personal feelings.

MR. LUTTRELL: Mr. Chairman, when the discussion is over with, I have a motion.

THE CHAIRMAN: Mr. Secretary, would you like to make a comment at this time?

DIRECTOR ANGELLE: I have no particular comment. I think I overheard somebody from the audience say they may have some comment, before going into entertaining a motion at this time.

THE CHAIRMAN: Would you like to be heard, sir? Would you come to the mike and state your name and who you represent, please.

MR. PATRICK RANKIN: I am Patrick Rankin and I represent the Delta Chapter of the Sierra Club and its conservation chairperson Charles



Freiling. I have a very short statement.

The Delta Chapter is greatly encouraged by your recent press release, stating that you had a serious difference with the U. S. Forest Service regarding management practices that are severely detrimental to wildlife habitat on the Kisatchie National Forest in Louisiana. A strong public stand by your department serves to add credence to the claims by the Sierra Club and other organizations that the Kisatchie has persisted in poor resource management despite a considerable effort to get them on the right course.

We urge you to remain firm in your resolution to seek better management of these publicly owned forests. We further urge that you transmit your views to the Louisiana members of the United States Congress.

If there are any questions regarding this position --

THE CHAIRMAN: Does anyone have any questions? (No response) Thank you very much, Mr. Rankin.

MR. RANKIN: Thank you.



THE CHAIRMAN: Anyone else?

MR. WILLIAM FONTENOT: William Fontenot with the Louisiana Wildlife Federation. We have strongly supported the Wild Life and Fisheries Commission and the Department of Wild Life and Fisheries land acquisition and management programs. Our members and the general public have enjoyed opportunities to hunt and fish on the Wildlife Management Areas.

We are very disappointed to see that some sort of agreement could not be worked out between the Department and the U. S. Forest Service. We understand the problem and agree with Mr. Rankin from the Sierra Club. We would like to request that a full report of the Department's views of what has happened be transmitted to the Congressional delegation, because I know that they are interested in what is going on and I have a feeling that this situation may have to be resolved in Washington because it is involving disagreement over things which are set by the rules and regulations of the U. S. Forest Service. What may have to happen is that there may have to be some modifica-



tion of those rules and regulations or a change in them if we are going to have some sort of wildlife management areas on the National Forest Service lands in Louisiana.

We are certainly concerned that hunting opportunities are going to be decreased if the game management areas cannot be maintained on those Forest Service lands. In our opinion, the management of wildlife on these Forest Service lands benefits not only the sportsmen and the hunter but the general public. It benefits a lot of species that are not game species and we would certainly like to see the program continued and we would like to support you in whatever action you are going to take.

THE CHAIRMAN: Thank you, Mr. Fontenot. You can rest assured this Commission will contact the entire Louisiana delegation and other delegations from other states concerning this. This is just Round One, and you are authorized to tell Mr. Ferrarelli that, too, sir.

Does anyone else wish to be heard? Dick.

MR. YANCEY: Just one more point. The



action would be taken related to the Caney, the Red Dirt and the Catahoula Game Management Areas. The Fort Polk Wildlife Management Area will continue to exist. It will only be half as large as it has been, but it will continue to exist on the Army land, so the action taken in changing the regulations will relate to Caney, Red Dirt and Catahoula.

Now if this action is taken, then the Caney district, of course, will be open to hunting and it will be hunted under the regulations that were previously established by the Commission at the June meeting that apply to that general part of the state. Now the regulations on Catahoula and Red Dirt are going to be federal regulations and we don't understand exactly what that is going to be at that point, but they will establish those in the Forest Service office in Alexandria. That is what they told us they were going to do.

THE CHAIRMAN: It will be like the U. S. Postal Service. I am sure you will love that new regulation.

MR. YANCEY: But rather than have the



intensive on-the-ground enforcement that we have had in the past on these management areas, the enforcement of the general hunting regulations up there will be carried out by the Commission's regularly assigned law enforcement agents that work in each parish. We have about three or four agents in each parish and they work parish-wide, and then they would continue to enforce these general hunting regulations on these lands.

THE CHAIRMAN: Yes, would you please come forward? State your name and who you represent, please.

MR. LEONARD KNAPP: I am Leonard Knapp with the Southwest Louisiana Bird Hunters Association. I was asked by the Board of Directors to come up specifically. We had hoped that Mr. Ferrarelli would be here today to discuss this problem. We have been concerned about it and have already expressed our concern to the Louisiana delegation and we will continue to express our concern about the loss of these wildlife management areas. We think that it is a vital concern that our wildlife are managed properly on Kisatchie



National Forest.

We would just like to express, first of all, our appreciation to you all for continuing to press this matter and we would second the Louisiana Wildlife Federation and the Sierra Club in this case to join with them in recommending that a full report be given the Louisiana delegation, to explain exactly what your position is on this, as we as sportsmen are expressing our concern.

We even spent some time, some of our members went up and individually examined some of these areas, and it is very pathetic at some places as far as the wildlife management aspects. We are going to pursue it ourselves and would ask your cooperation perhaps to understand exactly what the problem is so that our group would have the understanding and background to understand exactly what the problem is and the difficulties as far as the positions of the different parties, the Forest Service and the Commission itself.

We have difficulty understanding exactly what regulations will be affected and how the change on the Wildlife Management Areas will be



effected, and we would like to have that cleared up as quickly as possible. We have got a hunting season coming up. Thank you.

THE CHAIRMAN: Thank you very much, sir. I am sure in three or four years now it will be cleared up! (Laughter)

Mr. Yancey, do you want to give us a formal recommendation?

MR. YANCEY: The recommendation would be that the action taken at the June meeting of the Commission in setting hunting regulations, special hunting regulations, on Caney, Red Dirt and Catahoula Wildlife Management Areas be rescinded. That is the recommendation.

THE CHAIRMAN: Gentlemen, you have heard the recommendation. Do I have a motion?

MR. LUTTRELL: Yes, I would like to move that we accept Mr. Yancey's recommendation, and then, Mr. Chairman, after that vote I have another motion.

THE CHAIRMAN: Do I have a second?

MR. LAPEYRE: Second.

THE CHAIRMAN: Seconded by Mr. Lapeyre.

All in favor, say aye.

IN UNISON: Aye.

THE CHAIRMAN: Any opposed?

MR. DUPUY: No.

THE CHAIRMAN: Let the record reflect that Mr. Dupuy voted no. The motion carries.

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

WHEREAS, hunting regulations for the Caney, Red Dirt and Catahoula Wildlife Management Areas were established by the Commission at its regular meeting held in June, 1977, which were to apply during the forthcoming season, and

WHEREAS, the U. S. Forest Service has terminated these wildlife management areas and stated that they no longer exist on Kisatchie National Forest lands in the state,

NOW THEREFORE BE IT RESOLVED that the hunting regulations adopted in June for the Caney, Red Dirt and



Catahoula Wildlife Management Areas
are hereby rescinded, and

BE IT FURTHER RESOLVED that
the hunting regulations applicable to
the regions of the state where these
lands are located shall apply.

MR. YANCEY: The reason for this is two-
fold. One is the Wildlife Management Areas were
terminated by the Forest Service, and number two,
we were told by the Forest Service supervisor that
the state regulations would no longer apply, so
that is it.

THE CHAIRMAN: You mean they can set
their own hunting regulations, Dick? They can go
beyond our bag limits in the state and whatever?

MR. YANCEY: I have no idea what he plans
to do. He merely said that he planned to set the
hunting regulations on both Red Dirt and Catahoula.
These two areas were set up by Presidential proclama-
tion in 1941, signed by Franklin D. Roosevelt, and
proclaimed Red Dirt and Catahoula as National Wild-
life Preserves with special consideration indicated
in those proclamations that wildlife would receive



priority consideration, which it has not received, in our opinion.

THE CHAIRMAN: Well, in your opinion, Mr. Yancey, do you think it is legal for them to set seasons and bag limits beyond what we set here?

MR. YANCEY: I would say no; I don't think they can go beyond what the Commission establishes. They possibly have the authority to further restrict in view of the fact that it was declared a National Wildlife Preserve but at this point we don't know what they are going to do. We have not been advised of that point and we will just have to cross that bridge when we get to it.

THE CHAIRMAN: Mr. Secretary, I would like to direct you as Chairman that any time they promulgate any laws on those management areas which violate the state game laws that I be notified and that you bring our attorneys into it and we will go from there. We will try them on the courthouse steps with that one.

Go ahead, Mr. Yancey.

MR. YANCEY: All right. Item No. 2 on the same subject pertains to a Memorandum of



Understanding under which these four Wildlife Management Areas have been operated, the last one being signed on December 19, 1975 by Mr. Ferrarelli and December 16 by Mr. Angelle. The proposal on the part of the staff is that in view of the cancellation and termination of the Wildlife Management Areas that this memo of understanding no longer applies and should be terminated at a time acceptable to both parties, or at least at a time deemed necessary by the Director here, because we have personnel, we have housing facilities on those Game Management Areas, we have other facilities that are going to have to be moved.

At a later date, if there is any indication that some meaningful working relationship can be developed that would adequately provide for the needs of wildlife, then perhaps some future agreement could be reached. We don't think this closes the door on any future arrangement, but the present memo of understanding in our opinion is now obsolete, so the suggestion here is that you give consideration to terminating the existing Memorandum of Understanding under which the four Wildlife



Management Areas have been operated.

MR. JONES: So move.

MR. LUTTRELL: I second it.

THE CHAIRMAN: Moved by Mr. Jones and seconded by Mr. Luttrell. All in favor say aye.

IN UNISON: Aye.

THE CHAIRMAN: Any opposed?

MR. DUPUY: No.

THE CHAIRMAN: Let the record reflect that Mr. Dupuy voted no. Carried.

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

WHEREAS, a Memorandum of Understanding between the U. S. Forest Service and the Louisiana Wild Life and Fisheries Commission was executed in December 1975 pertaining to the management of Kisatchie National Forest lands in the state, and

WHEREAS, the Louisiana Wild Life and Fisheries Commission has for a number of years been operating wildlife



management areas on 145,000 acres of Kisatchie National Forest lands including Caney, Red Dirt, Catahoula and Fort Polk Wildlife Management Areas, and

WHEREAS, in late July and early August of this year the U. S. Forest Service without prior notification to this Commission removed the Wildlife Management Area signs from the perimeter of these four game management areas which date back to 1948, and

WHEREAS, Mr. Frank Ferrarelli, U. S. Forest Service Supervisor in Louisiana declared at a meeting held on August 24, 1977, in the Baton Rouge office of the Commission that these wildlife management areas are terminated, that they no longer existed, and that the regulations adopted by the Commission at its June 1977 public meeting in New Orleans were no longer in effect and further that he would not continue with one or more of the wildlife management



areas even if the State agreed to sign, without amendment or change, the proposed renewal documents that he had forwarded to Wildlife and Fisheries in April of 1977,

NOW THEREFORE BE IT RESOLVED that the Commission does hereby authorize and direct Mr. J. Burton Angelle, Secretary of the Department of Wildlife and Fisheries, to cancel the Memorandum of Understanding executed in December 1975 between the Commission and the U. S. Forest Service, and

THEREFORE BE IT FURTHER RESOLVED that copies of this resolution be forwarded to the U. S. Forest Service and to each member of the Louisiana Congressional delegation.

MR. LUTTRELL: Mr. Chairman, since dove season opens on the third and since we are this close to it today on the 30th, I would like to move that the Board declare the two motions that we have voted on an emergency so that there would



be no misunderstanding about inserting this in our state register for a period of 30 days.

THE CHAIRMAN: You have heard the motion. Do I have a second?

MR. JONES: Second.

THE CHAIRMAN: Seconded by Mr. Jones. All in favor say aye.

IN UNISON: Aye.

THE CHAIRMAN: Any opposed?

(No response.)

Unanimous. So ordered.

MR. YANCEY: The third and last item I have on the agenda relates to the Tensas-Cocodrie pumping plant project that is planned for Concordia Parish by the Corps of Engineers. This project, of course, is getting under way now. Mitigation provisions have been made in the project to provide for the acquisition of lands against the damages that will be caused by the project.

The final plan for mitigation involves land acquisition to a dollar value of about \$3,519,000. It also involves the construction of water control structures on the Red River Wildlife



Management Area in Concordia Parish and the construction of boat-launching ramps in Concordia Parish. The Mississippi River Commission has forwarded a report to the U. S. Corps of Engineers Chief of Engineers, which proposes this type of mitigation against wildlife damages caused by the project.

Basically, what they are proposing is that the Department of Wildlife and Fisheries Commission enter into an agreement with them whereby the project would be developed in accordance with the approved mitigation plan, which I just briefly sketched, and that the Department would then cost-share in the land acquisition effort to the extent of .02 percent of the acquisition cost, which in this case would be only \$7,000 of Department money as compared to \$3,512,000 of federal money.

Secondly, that the Department would operate and maintain the completed mitigation work. Now in this instance we would be managing the acquired lands no doubt as a wildlife management area which would be open to public hunting and



fishing and this sort of thing, and further that we would pay the cost of operating and maintaining the water control structures and the boat-launching ramps on the game management area.

Now the cost of installing those water control structures and boat-launching ramps would be borne at federal cost, there would be no state expense in connection with that.

Thirdly, we would have to agree with the provisions of the Uniform Relocation Assistance Act of 1970. This generally means -- in fact, it specifically means -- that if we would acquire a tract of land that someone happened to be living on that we would have to pay the cost of relocating those people. Now this is not something greatly different from what we have had in the use of Bureau of Outdoor Recreation funds in the past, because we had to agree to that under the acquisitions that were made through the use of Bureau of Outdoor Recreation funds on past land acquisitions.

The fourth condition would be that we would have to comply with the requirements of Section 221 of P. L. 91:611. This provides



generally that they can't go forward with funding of a project of this nature unless each non-federal interest has entered into a written agreement with the Secretary of Army to furnish the required cooperation for the project. Now in the case of the mitigation, we would be the non-federal interest. In the case of the project, the pumping plant project, the Levee Board up there would be the non-federal interest, and of course they are very deeply involved in this project and have been for a number of years.

Further, that the Department would then hold the United States free of any damages from any acquisition, development and maintenance of these lands.

Now, those are basically the terms and conditions under which you would perhaps consider authorizing the Director to enter into this agreement, and they have forwarded to us a proposed draft letter for Mr. Angelle to sign through Colonel Moellering, in Vicksburg, which would state that we would agree and comply with the terms and conditions that are set forth in the letter.



Peter Duffy, our attorney, has looked at these documents I have here and if he has any further comment or word to offer on this, I would like -- is he still here? Pete, have I covered it or do you have something you would like to add?

MR. PETER DUFFY: You have covered everything.

MR. YANCEY: You think that covers it pretty well? O. K. We are not completely comfortable with this procedure. However, it is probably the best that can be developed at this time, and so we would suggest that you authorize Mr. Angelle to sign this letter to the Corps, providing of course that we also get clearance from the state clearing house in Baton Rouge that we have to run all joint state-federal proposals back before they can legally be forwarded on to the parties concerned, which in this case would be the Corps of Engineers.

MR. GILBERT: Dick, from what you have said, the Commission will be put in a position of securing and acquiring these mitigation lands. Has it ever been in the past that the Commission has secured land against the wishes of the land-



owner?

MR. YANCEY: The Commission has carried out an extensive land acquisition program since 1960 and has always acquired lands only from willing sellers.

MR. GILBERT: So you would see no reason that we would acquire lands that the landowner did not want to give up?

MR. YANCEY: I see no possibility of that at all. I would like further to add that when the Commission acquires this land, the Commission will have title to the land. The title will not be vested in the Corps or any other federal agency, with us then developing problems like we talked about a while ago.

Now, there are some mitigation lands being acquired by the Corps of Engineers at this time in connection with the Red River Backwater Project and there are still some questions about who is going to wind up with title to that land and complete management authority, but in this particular instance there would be no question about it. The land would be acquired by the Department,



by the state, and then the state would have title to the land.

The one string that is attached to this is that the lands are going to have to be acquired up in that part of the state, in some of that back-water region.

MR. GILBERT: That is the reason I was asking you to be certain that we would not be taking any land against the wishes of the people, because the lands that you mentioned a while ago that the Corps is taking, they are actually taking that and the landowners are fighting tooth and toenail to hold their land but the Corps of Engineers is taking this land for mitigation reasons.

MR. YANCEY: That's right.

MR. GILBERT: So I don't want the Commission, or I feel that we shouldn't get into taking a man's land if he doesn't want to sell voluntarily.

MR. YANCEY: I see no possibility of that at all.

THE CHAIRMAN: The Chair concurs in that.

MR. DUPUY: Mr. Chairman, if it is



appropriate at the moment, then I would offer a motion that the Secretary and/or the Chairman of the Commission be authorized after having secured approval of the Office of Facility Control to execute an agreement with the United States so as to carry out the purposes of the pumping plant agreement and to acquire by purchase from willing sellers the lands with the money that it will furnish to us.

THE CHAIRMAN: We have a motion. Do we have a second?

MR. LUTTRELL: Second.

THE CHAIRMAN: Is there any further discussion? (No response) All in favor say aye.

IN UNISON: Aye.

THE CHAIRMAN: Any opposed?

(No response)

So ordered.

Dick, do you have the letter to be signed and sent back? Give it to me, I will sign it now.

MR. YANCEY: Well, it is a draft letter; it has to be retyped.

THE CHAIRMAN: I thought they had sent



you a copy of it.

MR. YANCEY: Do you want to see a copy?

THE CHAIRMAN: Please.

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

WHEREAS, a mitigation report for the U. S. Corps of Engineers Tensas Cocodrie Pumping Plant project in Concordia Parish has been finalized by the Mississippi River Commission which is to be forwarded to the Chief of Engineers in Washington, and

WHEREAS, the details of this report are outlined in a publication prepared by the Vicksburg District of the U. S. Corps of Engineers dated June 1977, and

WHEREAS, the mitigation plan to compensate for damages to wildlife habitat by project construction calls for land acquisition in the amount of \$3,519,000, the construction of water



control structures and boat launching ramps on the Red River Wildlife Management Area with the land to be acquired at an agreed-upon location in eastern central and northeast Louisiana, and

WHEREAS, mitigation plans call for the Department of Wildlife and Fisheries to cost-share in the land acquisition in the amount of \$7,000 and to assume operation and maintenance responsibilities of the land title to which will be vested in the state along with maintenance responsibility for the water control structures and boat launching ramps along with compliance with P. L. 91-646 as detailed in correspondence as follow,

NOW THEREFORE BE IT RESOLVED that the Louisiana Wildlife and Fisheries does hereby authorize J. Burton Angelle, Secretary of the Department of Wildlife and Fisheries to forward



a letter of assurance to the District Engineer, U. S. Corps of Engineers in Vicksburg that the Department will act as the non-federal cooperator in connection with the mitigation plan only for the Tensas Cocodrie Pumping Plant Project.

(Copies of correspondence referred to above are appended hereto and made a part hereof.)

THE CHAIRMAN: Ken Smith, I believe you are up next.

(Commission Member Harvey Clay Luttrell here assumed the Chair temporarily.)

MR. KENNETH SMITH: Mr. Chairman, this item concerns lease renewal for a period of ten years for a 625-acre tract of land in Union Parish on which a lake has been located. This is Finch Bayou Lake. It is a small lake but it furnishes quite a bit of recreation for the people in Union



and Ouachita Parishes.

This is a free lease. This is the second proposed renewal. This will be for the third year period and it involves no cost to the Commission. The only obligation is that we enforce the fish and game regulations, which we would normally do, anyhow. In view of the fact that this has been a good project, I would recommend that the lease be renewed. Pennzoil Producing Company is the owner of this property.

THE CHAIRMAN: Gentlemen, you have heard the recommendation.

MR. JONES: So move.

MR. DUPUY: Second.

THE CHAIRMAN: Those in favor say aye.

IN UNISON: Aye.

THE CHAIRMAN: Opposed, like sign.

(No response)

So ordered. Thank you.

WHEREAS, the lease on Finch Bayou Lake located in Union Parish, occupying a tract owned by Pennzoil Producing Company, is expiring, and



WHEREAS, this 625-acre lake has furnished considerable fishing opportunity to residents of Union and Ouachita Parishes for the past 20 years, and

WHEREAS, there is no cost involved to the Department of Wildlife and Fisheries in the renewal except the normal obligation to enforce fish and game laws,

NOW THEREFORE BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission hereby authorizes the Secretary to enter into a renewal agreement on Finch Bayou Lake for a period of ten years beginning September 1, 1977 and expiring August 31, 1987.

THE CHAIRMAN: O. K., Joe, you have got two minutes!

MR. JOE HERRING: You are going to limit me to two minutes? O. K., first is a resolution just pertaining to National Hunting and Fishing



Day, which will be September 24, 1977. Each year we do recognize the sportsmen through a resolution of this type, as many of the wildlife clubs throughout the state have this as a special day. They put on special events for the hunters and fishermen in these areas. It is a time to recognize the people who are possibly the fathers of conservation. Take the sportsmen themselves, they demanded that the states have some type of fish and game departments and in the last fifty years these people have spent over \$2.5 billion for conservation. Through their efforts, the sportsmen of the United States as well as our state, we now have a lot more deer, turkeys and other game species here than we had fifty years ago, through their hunting efforts. This also benefits a lot of the non-game species that we do have in our state.

These same sportsmen then have put on themselves an excise tax on hunting and fishing equipment, this to be spent on wildlife back in the states and on habitat and research.

I would like to recommend to the Commission at this time that we do recognize this as



National Hunting and Fishing Day and the Governor has signed a proclamation pertaining to this.

THE CHAIRMAN: You have heard the recommendation.

MR. DUPUY: I so move.

MR. JONES: Second.

THE CHAIRMAN: Those in favor, say aye.

IN UNISON: Aye.

THE CHAIRMAN: Opposed by like sign.

(No response)

Motion carried.

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

WHEREAS, because of the outstanding contributions that America's hunters and fishermen have made to conservation, recreation and the economy, they are deserving of special recognition, and

WHEREAS, since the turn of the century, hunters and anglers have been the leaders in nearly all major



conservation programs. These sportsmen-conservationists are responsible for the founding of state fish and game departments in all fifty states. They asked that they, themselves, be required to buy licenses and that the money collected be used to support state conservation agencies. In the last fifty years alone, these sportsmen have provided \$2.5 billion for conservation purposes, and

WHEREAS, hunters and fishermen asked for the establishment of regulation seasons and bag limits so that sportsmen could harvest the annual crop of game and fish without damage to the basic breeding population. The result has been that there are now more deer, elk, antelope and wild turkey in the United States than there were fifty years ago. Further, sportsmen's programs have benefited numerous species of non-game fish and wildlife through habitat



development, and

WHEREAS, hunters and fishermen, unique in all America, asked that their fishing and hunting equipment be taxed and that the money be used for land acquisition, research and habitat management for fish and wildlife for the enjoyment of all Americans, and

WHEREAS, through their publications and organizations, such as the National Wildlife Dederation, Ducks Unlimited, Izaak Walton League of America and many others, hunters and fishermen have led the nation in the battle for a better environment and the wise use of our natural resources,

NOW THEREFORE BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission hereby proclaims September 24, 1977 as Louisiana Hunting and Fishing Day and that this day be an annual observance the fourth Saturday of each September. The Commission urges-



all citizens to take part in National Hunting and Fishing Day activities on September 24, 1977, to learn more about conservation and outdoor skills.

MR. HERRING: Thank you, Mr. Chairman. The next item we have on the agenda, Mr. George Perry, who is representing the Ashland Pipeline Company, called and requested permission to relocate their crude oil pipeline across the Red River Wildlife Management Area. The present pipeline will be taken in by the U. S. Corps of Engineers levee relocation.

At the last Commission meeting Amoco Pipeline and Concordia Electric were given permission to relocate their right-of-ways and at this time really Ashland should have made their request but they were late getting it in. It did come in after the last Commission meeting, and so what it would be, as we granted at the last Commission meeting for these other two companies to relocate their pipelines under rules that we have set up years back, and since Ashland will have to relocate theirs, they will relocate it and use the



same right-of-way, all three companies will be within the same right-of-way now. Since the Corps is relocating that levee, there is not much other choice but to go ahead and grant them permission to relocate theirs with the other two companies there. They apologized for not getting it in with the others.

My recommendation would be to grant it.

MR. GILBERT: So move.

MR. JONES: Second.

THE CHAIRMAN: Moved by Mr. Gilbert, seconded by Mr. Jones. Do we have any opposition?

(No response)

Hearing no opposition, so ordered.

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

WHEREAS, Mr. George Perry, representative of Ashland Pipeline Company, requested permission to relocate their crude oil pipeline across the Red River Wildlife Management Area, and



WHEREAS, the present pipeline will be taken in by the U. S. Corps of Engineers levee relocation, and

WHEREAS, at the last Commission meeting Amoco Pipeline Company and Concordia Electric were given permission to relocate their rights-of-way, and

WHEREAS, the Ashland Pipeline Company will be located on the same right-of-way as Amoco and Concorida, all three companies running their lines side by side,

NOW THEREFORE BE IT RESOLVED that due to the relocation of the levee by the U. S. Corps of Engineers and that Ashland Pipeline Company has a previous permit from the Louisiana Wildlife and Fisheries Commission, that this request to relocate their pipeline be granted.

MR. HERRING: Thank you. Our next item, we have had quite a few inquiries about the use of Hovercraft or you might call them air-cushion



vehicles on our Wildlife Management areas. We do have a regulation that says that air boats will not be used on our Wildlife Management Areas for transportation or hunting purposes, but these Hovercrafts are air-cushion vehicles and it seems like they are fixing to become very popular. They have started making smaller craft now, two-man crafts, that can go across the marshes. There are not many obstacles as long as it is fairly flat for these vehicles. What it is, it is more or less a boat that has a rubber skirt around the edge of it. They do have an engine in there with a fan that fills up under this boat within the perimeter of the rubber skirt and this lifts the boat up off the ground off the water, rocks or whatever it may be, and they can skim, oh, 35 or 40 miles an hour, according to what size and type of vehicle, across practically any type of terrain.

We feel that this would be a big detriment to the hunters trying to use some of the marshlands and some of our other Wildlife Management Areas. Use of these vehicles would be very disruptive to a lot of small game as well as large



game and waterfowl on our Wildlife Management Areas.

Since we do have an air-boat regulation, we did discuss this with our attorney, Peter Duffy, and he thought it would be better to go ahead and get it cleared through Commission action here that we would prohibit the use of the air-cushion vehicles on Wildlife Management Areas.

I would recommend to the Commission that we take this action.

MR. JONES: I so move.

MR. DUPUY: Second.

THE CHAIRMAN: Moved by Mr. Jones and seconded by Mr. Dupuy. Those in favor say aye.

IN UNISON: Aye.

THE CHAIRMAN: Opposed, no.

(No response)

Motion carried.

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

WHEREAS, we have had some inquiries on the use of Hovercraft vehicles on wildlife management areas



for hunting and transportation purposes, and

WHEREAS, we originally thought that the Hovercraft would possibly be covered under the airboat regulations but in discussion with Commission Attorney Peter Duffy, he advised that the Commission prohibit the use of Hovercraft or air-cushioned vehicles specifically, and

WHEREAS, the use of air-cushioned type vehicles on wildlife management areas can certainly be a detriment to the hunters and fishermen in trying to use the public areas, and

WHEREAS, this type of vehicle which can travel across practically any type of terrain and which movement would be very disruptive to small and large game and waterfowl,

NOW THEREFORE BE IT RESOLVED



that the use of Hovercraft or air-cushioned vehicles not be permitted for public use on wildlife management areas as this would be in the best interest of the majority of the outdoor public using these areas.

MR. HERRING: Thank you, Mr. Chairman. The next item we have pertains to our newly-acquired Boeuf Wildlife Management Area, which is in Caldwell Parish. It is appropriate at this time for us to establish a hunting season on this area for 1977-78. This was purchased after we established the season on the other wildlife management areas.

Our personnel are presently marking the boundaries on these areas and it will be completed prior to the hunting season. Our recommendations for there would be: Deer, November 25-29; December 17-January 1; bucks only with season permit. Squirrel and Rabbit, October 1-November 20 and December 3-16, still hunting only. Waterfowl, same as outside except hunting only until 2:00 p.m. Woodcock, same as outside except closed during the



deer gun hunt. Turkey, March 25-April 9, gobblers only. Quail, November 24-February 28 except closed during deer gun hunt.

We would also recommend that all permanent blinds be removed five days prior to the regular duck season. There are some on there and we have had much correspondence with these people and we would recommend that these be removed from the area.

Also, a tire limitation of 34 inches or more in height prohibited on the area.

THE CHAIRMAN: Joe, I believe that there was some discussion on this and it was decided it was just possible there wouldn't be enough water. In case there wasn't enough water, those blinds could remain there but couldn't be used. Am I correct?

MR. HERRING: Yes, sir. There are some floating blinds that are too large possibly for people to get out unless there would be enough water, and everyone would be notified, but should this be the case, then these people would not be permitted to use these but get them out just as



quick as we could with the water available there to float them out.

(Chairman Berry here resumed the Chair.)

THE CHAIRMAN: Gentlemen, you have heard the recommendation. Do we have a motion?

MR. DUPUY: I will so move.

MR. LUTTRELL: Second.

THE CHAIRMAN: Moved by Mr. Dupuy, seconded by Mr. Luttrell. All in favor say aye.

IN UNISON: Aye.

THE CHAIRMAN: Any opposed?

(No response)

So ordered.

DIRECTOR ANGELLE: How about decoys?

MR. HERRING: Right. No decoys to be left overnight in any of our wildlife management areas. You put them out each day, you pick them up each day, so this same regulation will be the same as other wildlife management areas, Mr. Secretary.

(The full text of the resolution is here made



a part of the record.)

WHEREAS, with the purchase of the new Boeuf Wildlife Management Area in Caldwell Parish, it is appropriate at this time for hunting seasons to be established for 1977-78, and

WHEREAS, our personnel are on the area marking boundaries which will be completed by the upcoming hunting season, and

WHEREAS, the seasons need to be in compliance with other hunting seasons in the state on Wildlife Management Areas,

NOW THEREFORE BE IT RESOLVED that the following rules and regulations apply to the Boeuf Wildlife Management Area:

Deer: November 25-29;

December 17-January 1.

Bucks only - season permit.

Squirrel and Rabbit: October 1-

November 20 and December 3-16,

Still hunting only.



Waterfowl: Same as outside EXCEPT
hunting only until 2:00 p.m.

Woodcock: Same as outside EXCEPT
closed during deer gun hunt.

Turkey: March 25-April 9, Gobblers only.

Quail: November 24-February 28 EXCEPT
closed during deer gun hunt,

and

FURTHER BE IT RESOLVED that
recreational vehicles having tires
34 inches or more in height are pro-
hibited. Motorized vehicles restricted
to established roads and vehicle trails,
and

BE IT FURTHER RESOLVED that all
blinds, both stationary and floating,
which exist on the area be removed five
days prior to the regular duck season.
Should the water be low and the floating
blinds could not be removed from the
area, no one is to use these blinds or
permanent type structures left on the
area. Should individuals not remove



their blinds when conditions permit, Commission personnel will remove and destroy such blinds.

MR. HERRING: That is all, Mr. Chairman. Thank you.

THE CHAIRMAN: Mr. Gilbert.

MR. GILBERT: Mr. Chairman, I have a proposed change that I would like to offer the Commission on the eastern zone duck hunting. It has been explained to me a little bit better than before ten o'clock that what I had originally recommended would not give the most hunting with the best hunting season, would not give the hunters the best opportunity to kill the most ducks.

So, for that reason I am going to suggest to you that we change the eastern zone only, take one week off the first split, which would result in closing on December 4 rather than December 11; add that week to the end of the second split, extending the time to January 14. The net result would be the eastern zone would be November 19 to December 4, commencing again on December 17, terminating on January 14. There is



a wide cry from people that have contacted not only the biologists but other members of the Commission that they need the latest season possible, so this change, if the Commission adopts it, would give one additional week in January. That is what I would recommend to the Commission.

THE CHAIRMAN: Gentlemen, before I can accept that recommendation and motion, I need a motion and a second to rescind the previous motion setting the dates in the east.

MR. GILBERT: I will so move.

MR. LUTTRELL: Second.

THE CHAIRMAN: Moved by Mr. Gilbert, seconded by Mr. Luttrell. All in favor say aye.

IN UNISON: Aye.

THE CHAIRMAN: Any opposed?

(No response)

So ordered.

Now I will receive a motion on the east for November 19-December 4 and December 17-January 14. Is that your motion?

MR. GILBERT: Right.

MR. DUPUY: Second.



THE CHAIRMAN: Seconded by Mr. Dupuy.
All in favor?

IN UNISON: Aye.

THE CHAIRMAN: Any opposed?

(No response)

It is unanimous. So ordered.

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

WHEREAS, migratory waterfowl
hunting regulations for the 1977-78
seasons have been provided to the
Louisiana Wildlife and Fisheries Com-
mission by the U. S. Fish and Wildlife
Service, and

WHEREAS, 45 days of hunting
of ducks and coots will be allowed in
the eastern zone of the state and 50
days in the western zone along with
70 days of goose hunting for the state
as a whole, and

WHEREAS, an option between the
point system and the conventional bag



limit has also been offered along with a special scaup season in a number of saltwater bays in Southeast Louisiana, now

THEREFORE BE IT RESOLVED that the following hunting season dates are established for the taking of ducks, coots and geese during the 1977-78 seasons, and

THEREFORE BE IT FURTHER RESOLVED:

Ducks-Coots - Eastern Zone, November 19-December 4; December 17-January 14.

Ducks-Coots - Western Zone, November 5-December 4; December 17-January 5.

Special scaup season - January 14-29, Certain saltwater bays in Southeast Louisiana.

Geese - Eastern Zone, November 19-January 27.

Geese - Western Zone, November 5-December 4, December 17-January 25, and



THEREFORE BE IT FURTHER
RESOLVED that the point system is
hereby selected for the control of
bag and possession limits for the
hunting of ducks in accordance with
the point values by species as
allocated by the U. S. Fish and
Wildlife Service, and

THEREFORE BE IT FURTHER
RESOLVED that the bag limits on coots
and all species of geese as established
by the U. S. Fish and Wildlife Service
are hereby adopted, and

THEREFORE BE IT FURTHER
RESOLVED that all other federal regu-
lations pertaining to the hunting,
methods of taking, shooting hours
shall apply. Closed zones for the
hunting of certain species of ducks
and steel shot requirements in cer-
tain areas in Louisiana all as estab-
lished by the U. S. Fish and Wildlife
Service federal regulations are also



hereby adopted.

THE CHAIRMAN: Is there any other business to come before the Commission today? I hope not. Yes, sir, go ahead, Mr. Jones.

MR. JONES: I am going to talk about an old problem. A lot of our state refuges, primarily in south Louisiana, are affected by oil, gas and mineral leases that have been in existence for a number of years and we receive a tremendous amount of revenue from these refuges that we commit to our wildlife programs throughout the state.

We have a problem that exists today that involves the price the state is receiving for its share of the gas. As I understand it, and Allan can correct me, for example, on Rockefeller some of the gas is being sold for a price within the range of 30 cents to 40 cents, whereas the market price in that area is in excess of \$1.50 per thousand. When you translate that with the quantities that are being sold, there is a lot of money that is going somewhere that is not coming to us that we are not being paid the market value.

The old leases under which these opera-



tions are undertaken provide that we will receive the market value of the gas. We have met with the Mineral Board Committee in the past. We have written letters and no action has been taken.

I would like to move that the Secretary be authorized, empowered and directed to take whatever action is necessary on the part of the Commission involving all of our lands that we have control over to take whatever action is necessary to see that we receive the market value of our gas, including the filing of lawsuits.

THE CHAIRMAN: You have heard Mr. Jones' motion.

MR. DUPUY: I second it.

THE CHAIRMAN: We have a second by Mr. Dupuy. All in favor say aye.

IN UNISON: Aye.

THE CHAIRMAN: Any opposed?

(No response)

So ordered.

The dates for the September meeting will be September 26 and 27, unless some of the members have a conflict with that.



Is there any other business to come before the Commission today?

MR. JONES: I move we adjourn.

THE CHAIRMAN: We are adjourned.

....Thereupon, at 1:20 o'clock p.m. on Tuesday, August 30, 1977, the regular monthly meeting of the Board of the Commission was adjourned....

Kathryn G. Chamberlin,
Reporter.



C E R T I F I C A T E

I, the undersigned reporter, DO HEREBY CERTIFY that the above and foregoing (162pages of typewritten matter) is a true and correct transcription of the tape recording and of the stenographic notes of the proceedings herein, transcribed by me, at the time and place hereinbefore noted.

New Orleans, Louisiana, this 23rd day of September, 19 77.

Kathryn G. Chamberlin
Kathryn G. Chamberlin,
Reporter.





DEPARTMENT OF THE ARMY
VICKSBURG DISTRICT, CORPS OF ENGINEERS

P. O. BOX 60

VICKSBURG, MISSISSIPPI 39180

REPLY TO
ATTENTION OF: LMKPD-E

24 August 1977

Mr. J. Burton Angelle, Secretary
Louisiana Department of Wildlife
and Fisheries
400 Royal Street
New Orleans, Louisiana 70130

Dear Mr. Angelle:

Reference is made to the 19 August 1977 telephone conversation between Mr. Richard Yancey of your office and Mr. Robert Flanagan of my staff concerning local assurances for the Tensas-Cocodrie Pumping Plant Mitigation Report.

As discussed with Mr. Yancey, the Mississippi River Commission in its report on the mitigation project required that certain assurances be provided by local interests prior to implementation of the recommended mitigation plan. Local interest requirements are listed as follows:

- a. Develop the project in accordance with the approved mitigation plan.
- b. Share in the cost of mitigation in the same proportion as other project costs; this share is currently estimated at \$7,000.
- c. Operate and maintain the completed mitigation works.
- d. Comply with the requirements of Section 221, PL 91-611.
- e. Comply with the provisions of the Uniform Relocations Assistance and Real Property Acquisition Policies Act of 1970 (PL 91-646).
- f. Hold and save the United States free from damages due to the acquisition, development, and maintenance of mitigation lands acquired pursuant to this plan, excluding damages due to the fault or negligence of the United States or its contractors.

RECEIVED

AUG 24 1977

ASST. DIRECTOR
LOUISIANA WILDLIFE &
FISHERIES COMMISSION



LMKPD-E
Mr. J. Burton Angelle

24 August 1977

While formal assurances will not be required prior to authorization of the project, we do need a letter of intent from your Department stating that you agree to assume the responsibility for meeting the requirements of local cooperation and will furnish formal assurances at the appropriate time.

A suggested draft of the letter of intent is inclosed for your consideration and possible use. Also inclosed for your information is a copy of the final mitigation report as submitted by the Vicksburg District and a copy of the Mississippi River Commission report. Please feel free to contact us if you need any additional information.

Sincerely yours,



HAROLD D. MORGAN
LTC, Corps of Engineers

(Acting) District Engineer

3 Incl
As stated

Colonel John H. Moellering
District Engineer, Vicksburg District
Corps of Engineers
P. O. Box 60
Vicksburg, Mississippi 39180

Re: LMKPD-E
Fish and Wildlife Mitigation
Report, Tensas-Cocodrie Pumping
Plant, Red River Backwater Area,
Tensas Basin, Louisiana

Dear Colonel Moellering:

By this letter of _____ 1977, the Louisiana Department of Wildlife and Fisheries acting through its Secretary, J. Burton Angelle, hereby agrees to assume responsibility for furnishing the following requirements of local cooperation for the proposed Mitigation Project, Tensas-Cocodrie Pumping Plant, Red River Backwater Area, Tensas Basin, Louisiana:

- a. Develop the project in accordance with the approved mitigation plan.
- b. Share in the cost of mitigation in the same proportion as other project costs; this share is currently estimated at \$7,000.
- c. Operate and maintain the completed mitigation works.
- d. Comply with the requirements of Section 221, PL 91-611.
- e. Comply with the provisions of the Uniform Relocations Assistance and Real Property Acquisition Policies Act of 1970 (PL 91-646).
- f. Hold and save the United States free from damages due to the acquisition, development, and maintenance of mitigation lands acquired pursuant to this plan, excluding damages due to the fault or negligence of the United States or its contractors.

The Department has fully considered the impact of the above listed provisions on its participation, and is prepared to sign the formal agreement at the proper time.

Sincerely,

J. BURTON ANGELLE
Secretary